



**CITY OF CLERMONT
AMENDED COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 12, 2016**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. For items listed on the agenda, each speaker will be permitted 5 minutes to address the Council. For non-agenda items, each speaker will be permitted 3 minutes to address the Council. These time limits may be changed by the Mayor. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Arbor Day

PRESENTATION

Year End Quarterly Budget Presentation - Fiscal Year 2015

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Meeting Minutes

Consider request to approve minutes of the December 8, 2015 Regular Council Meeting.

Item No. 2 - Proposal Award

Consider approval of Request for Proposals award to GAI Consultants, Inc., Wantman Group, Inc., and Cribb Philbeck Weaver Group for professional engineering services for downtown-waterfront projects.

Item No. 3 - Proposal Award

Consider approval of Request for Proposals award to Presentation Products, Inc. d/b/a Spinitar to upgrade the Council Chambers audio/visual system in the amount of \$60,169.65 and a budget amendment in the amount of \$25,169.65.

Item No. 4 - Contract Award

Consider request to piggyback the Florida Sheriffs Association contract to purchase fleet vehicles for the Fire Department in the total amount of \$42,509.50

CITY OF CLERMONT
AMENDED COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 12, 2016

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| Item No. 5 - Replat Approval | Consider Heritage Hills Ph 2-B Replat Lot 6. |
| Item No. 6 - Replat Approval | Consider Heritage Hills Phase 2-C Replat Lot 23. |
| Item No. 7 - Plat Approval | Consider Hunters Run Phase 3 Plat. |
| Item No. 8 - Interlocal Agreement | Consider Interlocal Agreement with Lake County for Traffic Signal Maintenance in the amount of \$86,468.05. The City is reimbursed in the amount of \$40,584. |
| Item No. 9 - Utility Service Agreement | Consider request for a Utility Service Agreement for Wastewater for Pinecrest Lakes Academy Charter School located at the NW corner of Hancock Rd. & Old Highway 50 |
| Item No. 10 - Resolution No. 2016-01 | Consider request to approve Fiscal Year 2016 quarterly budget amendments. |
| Item No. 11 - Grant Request | Consider Share the Road Challenge grant application and funding match in the amount of \$25,000. |

UNFINISHED BUSINESS

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| Item No. 12 - Variance Request
<i>Rorabaugh</i> | Consider a variance request to allow for a side and rear yard setback of 7.5 feet rather than 25 feet located at 297 West Osceola Street. |
| Item No. 13 - Ordinance No. 2015-71 <i>Final WaterBrooke Large-Scale Comprehensive Plan Amendment</i> | Consider Ordinance to change the Future Land Use from Lake County Urban Low Density to Low Density Residential for property located south of S.R. 50, east of Hancock Road, west of Hartle Road, and north of Johns Lake Road. |
| Item No. 14 - Ordinance No. 2015-74 <i>Final Table to March 8, 2016</i> | Special Events application process. |

CITY OF CLERMONT
AMENDED COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 12, 2016

Item No. 15 - Variance Request
Advanced Watershapes

Consider five variances for property located south of S.R. 50, west of Second Street, and across from Autozone.

NEW BUSINESS

Item No. 16 - Lien Release
Freeman

Consider a request for lien forgiveness for a vacant lot located south of S.R. 50, west of Second Street and across from Autozone.

Item No. 17 - Variance Request
Home Depot

Consider variance requests to allow for less than one parking space per 200 square feet and to allow for outdoor storage located at 1530 E. Highway 50.

Item No. 18 - Ordinance No. 2016-02
Introduction

Consider introduction of an Ordinance to annex property located south of S.R. 50 and west of Hartle Road, consisting of approximately 25 acres.

Item No. 19 - Ordinance No. 2016-03
Introduction

Consider introduction of an Ordinance to change the zoning from Urban Estate to Planned Unit Development for property located south of S.R. 50 and west of Hartle Road.

Item No. 20 - Ordinance No. 2016-04
Introduction

Consider introduction of an Ordinance to change the zoning from R-1 Single Family Medium Density Residential to C-1 Light Commercial for property located at the southeast corner of U.S. 27 and Citrus Tower Blvd. across from RaceTrac.

Item No. 21 - Ordinance No. 2016-05
Introduction

Consider introduction of an Ordinance to annex a portion of the S.R. 50 right-of-way.

Item No. 22 - Ordinance No. 2016-06
Introduction

Consider introduction of an Ordinance to amend Chapter 62, Section 62-39 Parking For Prohibited Acts.

CITY OF CLERMONT
AMENDED COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 12, 2016

ADJOURN

Any person wishing to appeal any decision made by the City Council 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 defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

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

*City of Clermont
Proclamation*

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community;

NOW, THEREFORE, I, Gail L. Ash, Mayor of the City of Clermont, Lake County, Florida, do hereby proclaim January 15, 2016 as

ARBOR DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 12th day of January, two thousand and sixteen.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

The Clermont City Council met in a regular meeting on Tuesday, December 8, 2015 in the Clermont City Center. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Mullins, Bates, and Travis. Other City officials present were: City Manager Gray, City Attorney Mantzaris, and City Clerk Ackroyd Howe.

Absent: Council Member Goodgame.

INVOCATION

Pastor Kendal Anderson gave the invocation followed by the Pledge of Allegiance.

PROCLAMATION

City Clerk Ackroyd Howe read the On-Street Bicycling Lanes proclamation aloud. Mayor Ash presented the proclamation to Council Member Travis.

PRESENTATIONS

Recognition of Honor Guard Commanders

Lieutenant Richard Keith; Honor Guard Commander, recognized Honor Guard Robert Lovvorn for his dedicated service to the Clermont Fire Department Honor Guard. Fire Chief Bishop thanked the Honor Guard for serving the community.

Recognition of City Board Member Volunteers

Development Services Director Hollerand presented a Certificate of Appreciation to the board member volunteers from the Planning and Zoning Commission and the Code Enforcement Board.

Certificate of Excellence in Financial Reporting Presentation – Fiscal Year 2014

Mayor Ash presented a plaque from the Government Finance Officers Association to Finance Director VanZile. The City has received this award for 27 consecutive years. Finance Director VanZile recognized Finance Manager Lacy Smith-Castillo for her role in preparing the annual financial report.

School Crosswalk Presentation

Economic Development Director Hitt presented an update to the City Council regarding student and pedestrian crosswalk safety at the State Road 50 and East Avenue intersection. The intersection has a crossing guard for two hours each day during the elementary school hours. The cost to provide a crossing guard for an additional two hours each day to cover the middle school hours for the remainder of the school year would be approximately \$3,000.

The crosswalks are striped according to code; however the required crossing signage was not posted at the intersection. The Lake County District School Board has contacted the Florida Department of Transportation and an on-site inspection will be conducted and the required signage will be installed.

City Manager Gray stated staff would need authorization from the Council to provide additional hours for the crossing guard.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Council Member Bates asked if the Lake County School Board would provide any funding. Economic Development Director Hitt stated the Lake County School Board did not have the budgeted funds to assist with a school crossing guard.

Council Member Bates moved to approve the expenditure for a crossing guard to be maintained for an additional two hours each day; seconded by Council Member Mullins.

Mayor Ash opened the public hearing.

Ms. LeBlanc thanked the Council.

Mayor Ash closed the public hearing.

The motion passed with all members present voting aye.

Mayor Ash announced Council Member Goodgame was unable to attend the meeting.

PUBLIC COMMENTS

Wayne Weatherbee commented he disagreed with Ordinance No. 281 that was adopted from Ordinance 230-M, which was adopted improperly. He distributed a document to the City Council.

Marie Howell; Greater Clermont Cancer Foundation, presented a Certificate of Appreciation to the City Council from the Greater Clermont Cancer Foundation Board of Directors for supporting the Clermont Music Festival.

Jim Purvis thanked staff for the events for the holiday season.

Dave Holt thanked the Council and staff for their support during his term on the Code Enforcement Board. Mr. Holt suggested the City add a third Code Enforcement Officer.

Tim Murry announced at 6:30pm on December 11, 2015, there will be a “Battle of the Badges” basketball game between the Clermont Police Department and the Lake County Sheriff’s Department at Clermont Elementary School. The admission price is one unwrapped toy, which the Christian Men in Action organization will distribute to children in need on Christmas Eve.

REPORTS

City Manager Gray stated the Clermont Downtown Partnership has requested the First Friday event in January be held on the 2nd Friday in January. Staff supported the requested change.

Council Member Bates moved to approve changing the January First Friday to January 8, 2016; seconded by Council Member Travis.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

The motion passed with all members present voting aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

City Manager Gray announced Consent Item No. 15; “Taste of the World” Event Request, was removed from the agenda.

City Manager Gray stated the applicants requested Council table Item No. 23; Advanced Watershapes Variance Request, and Item No. 24; Rorabaugh Variance Request, to the January 12, 2016 meeting due to not having a full Council.

Council Member Bates moved to table Item No. 23 and Item No. 24 to the January 12, 2016 meeting; seconded by Council Member Mullins. The motion passed with all members present voting aye.

City Manager Gray announced the applicant has requested Council table Item No. 16; Ordinance 2015-71, to the January 12, 2016 meeting.

City Clerk Ackroyd Howe read Ordinance 2015-71 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Large 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 Large Scale Comprehensive Plan Amendment; providing for the adoption of the Large Scale Comprehensive Plan Amendment; establishing the legal status of the Large Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Council Member Bates moved to table Ordinance 2015-71 to January 12, 2016; seconded by Council Member Mullins. The motion passed with all members present voting aye.

City Manager Gray requested the Arby’s variance request be heard after the Consent Agenda. Council was in agreement.

City Manager Gray extended thanks and appreciation to staff and Parks and Recreation Director Davidoff for a successful Light Up Clermont.

City Attorney Mantzaris – No report.

Council Member Bates thanked staff and City Manager Gray for the events over the past several weeks.

Council Member Goodgame – Absent

Council Member Mullins thanked staff and City Manager Gray for the events over the past several weeks.

Council Member Travis announced the South Lake Chamber Breakfast will be held on December 18, 2015 and on December 29, 2015 at 5:00pm there will be a ‘Kids First’ bike ride at Waterfront Park.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Mayor Ash commented she attended a special Veterans program on November 11, 2015; a ‘Share the Road Summit’ was held on November 13, 14, and 15, 2015; the ground breaking for the new Police Station on November 16, 2015; a dinner on December 19 held by New Beginnings; and the Light Up Clermont events. She extended her thanks to City staff for decorating the Downtown area.

CONSENT AGENDA

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

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| Item No. 1 – Meeting Minutes | Consider request to approve minutes of the October 27, 2015 and the November 10, 2015 Regular Council meeting. |
| Item No. 2 – Council Meeting Schedule | Consider request to approve the 2016 City Council meeting calendar. |
| Item No. 3 – Contract Award | Consider request to piggyback the Florida Sheriffs Association contract to purchase fleet vehicles for the Environmental Services Department in the total amount of \$561,744. |
| Item No. 4 – Contract Award | Consider request to piggyback the Florida Sheriffs Association contract to purchase fleet vehicles for the Police Department in the total amount of \$451,520.50. |
| Item No. 5 – Contract Award | Consider request to piggyback the Florida Sheriffs Association contract to purchase fleet vehicles for the Public Works Department in the total amount of \$125,604. |
| Item No. 6 – Contract Award | Consider request to piggyback the Florida Sheriffs Association contract to purchase fleet vehicles for the Fire Department in the total amount of \$65,658. |
| Item No. 7 – Request for Proposal Award | Consider approval of Request for Proposals award to Cardno, Inc. to provide installation and training of an asset management software for the Environmental Services Department in the amount of \$128,488. |
| Item No. 8 – Surplus Request | Consider approval of request to declare end of life inventory as surplus from the Parks and Recreation Department and dispose of in accordance with the Purchasing Policy. |

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

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| Item No. 9 – Resolution No. 2015-42 | Consider approval of revised Purchasing Policy. |
| Item No. 10 – Resolution No. 2015-43 | Consider approval of Resolution creating a City of Clermont Youth Council. |
| Item No. 11 – Utility Service Agreement | Consider request for water service to a single family home owned by Steven George Gray at 15630 Johns Lake Road. |
| Item No. 12 – Facility Use Agreement | Consider approval of Facility Use Agreement with Clermont Sailing Club for usage of space at the Clermont Boathouse. |
| Item No. 13 – Interlocal Agreement | Consider approval of an updated Interlocal Agreement with the Lake-Sumter Metropolitan Planning Organization. |
| Item No. 14 – Cost Share Agreement and Budget Amendment | Consider approval of Cost Share Agreement with St. Johns River Water Management District for Lower Floridan aquifer wells up to the amount of \$1,980,000 and a budget amendment in the amount of \$1,980,000. |
| Item No. 15 – Event Request and Open Container | Consider request for XClusive Caribbean Inc. to host “Taste of the World” event at Waterfront Park on March 26, 2016 with event times from 11:00 AM to 10:00 PM and allow open container for event. |

Mayor Ash announced Consent Item No. 15; “Taste of the World” Event Request, was removed from the agenda.

Jim Purvis pulled Item 4.

Council Member Mullins moved to accept Consent Items 1 through 3 and Items 5 through 14; seconded by Council Member Bates. The motion passed with all members present voting aye.

Jim Purvis stated Council Member Goodgame requested he convey to the Council that he was not opposed to the Police Department fleet vehicle purchase; however Mr. Goodgame would like a workshop to discuss vehicle lease options in the future.

Mayor Ash commented vehicle lease options were explored.

Council Member Mullins moved to accept Consent Item 4; seconded by Council Member Bates. The motion passed with all members present voting aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Item No. 22 – Variance Request; Arby's

Senior Planner John Kruse presented the request for a 12 foot high retaining wall on the northeast side of the property on an outparcel at the Clermont Landings Shopping Center. Staff recommended denial of the retaining wall variance request.

Steve Tarte; representing Arby's, stated the retaining wall would not likely exceed 10 feet in height. The retaining wall will be located behind the existing trees on the northeast portion of the property. Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Bates moved to approve the variance request; seconded by Council Member Mullins. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 17 – Ordinance No. 2015-76 Final; Capital Improvement Elements Comprehensive Plan Amendment

City Clerk Ackroyd Howe read Ordinance 2015-76 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, amending the Comprehensive Plan of the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes by adopting text changes to the Goals, Objectives and Policies of the Capital Improvements Element of the Comprehensive Plan; setting forth the authority for adoption of the Comprehensive Plan Amendments; setting forth the purpose and intent of the Comprehensive Plan Amendments; establishing the legal status of the Comprehensive Plan Amendments; providing for severability, conflict and an effective date.

Senior Planner Kruse reported the Florida Statutes required annual updates to the Capital Improvements Elements of the Comprehensive Plan. Staff recommended approval.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Bates moved to approve Ordinance 2015-76; seconded by Council Member Mullins. The motion passed 4 to 0 on a roll call vote.

Item No. 18 – Ordinance No. 2015-77 Final; Community Redevelopment Agency Redevelopment Plan

City Clerk Ackroyd Howe read Ordinance 2015-77 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, approving a Community Redevelopment Plan for the Community Redevelopment Area located in the City of Clermont; making findings; providing for an effective date.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Economic Development Director Hitt presented the ordinance to adopt the expansion of the Community Redevelopment Agency District and Redevelopment Plan. The Community Redevelopment Agency District will include the Waterfront Park beach area, the prior Bell Ceramics site off of East Avenue, CBS Builders Supply, Exceletech, the Clermont Public Works facility, and parcels south of Highway 50 between 5th Street and 12th Street.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Bates moved to approve Ordinance 2015-77; seconded by Council Member Mullins. The motion passed 4 to 0 on a roll call vote.

Item No. 19 – Ordinance No. 2015-78 *Final; Driveway Land Development Code Amendment*

City Clerk Ackroyd Howe read Ordinance 2015-78 aloud by title only.

An Ordinance of the Code of Ordinances of the City Council of the City of Clermont, Lake County, Florida, amending the Code of Ordinances, Chapter 54 Streets, Sidewalks and other Public Places, Section 54-78 Driveway Construction Standards; Chapter 98 Parking and Vehicular Use Areas, Section 98-9 Access, Section 98-10 Driveway Construction Standards; Chapter 110 Subdivisions, Section 110-274 Illustrations; providing for codification; severability; effective date; and publication.

Hector Guerrero; Development Services Intern, presented the ordinance to adopt changes to the Land Development Code to allow an increase in the driveway width leading into garages which face the street. The change allows driveway widths up to 30 feet for lots 60 foot wide or greater. Lots which are less than 60 foot wide would require a variance.

The City's Engineering Department recommended adjusting the maximum slope for driveways above street grade to 1 inch per foot from the top of the curb, and to allow fiber-reinforced concrete with 3,000 psi strength to be used, as well as 6 x 6 wire-welded mesh with the strength of 2,500 psi concrete.

Staff recommended approval of the Land Development Code amendments.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Mullins asked what the current pitch was for driveways. Mr. Guerrero stated the current Code is $\frac{3}{4}$ inch.

Council Member Mullins inquired if 2-car garages would be allowed to increase the width of their driveways. Senior Planner Kruse stated the impervious surface ratio and lot width would be the determining factors for approving a widened driveway or requiring a variance.

Council Member Bates moved to approve Ordinance 2015-78; seconded by Council Member Mullins. The motion passed 4 to 0 on a roll call vote.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Item No. 20 – Ordinance No. 2015-79 *Final; Noise Land Development Code Amendment*

City Clerk Ackroyd Howe read Ordinance 2015-79 aloud by title only.

An Ordinance of the Code of Ordinances of the City Council of the City of Clermont, Lake County, Florida, amending the Code of Ordinances, Chapter 34 Environment, Section 34-31 Loud, Disturbing and Unnecessary; Enumeration; Section 34-32 Business Noises Adjacent to Residential Sections of the City; Section 34-33 Maintaining Noisy Premises; and adding to Chapter 34 Environment; Section 34-34 Findings of Fact; Section 34-35 Prohibited Acts; Section 34-36 Maximum Permissible Sound Level Limits; Section 34-37 Sound Measurement; Section 34-38 Exceptions; Section 34-39 Conflicts in Restrictive Standard; Section 34-40 Enforcement; Section 34-41 Other Remedies; Section 34-42 Liability of Enforcement Officer; Section 34-43 Administration; Section 34-44 Measurement of Noise; providing for codification; severability; effective date; and publication.

Planning Manager Henschel presented the ordinance to adopt changes and add new provisions to the Land Development Code sections regarding noise. The proposed changes include measurements for sound levels, added definitions, additional time allotments for individual users, and exemptions. The proposed changes and additions provide for a more precise level of measurement in determining if the noise is a Code violation. Staff recommended approval of the Land Development Code changes.

Council Member Mullins inquired if the Code Enforcement Officers would have to spend additional time in court due to potential challenges. City Attorney Mantzaris stated violations would be enforced through the Code Enforcement Board process. The City will have to acquire sophisticated equipment to measure noise level.

Council Member Bates asked how the decibel levels were established. City Attorney Mantzaris commented the decibel levels were established from ordinances which have been sustained in challenges through the court system.

Council Member Bates inquired how events would be affected. Planning Manager Henschel stated there was an exception in the Code for Council approved events.

Council Member Travis asked how much the equipment would cost. Planning Manager Henschel responded the cost would be \$1,500 to \$2,500 per piece of equipment.

Council Member Mullins commented the equipment would remove the Code Enforcement Officer's opinion regarding the level of noise.

Mayor Ash stated the ordinance would stipulate how noise would be monitored and measured.

Council Member Mullins moved to approve Ordinance 2015-79; seconded by Council Member Bates.

Council Member Bates asked when the ordinance would be effective. City Manager Gray stated the ordinance would be effective immediately. City Attorney Mantzaris stated Council could choose an effective date.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Council Member Mullins amended the motion to add the effective date of February 1, 2016; seconded by Council Member Bates.

Mayor Ash opened the public hearing.

Charlene Forth spoke in support of the Ordinance.

Mayor Ash closed the public hearing.

The motion passed 4 to 0 on a roll call vote.

Item No. 21 – Ordinance No. 2015-80 *Final; Central Business District Rezoning*

City Clerk Ackroyd Howe read Ordinance 2015-80 aloud by title only.

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; creating an overlay, rezoning the real properties described herein as shown below; providing for severability, effective date, and publication.

Senior Planner Kruse presented the ordinance changing the zoning for all properties within the boundaries of the Downtown Mixed Use future land use designation to the Central Business District zoning designation. The change will allow more permitted uses, zero lot lines, and increased building heights. The City received notification from one property owner requesting his West Avenue property excluded. Staff will amend the legal description to remove the property. Staff recommended approval of the rezoning.

Mayor Ash opened the public hearing.

Charlene Forth spoke in opposition of the zoning change.

Jerry Butler spoke in favor of his property being included in the rezoning.

Mayor Ash closed the public hearing.

Council Member Mullins expressed concern regarding the lack of M-1 Industrial zoned areas in the City.

Council Member Travis commented she was opposed to having M-1 Industrial zoned areas in the Central Business District.

Council Member Bates expressed concern regarding parking and code issues.

Council Member Mullins moved to adopt Ordinance 2015-80; seconded by Council Member Bates. The motion passed 4 to 0 on a roll call vote.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

NEW BUSINESS

Item No. 25 – Board Appointments

Council Member Mullins moved to reappoint John Baker and appoint Bob Peraza to the Police Officers Pension Board of Trustees; seconded by Council Member Travis. The motion passed with all members present voting aye.

Council Member Mullins moved to reappoint Sy Holzman and Jim Purvis to the Firefighters Pension Board of Trustees; seconded by Council Member Bates. The motion passed with all members present voting aye.

Council Member Travis requested discussion at the Council Retreat on using a Magistrate system instead of having a Code Enforcement Board.

Council Member Mullins moved to reappoint William Rini and Chandra Myers for the three year terms and appoint William Petersen for a two year term to the Code Enforcement Board; seconded by Council Member Bates. The motion passed with all members present voting aye.

Council Member Mullins moved to reappoint Tony Hubbard, Nick Jones, and Judi Proli to the Planning and Zoning Commission; seconded by Council Member Bates. The motion passed with all members present voting aye.

Mayor Ash asked for resumes and background information on people requesting appointments and reappointments to the various boards.

City Manager Gray addressed removing the St. Johns River Water Management District Representative, the St. Johns River Water Management District Water Liason, and the Lake County Community Action Representative from the Outside Agency Appointments. The Council was in agreement and the City will send a representative when a need exists.

Council Member Travis requested serving on the Metropolitan Planning Organization Board as an alternate.

Mayor Ash suggested she and Council Member Travis serve as alternates on the Metropolitan Planning Organization Board.

City Manager Gray presented the following Outside Agency appointments:

South Lake Chamber of Commerce, Council Member Travis
Lake County League of Cities Board of Directors, Council Member Bates
Metropolitan Planning Organization Governing Board, Council Member Goodgame
Metropolitan Planning Organization Governing Board Alternate, Mayor Ash and Council Member Travis
Tourism Development Council, Council Member Mullins
Tourism Development Council Alternate, Council Member Bates
Metropolitan Planning Organization Citizen Advisory Council, Suzy Gibson
Metropolitan Planning Organization Bicycle Pedestrian Advisory Council, Brian Davis
Lake Apopka Natural Gas, Ann Dupee

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
December 8, 2015

Council Member Bates moved for approval of the Outside Agency Appointments; seconded by Council Member Mullins.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

The motion passed with all members present voting aye.

Item No. 26 – Ordinance No. 2015-74 *Introduction; Special Events*

City Clerk Ackroyd Howe read Ordinance 2015-74 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, amending City Code Chapter 54 “Streets, Sidewalks and other Public Places”, creating Article IV “Special Events”, providing for Purpose and Intent; Definitions; Permit Required/Exemption; Application for Permits; Police Protection; Fire Protection and Emergency Medical Services; Limitations; conflict; severability; codification; and an effective date.

Council Member Mullins moved to introduce Ordinance 2015-74; seconded by Council Member Bates. The motion passed with all members present voting aye.

Patricia McFarland inquired when the Advanced Watershapes Variance Request would be heard. Mayor Ash stated the request was rescheduled for January 12, 2016.

Ms. McFarland suggested a notice be placed on the door regarding items which will be tabled to another date.

ADJOURN: With no further comments, this meeting was adjourned at 8:37pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Proposal Award		
Requested Action		
Motion to approve contract between the City of Clermont and GAI Consultants, Inc., Wantman Group, Inc., and Cribb Philbeck Weaver Group to provide professional engineering services for downtown-waterfront projects.		
Staff Report		
The evaluation committee recommends approval of the above action. The Purchasing Department issued a Request for Qualification number 16-001 on October 1, 2015 to obtain the services of a qualified firm(s) to provide professional engineering services for downtown-waterfront projects. Florida Statute 287.055 pertaining to the Consultant's Competitive Negotiation Act (CCNA) requires that professional services for projects exceeding \$2 million and professional service fee exceeding \$200,000 be competitively advertised. The RFQ was fully competed, advertised and complies with the City of Clermont Purchasing Policy. There were six (6) responses to the RFQ. An evaluation committee composed of four (4) City staff members (three voting members and one non-voting member) reviewed, scored and ranked the RFQs. The evaluation committee is recommending award to the top three ranked firms (GAI Consultants, Inc., Wantman Group, Inc., and Cribb Philbeck Weaver Group) selected for their qualifications, knowledge and experience of similar projects. The Purchasing Manager entered into negotiations with the top three ranked firms to negotiate their hourly rates. As each project task order is negotiated, it will be presented to the City Council for approval.		
Additional Analysis		
Fiscal Impact Summary		
No fiscal impact.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Response Tabulation	RFP 16-001 Response Tabulation.pdf	
2. Evaluation Summary	RFQ 16-001 Evaluation Summary.pdf	
3. Award Recommendation	RFQ 16-001 Award Recommendation.pdf	

4. Ad

RFQ 16-001 engineering.docx



RESPONSE TABULATION

RFQ 16-001, PROFESSIONAL ENGINEERING SERVICES FOR DOWNTOWN-WATERFRONT PROJECTS
DUE DATE/TIME: OCTOBER 1, 2015 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDA 1	1-ORIGINAL, 4-COPIES
Wantman Group Inc. – West Palm Beach, FL	Y	Y
GAI Consultants Inc. – Orlando, FL	Y	Y
Hanlex Civil, LLC – Apopka, FL	Y	Y
Amec Foster Wheeler Environmental & Infrastructure, Inc. – Lakeland, FL	Y	Y
Cribb Philbeck Weaver Group – Clermont, FL	Y	Y
Germana Engineering & Associates, LLC – Clermont, FL	Y	Y



City of Clermont Shortlist Summary

RFQ No. 16-001 PROJECT TITLE: PROFESSIONAL ENGINEERING SERVICES FOR DOWNTOWN-WATERFRONT PROJECTS

Meeting Location and Time:

November 16, 2015 at 2:00p.m. 2nd Floor Conference Room 232

Evaluation Committee Members:

James Kinzler	Assistant City Manager
James Hitt	Economic Development Director
Barbara Hollerand	Development Services Director
Freddy Suarez	Purchasing Director (non voting member)

Shortlisted Firms: GAI Consultants, Wantman Group, Amec Foster Wheeler

	Points Received	Points Received	Points Received	Total Points
Wantman Group	106	103	83	292
GAI Consulnats	108	105	108	321
Hanlex Civil	70	59	56	185
Amec Foster Wheeler	102	83	106	291
Cribb Philbeck Weaver Group	96	100	88	284
Germana Engineering	86	88	81	255

Meeting Notes:

The Evaluation Committee has chosen to shortlist GAI Consultant, Inc., Wantman Group, Inc., and Amec Foster Wheeler Environment & Infrastructure, Inc.

The three firms will be invited to meet with the Evaluation Committee for further discussion regarding their response.



FREDDY L. SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
DECEMBER 22, 2015
**RFQ 16-001 – PROFESSIONAL ENGINEERING SERVICES FOR DOWNTOWN-
WATERFRONT PROJECTS**

The Purchasing Director and the Evaluation Committee is recommending award to the following three firms:

GAI Consultants, Inc.

Wantman Group, Inc.

Cribb Philbeck Weaver Group.

REQUEST FOR QUALIFICATION

The City of Clermont is requesting proposals from qualified respondents to provide engineering services of downtown and waterfront projects (RFQ 16-001). All responses must be received prior to **2:00 P.M. on Thursday, October 1, 2015**. Information may be obtained from the City's website at <http://www.clermontfl.gov/>

Publication Date: Newspaper
August 26, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Proposal Award		
Requested Action		
Consider approval of Request for Proposals award to Presentation Products, Inc. d/b/a Spinitar to upgrade the Council Chambers audio/visual system in the amount of \$60,169.65 and a budget amendment in the amount of \$25,169.65.		
Staff Report		
The evaluation committee recommends approval of the above action. The Information Technology Department contacted the Purchasing Department to determine the most cost effective manner to upgrade the audio/visual equipment at the Council Chambers. The Purchasing Department issued a Request For Proposal (RFP) number 16-003 on September 22, 2015 to obtain the services of a qualified firm. The RFP was fully competed, advertised and complies with the City of Clermont Purchasing Policy. There were three (3) responses to the RFP. An evaluation committee composed of four (4) City staff members (three voting members and one non-voting member) reviewed, scored and ranked the proposals. Presentation Products, Inc. d/b/a Spinitar (Spinitar) was the number one ranked firm selected for their qualifications, knowledge and experience of similar projects. The Purchasing Manager entered into negotiations with Spinitar which resulted in a 16.7% reduction in price from \$70,233.05 to \$60,169.65, a cost savings of \$10,063.40. The reduction in cost did not affect the level of service. The award recommendation is being made to the most qualified respondent Presentation Products, Inc. d/b/a Spinitar		
Additional Analysis		
Fiscal Impact Summary		
The current year budget includes \$35,000 for this item. A budget amendment to the General Fund is requested for the additional amount of \$25,169.65.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$60,169.65	10516-66401	\$35,000.00
Exhibits Attached (copies of original agreements)		
1. RFP 16-003 Response Tabulation RFP 16-003 Response Tabulation.pdf 2. Ad RFP 16-003 av equipment.docx		



RESPONSE TABULATION

**RFP 16-003, COUNCIL CHAMBERS AUDIO / VISUAL SYSTEM UPGRADE
DUE DATE/TIME: OCTOBER 29, 2015 AT 2:00 P.M. (EST)**

COMPANY NAME	ADDENDA 1	ADDENDA 2	1-ORIGINAL, 3-COPIES
Infinity Corporation of Central Florida d/b/a Infinity AV and Security – Deltona, FL	Y	Y	Y
Collaboration Solutions, Inc. – Jacksonville, FL	Y	Y	Y
Presentation Products, Inc. d/b/a Spinitar – La Mirada, CA	Y	Y	Y
Enlighten Digital, LLC. – Orlando, FL	Non-Responsive		
BIS Digital, Inc. – Ft. Lauderdale, FL	Non-Responsive		

REQUEST FOR PROPOSAL

The City of Clermont is requesting proposals from qualified respondents to upgrade the audio/visual system at the Council Chambers (RFP 16-003). All responses must be received prior to **2:00 P.M. on Thursday, October 29, 2015**. Information may be obtained from the City's website at <http://www.clermontfl.gov/>

Publication Date: Newspaper
September 29, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Contract Award		
Requested Action		
Move to approve piggyback contract with the Florida Sheriffs Association to purchase fleet vehicles for the Fire Department in the total amount of \$42,509.50		
Staff Report		
The Purchasing Department and the Fire Department recommend approval of the above action. At the request of the Fire Department, the Purchasing Department sought a contract from the Florida Sheriffs Association number 15-13-0904 to purchase the following fleet vehicle: One (1) new 2016 Ford F-250, Crew Cab 4x4 (W2B), specification #54, Duval Ford. In accordance with the direction of City Council, the Purchasing Department issued a Request for Interest (RFI) number 1612-002 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Department received no interest. Based on this, staff recommends that Council approve to piggyback the Florida Sheriffs Association contract number 15-13-0904 titled Cab & Chassis & Other Fleet Equipment. The Florida Sheriffs Association contract was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.		
Additional Analysis		
Fiscal Impact Summary		
Purchase is included in the current year approved budget		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI 1612-002	RFI 1612-002.pdf	
2. Vehicle Quote	F-250 Vehicle Quote - Duval.pdf	



REQUEST FOR INFORMATION

Intent to Utilize the Florida Sheriffs Association Contract to Purchase Fleet Vehicles

CONTACT INFORMATION: Freddy L. Suarez, MPA, CPPB Purchasing Director EMAIL: fsuarez@clermontfl.org Phone: (352) 241-7350	RFI No. 1612-002	ISSUED DATE: December 17, 2015
	NOTICE OF INTENT TO PIGGYBACK A CONTRACT NOTICE END DATE: <u>December 29, 2015 at 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

SOLICITATION RESPONSE: Responses will be received until the notice end date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Director by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Department will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

1 – PIGGYBACK CONTRACT INFORMATION

(a) Department: Fire

(b) Company Information: Duval Ford Fleet Sales

(c) Contract Number and Title: 15-23-0904 / Police Rated, Administrative, Utility Vehicles, Truck & Vans.

(d) Length of Contract: One (1) year from October 1, 2015 to September 30, 2016.

(e) Product or Service Provided: The City of Clermont is planning to purchase following vehicle:

One (1) new 2016 Ford F-250, Crew Cab 4x4 (W2B), specification #54

2 – ACTION TO BE TAKEN

If you're a local vendor, please contact the Purchasing Director by email or by mail prior to the "Notice End Date" indicated above to advise whether your company can provide any of the product or service mentioned above.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the product or serve described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.



CLERMONT FIRE

Prepared for:

CLERMONT FIRE
WILLIAM HARRISON
352-241-7312
wharrison@clermontfi.org

Contract Holder

Duval Ford Fleet Sales
Bambi Darr
(Work) 904-388-2144
(Fax) 904-387-6816
(Cell) 910-622-6544
Bambi.darr@duvalfleet.com
1616 Cassat Ave. Jax, FL 32210

DATE:

12/16/15

PLEASE CONFIRM RECEIPT OF QUOTE VIA EMAIL



I appreciate your interest and the opportunity to quote. Prices are published by the Florida Sheriff's Association/ Florida Association of Counties & Florida Fire Chiefs' Association Automotive Contract #15.13.0904 chassis / 15.23.0904. (www.flsheriffs.org) If you have any questions regarding this quote please call! Vehicle will be ordered **white exterior** unless specified on purchase order.

Labor	Code	Equipment	Price
0	SPEC #54	2016 FORD F-250 CREW CAB 4X4 (W2B)	\$ 25,520.00
0	W2B	6' CARGO BOX 156" WHEELBASE	
0	996	V8 GAS ENGINE, AUTOMATIC TRANSMISSION	INCL
0	W2B.603A	MODEL UPGRADE- INCL Ext Bumper front & rr, chrome Grille-2 bar, chrome, Mirror-man telescope 2way fold trail tow w/power/heat glass, heat convex spot mirror, integrate clear lamps /turn sigs, Wheels-F250 18" Cast Alum w/brite hub cover / center ornaments, Windows-rear, fixed privacy glass Int, AC vents blk w/ chrome ring, Audio AM/FM stereo w/Single CD/MP3 player, 4speakers, Aux audio input jack, Cruise cont steer wheel-mount, Door trim-soft armrest, grab handle, power window/ lock switch, molded upper appliqué & reflect (appliqué and arm rest are accent-color); front map pockets on RegCab, Floor cover-color cordon, full carp Floor mats color coordinated carp, Instrument Center-Comp dips, Power Equip Group 1st row fro-seat windows w/one touch up/down, power windows/door locks w/ backlit switches & accsry delay, Front, high series cloth 40/20/40 split bench, sirius sat radio, sync, trailer brake cont, Remote keyless net & Perimeter anti-theft alarm	\$ 4,789.00
0	76C	BACK UP ALARM	\$ 124.00
0	76V	BACK UP CAMERA	\$ 539.00
0	942	DAYTIME RUNNING LAMPS	\$ 44.00
0	18B	CAB STEPS	\$ 369.00
0	TINT	DEEP TINTED WINDOWS	INCL
0	41P	SKID PLATES	\$ 99.00
0	85S	Spray Liner, DEALER INSTALLED HD LINEX	\$ 565.00
0	LSL	Left Pillar Mounted spot light	\$ 495.00
0	63T	STEP ON TAILGATE	\$ 374.00
0	RS	RAINSHIELDS	\$ 160.00
0	BS	BUG SHIELD	\$ 195.00
0	FCHT	FIBERGLASS PAINTED CAB HEIGHT TOPPER WITH WINDOWS THAT OPEN (PAINTED BLACK)	\$ 2,245.00
7	WMLB	PREMIUM LIBERTY BAR LIGHT BAR PACKAGE RED LED'S WHITE LENSES	\$ 1,520.00
0		295SLSA6 COMBINATION CONTROLLER	INCL
0		100 WATT SPEAKER AND BRACKET	INCL
3	WVTX	WHELEN CORNER LED'S IN HEADLAMP AND TAIL LAMP (RED FRONT, RED REAR)	\$ 270.00
1.3	RDL	WHELEN REAR RED SINGLE IONS	\$ 230.00
3	M4.SIDE	(4) LINEAR SUPER-LED SURFACE MOUNT LIGHTS (WHITE & RED)	\$ 576.00
0	TOWPKG	TRAILER TOW PACKAGE	\$ 865.00
0	X3E	ELECTRONIC LOCKING DIFFERENTIAL	
0	HAVIS	HAVIS CONSOLE C-VS-1100	\$ 245.00
0	TEMP	TEMPORARY TAG	\$ 6.00
0			
0	2TONE	TWO TONE PAINT: CAB TOP BLACK DOWN TO BELTLINE	\$ 1,200.00
0			
0	PQ	RACE RED EXTERIOR	NO CHARGE
0	3S	STEEL CLOTH 40/20/40 SPLIT BENCH- locking center under-seat storage, XL T w/center armrest, cupholder and storage, four-way adjustable driver/passenger headrests	INCL
0			
0	TEMP	TEMPORARY TAG	\$ 6.00
0			
14.3	LABOR	Total labor hours per spec. Includes wire, loom, connectors, PDI and shop supplies:	\$145 \$ 2,073.50
UNIT COST			\$ 42,509.50
TOTAL QUANTITY 1			TOTAL PURCHASE \$ 42,509.50



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Replat Approval		
Requested Action		
Move to approve Heritage Hills Phase 2-B replat.		
Staff Report		
The plat has been reviewed and approved by the city engineer and contracted engineer.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Plat Heritage Hills Phase 2 Replat Lot 6.pdf		

PLAT BOOK PAGE

DEDICATION
HERITAGE HILLS PHASE 2-B
(A REPLAT)

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described herein do hereby dedicate the following for the purposes thereon expressed, subject to the general notes contained herein.

1. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES:
A utility easement is hereby granted over, across and upon those areas designated as utility easements shown herein.

2. TO THE CITY OF CLERMONT:
A utility easement is hereby granted over, across and upon those areas designated as utility easements shown herein.

IN WITNESS WHEREOF, The undersigned owner — has executed this Dedication in the manner provided by law on 20__ by Brock Nicholas as witnesses:

1. SIGNATURE OWNER:
LENNAR HOMES LLC
a Florida corporation

PRINTED NAME BROCK NICHOLAS VICE PRESIDENT

2. SIGNATURE

PRINTED NAME

STATE OF COUNTY OF
The foregoing Dedication was acknowledged before me this day of 20__ by Brock Nicholas as Vice-President of Lennar Homes LLC

He is personally known to me) or (has produced as identification) and (did) (did not) take on oath.
Signature of Acknowledger

Printed name of Acknowledger
My commission Expires: (SEAL OR STAMP)

CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS IS TO CERTIFY, that this plat was reviewed in accordance with Section 177.081, Florida Statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said City Council on 2014, and that the same is recorded in the Office of the Clerk of the Circuit Court of Lake County, Florida within days from the date of approval by said City of Clermont, Florida.

Attest: City of Clermont

City Clerk Mayor

PRINT NAME PRINT NAME

REVIEWER STATEMENT

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part I, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter, provided, however, that my review does not include field verification of any of the 500' West 1st Street, Sanford, FL 32777 this plat. City, Inc. - (407) 322-6641 Licensed Business No. 71443
For the firm: Date

RANDALL L. ROBERTS, VICE PRESIDENT
PROFESSIONAL SURVEYOR AND MAPPER No. 3144

CERTIFICATE OF SURETOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a registered Surveyor and Mapper, fully licensed to practice in the State of Florida, have examined the foregoing plat and find that the same complies in direction and supervision, and that this plat complies with all the requirements of Section 177, Florida Statutes.

Booth Ern Stroughorn Hottt, Inc. — 902 North Sinclair Avenue
Tavares, FL 32778 Licensed Business No. 7514

JENNINGS E. GRIFFIN Dated
PROFESSIONAL LAND SURVEYOR #4486

CERTIFICATE OF CLERK

I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes and was filed for record on File No.

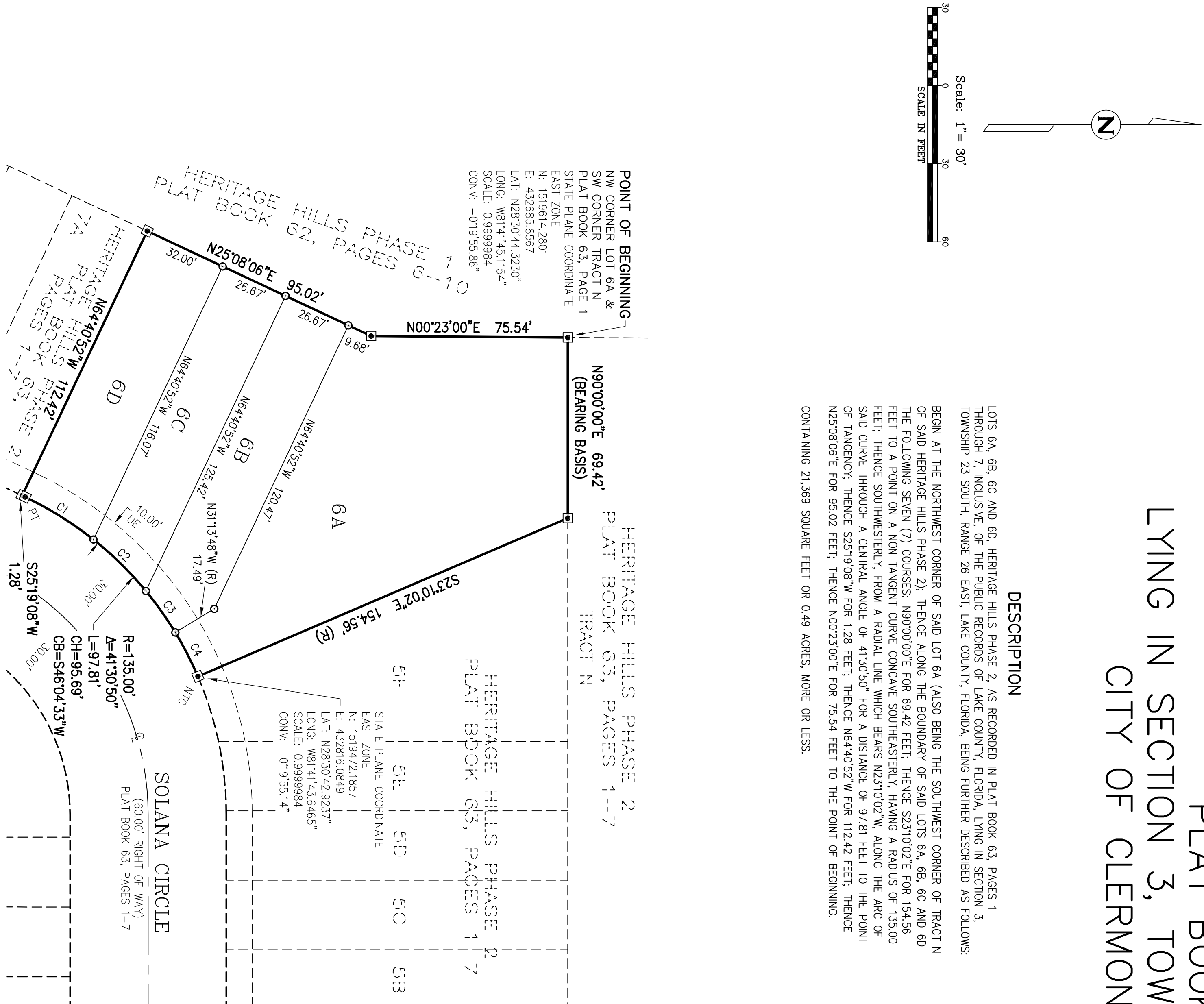
Clerk of the Circuit Court
in and for Lake County, Florida

HERITAGE HILLS PHASE 2-B
A REPLAT OF LOTS 6A THROUGH 6D, HERITAGE HILLS PHASE 2,
PLAT BOOK 63, PAGES 1 – 7
LYING IN SECTION 3, TOWNSHIP 23 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

DESCRIPTION

LOTS 6A, 6B, 6C AND 6D, HERITAGE HILLS PHASE 2, AS RECORDED IN PLAT BOOK 63, PAGES 1 THROUGH 7, INCLUSIVE, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEING AT THE NORTHWEST CORNER OF SAID LOT 6A, (ALSO BEING THE SOUTHWEST CORNER OF TRACT N OF SAID HERITAGE HILLS PHASE 2); THENCE ALONG THE BOUNDARY OF SAID LOTS 6A, 6B, 6C, AND 6D THE FOLLOWING SEVEN (7) COURSES: N90°00'00"E FOR 69.42' FEET; THENCE S23°10'02"E FOR 154.56 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 135.00 FEET; THENCE SOUTHWESTERLY, FROM A RADIAL LINE WHICH BEARS N23°10'02"W, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°30'50" FOR A DISTANCE OF 97.81' FEET TO THE POINT OF TANGENCY; THENCE S25°19'08"W FOR 1.28 FEET; THENCE N6°40'52"W FOR 112.42' FEET; THENCE N25°08'06"E FOR 95.02' FEET; THENCE N00°23'00"E FOR 75.54' FEET TO THE POINT OF BEGINNING. CONTAINING 21,369 SQUARE FEET OR 0.49 ACRES, MORE OR LESS.



POINT OF BEGINNING
NW CORNER LOT 6A &
SW CORNER TRACT N
PLAT BOOK 63, PAGE 1
STATE PLANE COORDINATE
EAST ZONE
N: 1519614.2801
E: 4326853.6597
LAT: N28°30'44.3230"
LONG: W81°14'51.154"
SCALE: 0.93995864
CONV: -019353.86"

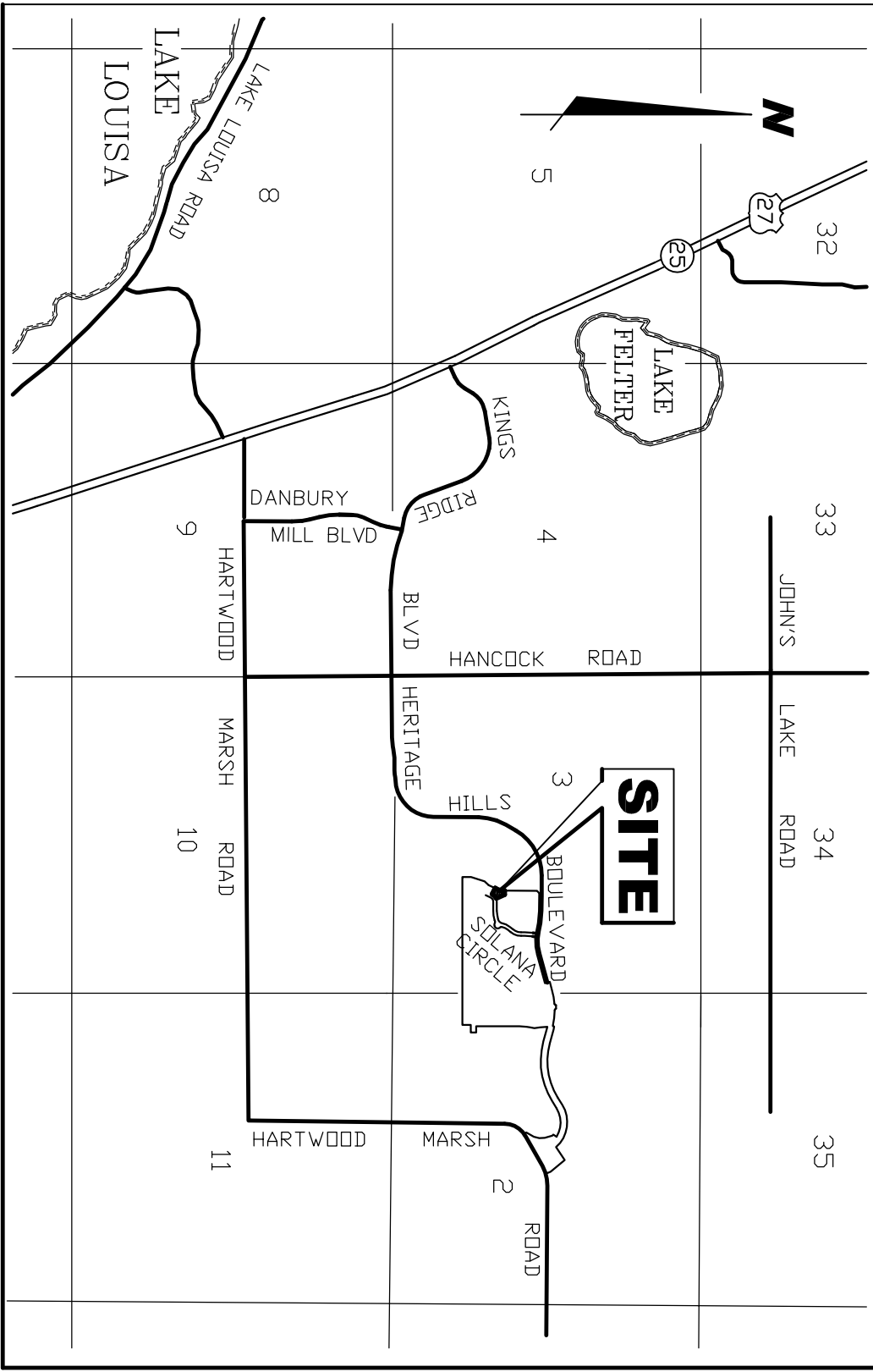
STATE PLANE COORDINATE
EAST ZONE
N: 15194721.8637
E: 432616.0849
LAT: N28°30'42.9237"
LONG: W81°14'51.154"
SCALE: 0.93995864
CONV: -019353.14"

LEGEND

- PERMANENT REFERENCE MONUMENT — SET 4"x 4" CONCRETE MONUMENT WITH DISC STAMPED BESH PM LB #7514
- INDIVIDUAL LOT & TRACT CORNERS TO BE SET BY OTHERS (SEE NOTE 3)
- LICENSED BUSINESS
- CENTRAL ANGLE (DELTA)
- RADIUS
- LENGTH
- CHORD DISTANCE
- CHORD BEARING
- POINT OF TANGENCY
- CENTERLINE
- RADIAL LINE
- POINT OF TANGENCY
- REFERENCE TO CURVE TABLE
- NON TANGENT CURVE
- LATITUDE
- LONGITUDE
- CONV

CURVE TABLE			
CURVE	RADIUS	CENTRAL ANGLE/LENGTH	CHORD BEARING
C1	135.00'	13°09'14"	30.99'
C2	135.00'	12°00'11"	28.28'
C3	135.00'	08°17'39"	19.54'
C4	135.00'	08°03'46"	19.00'

VICINITY MAP
NOT TO SCALE



NOTES:

- BEARINGS SHOWN HEREON ARE FLORIDA STATE PLANE COORDINATE EAST ZONE BASED ON LENGEMANN L-NET GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) NETWORK, THAT IS CERTIFIED BY WANTMAN GROUP, INCORPORATED, AND IS BASED ON NORTH AMERICAN DATUM OF 1983. 2007 ADJUSTMENT (SPCS83-2007) THIS SURVEY WAS CHECKED TO NGS STATION "LK 174" AND REFERENCED TO THE SOUTHERLY LINE OF TRACT "N", HERITAGE HILLS PHASE 2, AS RECORDED IN PLAT BOOK 63, PAGES 1 THROUGH 7, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, IN SECTION 2, TOWNSHIP 23 SOUTH, RANGE 26 EAST AS BEING NORTH 90°00'00" EAST.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- LOT CORNERS WILL BE SET IN ACCORDANCE WITH CHAPTER 177.091 (9) FLORIDA STATUTES AND THE CITY OF CLERMONT SUBDIVISION CORNERS AND HAS ACQUIRED THE SERVICES OF AN ADDITIONAL SURVEYING FIRM TO COMPLETE THIS TASK.
- STATE PLANE COORDINATES SHOWN HEREON AND THEIR COMPUTED VALUES SHALL BE SUBORDINATED TO THE MONUMENTS, BEARINGS AND DISTANCES SHOWN ON THIS PLAT.
- ALL LOT LINES ARE NON-RADIAL UNLESS NOTED. RADIAL LINES ARE NOTED BY (RADIAL).
- LANDS DESCRIBED HEREON ARE SUBJECT TO AND/OR THE BENEFIT OF FOLLOWING LISTED INSTRUMENTS RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:
1. TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA RECORDED IN DEED BOOK 220, PAGE 445.
2. UNRECORDED LEASE AS EVIDENCED BY NOTICE RECORDED IN OFFICIAL RECORDS BOOK 366, PAGE 199; TOGETHER WITH ASSIGNMENT OF INTEREST IN LEASE AS RECORDED IN OFFICIAL RECORDS BOOK 396, PAGE 113; NOTICE OF RESTRICTIONS AS RECORDED IN OFFICIAL RECORDS BOOK 328, PAGE 156; AMENDMENT TO LEASE AS RECORDED IN OFFICIAL RECORDS BOOK 2846, PAGE 328; 456-RECORDED; AMENDMENT TO LEASE AS RECORDED IN OFFICIAL RECORDS BOOK 2846, PAGE 328; 456-RECORDED; AMENDMENT TO LEASE AS RECORDED IN OFFICIAL RECORDS BOOK 3548, PAGE 195.
3. DEVELOPER AGREEMENT FOR RECLAMATION ACTIVITIES RELATED TO THE CENTER LAKE SAND MINE RECORDED IN OFFICIAL RECORDS BOOK 2315, PAGE 1566.
4. MATTERS ON THE PLAT OF HERITAGE HILLS PHASE 2, PLAT BOOK 63, PAGE 1.
5. DECLARATION FOR HERITAGE HILLS RECORDED IN OFFICIAL RECORDS BOOK 3496, PAGE 1030 AS MODIFIED BY FIRST AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3553, PAGE 89 AND RE-RECORDED IN OFFICIAL RECORDS BOOK 3570, PAGE 2029; SECOND AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3616, PAGE 1184; THIRD AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 3616, PAGE 1190; FOURTH AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 4163, PAGE 88; FIFTH AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 4320, PAGE 500; SIXTH AMENDMENT RECORDED IN OFFICIAL RECORDS BOOK 4342, PAGE 662.
6. CITY OF CLERMONT MISCELLANEOUS ORDINANCE NO. 459-M RECORDED IN OFFICIAL RECORDS BOOK 4473, PAGE 2357.

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE CONSIDERED IN ANY MANNER TO BE A SUBSTITUTE FOR THE ORIGINAL PLAT, THEREIN MAY BE ADDITIONAL RESTRICTIONS, EASEMENTS, OR NOTES RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Replat Approval		
Requested Action		
Move to approve Heritage Hills Phase 2-C plat.		
Staff Report		
The plat has been reviewed and approved by city engineer and contracted engineer.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Plat Heritage Hills Phase 2 Lot 23 Final Plat.pdf		



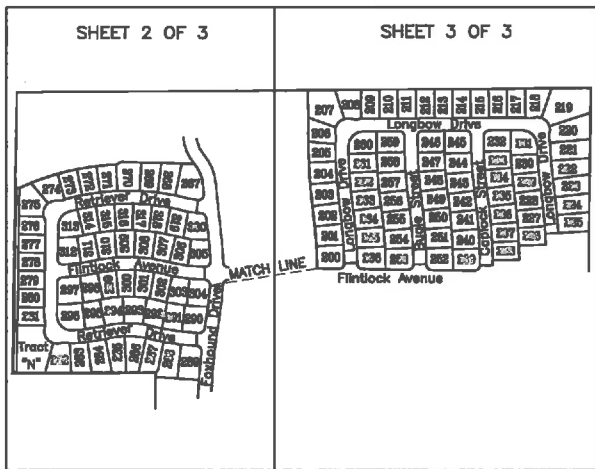
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Plat Approval		
Requested Action		
Move to approve Hunters Run Phase 3 plat.		
Staff Report		
Plat has been reviewed and approved by city engineer and contracting engineer.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Plat Approved plat.pdf		

scale: 1"=400'



- Bearings based on the North line of the NW 1/4 of Section 10, Township 23 South, Range 28 East, as being N 88°34'05" E, an assumed meridian.
- Tracts N and O are hereby dedicated to and maintained by the Hunter's Run of Lake County Owner's Association, Inc.
- Unless noted differently on the plat all lots are subject to a 10' utility easement along all front lot lines. Said 10' utility easements are private and reserved in favor of the Owner and Hunter's Run of Lake County Owners Association, Inc. for conveyance to electric power utility providers as designated by Owner and the Association subsequent to the recording of this plat for ingress and egress and for installation of, maintenance and repair of underground lines, wires, cables, and equipment which is necessary or incidental to the transmission of electrical power to the lot owners within this plat.
- Unless noted differently on the plat all lots are subject to a 7.5' drainage & utility easement along all side lot lines. Said 7.5' easement is private and is hereby reserved in favor of the Owner and Hunter's Run of Lake County Owners Association, Inc. for the benefit of the lot owners within this plat.
- Unless noted differently on the plat all lots are subject to a 7.5' drainage & utility easement along all rear lot lines. Said 7.5' easement is private and is hereby reserved in favor of the Owner and Hunter's Run of Lake County Owners Association, Inc. for the benefit of the lot owners within this plat.
- There is a 30' wide drainage easement lying on the rear of Lots 282-287, inclusive. Said easement is private and hereby reserved in favor of the Owner and Hunter's Run of Lake County Owners Association, Inc. for the benefit of the lot owners within this plat.
- No part of the lands described herein are dedicated to the City of Clermont, Florida, or the public, unless expressly stated herein.
- Lot lines are non-radial unless noted as (R) - denoting radial lot line.
- This subdivision is the beneficiary of a non-exclusive ingress and egress easement from Lennar Homes, Inc. as recorded in ORS 4082, Pages 2318-2325, Public Records of Lake County, Florida.

—COORDINATES SHOWN ARE BASED ON HORIZONTAL DATUM OF
NORTH AMERICAN DATUM OF 1983, AS READJUSTED IN 1990.

-SET A 4" x 4" CONCRETE MONUMENT
WITH A NAIL & DISK MARKED " PRM LB 6980 "
AT ALL LOT CORNERS.

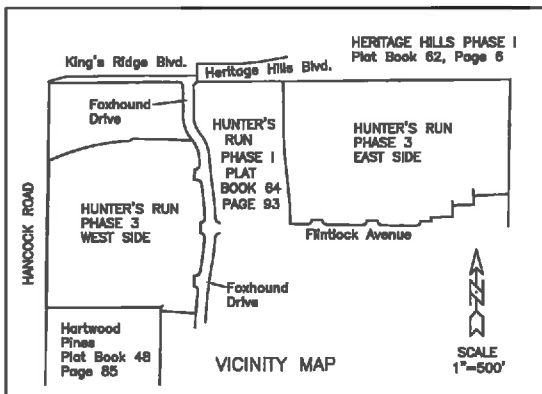
All-platted utility easements are hereby provided for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be liable for the cost of repair or replacement of such facilities to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the rules and regulations of the Department of Safety and Florida Public Service Commission. Florida Statutes 177.091(28).

Prepared by:
Rhoden Land Surveying, Inc. LB #6980
420 E. Minnehaha Ave.
Clermont, FL 34711

A portion of the Northwest 1/4 of Section 10, Township 23 South, Range 26 East, Lake County, Florida.
All lying in the City of Clermont, Florida

DESCRIPTION -- PARCEL 3A :
COMMENCEMENT at the Northwest corner of Section 10, Township 23 South, Range 26 East, Lake County, Florida; thence run S 0°52'48" W along the East right of way line of Hancock Road for a distance of 447.81 feet to the POINT OF BEGINNING; thence run S 89°07'12" E for a distance of 20.00 feet to the beginning of a curve concave to the Southeast, having a radius of 1215.00 feet, a chord bearing of N 78°19'21" E and a chord distance of 485.21 feet; thence run Northwesterly along the arc of said curve for a distance of 468.21 feet to the end of said curve; thence run S 81°10'17" E for a distance of 25.05 feet; thence run S 86°35'24" E for a distance of 342.81 feet to the beginning of a curve concave to the Southwest, having a radius of 170.00 feet, a chord bearing of S 21°57'01" E and a chord distance of 105.73 feet; thence run Southeasterly along the arc of said curve for a distance of 107.51 feet through a central angle of 36°14'10" to the end of said curve; thence run S 04°16'19" E for a distance of 45.46 feet to the beginning of a curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of S 45°30'20" W and a chord distance of 11.17 feet; thence run Southeasterly along the arc of said curve for a distance of 11.17 feet through a central angle of 0°07'28" 02" to the end of said curve; thence run S 00°43'21" W for a distance of 60.00 feet to the beginning of a curve concave to the Northeast, having a radius of 470.00 feet, a chord bearing of S 85°34'04" E and a chord distance of 21.17 feet; thence run Southeasterly along the arc of said curve for a distance of 21.17 feet through a central angle of 02°34'21" to the beginning of a reverse curve concave to the Southwest, having a radius of 25.00 feet, a chord bearing of S 48°51'23" E and a chord distance of 32.14 feet; thence run Southeasterly along the arc of said curve for a distance of 34.91 feet through a central angle of 6°00'13" to the end of said curve; thence run S 07°23'21" E for a distance of 148.76 feet through a central angle of 06°20'54" to the beginning of a compound curve concave to the Northwest, having a radius of 148.68 feet and a chord bearing of S 04°44'58" E and a chord distance of 148.68 feet; thence run Southeasterly along the arc of said curve for a distance of 148.76 feet through a central angle of 06°20'54" to the beginning of a compound curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of S 44°32'13" W and a chord distance of 38.04 feet; thence run Southeasterly along the arc of said curve for a distance of 40.24 feet through a central angle of 92°13'30" to the end of said curve; thence run S 05°56'49" W for a distance of 60.00 feet to the beginning of a curve concave to the Southeast, having a radius of 148.68 feet and a chord bearing of S 05°56'49" W and a chord distance of 38.13 feet; thence run Southeasterly along the arc of said curve for a distance of 40.31 feet through a central angle of 92°32'13" to the beginning of a compound curve concave to the Northwest, having a radius of 1342.55 feet, a chord bearing of S 06°23'01" W and a chord distance of 148.68 feet; thence run Southeasterly along the arc of said curve for a distance of 148.76 feet through a central angle of 06°20'55" to the beginning of a reverse curve concave to the Southeast, having a radius of 2982.55 feet, a chord bearing of S 09°01'44" W and a chord distance of 54.68 feet; thence run Southeasterly along the arc of said curve for a distance of 54.68 feet through a central angle of 01°03'27" to the beginning of a reverse curve concave to the Northwest, having a radius of 1030.00 feet, a chord bearing of S 87°46'18" W and a chord distance of 9.75 feet; thence run Southeasterly along the arc of said curve for a distance of 9.75 feet through a central angle of 06°20'55" to the beginning of a reverse curve concave to the Southeast, having a radius of 2982.55 feet, a chord bearing of S 05°06'03" W and a chord distance of 132.45 feet; thence run Southeasterly along the arc of said curve for a distance of 132.45 feet through a central angle of 02°33'42" to the end of said curve; thence run N 88°10'48" W for a distance of 193.31 feet; thence run N 89°08'09" W for a distance of 10.00 feet to the East line of Hartwood Pines, according to the plat thereto, as recorded in Plat Book 48, Pages 85--86, Public Records of Lake County, Florida; thence run N 00°51'51" W along said East line for a distance of 20.75 feet, the Northwest corner of the Hartwood Pines; thence run S 89°08'09" W along said East line for a distance of 888.05 feet to the East right of way line of Hancock Road; thence run N 00°52'48" E along said East right of way line for a distance of 866.61 feet to the Point of Beginning. Containing 19.585 acres, more or less.

DESCRIPTION -- PARCEL 38 :
COMMENCE at the Northwest corner of Section 10, Township 23 South, Range 26 East, Lake County, Florida; thence run N 89°34'05" E along the North line of the Northwest 1/4 of Section 10, Township 23 South, Range 26 East, Lake County, Florida for a distance of 1355.82 feet to the POINT OF BEGINNING; thence continue N 89°34'05" E along said North line for a distance of 1315.33 feet to the North 1/4 corner of said Section 10; thence run S 0°48'01" W along the East line of the Northwest 1/4 of said Section 10 for a distance of 670.54 feet; thence run N 88°10'58" W for a distance of 10.00 feet; thence run S 88°10'58" W along the East line of said Section 10 for a distance of 670.54 feet to the Southeast corner, having a radius of 2802.55 feet, a chord bearing of S 0°24'10" E and a chord distance of 51.03 feet; thence run Southeastwarily along the arc of said curve for a distance of 51.03 feet through a central angle of 01°21'33" to the end of said curve; thence run S 87°43'04" W for a distance of 125.00 feet to the beginning of a curve concave to the Southwest, having a radius of 2777.55 feet, a chord bearing of S 01°38'10" E and a chord distance of 65.88 feet; thence run Southeastwarily along the arc of said curve for a distance of 65.88 feet through a central angle of 01°21'33" to the end of said curve; thence run S 89°04'36" W for a distance of 125.00 feet to the beginning of a curve concave to the Southwest, having a radius of 2822.55 feet, a chord bearing of S 01°40'10" E and a chord distance of 65.88 feet; thence run Southeastwarily along the arc of said curve for a distance of 23.74 feet through a central angle of 00°30'46" to the end of said curve; thence run S 89°35'22" W for a distance of 60.00 feet to the beginning of a curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of S 48°12'12" W and a chord distance of 35.73 feet; thence run Southwestwarily along the arc of said curve for a distance of 39.81 feet through a central angle of 91°13'39" to the end of said curve; thence run N 89°10'59" W for a distance of 200.05 feet to the beginning of a curve concave to the Northeast, having a radius of 25.00 feet, a chord bearing of N 44°50'55" W and a chord distance of 34.94 feet; thence run Northwestwarily along the arc of said curve for a distance of 35.68 feet through a central angle of 88°40'08" to the beginning of a reverse curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of N 03°32'48" W and a chord distance of 35.68 feet; thence run Northwarily along the arc of said curve for a distance of 2.85 feet through a central angle of 00°03'54" to the end of said curve; thence run S 89°25'15" W for a distance of 60.00 feet to the beginning of a curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of S 45°07'08" W and a chord distance of 35.78 feet; thence run Southwestwarily along the arc of said curve for a distance of 39.85 feet through a central angle of 91°23'46" to the end of said curve; thence run N 89°10'59" W for a distance of 210.07 feet to the beginning of a curve concave to the Northeast, having a radius of 25.00 feet, a chord bearing of N 48°57'10" W and a chord distance of 34.98 feet; thence run Northwestwarily along the arc of said curve for a distance of 35.68 feet through a central angle of 88°40'08" to the beginning of a reverse curve concave to the West, having a radius of 2022.55 feet, a chord bearing of N 00°45'58" W and a chord distance of 3.09 feet; thence run Northwarily along the arc of said curve for a distance of 3.09 feet through a central angle of 00°05'15" to the end of said curve; thence run S 89°11'25" W for a distance of 60.00 feet to the beginning of a curve concave to the Northwest, having a radius of 25.00 feet, a chord bearing of S 45°00'13" W and a chord distance of 35.85 feet; thence run Southwestwarily along the arc of said curve for a distance of 39.98 feet through a central angle of 91°37'36" to the end of said curve; thence run N 89°10'59" W for a distance of 69.44 feet to the beginning of a curve concave to the Southwest, having a radius of 1837.55 feet, a chord bearing of N 04°01'16" W and a chord distance of 25.13 feet; thence run Northwestwarily along the arc of said curve for a distance of 250.33 feet through a central angle of 07°48'19" to the beginning of a curve concave to the Northeast, having a radius of 2467.55 feet, a chord bearing of N 04°10'40" W and a chord distance of 322.43 feet; thence run Northwestwarily along the arc of said curve for a distance of 322.68 feet through a central angle of 07°29'31" to the end of said curve; thence run N 00°26'55" W for a distance of 26.15 feet to the Point of Beginning. Containing 23.718 acres, more or less.



Sheet 1 of 3

PLAT BOOK: _____ PAGE: _____

Hunter's Run Phase 3

KNOW ALL MEN BY THESE PRESENTS, that the undersigned owner ("Owner") named below, being the owner in fee simple of the lands described in the foregoing caption to this plot, hereby dedicates said lands and plot for the uses and purposes herein expressed.

Tract "U", additional right of way is dedicated to Lake County, Florida. The private roads and rights-of-way shown herein as Tracts S and T are not dedicated to the public but are private and are hereby reserved by the "Owner" for conveyance to Hunter's Run of Lake County Owner's Association, Inc. subsequent to the recording of this plot for the benefit of the lot owners within the subdivision as access for ingress and egress of lot owners and their guests and invitees.

A non-exclusive ingress/egress easement is dedicated to the City of Clermont over and across the private roads and rights-of-way shown hereon as Tracts S and T to maintain the water and wastewater utilities within Tracts S and T. The water and wastewater utilities lying within the rights-of-way of Tracts S and T are dedicated to the City of Clermont to own and maintain.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed

and attested to by the officer named below on the

_____ day of _____ 2018.

With over 40

STANDARD PACIFIC OF FLORIDA,
a Florida general partnership

Print Name: _____

By: Standard Pacific of Florida GP, Inc.,
a Delaware corporation,
its Managing General Partner

Print Name: _____

By: Stephen J. Polachek, VP of Land

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on _____, 2016, by Stephen J. Polachek, as VP of Land, Standard Pacific of Florida, GP, Inc., a Delaware corporation, the managing general partner of Standard Pacific of Florida, a Florida general partnership, on behalf of the corporation and general partnership. He is personally known to me.

Notary Public

RECORD PLAT REVIEW STATEMENT

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Florida Statutes, and find that said plat complies with the technical requirements of that chapter, provided however that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

signed

Dates:

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a Professional Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that this plat was prepared under his direction and supervision and that this plat complies with all of the survey requirements of Chapter 177, Part 1, Florida Statutes.

Jeffrey P. Rhoden, Registration # 5322

Rhoden Land Surveying, Inc. LB #6980
420 E. Minnehaha Ave.
Clermont, FL 34711

Date: _____

CERTIFICATE OF CLERK

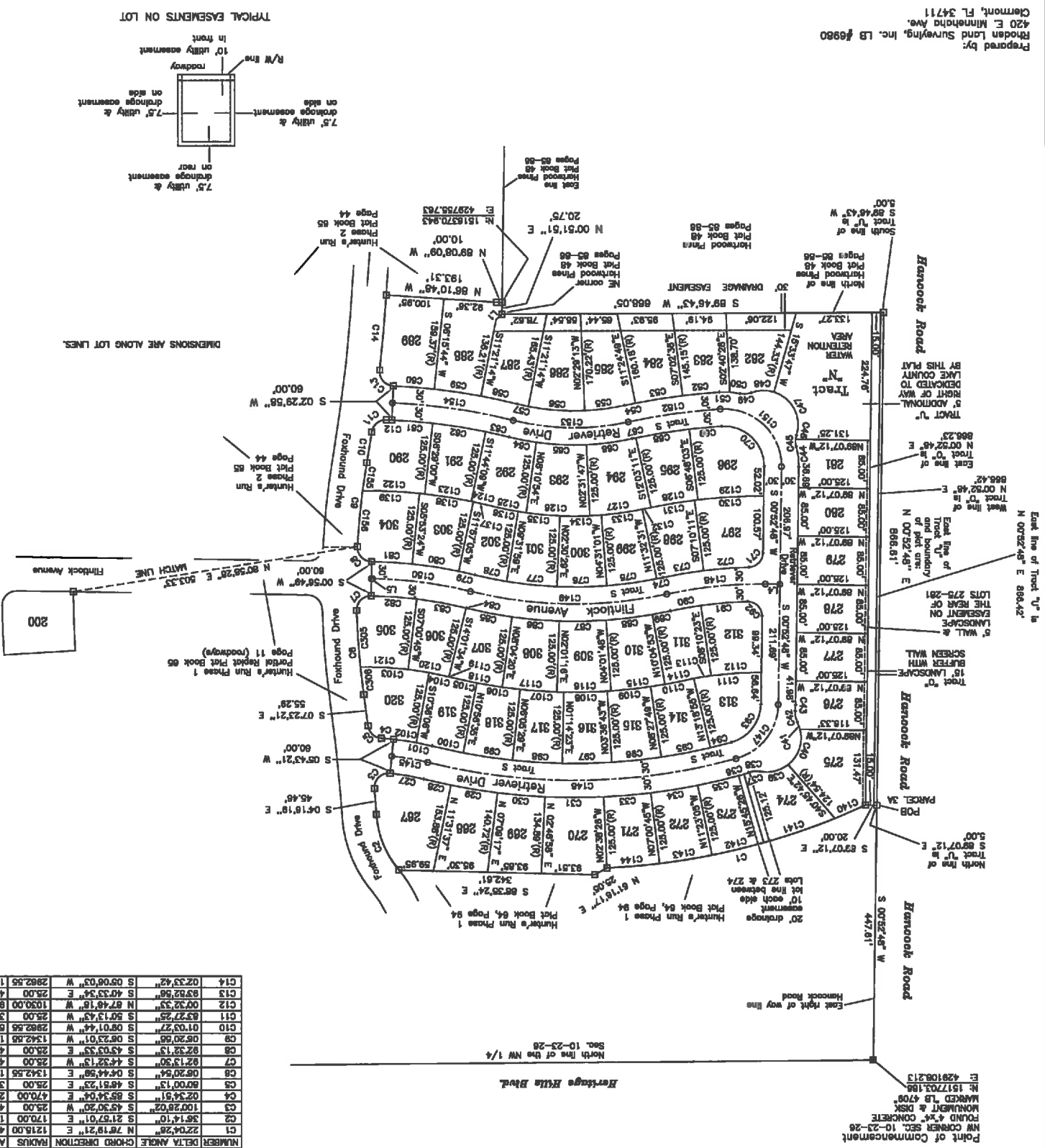
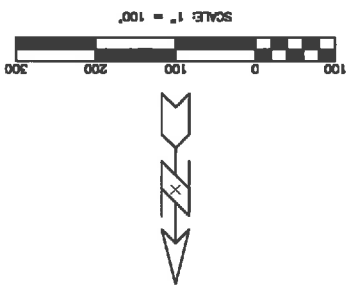
I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record

on

File No. _____

NAME	CHORD	CHORD DIRECTION	RAVUS	CHORD LENGTH	CHORD LENGTH
C17	02.33.42"	N	5.09.06.34"	2982.95	132.46
C14	03.52.42"	N	5.07.30.03"	2982.95	132.46
C13	05.02.55"	N	5.07.46.18"	1030.00	8.75
C12	05.37.55"	N	5.07.13.45"	25.00	38.41
C11	05.57.27"	N	5.09.11.44"	2982.95	132.46
C10	06.10.27"	N	5.06.23.11"	1342.05	148.69
C9	06.28.13"	N	5.03.33.33"	25.00	38.41
C8	07.21.30"	N	5.46.32.13"	40.54	36.04
C7	08.00.13"	N	5.04.44.59"	124.55	12.88
C6	08.00.13"	N	5.04.44.59"	124.55	12.88
C5	08.23.45"	N	5.05.24.25"	49.00	32.11
C4	08.23.45"	N	5.05.24.25"	49.00	32.11
C3	10.08.28"	N	5.05.30.20"	25.00	38.42
C2	10.57.10"	N	5.17.57.01"	1705.01	105.73
C1	22.04.56"	N	5.16.21.18"	1215.00	466.21

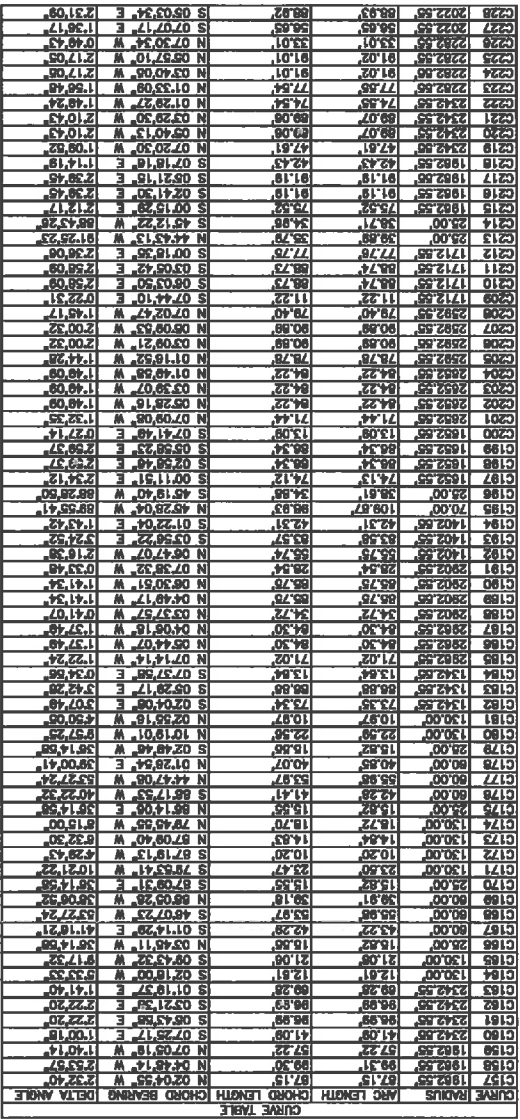
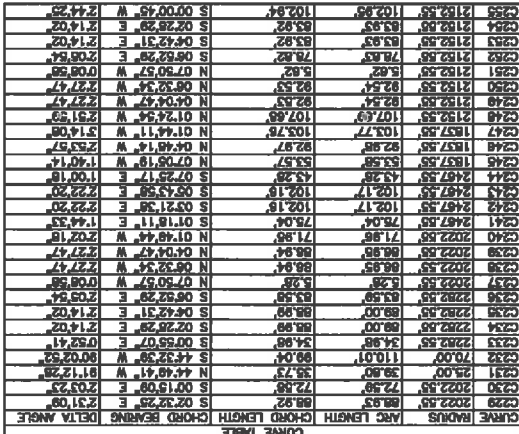
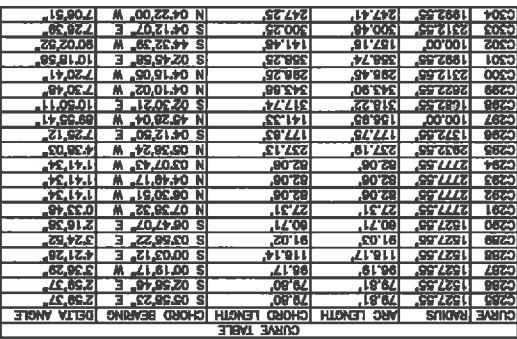
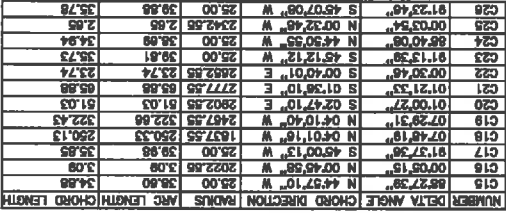
LINE	BEARING	DISTANCE
L1	N 45°18'17" E	14.28
L2	N 00°26'56" W	22.76
L4	S 88°10'59" E	25.00
L5	S 88°10'59" E	2.01



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARINGS	DELTA ANGLE
C01	60.00	13.81	13.66	205.57	12.92
C02	35.00	20.25	19.85	187.56	22.94
C03	130.00	64.57	64.56	164.87	12.92
C04	130.00	30.25	30.25	178.83	22.94
C05	130.00	64.57	64.56	164.87	12.92
C06	130.00	30.25	30.25	178.83	22.94
C07	130.00	64.57	64.56	164.87	12.92
C08	130.00	30.25	30.25	178.83	22.94
C09	130.00	64.57	64.56	164.87	12.92
C10	130.00	30.25	30.25	178.83	22.94
C11	130.00	64.57	64.56	164.87	12.92
C12	130.00	30.25	30.25	178.83	22.94
C13	130.00	64.57	64.56	164.87	12.92
C14	130.00	30.25	30.25	178.83	22.94
C15	130.00	64.57	64.56	164.87	12.92
C16	130.00	30.25	30.25	178.83	22.94
C17	130.00	64.57	64.56	164.87	12.92
C18	130.00	30.25	30.25	178.83	22.94
C19	130.00	64.57	64.56	164.87	12.92
C20	130.00	30.25	30.25	178.83	22.94
C21	130.00	64.57	64.56	164.87	12.92
C22	130.00	30.25	30.25	178.83	22.94
C23	130.00	64.57	64.56	164.87	12.92
C24	130.00	30.25	30.25	178.83	22.94
C25	130.00	64.57	64.56	164.87	12.92
C26	130.00	30.25	30.25	178.83	22.94
C27	130.00	64.57	64.56	164.87	12.92
C28	130.00	30.25	30.25	178.83	22.94
C29	130.00	64.57	64.56	164.87	12.92
C30	130.00	30.25	30.25	178.83	22.94
C31	130.00	64.57	64.56	164.87	12.92
C32	130.00	30.25	30.25	178.83	22.94
C33	130.00	64.57	64.56	164.87	12.92
C34	130.00	30.25	30.25	178.83	22.94
C35	130.00	64.57	64.56	164.87	12.92
C36	130.00	30.25	30.25	178.83	22.94
C37	130.00	64.57	64.56	164.87	12.92
C38	130.00	30.25	30.25	178.83	22.94
C39	130.00	64.57	64.56	164.87	12.92
C40	130.00	30.25	30.25	178.83	22.94
C41	130.00	64.57	64.56	164.87	12.92
C42	130.00	30.25	30.25	178.83	22.94
C43	130.00	64.57	64.56	164.87	12.92
C44	130.00	30.25	30.25	178.83	22.94
C45	130.00	64.57	64.56	164.87	12.92
C46	130.00	30.25	30.25	178.83	22.94
C47	130.00	64.57	64.56	164.87	12.92
C48	130.00	30.25	30.25	178.83	22.94
C49	130.00	64.57	64.56	164.87	12.92
C50	130.00	30.25	30.25	178.83	22.94
C51	130.00	64.57	64.56	164.87	12.92
C52	130.00	30.25	30.25	178.83	22.94
C53	130.00	64.57	64.56	164.87	12.92
C54	130.00	30.25	30.25	178.83	22.94
C55	130.00	64.57	64.56	164.87	12.92
C56	130.00	30.25	30.25	178.83	22.94
C57	130.00	64.57	64.56	164.87	12.92
C58	130.00	30.25	30.25	178.83	22.94
C59	130.00	64.57	64.56	164.87	12.92
C60	130.00	30.25	30.25	178.83	22.94
C61	130.00	64.57	64.56	164.87	12.92
C62	130.00	30.25	30.25	178.83	22.94
C63	130.00	64.57	64.56	164.87	1

[illegible]

DEBOTES UTILITY EYEWITNESS
 IN FIELD
 COORDINATES EXPRESSED
 N: DEBOTES "WORTHING"
 E: DEBOTES "EASTING"
 E: 439108.213
 N: 1512702.188
 SEC. 10-23-28
 DEBOTES SECTION 10,
 TOWNSHIP 23 SOUTH,
 RANGE 26 EAST
 DEBOTES "TICK" MARK, CHANGE IN DIRECTION
 DEBOTES OFFICIAL RECORDS BOOK
 DEBOTES POINT OF BEGINNING
 DEBOTES RIGHT OF WAY
 WITH A NAIL & DISK MARKED "PMP LB 6980"
 BEING A 4' X 4" CONCRETE MONUMENT
 DEBOTES SET PERMANENT REFERENCE MONUMENT,
 WITH A NAIL & DISK MARKED "PMP LB 6980"
 BEING A NAIL & DISK MARKED
 DEBOTES SET PERMANENT CONTROL POINT,
 LEGEND:
 --Batterings based on the North line of the NW 1/4 of Section 10,
 Township 23 South, Range 26 East, as being N 89°44'05" E,
 on assumed meridian.





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Interlocal Agreement		
Requested Action		
Move to accept agreement.		
Staff Report		
The Public Works Department requests the approval of the Interlocal Agreement between Lake County and the City of Clermont for traffic signal maintenance. This agreement in the amount of \$86,468.05 will allow the continued maintenance and emergency repair of all traffic signals located within the city limits of Clermont by Lake County Public Works Department. The City in return is reimbursed by the Florida Department of Transportation the amount of \$40,584.00. Two signed originals are required to execute agreement.		
Additional Analysis		
Fiscal Impact Summary		
The contract amount is included in the current year budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$86,468.05	10541-53407	\$152,408.00
Exhibits Attached (copies of original agreements)		
1. Interlocal Agreement for Traffic Signal Maintenance Traffic Signal Maintenance Agreement.pdf		

**INTERLOCAL AGREEMENT BETWEEN
LAKE COUNTY, FLORIDA AND THE
CITY OF CLERMONT FOR
TRAFFIC SIGNAL MAINTENANCE**

This Interlocal Agreement is made by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter the "County," and the City of Clermont, a municipal corporation organized under the Laws of the State of Florida, hereinafter the "City," for traffic signal maintenance.

WHEREAS, Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, allows a public agency to exercise jointly with other public agencies any power, privilege or authority which such agencies share in common; and

WHEREAS, Section 125.01(p), Florida Statutes, authorizes the County to enter into agreements with other governmental agencies for performance of one unit on behalf of the other any of either agency's functions; and

WHEREAS, on October 28, 2013, the parties did enter into an Interlocal Agreement for Traffic Signal Maintenance; and

WHEREAS, the parties now desire to replace the existing agreement.

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, understandings, conditions, premises, covenants and payment hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

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

2. **Effective Date.** This agreement shall become effective on October 1, 2015.

3. **Term.** This agreement shall have a term of seven (7) years from the effective date. This agreement shall thereafter renew annually until otherwise terminated in accordance herewith.

4. **County Obligations.**

A. The County will provide traffic signal maintenance, both planned and emergency for those signals identified in **Exhibit A**, attached hereto and incorporated herein by reference. Maintenance shall be in accordance with the most current repair manual, and in compliance with standards promulgated by the State Department of

Transportation pursuant to Section 316.0745, Florida Statutes. Additional devices may be added throughout the term of this Agreement by written memorandum executed by the County Manager or designee, and by the City Manager or designee.

B. The County will provide qualified employees to perform the maintenance needed, and will ensure that such qualified employees will be available at all times, day and night, and will maintain emergency response vehicles for use in performing emergency tasks.

C. In the event of major damage to the signal or its component parts which is beyond the County's ability to repair at the scene, the County shall have the option of restoring traffic control by switching the intersection to temporary flash mode until the equipment can be repaired or replaced.

D. In the event of damage of a catastrophic nature, or in the event of traffic signal, beacon, warning flasher or school flasher rebuild or repair, which is deemed to be beyond the County's maintenance capabilities, the County will employ the services of a contractor to effect the repairs. Selection of a contractor shall be at the County's sole discretion.

5. City's Obligations.

A. The City shall pay to the County the annual amount of **\$2,596.00** per signalized intersection and **\$534.67** per flashing beacon, warning flasher or school flasher intersection to cover the cost of maintenance, including parts and labor, to be billed annually. Such monies shall be remitted within thirty (30) days of receipt of an annual invoice from the County. The annual amount shall include monthly signal inspections, annual preventive maintenance routines, and planned and emergency maintenance. This amount shall **not** include repairs catastrophic in nature as set forth in section 4(D) above. Thereafter, the annual amount shall automatically increase by three percent (3%) upon each anniversary date of this Agreement.

C. The City shall be responsible for all other operational costs associated with such traffic signals, beacons, warning flashers, school flashers, or flashing beacons, including but not limited to electricity.

D. In the event of damage of a catastrophic nature, or in the event of traffic signal, beacon, warning flasher or school flasher rebuild or repair, which is deemed to be beyond the County's maintenance capabilities, the City shall reimburse the County for all charges levied by the County's contractor retained in accordance with section 4(D) above. The County will bill the City for these repairs at its cost and the City shall reimburse the County immediately upon receipt of such invoice.

E. The City shall provide to the County information regarding the installation of any new signals, beacons, warning flashers, or school flashers during the annual period, including signals, beacons, warning flashers or school flashers contained within

any area annexed by the City. Such information shall be given to the County before construction plans are approved, or the annexation is finalized, and the County shall retain the right of review and comment on the construction plans, or proposed annexation. The County shall automatically add such new signals, beacons, warning flashers and school flashers to this Agreement and the City shall include the new traffic signals, beacons, warning flashers, and school flashers when calculating the amount payable to the County under this Agreement. The amount payable shall be prorated for each traffic signals, beacons, warning flashers, school flashers, or flashing beacons as of the date of the device comes on-line, or the date the device is annexed, prior to the annual renewal hereof.

F. Beginning July 1, 2016, the Florida Department of Transportation (FDOT) will be reimbursing all jurisdictions in the amount of \$4,500.00 for each traffic signal that is interconnected with telecommunications and are monitored at a central location. The City recognizes that the County, at the County's sole cost and expense, did interconnect the signals identified in **Exhibit B**, attached hereto and incorporated herein by reference, with available telecommunications and does monitor such signals at a central location. Therefore, the City shall remit to the County an additional **\$1,369.00**, per interconnected traffic signal per year upon receipt of an invoice from the County. This amount is the difference between the \$4,500 allocated by FDOT for interconnected signals, and the \$3,131.00 that FDOT will reimburse for signals that are not interconnected. This amount shall be adjusted if the FDOT allocations for future fiscal years is adjusted, but the formula for such calculation shall remain the same.

6. **Termination.** This agreement may be terminated by either party without cause with one hundred twenty (120) days notice to the non-terminating party.

7. **Notices.** Wherever provision is made in this Agreement for the giving, serving or delivering of any notice, statement, or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if delivered by hand or mailed by United States registered or certified mail, addressed as follows:

COUNTY

Public Works Department
P.O. Box 7800
Tavares, Florida 32778

CITY

City Manager
685 West Montrose Street
Clermont, Florida 34711

Notice sent by facsimile transmission shall not be accepted.

8. **Entire Agreement.** It is mutually agreed that the entire agreement between the parties is contained herein, and that neither party has made any statement, promise or agreement, or taken upon itself any engagement whatsoever that it is not fully capable of honoring to its fullest.

9. **Prior Agreements.** The previous agreement entered into between the parties dated on or about October 28, 2013 shall be terminated effective September 30, 2015.

10. **Severability.** If any provision, condition, promise, or part of this agreement is found or held to be invalid, it is the intent of the parties that the remaining provisions are unaffected and will be honored by the parties. To this end, the provisions of this agreement are declared severable.

IN WITNESS HERETO, the parties to this agreement, by their signatures, have caused this agreement and all its parts, to be fully executed on the day and year hereinafter written.

COUNTY

ATTEST:

LAKE COUNTY, through its BOARD OF
COUNTY COMMISSIONERS

Neil Kelly, Clerk
of the Board of County
Commissioners of Lake
County, Florida

Chairman

This _____ day of _____, 2015

Approved as to form and legality:

Melanie Marsh, County Attorney

Interlocal agreement between Lake County, Florida and the City of Clermont for Traffic Signal Maintenance.

CITY OF CLERMONT

Name: _____
Title: _____

ATTEST:

City Clerk

Approved as to form and legality:

City Attorney

EXHIBIT A: SIGNALS AND BEACONS

City of Clermont Exhibit A with Interconnected Telecommunication Information

Cartograph ID	Type	Major Road	Dir	Side Street A	Standard Rate	Additional for Interconnect w/ telecom 2016-17	Interconnected w / telecom	NOTES
CL-F-376	Flasher	Citrus Tower Bv.	NB	Mohawk	\$534.67		No	
CL-F-377	Flasher	Citrus Tower Bv	SB	Mohawk	\$534.67		No	
CL-F-414	Flasher	East Av	NB	South Lake Trail	\$534.67		No	
CL-F-415	Flasher	Lake Minneola Dr	SB	South Lake Trail	\$534.67		No	
CL-F-360	Flasher	North Hancock Rd	SB	West Point Bv	\$534.67		No	
CL-F-361	Flasher	North Hancock Rd	NB	West Point Bv	\$534.67		No	
CL-SF-014	School Flasher	BLOXAM	NB		\$534.67		No	
CL-SF-015	School Flasher	BLOXAM	SB		\$534.67		No	
CL-SF-016	School Flasher	EAST AV	NB		\$534.67		No	
CL-SF-017	School Flasher	EAST AV	SB		\$534.67		No	
CL-SF-249	School Flasher	HANCOCK RD	NB		\$534.67		No	
CL-SF-250	School Flasher	HANCOCK RD	SB		\$534.67		No	
CL-SF-299	School Flasher	HANCOCK RD	NB & SB	East Ridge High & Middle School	\$534.67		No	
CL-SF-240	School Flasher	JOHNS LAKE RD EB	EB		\$534.67		No	
CL-SF-239	School Flasher	JOHNS LAKE RD WB	WB		\$534.67		No	
CL-S-255	Signal	CITRUS TOWER BLVD		JOHNS LAKE RD.	\$2,596.00		Yes	Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-251	Signal	Citrus Tower Blvd		Grand Highway	\$2,596.00		No	
CL-S-276	Signal	Citrus Tower Blvd		North Ridge Blvd	\$2,596.00		No	
CL-S-289	Signal	Citrus Tower Bv		Hooks St	\$2,596.00		Yes	Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-358	Signal	Citrus Tower Bv		Oakley Seaver	\$2,596.00		Yes	Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-363	Signal	Citrus Tower Bv		Steve's Rd	\$2,596.00			Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-461	Signal	North Hancock Rd		E. Old Hwy 50	\$2,596.00		No	
CL-S-281	Signal	Hancock Rd		Hooks St	\$2,596.00		Yes	Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-248	Signal	HARTWOOD MARSH		FS 2	\$2,596.00		No	
CL-S-388	Signal	Hooks St		Excalibur Rd	\$2,596.00		Yes	Interconnected w/telecom but not on the FDOT system. Standard rates apply.
CL-S-411	Signal	North Hancock Rd		Diamond Club Dr	\$2,596.00		No	Not Completed yet but will be in operation by October 1, 2015

CL-S-412	Signal	North Hancock Rd		Oakley Seaver Dr.	\$2,596.00		No	Not Completed yet but will be in operation by October 1, 2015
CL-S-001	Signal	SR 50		BLOXAM AV	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-002	Signal	SR 50		CR 561 / 12th ST	\$2,596.00		No	
CL-S-003	Signal	SR 50		EAST AV	\$2,596.00		No	
CL-S-004	Signal	SR 50		8th. ST	\$2,596.00		No	
CL-S-005	Signal	SR 50		5th. ST	\$2,596.00		No	
CL-S-006	Signal	SR 50		GRAND HWY (1445)	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-011	Signal	SR 50		FIRE STATION # 1	\$2,596.00		No	
CL-S-053	Signal	SR 50		HANCOCK RD. (1254)	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-186	Signal	SR 50		Oakley Seaver Dr.	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-296	Signal	SR 50		Sandhill View Bv	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-007	Signal	US 27		HOOKS ST	\$2,596.00	\$1,360.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-055	Signal	US 27		CITRUS TOWER BV.	\$2,596.00		No	
CL-S-063	Signal	US 27		Harwood Marsh Rd	\$2,596.00	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-294	Signal	US 27		Steve's Rd	\$2,596.00	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
TOTAL, EXHIBIT A					\$75,516.05			

EXHIBIT B: INTERCONNECTED TRAFFIC SIGNALS

Estimated Telecommunication Information FY 2016-17

Cartograph ID	Type	Major Road	Side Street A	Interconnect w/ telecom 2016-17	Interconnected w / telecom	NOTES
CL-S-001	Signal	SR 50	BLOXAM AV	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-006	Signal	SR 50	GRAND HWY (1445)	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-053	Signal	SR 50	HANCOCK RD. (1254)	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-186	Signal	SR 50	Oakley Seaver Dr.	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-296	Signal	SR 50	Sandhill View Bv	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-007	Signal	US 27	HOOKS ST	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-063	Signal	US 27	Hartwood Marsh Rd	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
CL-S-294	Signal	US 27	Steve's Rd	\$1,369.00	Yes	On the FDOT system, interconnected with Telecommunication
TOTAL EXHIBIT B				\$10,952.00		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date					
Tuesday, January 12, 2016					
Agenda Item Name					
Utility Service Agreement					
Requested Action					
Move to approve the Utility Service Agreement for Wastewater/Sewer for Pinecrest Lakes Academy Charter School					
Staff Report					
This request is for wastewater/sewer service for Pinecrest Lakes Academy Charter School which is for grades K-8 with approximately 50 staff. The building will be about 5,300 sq. ft. with 750 student stations. The site is located northwest of the corner of Hancock Road and Old Highway 50, in the City of Minneola. Minneola will serve water to the development but does not have sewer at this time. Minneola is to the west (Minneola East Ridge) and north, and Clermont is to the south (Sky Ridge Valley) and east (Highland Ranch). The site is outside Clermont's Interlocal Service Boundary Agreement (ISBA) area. Owner & Applicant: Schoolhouse Finance, LLC - Ken Brown Project: Public Charter School, grades K-8 Size: 9.14 acres Location: 14012 Old Dixie Highway Future Land Use: Minneola - Institutional Zoning: Minneola - Public Facilities/Institutional Status of Project: The property has been approved by the City of Minneola Projected Wastewater/Sewer Use: 1,200 gpd The project will be developed pursuant to the attached Utility Services Agreement for Wastewater/Sewer.					
Additional Analysis					
Fiscal Impact Summary					
N/A at this time					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					

- | | | |
|----|--|-------------------------------|
| 1. | Utility Service Agreement for Wastewater/Sewer - Pinecrest Lakes Academy USA for Wastewater, Lakes Academy | CC1-12-16.pdf |
| 2. | Utility Service Application - Pinecrest Lakes Academy | USA-W app Pinecrest Lakes.pdf |

UTILITY SERVICE AGREEMENT FOR WASTEWATER

This document constitutes an agreement between the CITY of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and Schoolhouse Finance, LLC (a.k.a. Pinecrest Lakes Academy), and any successors or assigns, hereby referred to as **OWNER**.

WITNESSETH

Whereas, OWNER is requesting service for a private school with up to 53,800 sq. ft., which is located on real property (the "Property") described on *Exhibit 'A'*, attached hereto and by this reference made a part hereof; and

Whereas, the Property is located within the City of Minneola and the OWNER is requesting sewer service from the CITY; and

Whereas, as a condition of CITY providing said sewer service to the property, OWNER is to extend sewer lines to serve the Property and lines and appurtenances must be sized and constructed in accordance with the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the development; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE SEWER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide sewer service for the Property.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY. The connection points will be those closest to the Property.
- 1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.
- 1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.
- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.

- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until sewer is provided to the site or until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until sewer extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 The OWNER shall construct or be responsible for all access to the site which may include turn lanes from Hancock Road or Old Hwy. 50 into the development, along the northern property boundary line.
- 1.9 The existing utilities along Old Hwy. 50 must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.
- 1.10 The utilities in the property shall be privately owned and maintained, but shall be constructed to City standards.
- 1.11 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.12 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.
- 1.13 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.14 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.11 and 1.12 from the CITY in the form of Impact Fee Credits (if applicable).
- 1.15 The Impact Fee Credits (if applicable) shall be established subject to Sections 1.11 and 1.12 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.16 Impact Fee Credits (if applicable) may not be transferred outside of the Property described and shown on the location map in Exhibit "A", but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.

- 1.17 The OWNER shall be responsible for all applicable fees including but not limited to impact fees (if applicable), connection fees and permitting fees.
- 1.18 The City may require a looped system to provide reliability and redundancy to the property. Easements in accordance with Clermont standards may be required for access, as determined by the City of Clermont.
- 1.19 The point of sewer connection shall be coordinated with the existing utilities on the Old Hwy. 50. The City will not accept ownership of utilities within the Old Hwy 50 right-of-way.
- 1.20 The Pinecrest Lakes Academy development will be required to disconnect from the CITY of Clermont sewer system, at the OWNER's expense, and connect to Minneola's system upon notice from the City of Minneola.
- 1.21 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns, as approved by the City's Site Review Committee. No chain link shall be used in public view areas.
- 1.22 Parking of any vehicles outside the paved parking areas, or in any landscape buffers shall not be permitted. Parking shall not be permitted on any State or local road right-of-ways.
- 1.23 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).
- 1.24 The development shall be in substantial compliance with the Site Plan and Architectural Plan as shown in Exhibit "B". Major changes as determined by the Clermont Site Review Committee may require an amendment to this Agreement.
- 1.25 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.
- 1.26 The Agreement shall be for commercial utility flow/demand for sewer is 1,200 gpd, based on an annual average. Exceeding these amounts may require a new Utility Services Agreement. (gpd = gallons per day). Allowed overage of up to 10% allowed.

Section 2. DEVELOPMENT STANDARDS

- (a) The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.
- (b) The project shall be developed in substantial accordance with the Master Site Plan and architectural renderings (Exhibit "B") as submitted with the Utility Service Agreement request, dated September 2015 by *BESH*.

Section 3. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 4. NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

OWNER

Schoolhouse Finance, LLC
Ken M. Brown
1005 North Glebe Road, Suite 610
Arlington, VA 22201

Section 5. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 6. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder. This Agreement shall be valid for no longer than five (5) years

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through _____.

DATED this _____ day of _____, 2016.

CITY OF CLERMONT

ATTEST:

Gail L. Ash, Mayor

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

OWNER: Ken M. Brown (Schoolhouse Finance, LLC – a.k.a. Pinecrest Lakes Academy)

Signature Title: _____

Print Name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

EXHIBIT "A"

PROPERTY DESCRIPTION

Owners:

Schoolhouse Finance, LLC (a.k.a. Pinecrest Lakes Academy) - Ken M. Brown

Description:

MINNEOLA, LAKE HIGHLANDS 16-22-26 THAT PART OF TRACTS 40B, 41, & ABANDONED RR R/W DESC AS FOLLOWS: FROM W 1/4 COR OF SEC 16-22-26 RUN S 00DEG 02MIN 10SEC E ALONG W LINE OF SAID SEC 676.67 FT TO POB, RUN N 89DEG 57MIN 50SEC E 580 FT, N 08DEG 43MIN 11SEC W 223.74 FT TO S'LY R/W OF OLD HWY 50, SE'LY ALONG SAID R/W TO E LINE OF TRACT 40B EXTENDED, S ALONG SAID E LINE TO SE COR TRACT 41, W TO W LINE OF SAID SEC, N ALONG SAID W LINE TO POB--LESS N'LY 10 FT FOR RD R/W & LESS BEG AT SW COR OF NW 1/4 OF SW 1/4, RUN N 0-40-22 W 56.32 FT, N 89-19-38 E 445.69 FT TO A POINT OF A NON-TANGENT CURVE CONCAVE TO THE SW & HAVING A RADIUS OF 880 FT, THENCE RUN SE'LY & ALONG SAID CURVE THRU A CENTRAL ANGLE OF 14-06-42 FOR AN ARC DIST OF 216.74 FT TO A POINT ON E LINE OF SW 1/4 OF NW 1/4 OF SW 1/4, S 0-32-15 E 15.11 FT, S 89-19-26 W & PARALLEL TO S LINE OF SW 1/4 OF NW 1/4 OF SW 1/4 A DIST OF 645.27 FT, S 0-40-22 E 15 FT TO S LINE OF SW 1/4 OF NW 1/4 OF SW 1/4, S 89-21-26 W 15 FT TO POB, BEING PART OF TRACT 41, AN UNNAMED RD R/W BOUNDED ON N BY S 0-02-10 E 676.67 FT S FROM W 1/4 COR, BOUNDED ON E BY W LINE OF TRACT 41, BOUNDED ON S BY N 0-40-22 W 56.32 FT FROM SW COR OF NW 1/4 OF SW 1/4, BOUNDED ON W BY W LINE OF SEC 16--PB 3 PG 32 ORB 3660 PG 790.

Containing 9.15 acres, more or less

Address:

14012 Old Hwy. 50

Lake County Alternate Key Numbers:

1647673

EXHIBIT "A" (cont.)

Schoolhouse Finance, LLC – a.k.a. Pinecrest Lakes Academy ~ LOCATION MAP

Aerial view:



Schoolhouse Finance, LLC – a.k.a. Pinecrest Lakes Academy ~ SITE PLAN:



EXHIBIT “B” (cont.)

Schoolhouse Finance, LLC – a.k.a. Pinecrest Lakes Academy ~ ARCHITECTURAL:

View from west looking east



View from the SE looking NW



\\cityhall\\shares\\Economic Development\\JHITT\\JPA -Utility Agreements & Reviews\\Pinecrest Lakes Academy\\Pinecrest Lakes Academy USA for Wastewater, CC1-12-16.doc



CITY OF CLERMONT

UTILITY SERVICE AGREEMENT APPLICATION

For Utilities Outside of Municipal Boundaries &
Determination of Capacity

APPLICANT: SCHOOL DEVELOPMENT HC, LLC Date: 12/17/15

CONTACT PERSON: Fernando Barroso

Address: 6340 Sunset Drive

City: Miami State: Florida Zip: 33143

Phone: 407-754-6311 Fax: 305-669-4390

E-Mail: FernBarr@gmail.com

OWNER: Schoolhouse Finance, LLC

Address: 1005 North Glebe Road, Suite 610

City: Arlington State: Virginia Zip: 22201

Phone: _____ Fax: _____

E-Mail: _____

PARTY RESPONSIBLE FOR AGREEMENT: Fernando Barroso

Address of the subject property: 14012 Old Highway 50, Clermont, Florida 34711

General Location of the Property: Old Highway 50 & Hancock Road (map attached)
(Include Location Map)

Area of the property: 9.14 acres

Zoning: Public Facilities/Institutional County Future Land Use FLUM Institutional
*Attach development orders, ordinances and staff reports by Lake County and the Florida
Dept. of Economic Opportunity (DEO).*

Estimated Water Consumption is N/A Gallons per day.
(excluding irrigation)

Estimated Sewer Consumption is +/- 1200 Gallons per day.
Detailed description of project: *(or attach)*

Estimated Re-Use (Gray Water) Water Consumption is N/A Gallons per day.

~~Detailed Description of Project: Project will consist of an approximately 53,00 sf building, 750
student stations public charter school for grades K-8 with approximately 50 staff~~

Items required for submittal include one (1) copy of the following items:

- ☐ Signed original application and materials required for processing.
- ☐ Letter of capacity and utility line location from the City of Clermont Environmental Services Dept. Phone: (352) 241-0178
- ☒ Proposed Site Plan (if applicable)
- ☒ Lake County Property Appraiser - record card
- ☒ Location map
- ☐ Any applications currently on file with Lake County
- ☐ Any Lake County staff reports
- ☐ DEO or ECFRPC correspondence
- ☐ Any information needed for determination of the utility services requested

Rosanne Wright

Applicant Name (print)

X Rosanne Wright

Applicant Name (signature)

Ken Brown, President, Schoolhouse Finance

Owner Name (print)

X Ken Brown

Owner Name (signature)

Prior to submitting an application, a meeting with the City of Clermont is required. To schedule a meeting with the City of Clermont please contact:

➤ **James Hitt, Economic Development Director:**

Phone: (352) 241-7305

Email: jhitt@clermontfl.org

A review by the Site Review Committee may be required, which would require 6 sets of site plans for review by staff. Upon the receipt of all necessary information and review by staff the request will be scheduled for the next available City Council regular meeting.

City of Clermont
Economic Development Department
685 W. Montrose St.
Clermont, FL. 34711
(352) 241-7305



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Resolution No. 2016-01		
Requested Action		
Move to approve Resolution No. 2016-01		
Staff Report		
Resolution No. 2016-01 is proposed to amend the City's adopted budget for Fiscal Year 2016. The amendments are necessary to formally amend the budget primarily for the carry forward of unexpended funds from Fiscal Year 2015.		
Additional Analysis		
Fiscal Impact Summary		
Total decrease to fund balance for all funds - \$3,526,675.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2016-01 Resolution No. 2016-01 - .docx		

CITY OF CLERMONT
RESOLUTION NO. 2016-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING
BUDGET AMENDMENTS FOR THE CITY OF CLERMONT
FOR FISCAL YEAR 2015-2016**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2015 to September 30, 2016:

GENERAL FUND

- | | |
|--|------------------|
| 1. Increase Minor Equipment (10516-55204) | \$ 6,000 |
| Increase Capital Outlay - IT Equipment (10516-66403) | \$ 28,000 |
| To amend the Information Technology Department budget for the carry forward of unexpended FY 2015 funds budgeted for equipment purchases. | |
|
2. Increase Capital Outlay – Vehicles (10522-66400-22800) |
\$ 1,092,127 |
| To amend the Fire Department budget for the carry forward of unexpended FY 2015 funds budgeted for the purchase of a ladder truck. | |
|
3. Increase Regular Salaries (10565-12100) |
\$ 40,171 |
| Decrease Regular Salaries (10521-12100) | \$ 55,245 |
| Increase FICA (10565-12220) | \$ 3,046 |
| Increase Workers Comp (10565-12400) | \$ 1,470 |
| Increase Group Insurance (10565-12300) | \$ 8,751 |
| Increase Life Insurance (10565-12305) | \$ 95 |
| Increase Employee Assistance Plan (10565-12315) | \$ 12 |
| Increase Minor Equipment (10565-55204) | \$ 1,700 |
| To amend the Purchasing Department budget for a new Purchasing Agent position. | |
|
4. Increase Repair and Maintenance – Buildings (10575-54600) |
\$ 120,000 |
| To amend the Parks and Recreation Department budget to transfer funds budgeted for the painting of the Arts and Recreation Center exterior from the Infrastructure Sales Tax fund to the General Fund. | |
|
5. Decrease Fund Balance (10599-59900) |
\$ 1,246,127 |
| Total General Fund Adjustments. | |

INFRASTRUCTURE SALES TAX FUND

- | | | |
|--|----|---------|
| 1. Increase Capital Outlay – Other Improvement (12516-66300-16000) | \$ | 13,516 |
| To amend the Information Technology Department budget for the carry forward of unexpended FY 2015 funds budgeted for fiber expansion. | | |
| 2. Increase Repair and Maintenance - Streets (12541-54603) | \$ | 311,894 |
| Increase Repair and Maintenance - Sidewalks (12541-54604) | \$ | 26,659 |
| Increase Capital Outlay – Sidewalks (12541-66303) | \$ | 95,222 |
| To amend the Public Works Department budget for the carry forward of unexpended FY 2015 funds budgeted for streets and sidewalks. | | |
| 3. Decrease Repair and Maintenance – Buildings (12575-54600) | \$ | 120,000 |
| To amend the Parks and Recreation Department budget to transfer funds budgeted for the painting of the Arts and Recreation Center exterior from the Infrastructure Sales Tax Fund to the General Fund. | | |
| 4. Decrease Fund Balance (12599-59900) | \$ | 327,291 |
| Total Infrastructure Sales Tax Fund Adjustments | | |

RECREATION IMPACT FEES FUND

- | | | |
|---|----|--------|
| 1. Increase Capital Outlay – Other Improvement (14542-66300-72117) | \$ | 13,000 |
| To amend the Public Works Department budget for the carry forward of unexpended FY 2015 funds budgeted for the Rowing Facility racing marker buoys. | | |
| 2. Decrease Fund Balance (14599-59900) | \$ | 13,000 |
| Total Recreation Impact Fees Fund Adjustments. | | |

FIRE IMPACT FEES FUND

- | | | |
|--|----|---------|
| 1. Increase Capital Equipment (16522-66401) | \$ | 24,732 |
| To amend the Fire Department budget for the carry forward of unexpended FY 2015 funds budgeted for equipment purchases. | | |
| 2. Increase Transfer to Capital Projects Fund (16581-99114-22801) | \$ | 313,354 |
| To amend the Fire Department budget for the carry forward of unexpended FY 2015 funds budgeted for the transfer to the Capital Projects Fund for the construction of Fire Station No. 4. | | |
| 3. Decrease Fund Balance (16599-59900) | \$ | 338,086 |
| Total Fire Impact Fees Fund Adjustments. | | |

CAPITAL PROJECTS FUND

- | | | |
|---|----|---------|
| 1. Increase Professional Services – Fire Station No. 4 (32522-53100-22801) | \$ | 13,354 |
| Increase Capital Outlay – Fire Station No. 4 (32522-66201-22801) | \$ | 300,000 |
| Increase Transfer from Fire Impact Fees Fund (32381-38116-22801) | \$ | 313,354 |
| To amend the Fire Department for the carry forward of unexpended FY 2015 funds budgeted for the construction of Fire Station No. 4 and associated transfer from the Fire Impact Fee Fund. | | |
| 2. Decrease Fund Balance (32599-59900) | \$ | 0 |
| Total Capital Projects Fund adjustments | | |

WATER FUND

- | | | |
|---|----|-----------|
| 1. Increase Water Systems – Capital Water Systems (41533-66307-33106) | \$ | 2,482,030 |
| To amend the Environmental Services Department budget for the carry forward of FY 2015 unexpended funds budgeted for the West Water Main Loop. | | |
| 2. Increase SJRWMD Grant (41337-33738-33112) | \$ | 1,980,000 |
| To amend the Environmental Services Department budget for the grant from the St. Johns River Water Management District for the Lower Floridian aquifer wells as approved by the City Council on December 8, 2015. | | |
| 3. Decrease Water Fund Balance (41599-59900) | \$ | 502,030 |
| Total Water Fund adjustments | | |

SEWER IMPACT FEES FUND

- | | | |
|---|----|---------|
| 1. Increase Sewer– Reclaimed Water System Expansion (44535-66323-36101) | \$ | 536,865 |
| To amend the Environmental Services Department budget for the carry forward of unexpended FY 2015 funds budgeted for reclaimed water systems expansion. | | |
| 2. Decrease Fund Balance (44599-59900) | \$ | 536,865 |
| Total Sewer Impact Fees Fund Adjustments. | | |

STORMWATER FUND

- | | | |
|---|----|---------|
| 1. Increase Stormwater Capital Outlay – Stormwater System (45538-66306) | \$ | 563,276 |
| To amend the Environmental Services Department budget for the carry forward of unexpended FY 2015 funds budgeted for stormwater improvements. | | |
| 2. Decrease Fund Balance (45599-59900) | \$ | 563,276 |
| Total Stormwater Fund Adjustments. | | |

NET DECREASE TO FUND BALANCE – ALL FUNDS	\$	3,526,675
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NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2015-2016 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Grant Request		
Requested Action		
Motion to approve funding match of \$25,000 for Share the Road Challenge grant application.		
Staff Report		
The City is actively seeking grants for projects that support the "Choice of Champions" brand and implementation of the Downtown and Waterfront Master Plan. Bike Florida is sponsoring a new \$25,000 grant program this year for local governments, school districts and nonprofit organizations. The Share the Road Challenge Grant program is soliciting proposals for projects that stimulate creative thinking on how to better facilitate cycling and improve bike-pedestrian safety at the community level. The grant requires a 1:1 match. The deadline is Jan. 21, 2016 and the award announcement is Feb. 26, 2016. The City is interested in submitting an application for this grant, and City Council approval is requested to authorize the matching funds. It is anticipated that the project scope will include "walk-ability" and "bike-ability" studies for the corridor between the National Training Center/South Lake Hospital/Lake-Sumter State College area and the downtown. Current staff salaries can provide the match needed for the application.		
Additional Analysis		
Fiscal Impact Summary		
A budget amendment is not necessary since the funding match of \$25,000 may be provided from Development Services Department staff salaries included in the current year budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
\$25,000.00	10515-12100 Regular Salaries	\$25,000.00
Exhibits Attached (copies of original agreements)		
1. Grant application Share the Road Challenge Grant.pdf		



2016 Bike Florida

Share the Road Challenge Grant Application

Submission Deadline: January 21, 2016

Introduction: Bike Florida invites applications for the inaugural \$25,000 Share the Road Challenge Grant Program. The purpose of the Challenge Grant Program is to stimulate creative thinking about how to better facilitate cycling and improve bike-pedestrian safety at the community level in the State of Florida. Bike Florida is looking for innovative projects that produce measurable impacts and that can be duplicated in other communities. Bike Florida will consider Florida-based projects that encompass infrastructure, education, design, demonstration, public awareness or any other innovative approaches that facilitate bicycling as a safe and convenient form of community transportation.

Project Requirements:

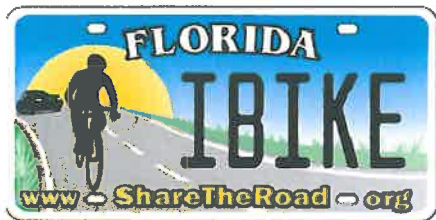
- This program requires a 1:1 match. Cash must account for at least 75% of proposed grant match; up to 25% may be in the form of in-kind donated services and supplies. Applicants should demonstrate how the value of proposed in-kind match is determined. Both cash and in-kind match should be reflected in the project budget.
- Eligible organizations are Florida-based nonprofit organizations, local governments, and school districts. Nonprofits must document IRS 501(c)(3) status. Organizations with close connections to board members of Bike Florida or the Florida Bicycle Association are ineligible to apply for this grant.
- The project period is July 1, 2016 through June 30, 2017.
- Grant funds will be disbursed in quarterly-equal payments over the duration of the project period, conditioned upon grantee meeting ongoing performance benchmarks and documenting receipt of match funds.
- Grantee must agree to measure and report project outcomes through June 30, 2019.

Timeline:

RFP release date: November 2, 2015
Applicant's workshop: November 13, 2015
Applicant questions submission deadline: November 16, 2015
Questions and Answers published on Bike Florida website: November 23, 2015
Proposal due date: January 21, 2016
Grant award announcement: February 26, 2016
Project activities to begin by July 1, 2016

Application Instructions:

- All proposals must be submitted via email by **5 p.m. Eastern Standard Time on January 21, 2016** to the following email address: grant@sharetheroad.org.
- Answer all questions on the following application form, typing directly into the Word document using a type no smaller than 11 points, single spaced. *Space shown in the application form is NOT an indication of the expected length of the response.* You may use as much or as little space as you need to respond to each criterion. Data presented in tables and charts may be presented in smaller type size, as long as it is reasonably legible. Budget information must be submitted in the attached Excel spreadsheet.
- There is no page limit for your proposal, but please be concise. Applicants should respond clearly and directly to each criterion. Please refrain from including extraneous information. Application reviewers will not be allowed to award points for material that is not responsive to the criteria.



2016 Bike Florida
Share the Road Challenge Grant Application
Cover Sheet

Applicant Information:

Name of Applicant Organization:

Address:

Phone:

Email:

Website Address:

Name of Person Submitting Proposal:

Position:

Person authorized to sign contracts for the applicant organization:

By my signature below, I certify that I am authorized to contract for the above-described organization and that I have reviewed and approved the attached proposal.

Name	Signature	Title	Date
------	-----------	-------	------

Please scan original, signed copy of this cover sheet in jpg or pdf format and submit as an attachment to your proposal.

Type of Organization: ☐ 501(c)(3) Nonprofit ☐ Government ☐ School District

☐ **Other (Explain):** _____

If you are a nonprofit organization, please attach a copy of your IRS Letter of Determination to document 501(c)(3) status.

A. Needs and Objectives (20 points)

A.1: Identify the geographic area to be served.

A.2: Describe the conditions of your target community that indicate a need for improvement in bicycle-pedestrian awareness, safety, or facilities.

A.3: Provide documentation of your identified community need. How do you know this need exists? Documentation may include recent statistics, research or reports. Please briefly cite your sources.

A.4: Project Statement: In two or three sentences, provide an overview of the solution you are proposing to meet your community's identified need. You will provide details of your project in the Approach section.

A.5: Describe your project's overall goal, and the measureable objectives you plan to achieve through implementation.

B. Approach (40 points)

B.1: Provide a work plan and timeline for your project implementation. Describe project milestones and identify who will be responsible for implementing each activity.

B.2: Describe your rationale for selecting the proposed project approach. Are you relying on any existing research or data to support this approach? Why will this approach be effective in your community?

B.3: Does your project require coordination, resource-sharing or partnership with any other organization or department? Identify any proposed project partners and describe their roles in the project. Attach a signed letter of commitment from each project partner.

B.4: How will the impact of the project extend beyond the one-year funding period? Describe your strategies for ensuring project sustainability so that Bike Florida's investment has a permanent, positive impact on your community.

B.5: Describe your strategy for data collection and reporting to document project achievements and impact. What data will you use to measure progress toward objectives? Who will be responsible for data collection, analysis, and reporting?

C. Organizational Capacity (25 points)

C.1: Describe your organization's history and presence in the community.

C.2: Describe your organization's experience and expertise. Describe any experience and achievement in implementing bicycle-pedestrian programs.

C.3: Describe your organization's governance structure. Identify your Board of Directors, proposed project director, and any key staff involved with this project, and briefly describe their qualifications and experience.

C.4: Describe the involvement of volunteers in your organization. Describe how volunteers will be involved in the proposed project. How will you track and document volunteer participation?

C.5: Describe how your organization will ensure appropriate use, accurate accounting, and timely reporting for funds received in this grant. Describe your current bookkeeping system and identify who will be responsible for fiscal administration of the project.

D. Budget (15 points)

D.1: Complete the Budget and Budget Narrative Form in Excel format and submit as an attachment.

D.2: The Bike Florida Challenge Grant Program requires a 1:1 match, with 75% of this match in the form of cash. 25% of match may be in the form of donated goods and services. Identify the sources and types of your project match. Attach a signed letter of commitment from any outside entities that will be providing all or part of your proposed match.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Variance Request <i>Rorabaugh</i>		
Requested Action		
Motion to deny variance requests.		
Staff Report		
This request was originally scheduled to be heard at the Dec. 8, 2015 City Council meeting, but it was postponed at the applicant's request so that it could be considered by a full Council. The owner is requesting two variances to the Land Development Code (LDC) in order to construct a garage behind an existing home located at 297 West Osceola Street. The home was constructed on the lot in 1915. The lot is a corner lot that fronts West Osceola Street and has the side property line along Third Street. The lot is 50-feet wide by 150-feet deep. The owner wishes to move an existing shed behind the home and place it farther back on the property, approximately 7 1/2 feet from the rear property line. The proposed garage is 24-feet wide by 26-feet deep and will be accessed from Third Street. The property is zoned R-2, which has a 25-foot side property line setback from the road and a 25-foot rear setback. With the lot being 50-feet wide, the side setback of 25 feet and interior side setback of 7 1/2 feet, this will leave a building envelope of 17 1/2 feet for the garage, which is not feasible. The shed will need to be moved in order for the garage to be placed, which creates encroachment into the 25-foot rear setback. The owner is requesting a variance to allow placement of the garage 7 1/2 feet from the street side property line, along with the shed, and a 7 1/2 feet rear property line setback. This is a variance request to Section 122-146 Yards, which requires a side setback from the street to be 25 feet and a rear setback of 25 feet. Staff has calculated the Impervious Surface Ratio (ISR) for the lot and with the proposed additions, the ISR is still well below the 55 percent ISR for the overall lot. Staff acknowledges that this site is a narrow corner lot that presents challenges in placing the garage and moving the shed. However, staff cannot support this request since Section 86-174 of the Land Development Code requires a positive finding on eight criteria in order to grant a variance, and staff believes that one of the eight do not meet these findings. Therefore, staff recommends denial of the two variances.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Review criteria and findings	Rorabaugh Review Criteria and Finding.docx
2.	Map	Rorabaugh Exhibits.pdf
3.	Site Plan	Site plan.pdf
4.	Site Photo	Site Photo.pdf
5.	Application	Application.pdf
6.	Legal ad	VAR Legal AD Rorabaugh.docx

Rorabaugh Variance

The requirements for a variance are as follows:

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

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;
Applicant response: Small corner lot with side and front lines facing a street make the lot very difficult to add additional structures. Home was built in 1915 and shed was placed in 1991.

Staff comments: This parcel, since it is a corner lot and the dimensions are 50 feet wide and 150 feet deep, it does present a challenge to add additional structures to the property. These circumstances are usually not present in other similarly sized parcels in the same zoning district that are not located on a corner.

Positive finding

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;
Applicant response: The property has been owned by the original family since 1915. House and shed were placed within code during those times.

Staff comments: This variance request was a result of the applicant wanting to add a garage to the property. The applicant does have an interest in the property.

Negative finding

- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;
Applicant response: The property can accommodate the proposed garage and relocation of shed and still be under the impervious surface ratio for the lot.

Staff comments: Since the lot is located at a corner intersection, it has placed an undue hardship to develop the site with the current setback requirements from the street.

Positive finding

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;
Applicant response: Adding the garage and relocating the shed will not reduce the cost of developing the site.

Staff comments: No evidence of decreased costs due to the variance requests.

Positive finding

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response: *The placement of the garage off of the side street is the logical location to have access to the garage. The variance would be needed since it is a corner lot.*

Staff comments: *The applicant's request for the variance seems to be the minimum variance necessary to make the reasonable use of the land.*

Positive finding

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

Applicant response: *No*

Staff comments: *The City Council has granted similar variance requests in the past for side and rear setbacks that are being sought by the applicant.*

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and

Applicant response: *The addition of the garage will increase the property value and not alter the character of the area.*

Staff comments: *The proposed variances do not seem to substantially diminish property values or alter the essential character of the area.*

Positive finding

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response: *The addition of the garage, which will be constructed to blend with the existing home, will be in harmony with the area. The existing shed will be relocated and is not currently a problem.*

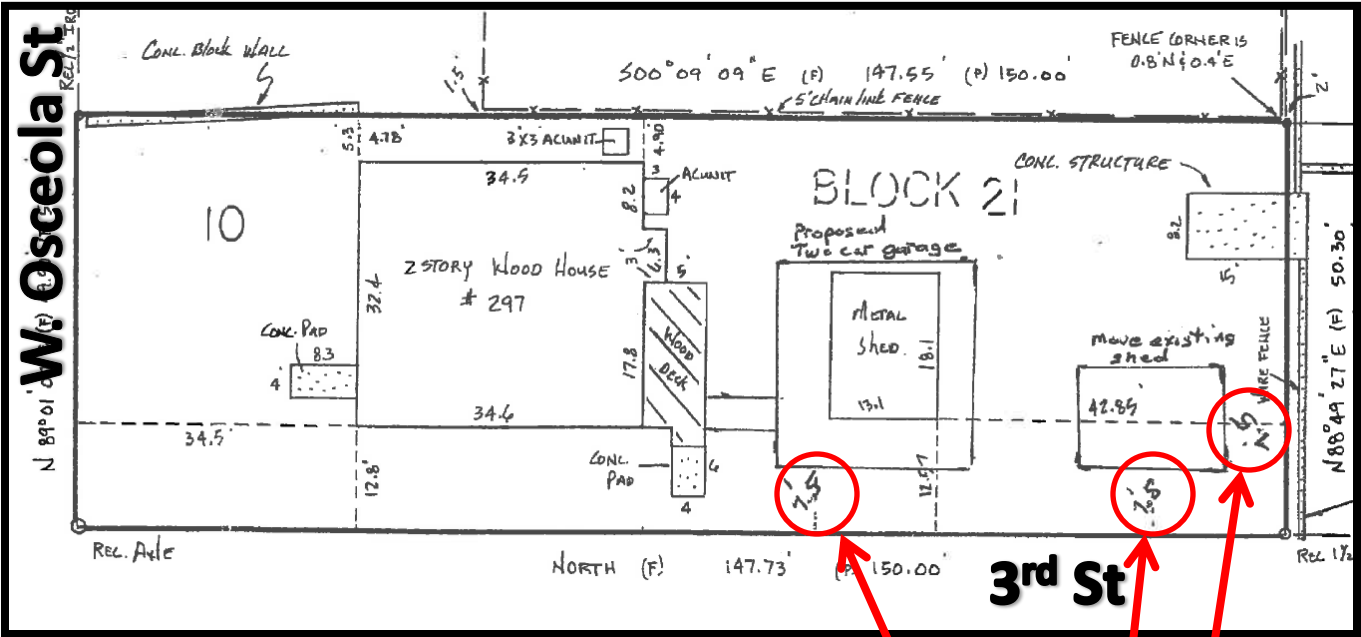
Staff comments: *Staff feels that granting the variances will be in harmony with the general intent and purpose of the land development code.*

Positive finding

STAFF RECOMMENDATION:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **one** of the eight do not meet these findings. Therefore, staff recommends **denial** of the variance requests by the applicant to the Clermont Land Development Code.

Rorabaugh Variance



Requested setback dimensions

MAP OF BOUNDARY SURVEY

LEGAL DESCRIPTION

Lot Ten (10), Block Twenty-one (21), according to the Official Map of the City of Clermont, duly filed on 2/4/26 and recorded in Plat Book 8, Pages 17-23 inclusive, of the Public Records of Lake County, Florida.

Subject to all right of ways, easements and restrictions of record.

SURVEYORS NOTES:

1. Bearings are based on the south property line being $N88^{\circ}49'27''E$ Assumed.
2. No Underground Utilities or Improvements and No Aboveground Utilities are shown on this survey.
3. Ownership of fences shown hereon (if any) are not known.
4. This Survey is not Valid unless Signed and Sealed by the Undersigned Surveyor.
5. This Survey was made without benefit of abstract of Title. There maybe other Easements or Restrictions other than shown.
6. Legal descriptions to abutting Properties were not provided and are not shown.

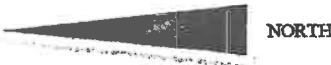
FLOOD CERTIFICATION:

According to County's National Flood Insurance Rate Map #12069C0570E
This Property Lies in Flood Zone "X".

Legend:

- RC = Iron Rod & Cap
- RW = Right-of-Way
- Δ = Delta
- R = Radius
- L = Length
- PC = Point of Curvature
- PT = Point of Tangent
- = REC 5/8" R/C LB 6528
- CM = Concrete Monument
- CONC. = Concrete
- (F) = Field Measurement
- (P) = Plat Measurement
- (D) = Description Measurement
- REC. = Recovered
- P.O.B. = Point of Beginning
- P.O.C. = Point of commencement

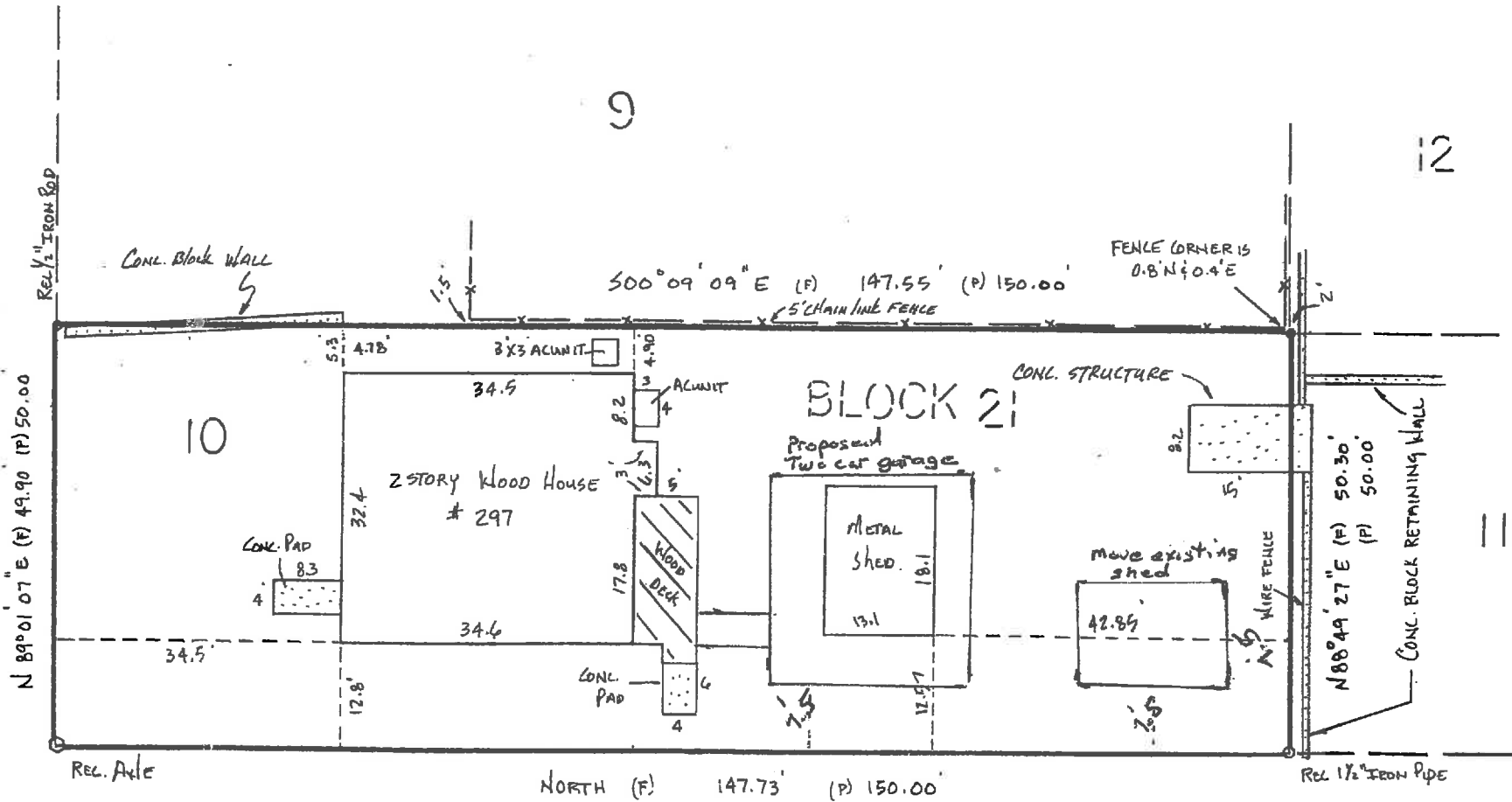
SCALE 1" = 20 FEET



NORTH

WEST OSCEOLA (60' R/W ASPHALT PAVEMENT NOT SHOWN)

60' (P)



THIRD ST (60' R/W ASPHALT PAVEMENT NOT SHOWN)

60' (P)

Field Book 59/32

Steven Galassi Surveying 7933 Ed Douglas Road Groveland, Florida 34736 Phone # (352) 429-2074 Fax # (352) 429-9644	Date	Revisions	Prepared For: MARY LOUISE RORABAUGH
Lot Survey Date: OCT 26 th 2015	Foundation Survey Date:		Final Survey Date:

Prepared By: Steven Galassi
Florida Professional Land Surveyor & Mapper # 4904

Rorabaugh Variance



Shed will be moved to rear of property and garage constructed where shed is located



CITY OF CLERMONT
VARIANCE
Application

DATE: 11-18-15

FEE: \$200.⁰⁰

PROJECT NAME (if applicable): _____

APPLICANT: Mark Brackett - Brackett Construction

CONTACT PERSON: Mark Brackett

Address: 114 W. Osceola Ct.

City: Minneola **State:** FL **Zip:** 34715

Phone: 352-408-9966 **Fax:** _____

E-Mail: _____

OWNER: Mary Rorabaugh

Address: 297 W. Osceola St.

City: Clermont **State:** FL **Zip:** 34711

Phone: _____ **Fax:** _____

Address of Subject Property: 297 W. Osceola St.

General Location: Southeast corner of W. Osceola St. and 3rd St.

Legal Description (include copy of survey): AK 1611679 Clermont Lot 10,
BLK 21, PB 8 PG 17

Land Use (City verification required): Medium Density Residential

Zoning (City verification required): R-2 Medium Density Residential



CITY OF CLERMONT

VARIANCE

Application

Page 2

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief: 122-146 Yards - decrease side and rear setback for construction of 2 car garage and relocation of shed.
Street side setback of 7.5 feet for garage and shed and rear setback of 7.5 feet for shed.

What are you proposing to do that would require a variance and why? Construct 2 car garage
behind existing home and relocate shed. The lot is only 50 by 150 and is located on a corner, which has
increased setbacks from streets.

How does the Code create a hardship? Since it is a corner lot, the garage and shed will need to be 25
feet from the side street. Since the garage is 26 feet deep, it is impossible to have the garage at 26 feet
with the 25 feet setback fit on the 50 foot wide lot.

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

Variance requested – subject and code section: Variance for side and rear setbacks for relocated
shed and new garage 122-146 Yard

Sec. 86-174. Review criteria and findings.

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

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

Small corner lot with side and front lines facing a street make the lot very difficult to add
additional structures. Home was built in 1915 and shed was placed in 1991.

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

The property has been owned by original family since 1915. House and shed were
placed within code during those times.



CITY OF CLERMONT

VARIANCE

Application

Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

The property can accomodate the proposed garage and relocation of shed and still be under the impervious surface ratio for the lot.

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

Adding the garage and relocating the shed will not reduce the cost of developing the site.

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

The placement of the garage off of the side street is the logical location to have access to the garage. The variance would be needed since it is a corner lot.

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

No

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

The addition of the garage will increase the property value and not alter the character of the area.



CITY OF CLERMONT
VARIANCE
Application
Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The addition of the garage, which will be constructed to blend with the existing home, will be in harmony with the area. The existing shed will be relocated and is not currently a prob

Mark Brackett
Applicant Name (print)

X 
Applicant Name (signature)

Mary Rorabaugh
Owner Name (print)

X 
Owner Name (signature)

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

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

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

9

N 89°01'07"E (F) 49.90 (P) 50.00

REL 1/2" IRON ROD

CONC. BLOCK WALL

500°09'09"E (F) 147.55 (P) 150.00

FENCE CORNER IS 0.8' N 10.4'E

5' CHAIN LINK FENCE

CONC. STRUCTURE

BLOCK 21

Proposed Two car garage

7.2
15

move existing shed

WIRE FENCE

CONC. PAD
8.3
4

2 STORY WOOD HOUSE
297

WOOD Deck
17.8

metal shed
13.1

42.85

CONC. PAD
4

12.8

34.5

10

5.3
4.78
3' X 3' ACUMINT

34.5

32.4

34.6

REL. AXLE

NORTH (F) 147.73 (P) 150.00

60
(P)

THIRD ST (60' R/W ASPHALT PAVEMENT NOT SHOWN)

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variances: (1) to allow for a side yard street setback of 7.5 feet instead of the 25 feet as required by the Land Development Code, Section 122-146 – Yards, (2) to allow for a rear yard setback of 7.5 feet instead of the 25 feet as required by the Land Development Code, Section 122-146 Yards, at the following location:

LOCATION:

297 West Osceola St.
(Alt. Key 1611679)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, December 8, 2015 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
December 1, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Ordinance No. 2015-71 <i>Final</i> <i>WaterBrooke Large-Scale Comprehensive Plan Amendment</i>		
Requested Action		
Move to approve Ordinance 2015-71.		
Staff Report		
This request was originally scheduled to be heard at the Dec. 8, 2015 City Council meeting, but was postponed to Jan. 12, 2016 to allow receipt of the Florida Department of Economic Opportunity's review comments. The applicant, Mattamy Homes, is requesting adoption of a future land use change for its residential subdivision, WaterBrooke. The City Council approved the transmittal of this proposed comprehensive plan amendment in October. The City annexed the property October 27, 2015 and approved a conditional use permit for a planned unit development. The proposed map amendment will change the future land use from Lake County's Urban Low Density to the City's Low Density Residential. Lake County's Urban Low Density allows up to 4 dwelling units per acre. The City's Low Density Residential allows up to 3 dwelling units per acre. The change in future land use would decrease the total number of units by 25 percent if the project was built out at full capacity in the City. The applicant is requesting 950 units on 540 acres, which equates to 1.76 units per acre. This number is well below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. The proposed amendment was reviewed by the Florida Department of Economic Opportunity and the reviewing agencies and no objections have been raised. Staff recommends approval of the adoption of the large-scale comprehensive plan amendment to change the future land use from Lake County Urban Low Density to Low Density Residential in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2015-71 CPA ORD.doc		
2. DEO letter DEO letter.pdf		

3.	Maps	WaterBrooke Maps.pdf
4.	Application	CPA application.pdf
5.	Legal ad	CPA Ad WaterBrooke.docx

CITY OF CLERMONT
ORDINANCE No. 2015-71

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE 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 LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN 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 on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

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

Section 1.

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

LEGAL DESCRIPTION

Parcel 1:

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

AND

Parcel 2:

The North 1/2 of Section 34, Township 22 South, Range 26 East, less and except the west 1660 feet thereof;

CITY OF CLERMONT
ORDINANCE No. 2015-71

AND

Parcel 3:

U.S. Government Lot 1, less and except the north 660 feet of the west 660 feet, lying in Section 35, Township 22 South, Range 26 East;

AND

Parcel 4:

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

AND

Parcel 5:

Begin 50.25 feet north of the southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run west 1305 feet; thence run south 8.3 feet; thence run west to the southwest corner of the NW 1/4 of said Section 35; thence north to the northwest corner of the south 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence east to the northeast corner of the south 1/2 of the SE 1/4 of the NW 1/4; thence south to the point of beginning;

AND

Parcel 6:

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

Begin at the Southeast corner of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida; thence N00°55'27"E along the east line of said Lot 5, for a distance of 701.16 feet to the north line of the southwest 1/4 of the southwest 1/4 of said Section 27; thence S89°03'05"E along said north line, 16.98 feet to the west line of the east 3/4 of the south 1/2 of said Section 27; thence S00°24'50"W along said west line, 710.74 feet to the north line of the south 610.00 feet of the southwest 1/4 of the southwest 1/4 of said Section 27; thence departing said west line run N75°03'48"W, 39.92 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the point of beginning.

AND

Parcel 7:

That part of Lot 5, Pine Valley Industrial Park, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows: Begin at the southeast corner of said Lot 5; thence N00°55'27"E along the east line of said Lot 5 for a distance of 696.49 feet; thence departing said east line run S53°23'08"W, 100.90 feet; thence S08°50'46"W, 57.13 feet; thence S33°38'56"W, 31.61

CITY OF CLERMONT
ORDINANCE No. 2015-71

feet; thence S04°49'02"E, 40.96 feet; thence S02°58'52"E, 93.11 feet; thence S08°48'35"W, 60.57 feet; thence S20°20'22"W, 82.37 feet; thence S05°30'28"W, 59.91 feet; thence S10°59'05"W, 70.76 feet; thence S18°19'44"E, 68.63 feet; thence S32°06'31"E, 46.35 feet; thence S44°29'07"E, 31.79 feet; thence S61°25'49"E, 40.03 feet; thence S75°03'48"E, 26.77 feet to the south line of said Lot 5; thence S88°41'58"E along said south line, 15.41 feet to the Point of Beginning.

Easement Parcel A:

Together with an easement for ingress and egress to State Road 50 over the entire stretch of asphalt road the center line of which begins 174.60 feet west of the northeast corner of the SW 1/4 of the NE 1/4 of Section 27, Township 22 South, Range 26 East, and run south 0°10' west through the entire SW 1/4 of the NE 1/4 of Section 27, which easement shall be 60 feet in width;

LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

The east 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida):

Begin at an iron rod and cap marked "RLS 4264" at the southeast corner of the north 660.00 feet of the west 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run N88°47'56"W along the south line of said north 660.00 feet of the west 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run S01°12'04"W for a distance of 124.51 feet to the northerly right of way line of Hartle Road; thence run N80°06'21"E along said northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the northwest and having a radius of 467.00 feet; thence run northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run N65°14'58"E along said northerly right of way line for a distance of 6.13 feet to a point on the east line of said west 660.00 feet of Government Lot 1; thence leaving said northerly right of way line run N00°29'39"W along aid east line for a distance of 0.12 feet to the point of beginning;

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the northwest corner of Section 35, Township 22 South, Range 26 East, run S00°30'48"E along west line of the northwest 1/4 of said Section 35, for a distance of 1856.75 feet to the northwest corner of the south 1/2 of the southwest 1/4 of the northwest 1/4 of said Section 35; thence leaving said west line run S88°23'30"E along the north line of the south 1/2 of the southwest 1/4 of the northwest 1/4 and the north line of the south 1/2 of the southeast 1/4 of the northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the point of beginning; thence leaving said north line run S00°00'09"E for a distance of 298.67 feet to a point designated as point A; thence run S89°59'51"W for a

CITY OF CLERMONT
ORDINANCE No. 2015-71

distance of 58.00 feet to a point of termination A of this centerline; begin again at aforesaid point A; thence run N89°59'51"E for a distance of 573.66 feet to a point on a tangent curve concave to the northwest and having a radius of 2000.00 feet; thence run northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run N80°06'21"E for a distance of 753.88 feet to a point on a tangent curve concave to the northwest and having a radius of 500.00 feet; thence run northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run N65°14'59"E for a distance of 252.91 feet to a point on a tangent curve concave to the southwest and having a radius of 350.00 feet; thence run easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run S44°11'00"E for a distance of 169.91 feet to a point on a tangent curve concave to the northeast and having a radius of 250.00 feet; thence run southeasterly along the arc of said curve for a distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run N72°29'25"E for a distance of 514.79 feet to a point on a tangent curve concave to the southeast and having a radius of 750.00 feet; thence run northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run S89°08'11"E for a distance of 203.12 feet to the east line of Government Lot 1, said Section 35 and the point of termination B of the aforesaid centerline.

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the west 1/4 corner of said Section 35, said corner marked by a 4"x4" concrete monument (no identification) (Certified Corner Record No. 38693); thence S88°00'40"E along the east-west center of section line of said Section 35, a distance of 857.52 feet to the point of beginning; thence continue along said center of section line S88°00'40"E, a distance of 481.86 feet to a point on the east line of the platted portion of Postal Colony Company, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying N88°00'40"W, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said east 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run N00°07'48"W along said east line, a distance of 12.98 feet to the northeast corner of said platted portion of Postal Colony Company; thence departing said east line, run N89°33'17"W along the north line of said Postal Colony Company, a distance of 481.55 feet to the point of beginning. Alternate Keys 1095972, 3882911, 1095964, and 2717874

Containing 540.223 acres more or less (excluding that portion of Johns Lake south of Island Blvd. lying water ward of the Safe Upland Line (elevation 98.0 NGVD 29).

**CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM LAKE COUNTY – URBAN LOW DENSITY
TO CITY OF CLERMONT LOW DENSITY RESIDENTIAL**

CITY OF CLERMONT
ORDINANCE No. 2015-71

Section 2.

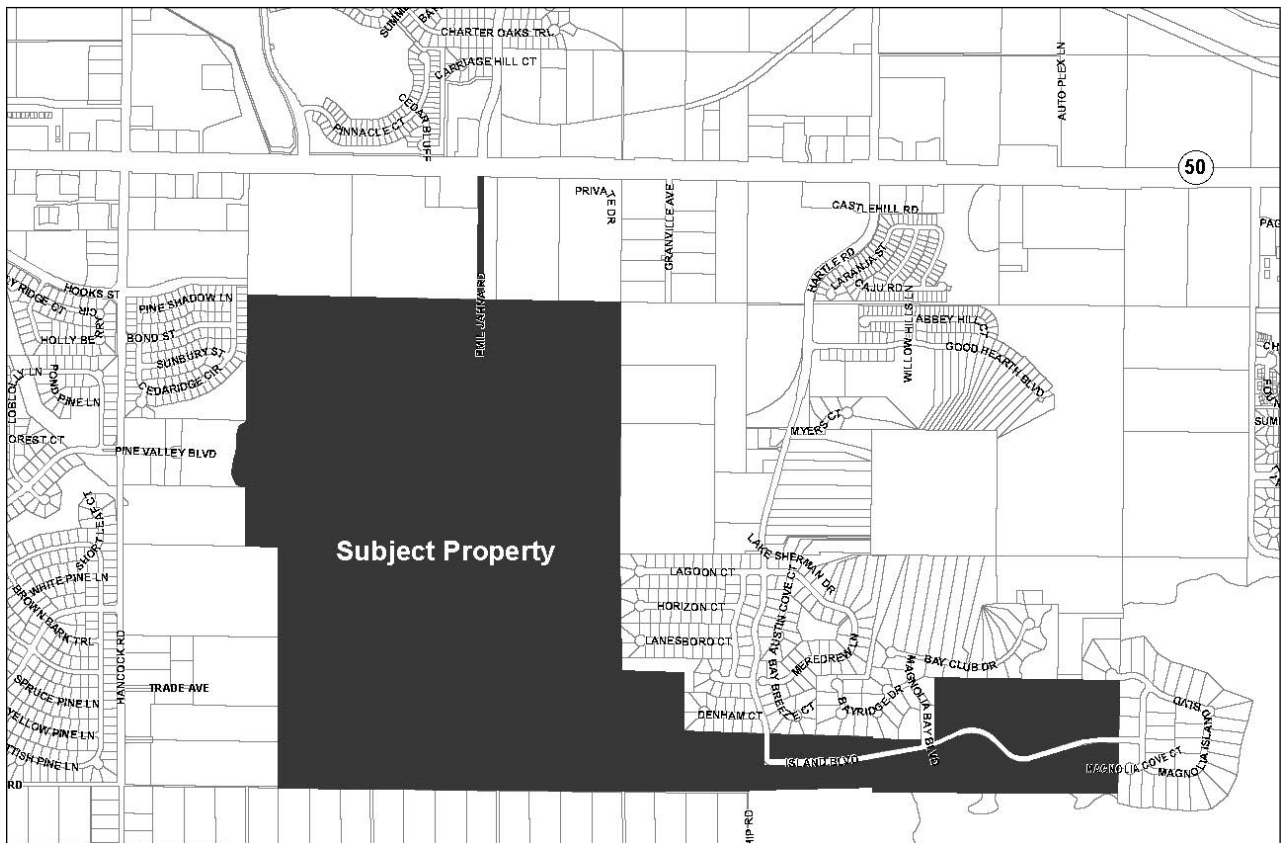
If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of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

Section 3.

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

Section 4.

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. 2015-71

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of January, 2016.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

December 9, 2015

The Honorable Gail L. Ash, Mayor
Mayor, City of Clermont
City Hall
685 W. Montrose Street
Clermont, Florida 34711

Dear Mayor Ash:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the City of Clermont, Amendment No. 15-7ESR (Resolution Number 2015-71), which was received on November 9, 2015. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

Pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City of Clermont. If other reviewing agencies provide comments, we recommend the City of Clermont consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Dan Pennington, at (850) 717-8524, or by email at dan.pennington@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "J.A. Dennis". The signature is stylized with a large, looped "J" and "A", and a more straightforward "Dennis".

Julie A. Dennis, Interim Director
Division of Community Development

JD/dp

Enclosure(s): Procedures for Adoption

cc: Mr. Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

Ms. Barbara Hollerand, Development Services Director, City of Clermont

Exhibit - Location Map WaterBrooke

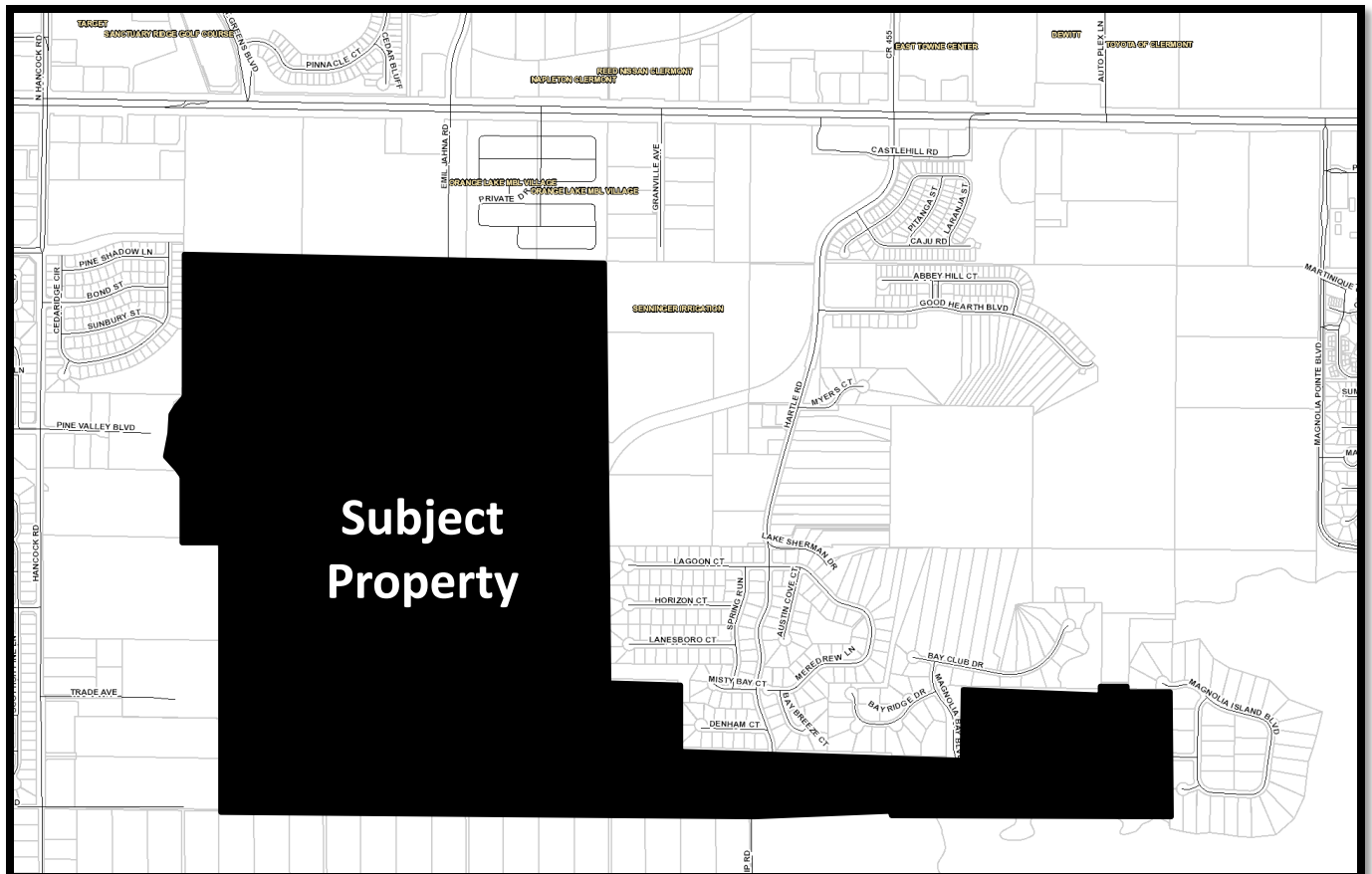


Exhibit – Future Land Use Map WaterBrooke

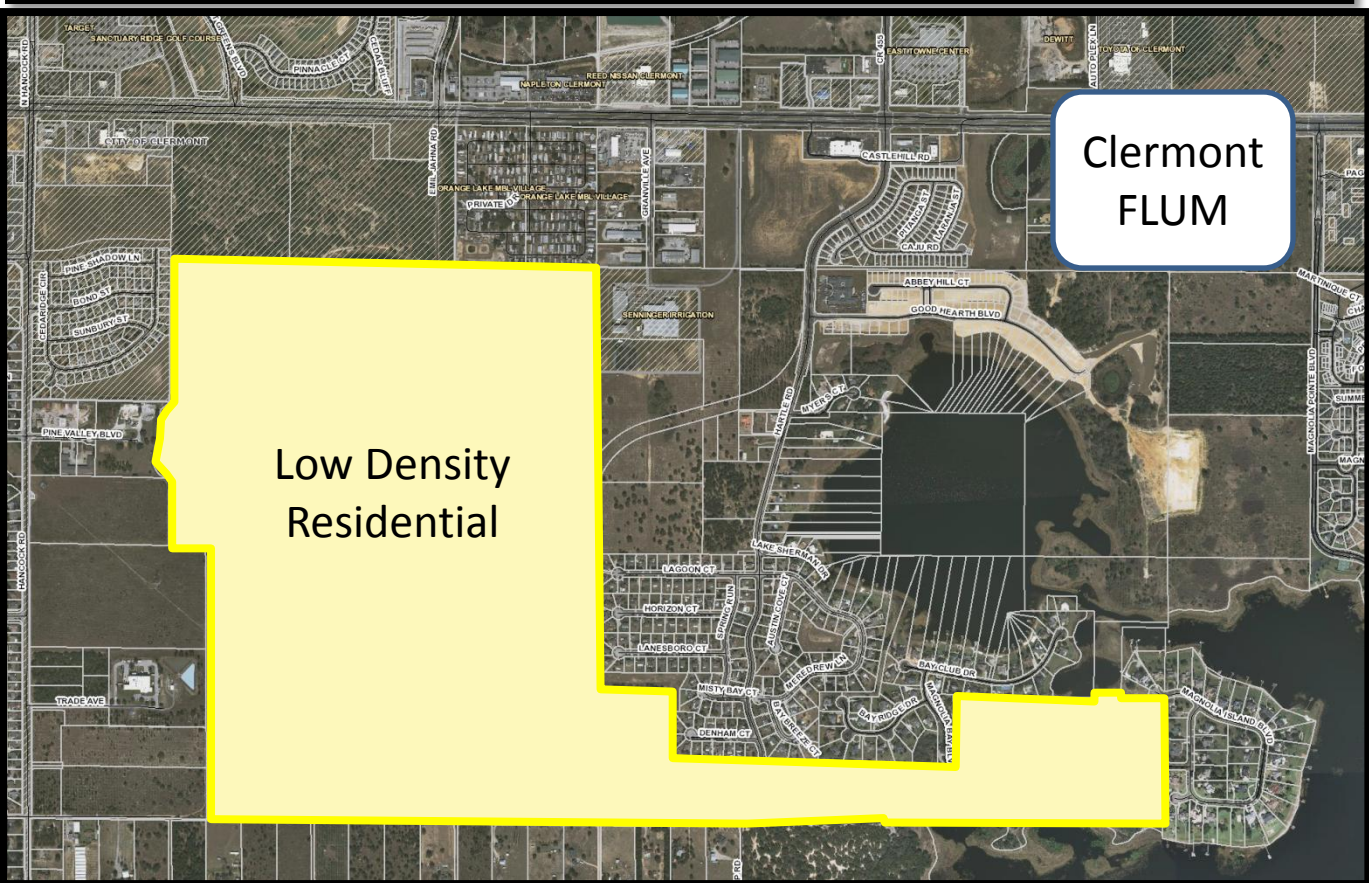
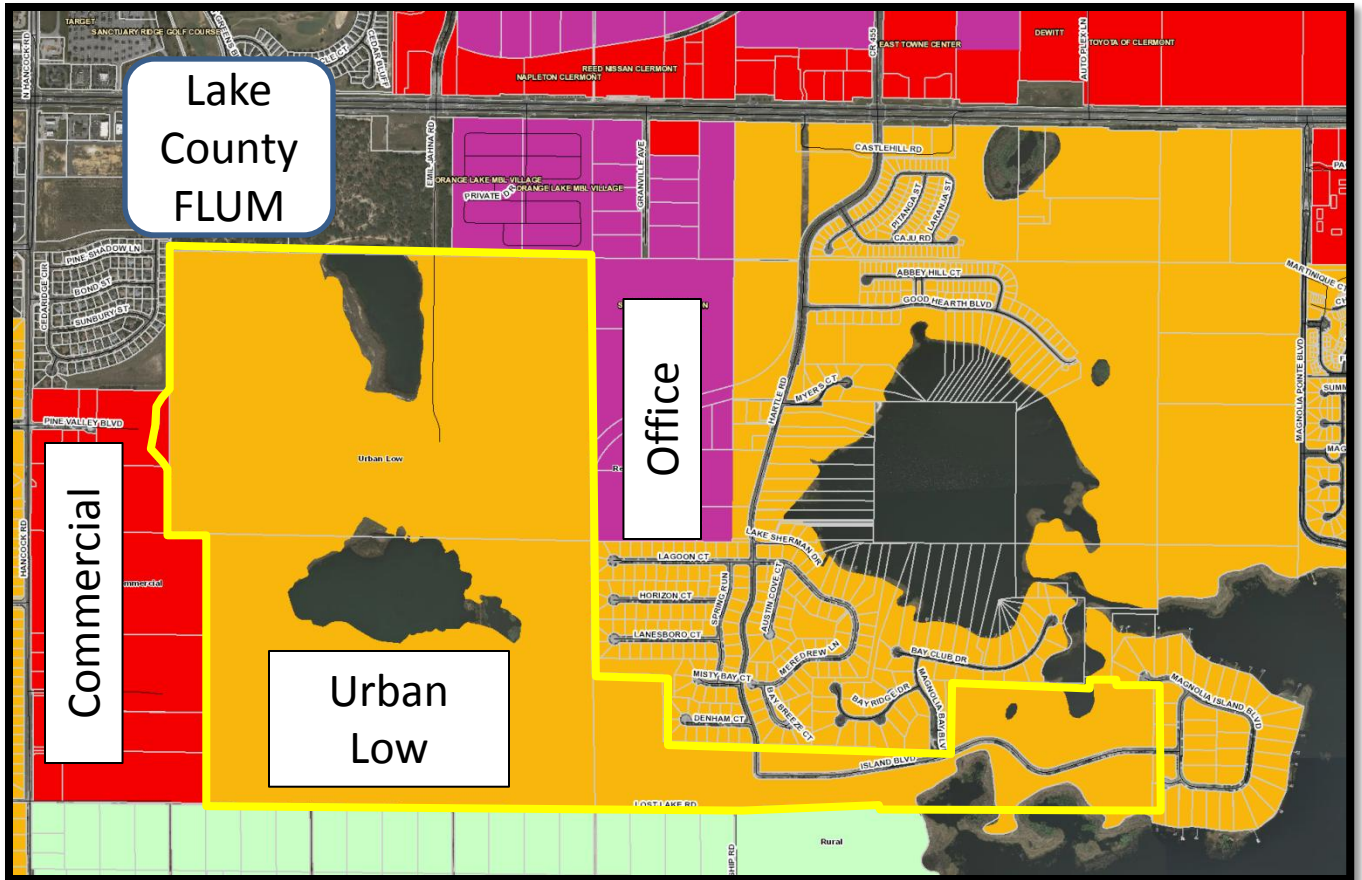
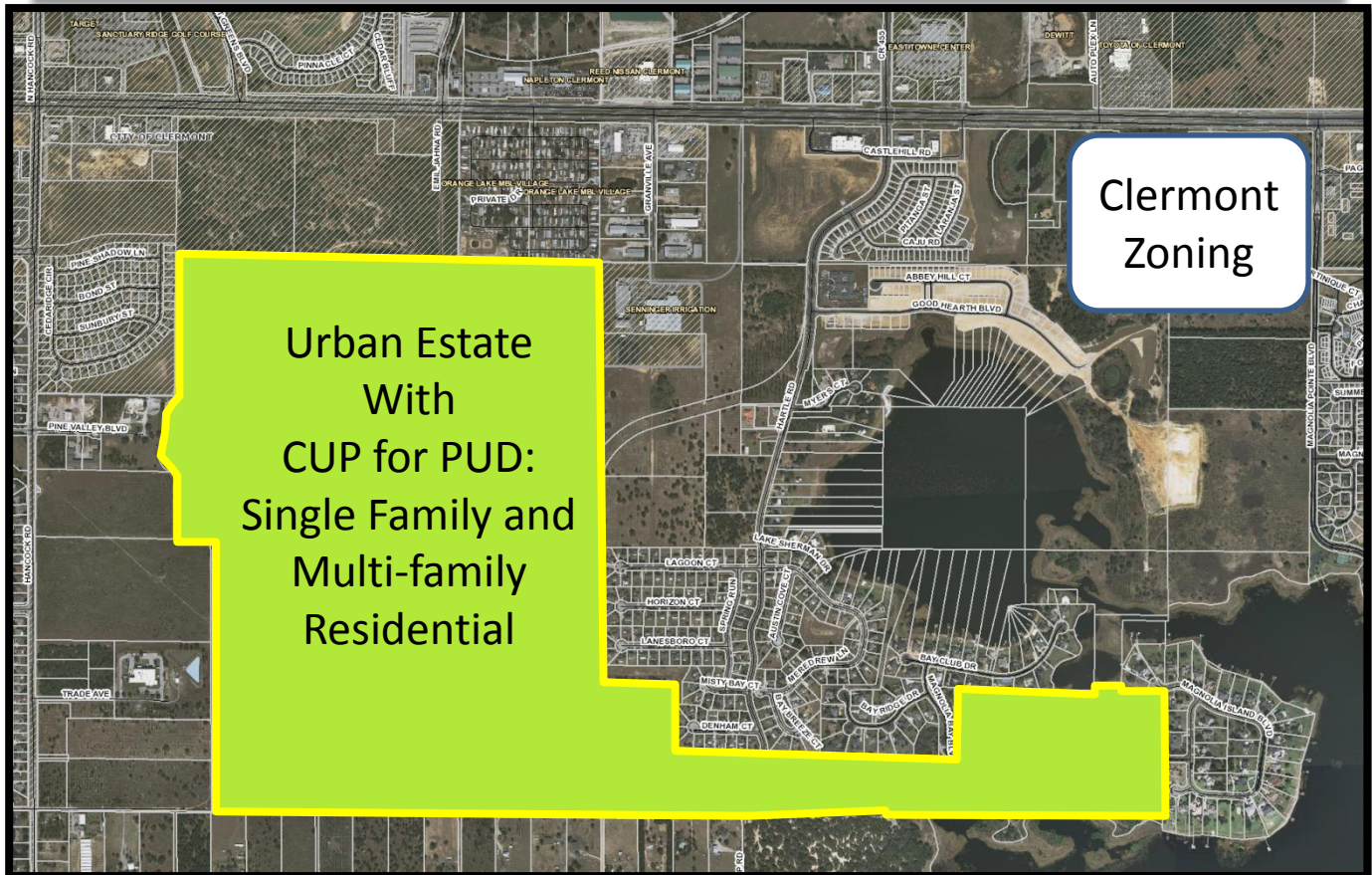
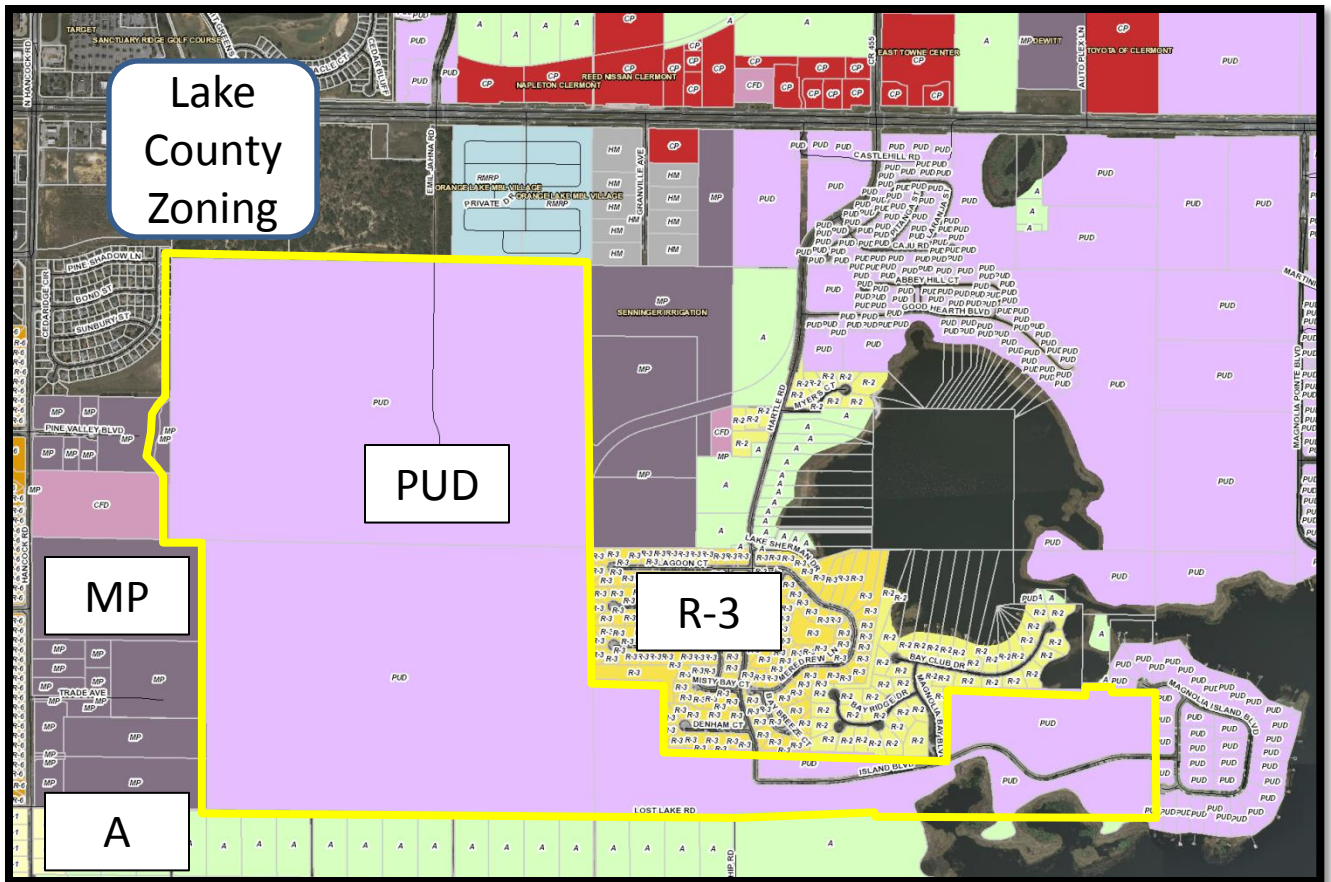


Exhibit – Zoning Map WaterBrooke





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 6/12/15

FEE: \$1500.00

Project Name (if applicable): WaterBrooke (f/k/a Jahna PUD)

Applicant: Mattamy Orlando LLC

Contact Person: Keith Trace

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

E-Mail: Keith.Trace@mattamyhomes.com

OWNER: Mattamy Orlando LLC – Attn: Keith Trace

Address: 1900 Summit Tower Blvd., Suite 500

City: Orlando State: Florida Zip: 32810

Phone: 407-599-2228 Fax: 321-444-6565

E-Mail: Keith.Trace@mattamyhomes.com

General Location: South side of State Road 50 at Emil Jahna Road, east of Hancock Road, west of Hartle Road

Legal Description (include copy of survey): See attached

Property size (in acres or square feet): 540 +/- acres

Flood hazard area (yes) X and approx. acreage 124.5+/- (no) _____

Existing (Actual) Land Use: Reclaimed sand mine; vacant land

Existing Zoning: PUD (County)
CUP/PUD (City) requested under separate application)

Existing Future Land Use: Urban Low Density (County)

Proposed Future Land Use: Low Density Residential (City)

Type of development proposed: Planned residential development

02/02/2015



Proposed density (dwelling units/acre) or intensity:

1.65 dwelling units per gross acre

Proposed Zoning District: CUP/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).

Mattamy Homes owns approximately 540 acres adjacent to the City of Clermont. The property is now contiguous to the city limits which requires that the property be annexed to obtain utility services from Clermont. The Owner is therefore filing an Application for Annexation which will require that the City's Comprehensive Plan be amended to provide a Future Land Use. The Owner is also filing an Application for a Conditional Use Permit which will contain the same density and intensity as the existing Lake county approved PUD. The Owner is requesting a Future Land Use of Low Density Residential in the City which is consistent and compatible with the existing PUD which approved 894 units on the property.

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

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

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

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

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

02/02/2015



APPLICANT'S AFFIDAVIT

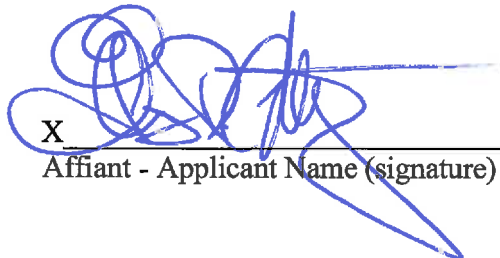
STATE OF FLORIDA

COUNTY OF LAKE:

Before me, the undersigned authority personally appeared Thomas McCarthy, Vice President of Mattamy Orlando LLC, 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 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 desires a Future Land Use Amendment from Urban Low Density (County) to Low Density Residential (City) for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Thomas McCarthy, Vice President
Mattamy Orlando LLC
Affiant - Applicant Name (print)

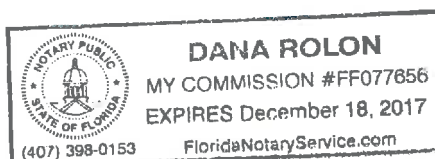
X 
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 10 day of June, 2015.

X 
Notary Public, State of Florida at Large

My Commission Expires: 12-18-17



02/02/2015



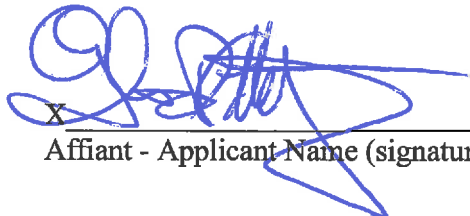
OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared Thomas McCarthy, Vice President of Mattamy Orlando LLC, who being by me first duly sworn on oath, deposes and says:

1. That he is the fee-simple owner of the property legally described on the attachment of this application.
2. That he desires a Future Land Use Amendment from Urban Low Density (County) to Low Density Residential (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed to act as agent on his 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.

Thomas McCarthy, Vice President
Mattamy Orlando LLC
Affiant - Applicant Name (print)

X 
Affiant - Applicant Name (signature)

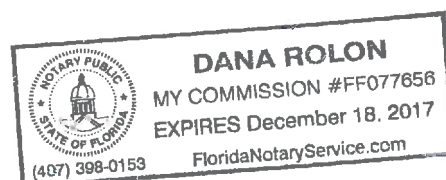
SWORN to and SUBSCRIBED before me by

or personally known by me this 10 day of June, 2015.

X 

Notary Public, State of Florida at Large

My Commission Expires: 12-18-17



02/02/2015

INSTRUMENT#: 2015063184 OR BK 4637 PG 795 PAGES: 6 6/11/2015 3:38:57 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$52.50 DEED DOC:\$117985.00

This Instrument was Prepared by
and Should be Returned to:

Grant T. Downing
Godbold, Downing & Bill, P.A.
222 W. Comstock Avenue, Suite 101
Winter Park, Florida 32789

Parcel ID# 2722260003-000-00500; 3422260001-000-00100; 3522260001-000-00600; and 2722260500-000-00501

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

WARRANTY DEED

THIS WARRANTY DEED is made and entered into as of this 5TH day of JUNE, 2015, by **NOLA LAND COMPANY, INC.**, a Florida corporation, whose address is 202 E. Stuart Avenue, Lake Wales, Florida 33853 (hereinafter called the "Grantor"), to **MATTAMY ORLANDO LLC**, a Delaware limited liability company, whose address is 1900 Summit Tower Boulevard, Suite 500, Orlando, Florida 32820 (hereinafter called the "Grantee").

WITNESSETH:

The Grantor, for and in consideration of the sum of Ten and No/100 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 that certain land situate in Lake County, Florida (the "Property"), described as follows:

See Exhibit "A" attached hereto and incorporated herein.

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 the Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; that it hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except real property taxes accruing subsequent to December 31, 2014, and easements, restrictions and reservations of record, if any; however, this reference thereto shall not serve to reimpose same.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal as of the day and year first written above.

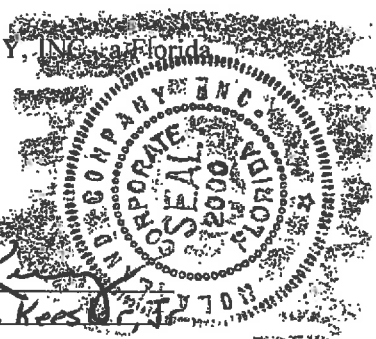
Signed, sealed and delivered
in the presence of:

NOLA LAND COMPANY, INC., a Florida
corporation

Deborah Partlow
Print Name: Deborah Partlow

C. B. MYERS III
Print Name: C. B. MYERS III

By: [Signature]
Print Name: Allen J. Keesler, Jr.
Its: President/CEO



STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 5TH day of JUNE, 2015, by ALLEN J. KEESLER, JR., as PRESIDENT/CEO of Nola Land Company, Inc., a Florida corporation, who [X] is personally known to me, or [] has produced _____ for identification.

(SEAL)

Deborah Partlow
Notary Signature

DEBORAH PARTLOW
Notary Public, State of Florida
My Comm. Expires Mar. 8, 2018
Commission No. FF 88384

Exhibit "A"**Parcel 1**

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

and

Parcel 2

The North 1/2 of Section 34, Township 22 South, Range 26 East, LESS AND EXCEPT the West 1660 feet thereof;

and

Parcel 3

U.S. Government Lot 1, LESS AND EXCEPT the North 660 feet of the West 660 feet, lying in Section 35, Township 22 South, Range 26 East;

and

Parcel 4

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

and

Parcel 5

Begin 50.25 feet North of the Southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run West 1305 feet; thence run South 8.3 feet; thence run West to the Southwest corner of the NW 1/4 of said Section 35; thence North to the Northwest corner of the South 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence East to the Northeast corner of the South 1/2 of the SE 1/4 of the NW 1/4; thence South to the Point of Beginning;

and

Parcel 6

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

BEGIN at the Southeast corner of Lot 5, PINE VALLEY INDUSTRIAL PARK, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida; thence North 00°55'27" East along the East line of said Lot 5, for a distance of 701.16 feet to the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 27; thence South 89°03'05" East along said North line, 16.98 feet to the West line of the East 3/4 of the South 1/2

of said Section 27; thence South 00°24'50" West along said West line, 710.74 feet to the North line of the South 610.00 feet of the Southwest 1/4 of the Southwest 1/4 of said Section 27; thence departing said West line run North 75°03'48" West, 39.92 feet to the South line of said Lot 5; thence South 88°41'58" East along said South line, 15.41 feet to the Point of Beginning.

and

Parcel 7

That part of Lot 5, PINE VALLEY INDUSTRIAL PARK, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows:

BEGIN at the Southeast corner of said Lot 5; thence North 00°55'27" East along the East line of said Lot 5 for a distance of 696.49 feet; thence departing said East line run South 53°23'08" West, 100.90 feet; thence South 08°50'46" West, 57.13 feet; thence South 33°38'56" West, 31.61 feet; thence South 04°49'02" East, 40.96 feet; thence South 02°58'52" East, 93.11 feet; thence South 08°48'35" West, 60.57 feet; thence South 20°20'22" West, 82.37 feet; thence South 05°30'28" West, 59.91 feet; thence South 10°59'05" West, 70.76 feet; thence South 18°19'44" East, 68.63 feet; thence South 32°06'31" East, 46.35 feet; thence South 44°29'07" East, 31.79 feet; thence South 61°25'49" East, 40.03 feet; thence South 75°03'48" East, 26.77 feet to the South line of said Lot 5; thence South 88°41'58" East along said South line, 15.41 feet to the POINT OF BEGINNING.

Easement Parcel A:

TOGETHER WITH an easement for ingress and egress to State Road 50 over the entire stretch of asphalt road the centerline of which begins 174.60 feet West of the Northeast corner of the SW 1/4 of the NE 1/4 of Section 27, Township 22 South, Range 26 East, and run South 0°10' West through the entire SW 1/4 of the NE 1/4 of Section 27, which easement shall be 60 feet in width;

ALL OF THE ABOVE LYING AND BEING IN LAKE COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

The East 150.00 feet of the following described property (Magnolia Bay Boulevard according to the plat thereof, as recorded in Plat Book 34, Pages 47 through 49, of the Public Records of Lake County, Florida): BEGIN at an iron rod and cap marked "RLS 4264" at the Southeast corner of the North 660.00 feet of the West 660.00 feet of Government Lot 1, Section 35, Township 22 South, Range 26 East, Lake County, Florida; thence run North 88°47'56" West along the South line of said North 660.00 feet of the West 660.00 feet of Government Lot 1 for a distance of 545.00 feet; thence run South 01°12'04" West for a distance of 124.51 feet to the Northerly right of way line of Hartle Road; thence run North 80°06'21" East along said Northerly right of way line for a distance of 433.09 feet to the beginning of a tangent curve concave to the Northwest and having a radius of 467.00 feet; thence run Northeasterly along the arc of said curve for a distance of 121.09 feet through a central angle of 14°51'22" to the end of said curve; thence run

North 65°14'58" East along said Northerly right of way line for a distance of 6.13 feet to a point on the East line of said West 660.00 feet of Government Lot 1; thence leaving said Northerly right of way line run North 00°29'39" West along said East line for a distance of 0.12 feet to the Point of Beginning.

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

A strip of land for road right of way purposes 66.00 feet wide lying in Section 35, Township 22 South, Range 26 East, Lake County, Florida, the centerline of which is described as follows:

Commencing at the Northwest corner of Section 35, Township 22 South, Range 26 East, run South 00°30'48" East along West line of the Northwest 1/4 of said Section 35, for a distance of 1856.75 feet to the Northwest corner of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 35; thence leaving said West line run South 88°23'30" East along the North line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 and the North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of said Section 35, for a distance of 1531.02 feet to the POINT OF BEGINNING; thence leaving said North line run South 00°00'09" East for a distance of 298.67 feet to a point designated as POINT A; thence run South 89°59'51" West for a distance of 58.00 feet to a POINT OF TERMINATION A of this centerline; BEGIN again at aforesaid POINT A; thence run North 89°59'51" East for a distance of 573.66 feet to a point on a tangent curve concave to the Northwest and having a radius of 2000.00 feet; thence run Northeasterly along the arc of said curve for a distance of 345.29 feet, through a central angle of 09°53'30" to the end of said curve; thence run North 80°06'21" East for a distance of 753.88 feet to a point on a tangent curve concave to the Northwest and having a radius of 500.00 feet; thence run Northeasterly along the arc of said curve for a distance of 129.64 feet, through a central angle of 14°51'22" to the end of said curve; thence run North 65°14'59" East for a distance of 252.91 feet to a point on a tangent curve concave to the Southwest and having a radius of 350.00 feet; thence run Easterly along the arc of said curve for a distance of 431.07 feet, through a central curve (sic) of 70°34'02" to the end of said curve; thence run South 44°11'00" East for a distance of 169.91 feet to a point on tangent curve concave to the Northeast and having a radius of 250.00 feet; thence run Southeasterly along the arc of said curve for a distance of 276.31 feet, through a central angle of 63°19'35" to the end of said curve; thence run North 72°29'25" East for a distance of 514.79 feet to a point on a tangent curve concave to the Southeast and having a radius of 750.00 feet; thence run Northeasterly along the arc of said curve for a distance of 240.51 feet through a central angle of 18°22'24" to the end of said curve; thence run South 89°08'11" East for a distance of 203.12 feet to the East line of Government Lot 1, said Section 35 and the POINT OF TERMINATION B of the aforesaid centerline.

Excluding that portion of Johns Lake South of Island Blvd. lying waterward of the Safe Upland Line (elevation 98.0 NGVD 29).

AND FURTHER LESS AND EXCEPT FROM PARCELS 1 THROUGH 7 ABOVE:

That part of Section 35, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the West 1/4 corner of said Section 35, said corner marked by a 4"X4" concrete

monument (no identification) (Certified Corner Record No. 38693); thence South 88°00'40" East along the East-West center of section line of said Section 35, a distance of 857.52 feet to the POINT OF BEGINNING; thence continue along said center of section line South 88°00'40" East, a distance of 481.86 feet to a point on the East line of the platted portion of POSTAL COLONY COMPANY, as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida, said point lying North 88°00'40" West, a distance of 3891.93 feet from the East 1/4 corner of said Section 35, said East 1/4 corner being marked by a 3" diameter iron pipe (no identification) (Certified Corner Record No. 38386); thence departing said center of section line, run North 00°07'48" West along said East line, a distance of 12.98 feet to the Northeast corner of said platted portion of POSTAL COLONY COMPANY; thence departing said East line, run North 89°33'17" West along the North line of said POSTAL COLONY COMPANY, a distance of 481.55 feet to the Point of Beginning.

MATTAMY ORLANDO LLC
(Revised 10-14-14 to exclude Postal Colony overlap)

DESCRIPTION (FURNISHED BY CLIENT):

Parcel 1:

The East 3/4 of the South 1/2 of Section 27, Township 22 South, Range 26 East;

AND

Parcel 2:

The North 1/2 of Section 34, Township 22 South, Range 26 East, LESS AND EXCEPT the West 1660 feet thereof;

AND

Parcel 3:

U.S. Government Lot 1, LESS AND EXCEPT the North 660 feet of the West 660 feet, lying in Section 35, Township 22 South, Range 26 East;

AND

Parcel 4:

The NW 1/4 of the SW 1/4 of the NW 1/4 of Section 35, Township 22 South, Range 26 East;

AND

Parcel 5:

Begin 50.25 feet North of the Southeast corner of the NW 1/4 of Section 35, Township 22 South, Range 26 East; thence run West 1305 feet; thence run South 8.3 feet; thence run West to the Southwest corner of the NW 1/4 of said Section 35; thence North to the Northwest corner of the South 1/2 of the SW 1/4 of the NW 1/4 of said Section 35; thence East to the Northeast corner of the South 1/2 of the SE 1/4 of the NW 1/4; thence South to the Point of Beginning;

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AND

Parcel 7:

That part of Lot 5, PINE VALLEY INDUSTRIAL PARK, according to the plat thereof, as recorded in Plat Book 29, Page 70, of the Public Records of Lake County, Florida, described as follows:

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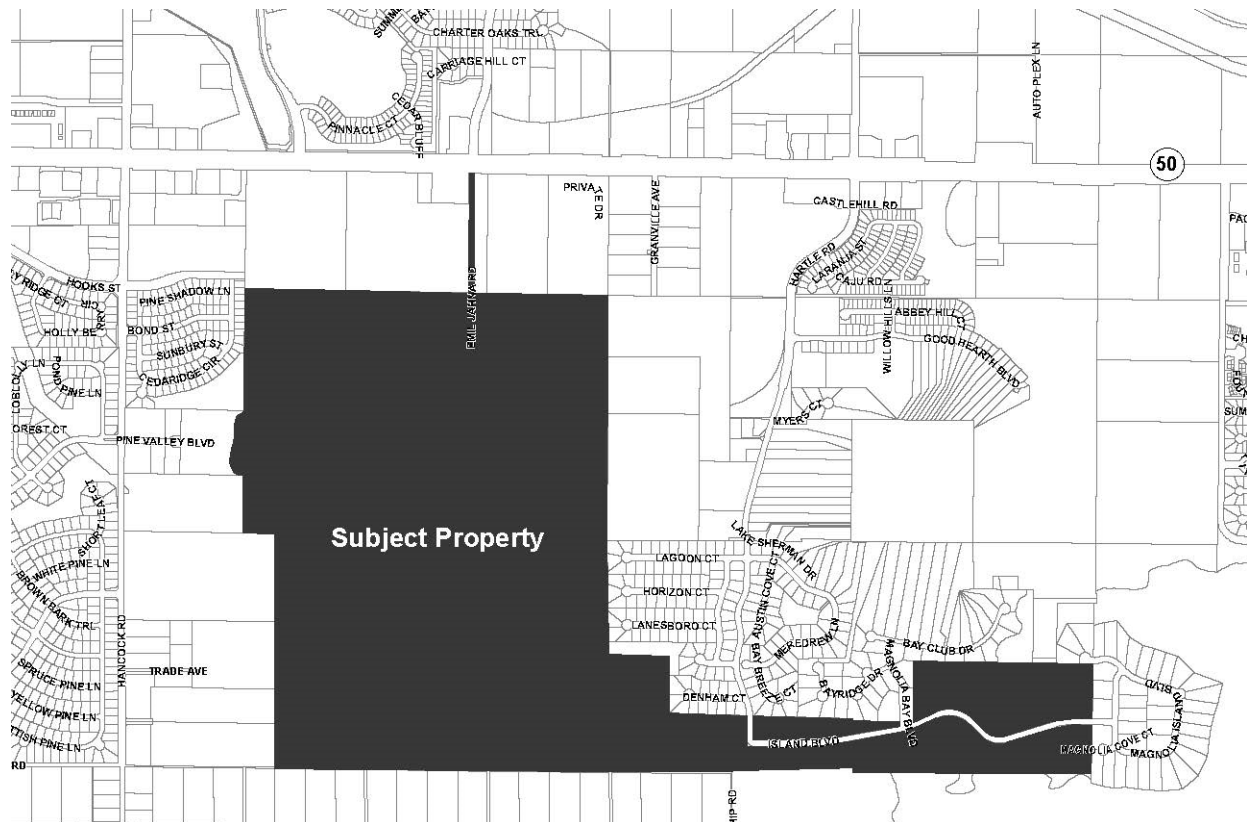
Containing 540.223 acres more or less (excluding that portion of Johns Lake south of Island Blvd. lying waterward of the Safe Upland Line (elevation 98.0 NGVD 29).

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2015-71

The City of Clermont will hold public hearings Tuesday, October 6, 2015 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, October 27, 2015 at 6:30 p.m. before the City Council to consider transmittal of a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the parcel below from Lake County Urban Low Density to Low Density Residential.

The City of Clermont will hold public hearings on Tuesday, December 8, 2015 (final reading of the ordinance) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



***Location: South of S.R. 50, West of the Hartle Road, East of Hancock Road,
and North and South of Island Blvd
WaterBrooke (Jahna), 540 +/- acres
Alternate Keys 1095972, 3882911, 1095964, 2717874***

Ordinance #2015-71:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-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 large-scale comprehensive plan amendment; providing for

the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
September 25, 2015 & November 24, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, January 12, 2016	
Agenda Item Name	
Variance Request <i>Advanced Watershapes</i>	
Requested Action	
Move to deny the variance request.	
Staff Report	
This request was originally scheduled to be heard at the Dec. 8, 2015 City Council meeting, but it was postponed at the applicant's request so that it could be considered by a full Council. The applicant is requesting five variances to the Land Development Code (LDC) in order to construct an office building on a vacant, undeveloped parcel. The parcel is located on the south side of Highway 50 and west of Second Street. The parcel measures approximately 100 feet by 100 feet, and according to the applicant, this poses issues with developing an office building on site. The first variance request is for a reduction of parking spaces on site. Per City Code, one parking stall is required for every 200 square feet of office space. The 1,400-square-foot office building requires seven parking spaces. With the included area of "no parking" for emergency vehicle access and turn around, the applicant only has room for six parking stalls. The second variance request is for a structure setback of less than 12 feet adjacent to a side property line. The proposed office will have a screened, outdoor display area for a pool. This structure is located five feet into the side-yard setback, leaving a seven-foot side-yard setback. The third variance request is for a rear-yard setback of less than 25 feet. The rear of the display area structure and office building extend into the rear-yard setback nine and 13 feet. This leaves a minimum rear-yard setback of 12 feet. The fourth variance is for a right-of-way landscape buffer of less than 20 feet. In order to accommodate a useable parking lot, the applicant is left with a minimal right-of-way buffer width of five feet. The fifth variance is for a side landscape buffer of less than 10 feet. Because of the display area extending into the side-yard setback on the western buffer, this causes a restriction of the landscape buffer down to seven feet in this area. Section 86-174 of the Land Development Code requires a positive finding on eight criteria in order to grant a variance, and staff believes that three of the eight do not meet these findings. Therefore, staff recommends denial of the five variances.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Review Criteria	Findings.doc	
2. Location Map	Location Map.doc	
3. Site Plan	Site plan.pdf	
4. Application	Application.pdf	
5. Legal ad	VAR Legal AD.docx	

Exhibit 2

The requirements for a variance are as follows:

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

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

Applicant response: *The wider Hwy.50 took from the lot giving necessary setback adjustments*

Staff comments: *Staff does not believe special conditions exist, the parcel is too small for the proposed building.*

Negative finding

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Applicant response:

Staff comments: *The applicant is proposing the development that requires these variances.*

Negative finding

- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

Applicant response: *Lot would be unbuildable and remain an eyesore overgrown and unsightly.*

Staff comments: *Based on individual circumstances...similar variances have been approved by city council in the past.*

Positive finding

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded:

Applicant response: *To remain historic area of Clermont.*

Staff comments: The applicant would have additional costs associated with this variance request.

Positive finding

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response: Giving proper parking for usage of parcel.

Staff comments: Based on the submitted plan, the variance would be the minimum necessary.

Positive finding

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

Applicant response: Will allow the same usage as commonly allowed for years on highway 50.

Staff comments: Based on individual circumstances...similar variances have been approved by city council in the past.

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

Applicant response: It will allow cleanup of a unsightly parcel increasing the high standards of the city.

Staff comments: Staff does not feel the variance request will diminish the property value or alter the character of the site itself.

Positive finding

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response:

Staff comments: While the variance request may not be injurious to the surrounding properties, staff feels there is an excessive amount of variances requested for the site.

Negative finding

STAFF RECOMMENDATION for the Variances:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that all three of the eight do not meet these findings. Therefore, staff recommends denial of this variance request.

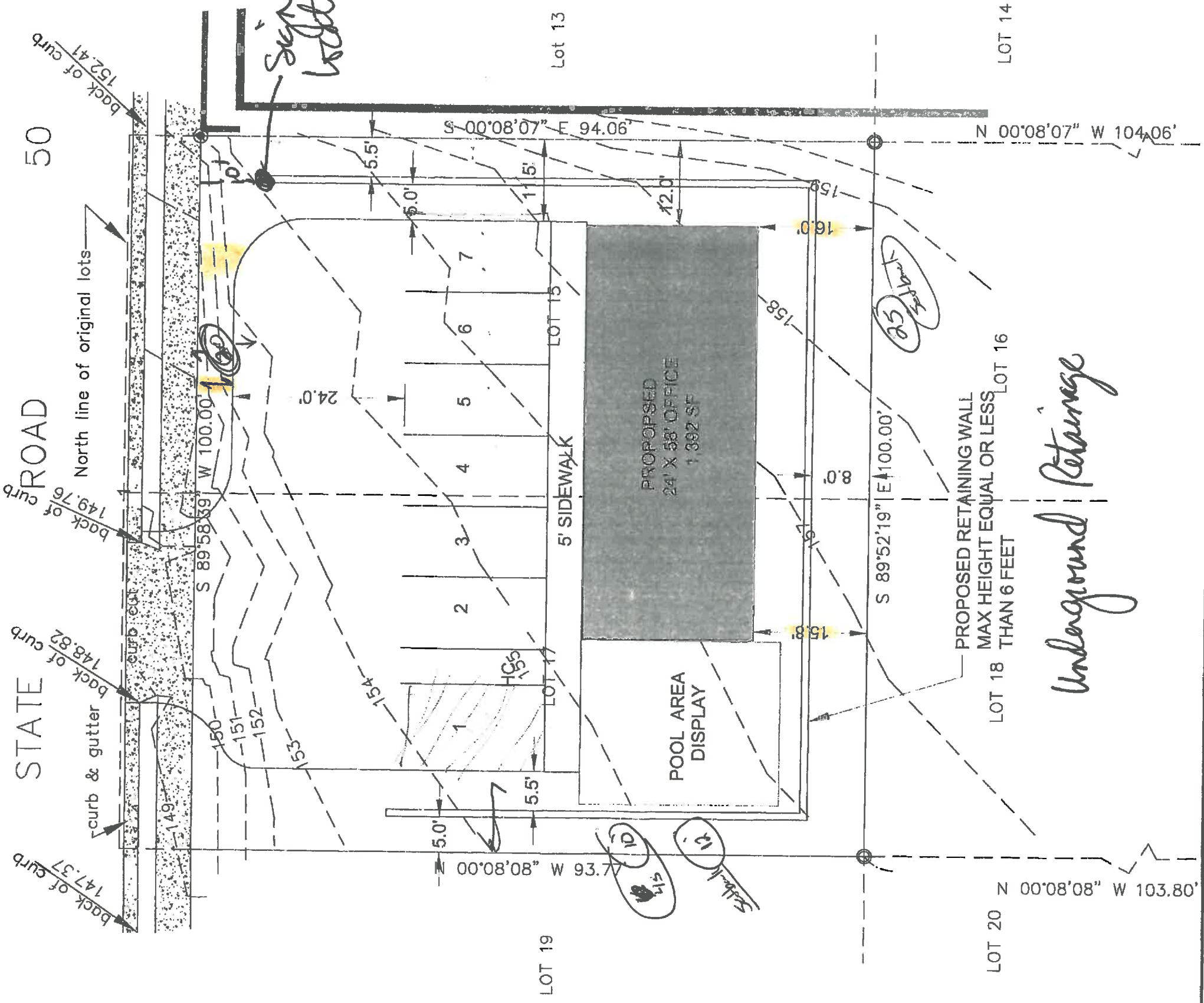
Exhibit 1

DEVELOPMENT NAME: Advanced Water Shapes
Location Map:





AK #1611547

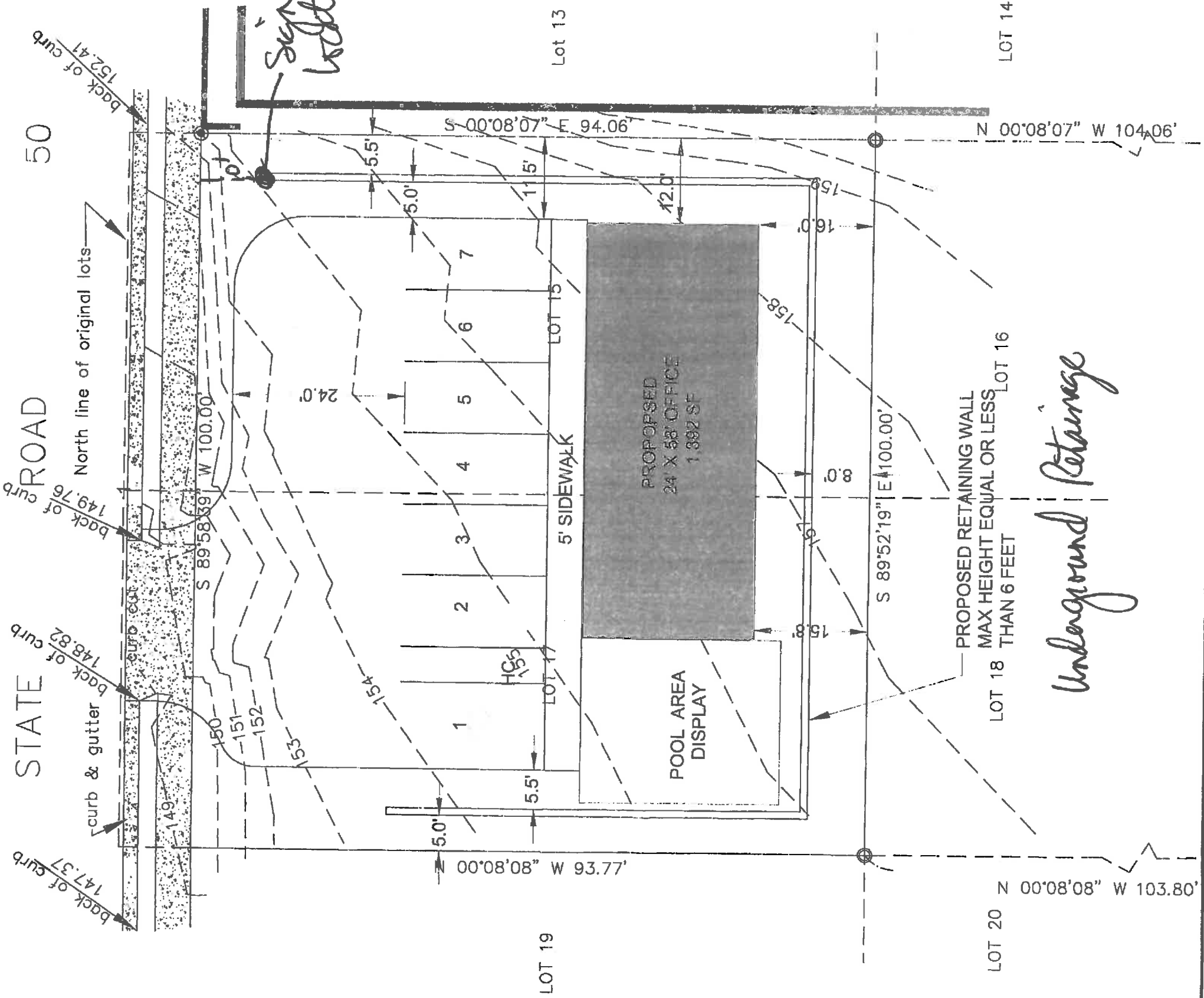


TITLE: DRAFT SITE PLAN		DATE: 10/9/15	
SCALE: 1"=20'		FIGURE: 1526	
FILE: 1526		EXHIBIT	

LOTS 14 & 15
CLERMONT PB 8 PG
17-23
ADVANCED
WATERSHAPES

**MONTVERDE
ENGINEERING INC.**
P.O. BOX 560116 MONTVERDE, FL 34756 - PHONE 407-489-4829

AK #1611547



LOTS 14 & 15
CLERMONT PB 8 PG
17-23
ADVANCED
WATERSHAPES

MONTVERDE
ENGINEERING INC.
P.O. BOX 580116 MONTVERDE, FL 34758 - PHONE 407-469-4829

TITLE: DRAFT SITE PLAN	
SCALE: 1"=20'	DATE: 10/9/15
FILE: 1526	FIGURE: EXHIBIT



CITY OF CLERMONT
VARIANCE
Application

DATE: November 30, 2015

FEE: \$200.⁰⁰

PROJECT NAME (if applicable):

ADVANCED WATERSHAPES

APPLICANT:

JOHN WETZEL FOR DONALD FREEMAN

CONTACT PERSON:

JOHN WETZEL

Address:

17648 COUNTY ROAD 455

City:

MONTVERDE

State:

FL

Zip:

34756

Phone:

352-394-2216

Fax:

352-432-5999

E-Mail:

OWNER:

Donald E. Freeman

Address:

60 Lyman Road

City:

West Hartford

State:

CT

Zip:

06117

Phone:

860-638-9780

Fax:

860-249-5163

Address of Subject Property:

CLERMONT LOTS 14 + 15 BLK 17

General Location:

ACROSS FROM AUTO ZONE + ADJACENT
TO MEDICAL ARTS BLDG

Legal Description (include copy of survey):

24.22.26-610001701500

Land Use (City verification required):

Zoning (City verification required):



CITY OF CLERMONT

VARIANCE

Application

Page 2

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

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

REAR SETBACK, 1 PARKING SPOT TURNED TO
FIRE ONLY SPOT, FRONT SETBACK FOR LANDSCAPE
TO PREVIOUS APPROVED DISTANCE. BUILD ON

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

CITY LOT 14+15 THAT WOULD OTHERWISE
BE UNBUILDABLE UNDER CURRENT SETBACKS

How does the Code create a hardship?

LOT IS UNBUILDABLE WITHOUT
CHANGE OR RELIEF, PARKING WOULD BE UNABLE
TO ACCOMADATE ANY STRUCTURE.

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

Variance requested – subject and code section:

1 parking spot to be No parking
for Fire truck, Landscape Buffer + Rear Set back

Sec. 86-174. Review criteria and findings.

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

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

THE WIDER HWY 50 TOOK FROM
THE LOT GIVING NESSESARY SETBACK
ADJUSTMENTS

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Seeking Setbacks of Similar buildings approved
prior to Change in Zoning.



CITY OF CLERMONT

VARIANCE

Application

Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

LOT WOULD BE
UNBUILDABLE + REMAIN A EYESORE
OVER GROWN + UNSITELY

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

TO REMAIN IN HISTORIC AREA
OF CLERMONT, TO RECTIFY A CURRENT
PROBLEM LOT

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

GIVING PROPER PARKING FOR
USAGE OF PARCEL AS REQUIRED FOR
SQUARE FOOTAGE OF BUILDING

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

WILL ALLOW THE SAME USAGE
AS COMMONLY ALLOWED FOR YEARS
ON HIGHWAY 50

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

IT WILL ALLOW CLEANUP OF
A UNSITELY PARCEL INCREASING
THE HIGH STANDARDS OF THE CITY



CITY OF CLERMONT
VARIANCE
Application
Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Will Rectify Problem Parcel + Develop
As City Required Code Compliant Parcel

JOHN CWetzel

Applicant Name (print)

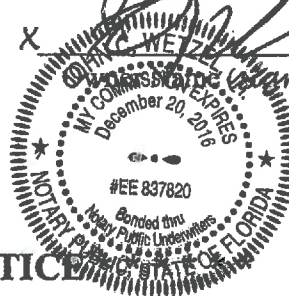
X [Signature]
Applicant Name (signature)

Donald E. Freeman

Owner Name (print)

[Signature]

X [Signature]
Owner Name (signature)



***** NOTICE *****

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

City of Clermont

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

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow less than one parking space per 200 square feet of retail space as required by Section 98-14 of the Land Development Code, 2) To allow a side setback of less than 12 feet as required by Section 122-206 of the LDC; 3) To allow a rear setback of less than 25 feet as required by Section 122-206 of the LDC; 4) To allow for a right-of-way landscape buffer of less than 20 feet as required by Section 118-37 (14) of the LDC; 5) To allow for a side landscape buffer of less than 10 feet as required by Section 118-37 (14) of the LDC at the following location:

LOCATION

Vacant property (Alt. Key 1611547)
South of Highway 50, west of medical office
across from Autozone

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, December 8, 2015 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
December 1, 2015



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Lien Release <i>Freeman</i>		
Requested Action		
Move to deny the reduction of the fine and release of the lien.		
Staff Report		
This request is regarding a lien on vacant property located south of S.R. 50 and west of Second Street (Alternate Key 1611547). The property owner is listed as Clara Freeman, et al c/o James Freeman of Atlanta. The property had two code cases (11-743 and 12-860) for property maintenance violations. The order imposing an administrative lien was approved April 19, 2013 and was recorded in the Public Records of Lake County. The Code Enforcement Board authorized foreclosure of the lien in November 2013. The City's Code Enforcement Division issued an Affidavit of Compliance on Nov. 3, 2015. Fines of \$289,750 accrued at \$250/day while the property was out of compliance. The property owners, Donald E. Freeman and James C. Freeman, have a purchase contract on the property and are requesting elimination of the fine and release of the lien. (This property is the subject of a variance request, also on the Jan. 12, 2016 City Council agenda.) The City incurred administrative expenses in pursuing this matter, and it is staff's recommendation that a full waiver of the fine/lien is not appropriate given the time the property was not in compliance. Staff will defer to the City Council to make a decision after the property owner has made a request to the Council at the meeting. Upon Council approval, and after payment, if applicable, has been processed, the lien will be released from the property.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Request	Letter to Code Enf Board_Freeman.pdf	
2. Location Map	Location Map Freeman.doc	
3. City Attorney Memorandum	grayFreemanCEBlien (2).pdf	

Freeman Law Firm

One Linden Place, Suite 101-A, Hartford, CT 06106
Phone 860-728-0359 Fax 860-249-5163
donefree@aol.com

Attorney Donald E. Freeman

Of Counsel, Brandon D. Freeman*

*Admitted in CT and MA

November 6, 2015

Code Enforcement Board
City of Clermont, Florida
W. Montrose St.
Clermont, FL 34711

RE: Case No: CEB 12-860
Vacant Lot 200 BLK, Hwy. 50

Request for waiver of the lien on the subject property

Dear Sir or Madam:

My brother James Freeman and I are the only offspring of James C. Freeman and Clara M. Freeman, who were the prior owners of the property, both long deceased.

Our mother outlived our father, but for a few years before her death she was in a nursing home in Sanford, Florida. She suffered from, among other conditions, Alzheimer's and was unable to do anything with the property.

For several years prior to and after her death, my brother and I paid taxes to the City of Clermont on the subject property, and paid to have the subject property mowed and maintained. Because the property was vacant land only, there was never any rents or any type of income derived by us or anyone from the property. We were frequently told the maintenance fees on the property were much more than normal because people used the lot as a dump site. My brother and I have both lived out of Florida for some 40 plus years, so

we could not monitor the property. We did have it on the sale market for many, many, years, without success. Finally, the expenses were simply too much to pay.

We now have a signed agreement to sell the property for an amount which is substantially less than the subject liens on the property. For these reasons, we ask the City consider a full waiver of the lien. We understand the new prospective owners have substantial holdings in Clermont, and they have the financial wherewithal to maintain the property.

Sincerely,

A handwritten signature in dark ink, appearing to be a cursive combination of the names Donald E. Freeman and James C. Freeman.

Donald E. Freeman and James C. Freeman

FREEMAN LIEN



DE BEAUBIEN, KNIGHT, SIMMONS, MANTZARIS & NEAL, LLP

ATTORNEYS AND COUNSELORS AT LAW

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

Post Office Box 87

332 North Magnolia Avenue

Orlando, Florida 32802-0087

(407) 422-2454

Telefax (407) 992-3541

Writer's e-Mail: dfm14@dbksmn.com

M E M O R A N D U M

TO : Darren Gray, City Manager

FROM : Daniel F. Mantzaris, City Attorney

DATE : December 28, 2015

RE : Code Enforcement Lien Reduction Request
Property Owner: Clara Freeman
Property Location: Vacant Lot 200 Blk Hwy 50

In 2012 the City initiated a code enforcement case related to the above-referenced property for violation of the City Code, related to the failure to maintain this vacant property. The property was overgrown with weeds, contained a dead and dangerous tree and was a harbor for rodents.

At its July 17, 2012 meeting the Board issued a Findings of Fact, Conclusion of Law and Order giving the Respondent until August 21, 2012 to correct the violations or a fine of \$250 per day would accrue. Subsequently the code violations were not corrected and after several attempts to contact the property owner and a posting of a "For Sale" sign on the property, the City Staff requested the Code Enforcement Board impose a fine and create a lien. By Order dated April 19, 2013, the Board imposed an administrative fine and created a lien on the property. Finally, based on an inspection conducted on October 29, 2015, Code Enforcement Officer Evie Wallace verified that the property was in compliance with the City Codes. Since the initial compliance date of August 21, 2012 and October 29, 2015, the date compliance was met, the lien has accrued at \$250 per date for a total lien amount of \$289,750. See the attached Affidavit of Compliance.

Apparently, the representatives of the record title owner of the property have agreed to sell the property to a third party. As a result, the representatives have requested that the City Council reduce or waive the existing lien on the property and, presumably, facilitate the sale. As you are aware, by Statute, a code enforcement lien runs in favor of the City and therefore, only the City Council can reduce or waive a lien. As a result, this

Memorandum to Darren Gray
December 28, 2015
Page 2

matter will be on the January 12, 2016 agenda for consideration of the property owner's request.

It is staff's assumption that the owner is seeking a complete waiver of the amount of the fine and the lien. As is evident by the amount of the fine, this has been an ongoing matter for the City. We have little information regarding the pending transaction or the justification for a waiver or significant reduction of the fine and therefore, are not in a position to offer any recommendation to the Council. As a result, although it is staff position that a complete waiver of the fine/lien should not be granted by the Council in this longstanding matter, since we have little information as to the reasons for the request, staff will defer to the City Council to make a decision, after the owner has made its request to the Council at the meeting.

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

cc: Barbara Hollerand

City of Clermont

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

AFFIDAVIT OF COMPLIANCE

In the matter of:

Case # CEB 11-743
Clara Freeman Et Al
C/O James Freeman
PO BOX 98182
Atlanta, GA. 30359

Regarding violation address: Vacant lot 200 Blk SR50 (Alt key# 1611547), Clermont. FL . 34711.

Personally appeared before me, Evie Wallace Code Enforcement Officer of the City of Clermont:

1. That on **July 20th, 2011**, the Code Enforcement Board held a public hearing and issued an Order in the abovementioned case.
2. That, pursuant to said Order, the Respondent was to have taken certain corrective action by or before **August 23rd, 2011** for this violation or a \$250.00 per day fine was to be imposed.
3. That, an inspection was performed on **October 29th, 2015** and found that the corrective action ordered by the Board was completed.
4. X In accordance with the Board's order, a fine of \$ 250.00 per day accrued from August 23rd, 2011, to October 29th, 2015 per calendar day with a grand total amount due **\$289,750.00**.

- In order to close this case, please pay total amount to CITY OF CLERMONT with case# attached. City Hall is located at 685 W. Montrose St. Clermont FL. 34711 or call 352-394-4083 and ask for Development Services.
- **If a reduction of the lien is requested, an appearance to the City Council will be required. A letter with the case information and reason for the reduction is required to be submitted to me by mail or email if signature is attached.**

Please contact me should you have any questions.

(OR)

___ No further action is required, no fine has accrued, and the case is closed.

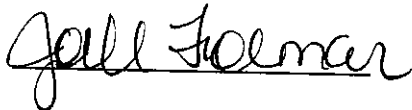
Sworn to and subscribed before me this ___ 3rd ___ day of NOVEMBER 2015.



Evie Wallace
Code Enforcement Supervisor
City of Clermont, 685 W. Montrose Street
Clermont, FL. 34711
352-241-7304
ewallace@clermontfl.org

The forgoing instrument was acknowledged before me this 3rd day of NOVEMBER 2015, by
Evie Wallace as the Code Enforcement Officer for the City of Clermont, who is
personally known to me and who did take an oath.

Signature



Printed Name



JOELL FOLMAR
MY COMMISSION # FF 009885
EXPIRES: June 26, 2017
Bonded Thru Budget Notary Services



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Variance Request <i>Home Depot</i>		
Requested Action		
Move to deny variance request.		
Staff Report		
The applicant is requesting two variances in order to accommodate increasing sales for the Home Depot store. The proposal is to expand seasonal business sales by offering an outdoor sales and a pick-up area for customers to easily access. The first request is for seasonal outdoor sales. Per Section 122-223, all uses shall be conducted within a completely enclosed building. The sales event is proposed to run from February 1-July 7, 2016. The sales will primarily be for large items such as mulch, soil, palm trees, and bagged rock. The second request is for a reduction of parking spaces. While operating the outdoor sales event, the applicant would be taking up 28 parking spaces on the west side of the building. The current City code requires one parking space for every 200 square feet of retail building. The Home Depot building has 129,788 square feet and would require 649 spaces. On December 11, 2001, a variance was granted reducing this total to 615. In January 2007, Home Depot was granted another variance request to reduce parking in order to enclose an outdoor storage area behind the store. This reduced the original parking count from 615 to the existing 598 spaces. The latest request for reduced parking was in April 2013. This request was for the reduction of 12 parking spaces to accommodate rental equipment. The new variance request would reduce the total parking spaces from the currently approved 586 spaces to 558 spaces. Section 86-174 of the land development code requires a positive finding on eight criteria in order to grant a variance, and staff believes that three of the eight do not meet these findings.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)			
1.	Location Map	Exhibit 1.doc	
2.	Site plan	Site plan - storage variance.pdf	
3.	Application	Application - storage variance.pdf	
4.	Findings	Exhibit 2.doc	
5.	Legal ad	VAR Legal AD Home Depot.docx	

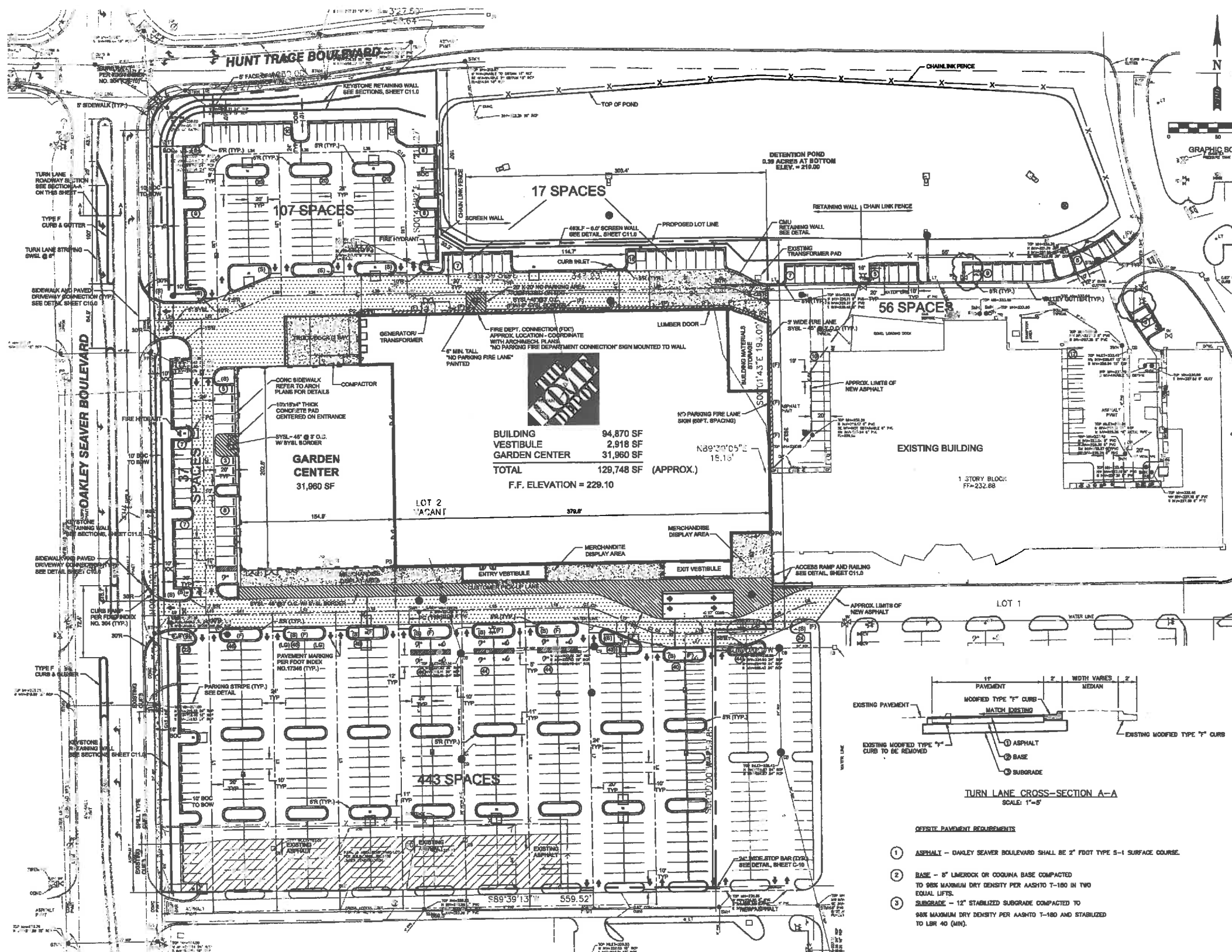
Exhibit 1

DEVELOPMENT NAME: Home Depot

Location Map:



J:\2401 CLERMONT\CONSTR DWG\RECORD DWG\RECORD DWG\1142003 1004.38 AM.dwg, 11/4/2003 10:04:38 AM, Issues 13, 11



PROJECT INFORMATION	
SITE AREA	
THE HOME DEPOT	10.00 ACRES
OFF-SITE AREAS	20.18 ACRES
(KASH & KARRY, PARKING AND OUT-PARCELS)	
TOTAL EAST LAKE TOWN CENTER AREA	30.18 ACRES

EAST LAKE TOWN CENTER DATA		ACRES	PERCENT OF SITE
IMPERVIOUS AREA	22.44	74.4	
PERVIOUS AREA	7.74	25.6	

BUILDING AREA	
THE HOME DEPOT	94,870 SF
GARDEN CENTER	31,960 SF
VESTIBULE	2,918 SF
TOTAL	129,748 SF

PARKING SUMMARY		RATIO	SPACES REQ'D	SPACES PROV'D
PHASE 1				
OUT PARCEL "A"	5 SF/1000 SF		45	47
PERKINS			76	76
SOUTH TRUST BANK			24	24
HUNGRY HOWIES			77	77
CRACKER BARREL			98	98
KASH N KARRY	(48,500 SF) 5/1000 SF			
RETAIL	(22,800 SF) 5/1000 SF			
TOTAL	(72,300 SF) 5/1000 SF		361	379

THE HOME DEPOT 129,788 SF				
(FUTURE COMMERCIAL) 5/1000 SF		649	615*	
TOTAL TOWN CENTER		1,330	1,300	
*PER APPROVED VARIANCE 12/11/01				

ZONING CLASSIFICATION	
JURISDICTION	CITY OF CLERMONT
EXISTING ZONING	C-2
FUTURE LAND USE	C-2

LANDSCAPE BUFFER	
FRONT:	50 FT
SIDE:	12 FT
REAR:	25 FT

LINE TABLE		
LINE	LENGTH	BEARING
L1	300.21	N00°51'13"W
L2	300.28	N00°51'13"W
L3	300.31	S00°51'13"E
L4	300.32	N00°51'13"W
L5	300.40	S00°51'13"E
L6	300.44	N00°51'13"W
L7	300.22	S00°51'13"E
L8	274.72	S00°51'13"E
L9	64.05	S89°10'22"W
L10	2.82	S89°10'22"W
L11	64.02	N00°10'08"E
L12	63.98	N89°10'08"E
L13	63.99	N89°10'08"E
L14	64.00	N89°10'08"E
L15	64.00	N89°10'08"E
L16	64.00	N89°10'08"E
L17	64.00	N89°10'08"E
L18	64.00	N89°10'08"E
L19	64.00	N89°10'08"E
L20	288.13	N00°49'00"W
L21	65.18	N00°49'00"W
L22	16.30	N89°08'47"E
L23	65.05	N89°08'47"E
L24	64.00	N89°08'47"E
L25	10.75	N89°08'47"E
L26	64.00	N89°08'47"E
L27	117.22	N89°10'43"E
L28	127.70	N89°10'55"E
L29	20.11	N70°12'10"E
L30	160.88	N00°51'02"W
L31	145.60	N00°51'02"W
L32	145.60	N00°51'02"W
L33	128.50	N00°51'02"W
L34	47.41	N00°51'02"W
L35	64.00	N89°08'47"E
L36	47.00	N89°08'47"E

COORDINATE TABLE			
POINT	NORTHING	EASTING	DESCRIPTION
P1	N 5916.2845	E 5177.2315	NE BLDG. CORNER
P2	N 5908.8223	E 4803.4183	NW BLDG. CORNER
P3	N 5904.5165	E 4833.7163	SW BLDG. CORNER
P4	N 5937.6591	E 5225.4822	SE BLDG. CORNER

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	4.37	35.00	7°08'29"	2.59
C2	9.72	35.00	16°43'35"	4.89
C3	4.45	40.00	8°22'29"	2.23
C4	11.88	40.00	16°41'47"	5.67
C5	18.11	40.00	23°04'21"	8.56
C6	14.23	35.00	23°17'39"	7.21
C7	15.71	30.00	31°32'15"	8.67
C8	10.82	51.00	11°18'22"	5.93
C9	26.70	17.00	89°07'33"	16.51
C10	26.70	17.00	89°07'15"	17.51

REPRESENTS "RECORD DRAWING" INFORMATION
"RECORD DRAWING"

THE "RECORD DRAWING" INFORMATION ON THE PLAN HAS BEEN PROVIDED BY ARNOLD CONSTRUCTION, INC., ATLANTA, GEORGIA. THE ENGINEER HAS NOT PERFORMED FIELD MEASUREMENTS FOR SURVEYS, BUT PERFORMED PERIODIC VISUAL INSPECTIONS DURING CONSTRUCTION AND AGREES THAT THE IMPROVEMENTS CONSTRUCTED ARE IN GENERAL CONFORMANCE TO THESE RECORD DRAWING PLANS.
GPH ENGINEERS, INC.
FRANK V. POHL, P.E., FL REG. 854738

1117 East Robinson Street
Suite C
Orlando, Florida 32801
Telephone: (407) 426-5432
Fax: (407) 426-1038
www.cph-engineers.com
Certificate of Authorization No. 3215

cph
ENGINEERS, INC.

Scale: 1"=50'
Date: 03-28-02
Job No.: K2401
File: DIM.DWG

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VAR 1511-0005



CITY OF CLERMONT
VARIANCE
Application

DATE: 12-4-15

FEE: \$200.⁰⁰

PROJECT NAME (if applicable): _____

APPLICANT: THE HOME DEPOT

CONTACT PERSON: ED WHITAKER

Address: 1530 E. HWY 50

City: CLERMONT State: FL Zip: 34711

Phone: 352-242-1870 Fax: 352-241-6620

E-Mail: JOHN - WHITAKER @ Home Depot.COM

OWNER: THE HOME DEPOT

Address: 2455 PACES FERRY RD

City: ATLANTA State: GA Zip: 30080

Phone: 770-433-8211 Fax: _____

Address of Subject Property: 1530 E. HWY 50 CLERMONT, FL 34711

General Location: WEST SIDE OF THE Bldg GARDEN SIDE

Legal Description (include copy of survey): SEE ATTACHED

Land Use (City verification required): Commercial

Zoning (City verification required): C-2



CITY OF CLERMONT
VARIANCE
Application
Page 2

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

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

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

How does the Code create a hardship? PLEASE SEE ATTACHED

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

Variance requested – subject and code section: _____

Sec. 86-174. Review criteria and findings.

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

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

YES

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Correct



CITY OF CLERMONT
VARIANCE
Application
Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

NO

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

YES

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

NO

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

WILL NOT DIMINISH PROPERTY VALUE



CITY OF CLERMONT
VARIANCE

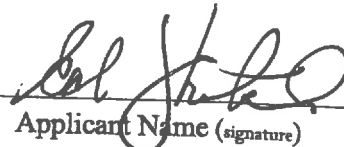
Application

Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Correct, this will NOT BE DETRIMENTAL TO THE
PUBLIC WELFARE!

ED WHITAKER
Applicant Name (print)

x 
Applicant Name (signature)

Owner Name (print)

x _____
Owner Name (signature)

***** NOTICE *****

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

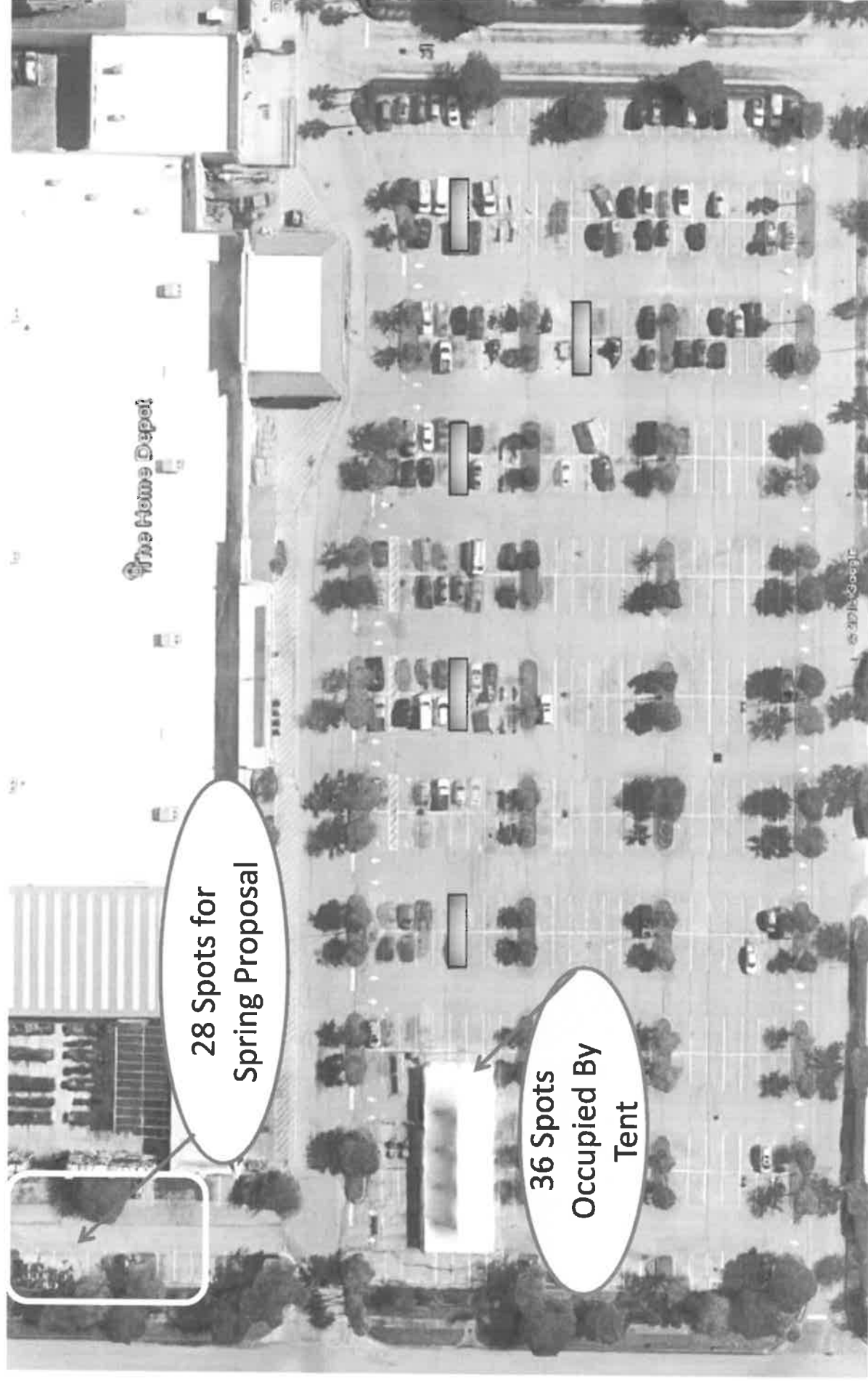
City of Clermont
Development Services Department.
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

Clermont Home Depot

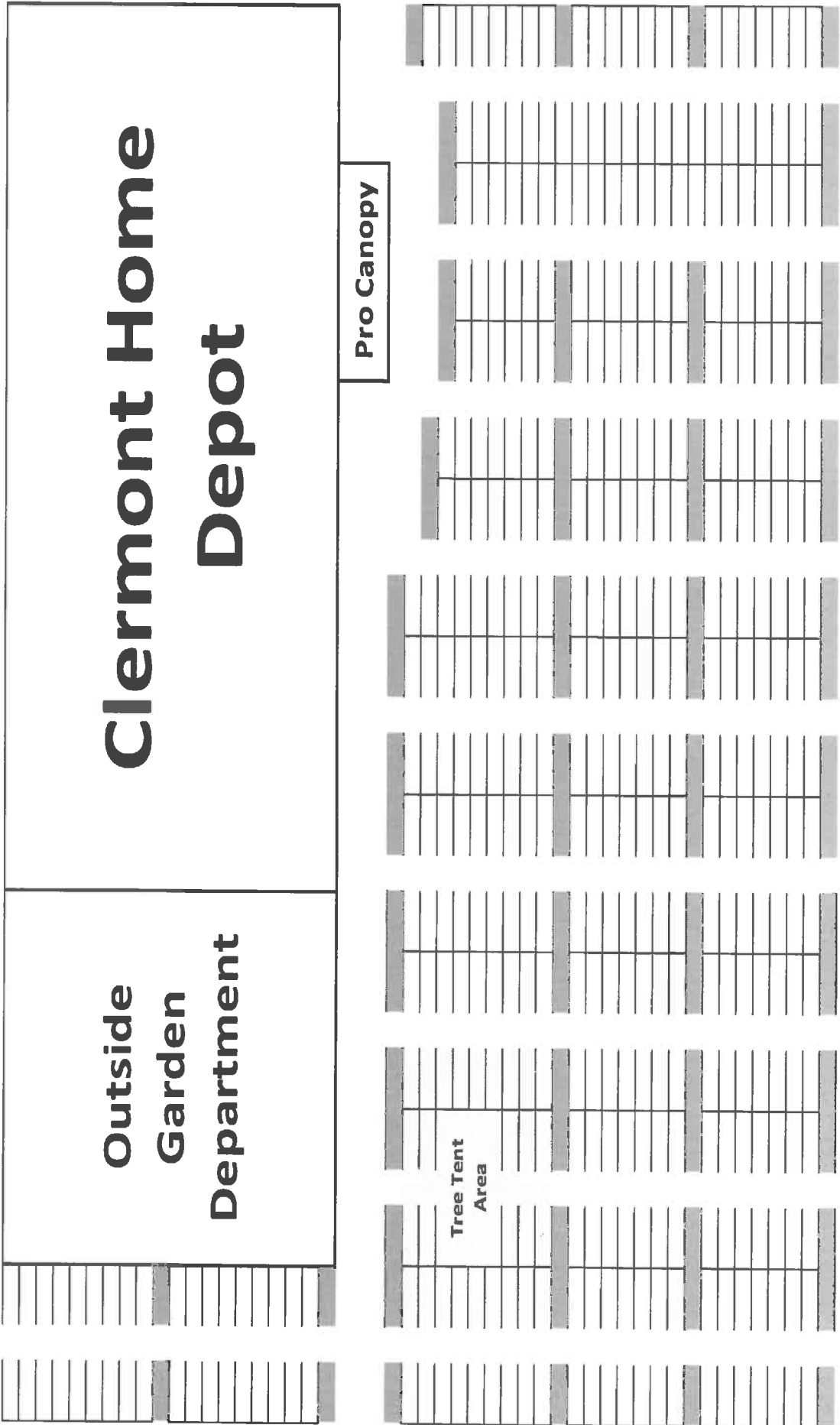
Spring Readiness Proposal

2016

Current Satellite View



Proposed Spring Readiness



Seasonal permit for product overflow

- Requesting permit for seasonal product flow consisting of 28 spaces as shown in slide 2.
- Current permit for tree tent currently holds 36 spaces as shown in slide two as well
- 604 parking spaces available for customers enough to accommodate annual sales of 50 million dollars.
- Approx. annual sales for 2015 will be 38 million
- Based on the sales and parking spaces available there's more than enough to support the request for seasonal permit for garden
- Dates for permit would be Mid January to June.
- Without permit could lead to loss revenue for store as well as tax revenue for City.
- Last slide shows annual sales from store and garden, which has continued to lose penetration against overall store sales.

Store sales		28I		28O	
		Sales	Comp	Sales	Comp
\$34,249,465	2014	\$3.3M	5.00%	\$3.0M	1.90%
\$32,076,670	2013	\$3.1M	0.80%	\$3.0M	-2.60%
\$29,834,714	2012	\$3.1M	8.30%	\$3.0M	-3.90%
\$27,247,008	2011	\$2.8M	5.00%	\$3.2M	2.10%
\$26,355,668	2010	\$2.7M	-6.80%	\$3.1M	0.60%
\$25,936,810	2009	\$2.9M	-6.60%	\$3.1M	-0.70%
\$28,422,183	2008	\$3.1M		\$3.1M	

		28I	28O			
		Sales	Comp	Sales	Comp	Penetration
\$34,249,465	2014	\$3.3M	5.00%	\$3.0M	1.90%	18%
\$32,076,670	2013	\$3.1M	0.80%	\$3.0M	-2.60%	19%
\$29,834,714	2012	\$3.1M	8.30%	\$3.0M	-3.90%	20%
\$27,247,008	2011	\$2.8M	5.00%	\$3.2M	2.10%	22%
\$26,355,668	2010	\$2.7M	-6.80%	\$3.1M	0.60%	22%
\$25,936,810	2009	\$2.9M	-6.60%	\$3.1M	-0.70%	23%
\$28,422,183	2008	\$3.1M		\$3.1M		21%

Exhibit 2

The requirements for a variance are as follows:

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

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

Applicant response: *Yes*

Staff comments: *Staff does not feel special conditions exist.*

Negative finding

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

Applicant response: *Correct*

Staff comments: *The applicant is creating this request for a reduction in parking.*

Negative finding

- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

Applicant response:

Staff comments: *Based on individual circumstances...parking variances and have been approved by city council in the past.*

Positive finding

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded:

Applicant response: *No*

Staff comments: *The applicant /owner would have additional costs associated with this variance request.*

Positive finding

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response: Yes

Staff comments: Based on the submitted plan, the variance would be the minimum necessary.

Positive finding

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

Applicant response: No

Staff comments: Based on individual circumstances...Parking variances have been approved by city council in the past.

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

Applicant response: Will not diminish property value

Staff comments: Staff does not feel the variance request will diminish the property value or alter the character of the site itself.

Positive finding

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response: Correct, this will not be detrimental to the public welfare.

Staff comments: Staff does not feel the request will be injurious or detrimental to surrounding properties, however, the reduction of parking stalls and the outdoor storage is not with the general intent of the land development code.

Negative finding

STAFF RECOMMENDATION for the Variances:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that three of the eight do not meet these findings. Therefore, staff recommends denial of this variance request for outdoor storage and reduced parking.

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variances: (1) to allow for less than 1 parking space per 200 feet of retail space as required by the Land Development Code, Section 98-14, (2) to allow for outdoor storage as regulated by the Land Development Code, Section 122-233 (c), at the following location:

LOCATION:

1530 E. Highway 50
(Alt. Key 3815370)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, January 12, 2016 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
January 5, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Ordinance No. 2016-02 <i>Introduction</i>		
Requested Action		
Move to introduce Ordinance 2016-02.		
Staff Report		
This administrative request is being heard concurrently with a request for a rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on September 16, 2011. The property is vacant and is under consideration for development. The property is approximately 25 acres and had entitlements granted by Lake County for a multifamily project. Only a portion of the original Planned Unit Development (PUD) will be annexed at this time and the remaining portion, approximately 44 acres, will be annexed at a future date. The rezoning request is to change the zoning from Urban Estate (was PUD in Lake County) to the City's PUD zoning classification. An administrative comprehensive plan amendment request will be processed at a future date. Staff recommends approval of the annexation.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	ANN ORD 2016-02.doc	
2. Location Map	Hartle Groves MF Location Map.pdf	
3. Utility Agreement	Hartle Grove Utility Agreement 2011.pdf	
4. Legal ad	ANN legal ad Hartle Grove MF.docx	

CITY OF CLERMONT
ORDINANCE No. 2016-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, RECORDING, AND PUBLICATION.

WHEREAS, the City Council of the City of Clermont, Florida approved a Utility Service Agreement for Water and Wastewater for the subject property, dated September 16, 2011; and

WHEREAS, in accordance with the Clermont Interlocal Service Boundary Agreement dated December 2, 2014, the subject property is eligible to be annexed into the City; and

WHEREAS, the City Council of the City of Clermont, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

WHEREAS, the City Council has determined that the area sought to be annexed is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefited by annexation; and

WHEREAS, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Florida, does hereby annex to and make part of its corporate boundaries; the following described property, to-wit:

Legal Description

From the center of Section 26, Township 22 South, Range 26 East, run north 89-33-31 west along south line of northwest ¼ a distance of 724.83' to west right-of-way line of Hartle Road & point of beginning, thence leaving said south line run north 01-48-40E 39.57' to the point of curvature of a curve concave southeasterly having a radius of 480' & a chord bearing on north 29-30-49 east, thence run northerly along the arc of said curve thru a central angle of 55-24-18 for a distance of 464.16' to the point of tangency thence run north 57-12-58 east 342.29' to the point of curvature of a curve concave northwesterly having a radius of 380' & a chord bearing of north 28-51-44 east thence run northeasterly along the arc of said curve thru a central angle of 56-42-29 for a distance of 376.1' to a radial line, thence north 89-29-31 west along said radial line for a

CITY OF CLERMONT
ORDINANCE No. 2016-02

distance of 6', north 0-30-29 east 25.77', north 89-06-32 west 108.8', north 62-10-41 west 99.09', north 89-06-32 west 507.31', north 0-30-29 east 270' to south right-of-way line of SR 50. Run north 89-06-32 west along said south right-of-way line 572.14' to west line of east 1/2 of northwest 1/4, thence leaving said south right-of-way line run south 0-26-27 west along said west line of east 1/2 of northwest 1/4 1285.28' to southwest corner of east 1/2 of northwest 1/4, thence run south 89-33-31 east along south line of northwest 1/4 a distance of 605.93' to point of beginning. ORB 2556 PG 877, Containing 25.31 acres more or less

Alternate Key 3827131, south of S.R. 50, west of Hartle Road

SECTION 2.

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Florida, and that said property shall be subject to all of the laws, ordinances, and provisions pertaining to the City of Clermont.

SECTION 3.

All property aforescribed shall henceforth be subject to ad valorem taxation by the City of Clermont, and any other general or special taxes or assessments.

SECTION 4.

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

SECTION 5.

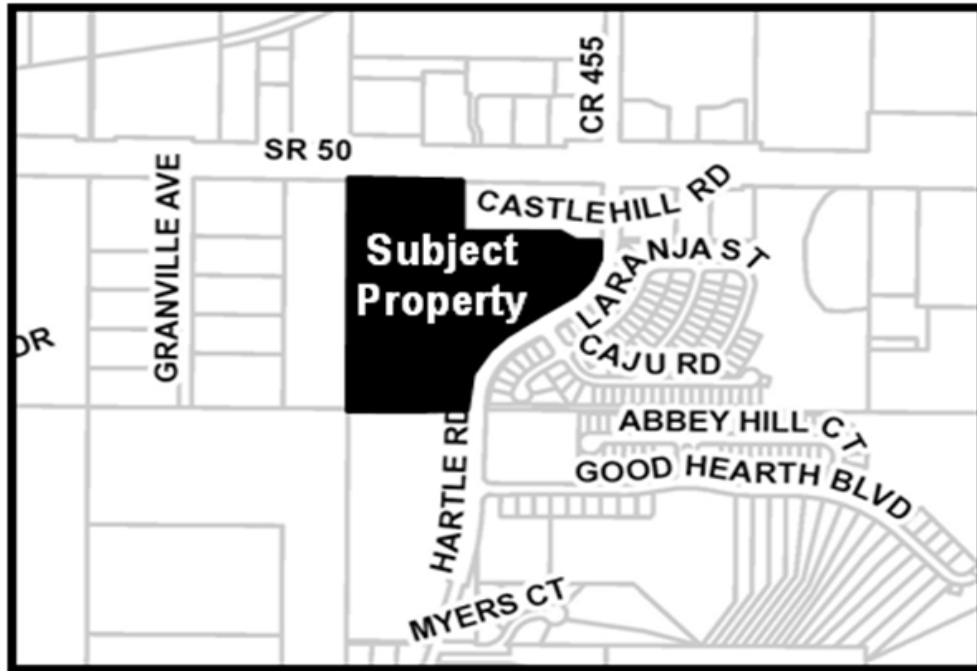
This Ordinance shall be recorded in the public records of Lake County, Florida.

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. 2016-02

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-02

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

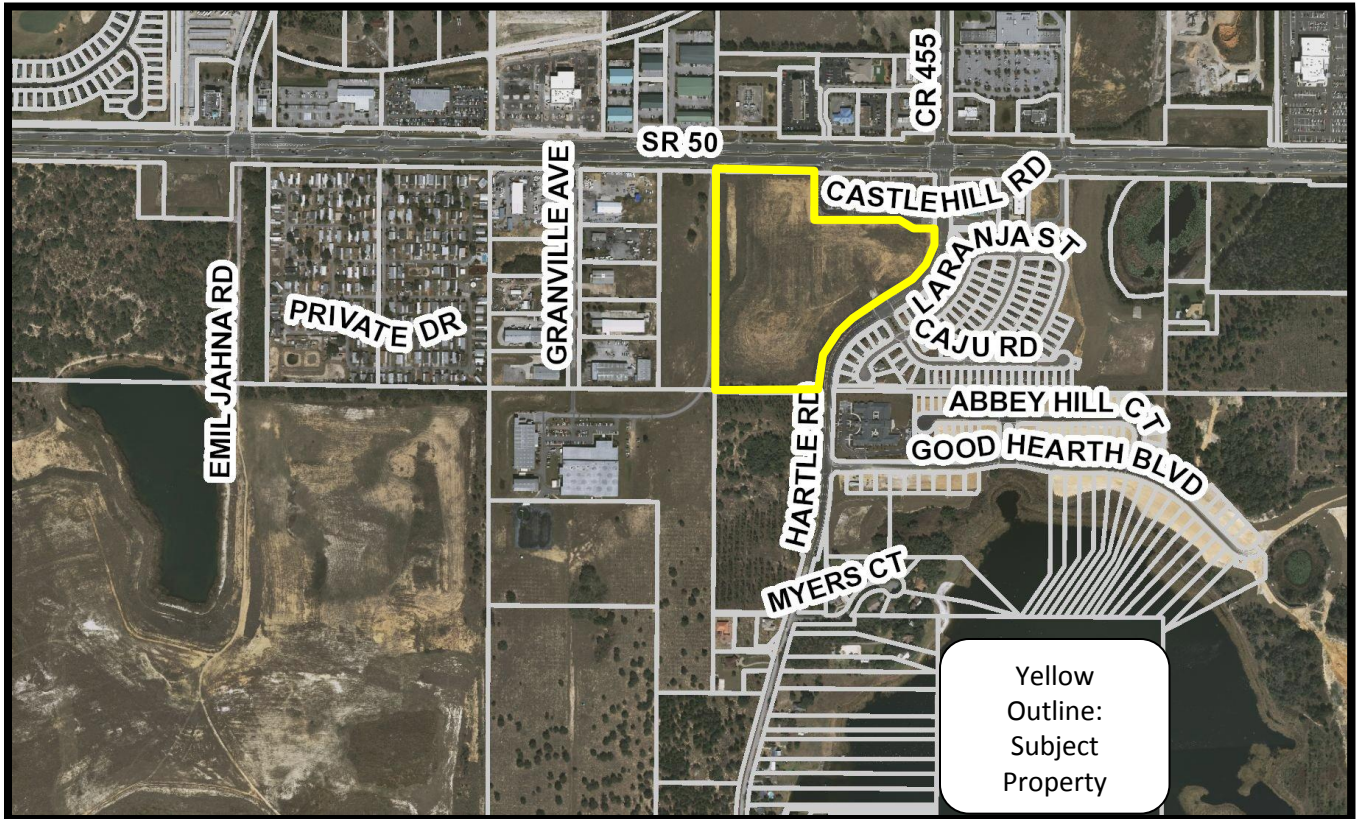
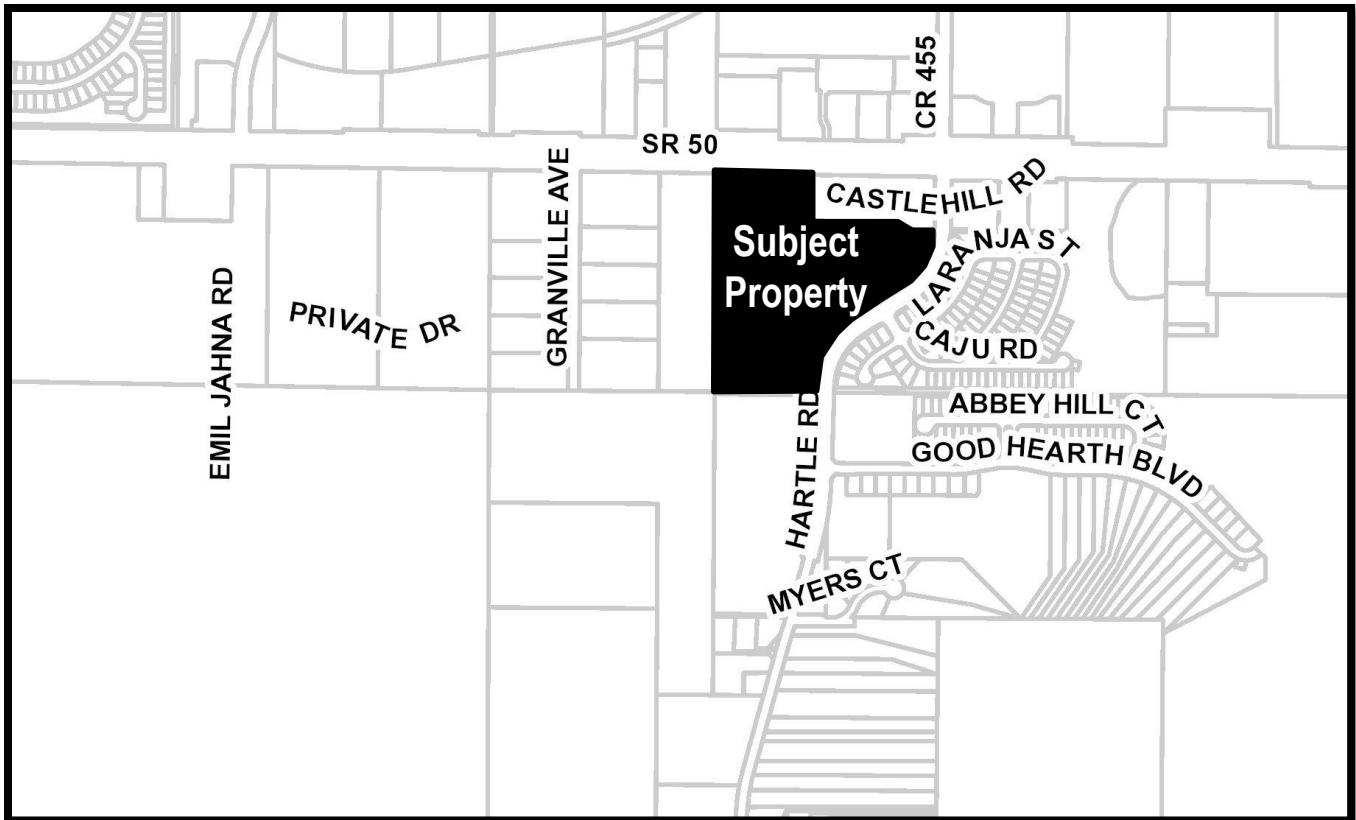
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map
BFG Lakeshore/Hartle Groves PUD Multifamily



*City of Clermont
685 W. Montrose St
Clermont, FL 34711*



UTILITY SERVICE AGREEMENT FOR WATER & WASTEWATER

This document constitutes an agreement between the City of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and BFG Lakeshore, Ltd. and its successors or assigns, hereby referred to as **OWNER**.

WITNESSETH

Whereas, OWNER is proposing to develop a 483 unit residential community and a commercial development on real property (the "Property") described on Exhibit 'A' for the amended portion, attached hereto and by this reference made a part hereof; along with the entire 69 acre +/- development Utility Agreement as approved by the Clermont City Council on 1/10/06; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1 - OFF-SITE WATER/SEWER

Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide water and sewer service for the Property in accordance with the water and sewer utilities development plans as approved by CITY, hereinafter the Final Utility Development Plan.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved and constructed by CITY and located in the "Easement Area" as more particularly described in Exhibit "A" attached hereto and in the Final Utility Development Plan as approved by CITY.
- 1.3 The OWNER shall construct the facilities, lines and appurtenances necessary to connect to the City's system contained in the Easement Area to serve the development as set forth in the approved Final Utility Development Plan. OWNER shall provide such documentation necessary for the CITY to ascertain that the lines shall meet the

- minimum line size requirements as specified by the CITY Land Development Regulations.
- 1.4 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
 - 1.5 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.
 - 1.6 The OWNER shall be responsible for all costs of on-site and off-site improvements, necessary to connect to CITY's system at its current location in the Easement Area. Including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
 - 1.7 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY. The CITY shall notify OWNER within 60 days if lines are to be oversized.
 - 1.8 The existing utilities along State Road 50 must stay in service throughout construction. If in order for the existing utilities to remain in service the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.
 - 1.9 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.
 - 1.10 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
 - 1.11 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.10 from the CITY in the form of Impact Fee Credits.
 - 1.12 The Impact Fee Credits shall be established subject to Sections 1.9 and 1.11 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
 - 1.13 Impact Fee Credits may not be transferred outside of the Property described on Exhibit 'A' but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.
 - 1.14 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns. No chain link shall be used in public view areas.

- 1.15 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).
- 1.16 The remaining development (Single family and commercial portions) and other requirements not covered by this multi-family amendment shall be developed in accordance with the Water & Wastewater Service Agreement approved on 1/10/06.
- 1.17 The multi-family common areas shall be irrigated by private well.
- 1.18 The single family and multi-family residential portions of the development proposed utility flow/demand for water is 169,050 gpd and sewer is 144,900 gpd; and the commercial utility flow/demand for water is 11,305 gpd and sewer is 9,690 gpd.

Section 2 – DEVELOPMENT STANDARDS

- 2.1 The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.
- 2.2 The project shall be developed according to the approved Lake County PUD (Ord. #2004-4 and #2009-4 and #2011-50), the preliminary plat dated 11/22/04; the final engineering drawings dated 7/7/05; and the overall layout plan dated 6/31/11 as submitted with the application. As approved in the PUD, plat and drawings described above, all storm water from the commercial development to be located on the Property, including the first flush generated by the commercial development, may be directed to a master storm water pond to be developed as part of the residential community to be developed on the Property, and such master pond shall satisfy all requirements with respect to storm water from the commercial development without any onsite detention or retention improvements required as part of the commercial development. The commercial development to be located on the Property may be developed in accordance with Lake County standards without regard for the JPA standards. Items with respect to the 325 unit residential community to be developed on the Property not addressed in the PUD must be developed to the JPA standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.
- 2.3 OWNER will ensure that the CITY waterline has a minimum cover of three (3) feet and a maximum of six (6) feet deep from the final surface of the ground.

Section 3 – ANNEXATION

- 3.1 OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance To Annex Property* in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A". The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current

certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

Section 4 – SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5 – NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

OWNER

BFG Lakeshore, Ltd.
James H. Fant
401 Ferguson Drive
Orlando, FL 32805

Section 6 – AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7 – EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, _____ and OWNER through their respective officers _____.

DATED this 16th day of September, 2011.

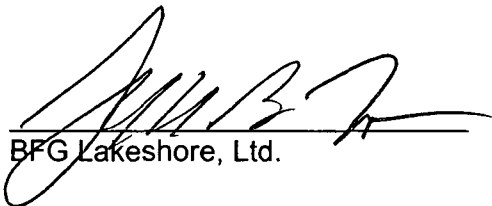
CITY OF CLERMONT


 Harold S. Turville Jr., Mayor

ATTEST:


 Tracy Ackroyd, City Clerk

OWNERS

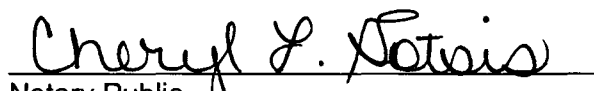

 BFG Lakeshore, Ltd.

*MEMBER/MANAGER
 BFG LAKESHORE LLC
 GENERAL PARTNER FOR
 BFG LAKESHORE, LTD.*

STATE OF FLORIDA
 COUNTY OF Orange

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Jeffrey B. Fuqua, as member/manager of BFG Lakeshore, LLC, who provided identification in the form of General Partner for BFG Lakeshore, Ltd. or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this 16th day of September, 2011.


 Cheryl L. Gotsis
 Notary Public

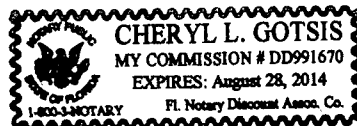


EXHIBIT "A"**PROPERTY DESCRIPTION**
(affected parcel)**Owners:**

BFG Lakeshore, LTD.

Descriptions:

FROM CENTER OF SEC RUN N 89-33-31 W ALONG S LINE OF NW 1/4 A DIST OF 724.83 FT TO W R/W LINE OF HARTLE RD & POB, THENCE LEAVING SAID S LINE RUN N 01-48-40 E 39.57 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE SE'LY HAVING A RADIUS OF 480 FT & A CHORD BEARING OF N 29-30-49 E, THENCE RUN NE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 55-24-18 FOR A DIST OF 464.16 FT TO THE POINT OF TANGENCY, THENCE RUN N 57-12-58 E 342.29 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE NW'LY HAVING A RADIUS OF 380 FT & A CHORD BEARING OF N 28-51-44 E THENCE RUN NE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 56-42-29 FOR A DIST OF 376.1 FT TO A RADIAL LINE, THENCE N 89-29-31 W ALONG SAID RADIAL LINE FOR A DIST OF 6 FT, N 0-30-29 E 25.77 FT, N 89-06-32 W 108.8 FT, N 62-10-41 W 99.09 FT, N 89-06-32 W 507.31 FT, N 0-30-29 E 270 FT TO S R/W LINE OF SR 50, RUN N 89-06-32 W ALONG SAID S R/W LINE 572.14 FT TO W LINE OF E 1/2 OF NW 1/4, THENCE LEAVING SAID S R/W LINE RUN S 0-26-27 W ALONG SAID W LINE OF E 1/2 OF NW 1/4 1285.28 FT TO SW COR OF E 1/2 OF NW 1/4, THENCE RUN S 89-33-31 E ALONG S LINE OF NW 1/4 A DIST OF 605.93 FT TO POB. ORB 2556 PG 877

Containing 25.31 acres +/-

Lake County Alternate Key Number & Parcel Number:

Alternate Key:	3827131	Parcel:	26-22-26-000200002400
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EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this ^{13TH}~~26th~~ ^{September}~~July~~, 2011, between **BFG Lakeshore, LTD**, property owners in the County of Lake, State of Florida Grantor*, and the CITY OF CLERMONT, FLORIDA, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below – described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Exhibit "A"

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

WITNESSES (Two required):

BFG Lakeshore, LTD

Witnesses

By: _____

Signature

Type or print name

By: _____

Signature

Type or print name

1. _____

Signature

Type or print name

2. _____

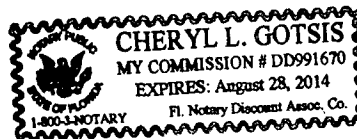
Signature

Type or print name

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me on this 16th day of September 2011, by Jeffrey B. Fuqua, who is personally known to me or who has produced _____ as identification and who did not take an oath.

SEAL:



Notary Public

Cheryl L. Gotsis

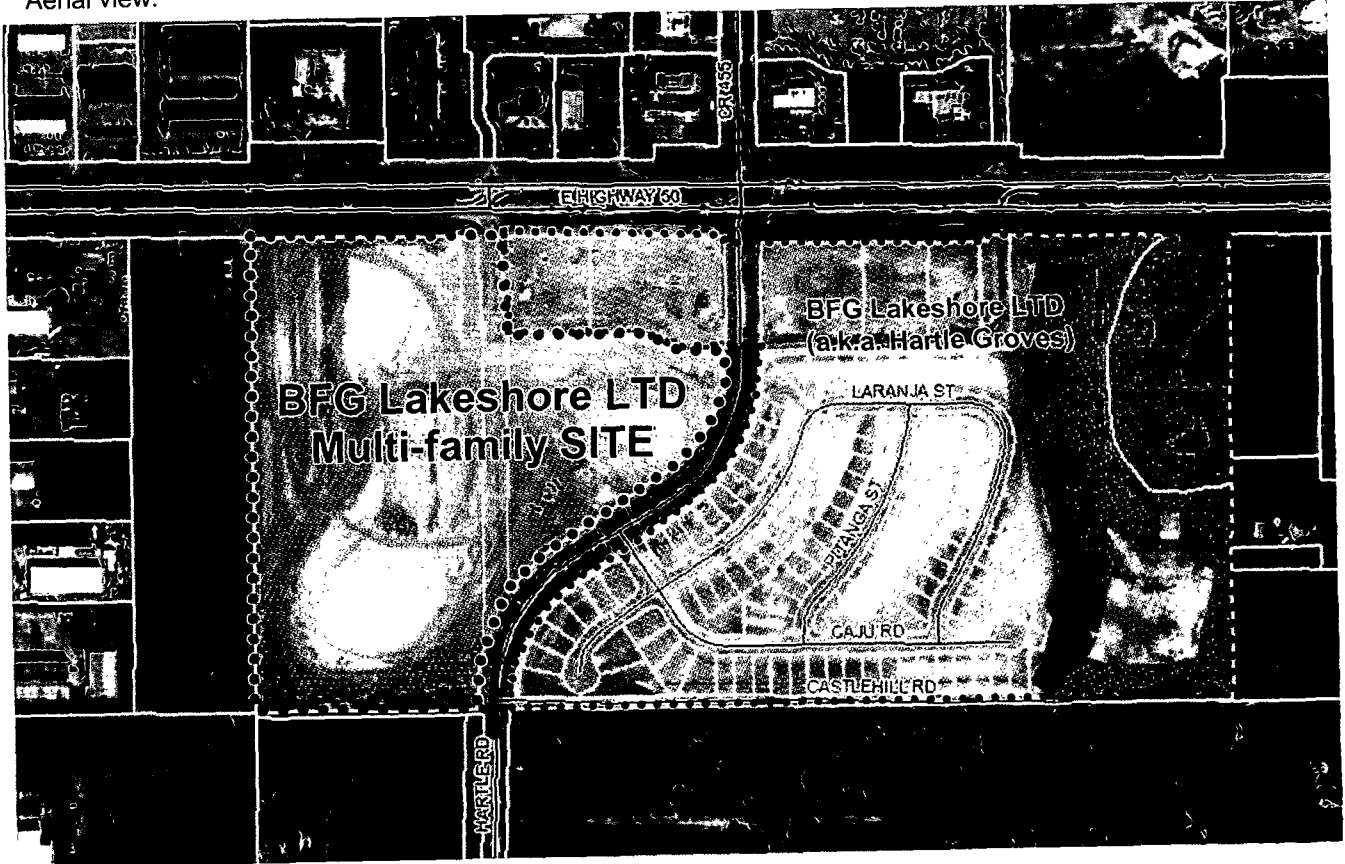
Type/print name

Cheryl L. Gotsis

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

BFG Lakeshore, LTD

Aerial view:



\\Cityhall\shares\Planning and Zoning\JPA -Utility Agreements & Reviews\BFG Lakeshore (Hartle Groves)\BFG Utility Agreement 7-2011.doc

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday January 26, 2016 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND IN ACCORDANCE WITH THE INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED DECEMBER 2, 2014; PROVIDING FOR AN EFFECTIVE DATE; SEVERABILITY; RECORDING; AND PUBLICATION.

LOCATION:

(Alternate Key 3827131)
South of S.R. 50, West of Hartle Road

LEGAL DESCRIPTION

From the center of Section 26, Township 22 South, Range 26 East, run N89-33-31W along S line of NW ¼ a dist of 724.83' to W R/W line of Hartle Rd & POB, thence leaving said S line run N01-48-40E 39.57' to the point of curvature of a curve concave SE'LY having a radius of 480' & a chord bearing on N29-30-49E, thence run NE'LY along the arc of said curve thru a central angle of 55-24-18 for a dist of 464.16' to the point of tangency thence run N57-12-58E 342.29' to the point of curvature of a curve concave NW'LY having a radius of 380' & a chord bearing of N28-51-44E thence run NE'LY along the arc of said curve thru a central angle of 56-42-29 for a dist of 376.1' to a radial line, thence N89-29-31W along said radial line for a dist of 6', N0-30-29E 25.77', N89-06-32W 108.8', N62-10-41W 99.09', N89-06-32W 507.31', N0-30-29E 270' to S R/W line of SR 50. Run N89-06-32W along said S R/W line 572.14' to W line of E 1/2 of NW 1/4, thence leaving said S R/W line run S0-26-27W along said W line of E 1/2 of NW ¼ 1285.28' to SW cor of E 1/2 of NW ¼, thence run S89-33-31E along S line of NW ¼ a dist of 605.93' to POB. ORB 2556 PG 877, Containing 25.31 acres more or less

See Map Below

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

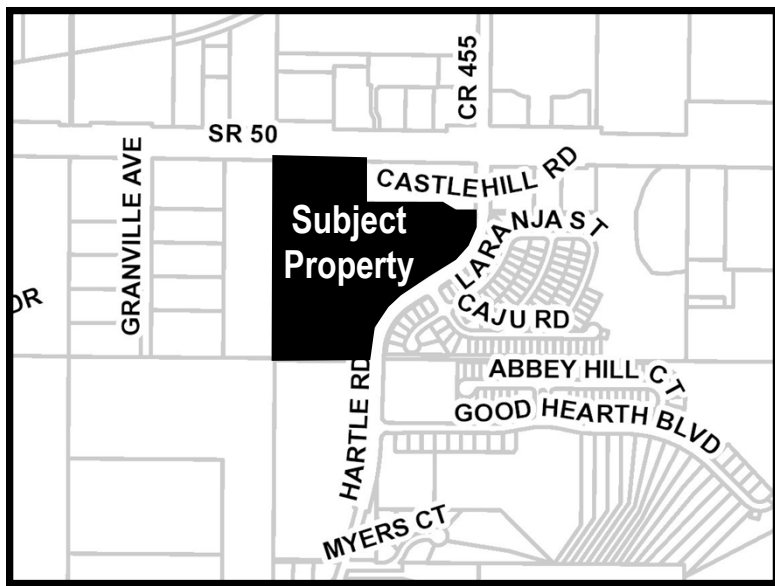
Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

January 5 & 12, 2016

Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Ordinance No. 2016-03 <i>Introduction</i>		
Requested Action		
Move to introduce Ordinance 2016-03.		
Staff Report		
This administrative request is being heard concurrently with a request for annexation. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on September 16, 2011. The property is vacant and is under consideration for development. The property is approximately 25 acres and had entitlements granted by Lake County for a multifamily project. Only a portion of the original Planned Unit Development (PUD) will be annexed and rezoned at this time and the remaining portion, approximately 44 acres, will be annexed and rezoned at a future date. A related administrative comprehensive plan amendment request also will be processed at a future date. The rezoning request is to change the zoning from Urban Estate (was PUD in Lake County) to the City's PUD zoning classification. The project received entitlements through Lake County with approval of Ordinance No. 2011-50. This permitted up to 103 single family homes, 380 multifamily units, and commercial uses on 69 acres. The single family portion and a majority of the commercial have been developed. The multifamily project will be developed according to the conditions in the existing PUD that have been carried forth to the City's PUD with a few minor additions. Staff has met with the property owner on the proposed multifamily project and has provided comments to the developer through the site review process. Based upon the above information, staff recommends approval of the rezoning from Urban Estate to the City's PUD zoning classification with the conditions outlined in PUD Ordinance 2016-03.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance	REZ ORD 2016-03.docx	
2. Maps	Hartle Groves MF Maps.pdf	
3. Building Elevations	Building Elevations.pdf	

4.	2011 Utility Agreement	Hartle Grove Utility Agreement 2011.pdf
5.	Lake County PUD 2011-50	Hartle Grove PUD 2011-50 Lake County.pdf
6.	Exhibit A - Conceptual Site Plan	Exhibit A.pdf
7.	Legal ad	Hartle Groves REZ legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2016-03

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

From the center of Section 26, Township 22 South, Range 26 East, run north 89-33-31 west along south line of northwest $\frac{1}{4}$ a distance of 724.83' to west right-of-way line of Hartle Road & point of beginning, thence leaving said south line run north 01-48-40E 39.57' to the point of curvature of a curve concave southeasterly having a radius of 480' & a chord bearing on north 29-30-49 east, thence run northerly along the arc of said curve thru a central angle of 55-24-18 for a distance of 464.16' to the point of tangency thence run north 57-12-58 east 342.29' to the point of curvature of a curve concave northwesterly having a radius of 380' & a chord bearing of north 28-51-44 east thence run northeasterly along the arc of said curve thru a central angle of 56-42-29 for a distance of 376.1' to a radial line, thence north 89-29-31 west along said radial line for a distance of 6', north 0-30-29 east 25.77', north 89-06-32 west 108.8', north 62-10-41 west 99.09', north 89-06-32 west 507.31', north 0-30-29 east 270' to south right-of-way line of SR 50. Run north 89-06-32 west along said south right-of-way line 572.14' to west line of east $\frac{1}{2}$ of northwest $\frac{1}{4}$, thence leaving said south right-of-way line run south 0-26-27 west along said west line of east $\frac{1}{2}$ of northwest $\frac{1}{4}$ 1285.28' to southwest corner of east $\frac{1}{2}$ of northwest $\frac{1}{4}$, thence run south 89-33-31 east along south line of northwest $\frac{1}{4}$ a distance of 605.93' to point of beginning. ORB 2556 PG 877, Containing 25.31 acres more or less - Alternate Key: 3827131

South of S.R. 50, west of Hartle Road

FROM: UE Urban Estate
TO: Planned Unit Development

CITY OF CLERMONT
ORDINANCE No. 2016-03

SECTION 2 - General Conditions:

This application for a Planned Unit Development to allow for a multi-family residential Planned Unit Development; 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 Conceptual Site Plan prepared by Griffey Engineering, revision date December 18, 2015, Sheet 3 of 16, Layout, Exhibit A. 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. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.

SECTION 3 - Land Uses and Specific Conditions:

1. A total of up to 380 multifamily dwelling units may be permitted on the site. This is the remaining density that was approved under Lake County's PUD Ordinance No. #2011-50, PH #11-11-2 (Hartle Grove PUD Amendment). The original development consisted of 69 acres at a density of 7 units per net acre, or 483 units.
2. Setbacks for Multifamily Residential

Front:	20 feet from the property line
Secondary Front:	15 feet from the property line
Side:	5 feet from the property line plus 15 feet for each story in excess of two (2)
Rear:	20 feet from the property line
Between Buildings:	10 feet plus 15 feet for each story in excess of two (2)

CITY OF CLERMONT
ORDINANCE No. 2016-03

3. The multifamily development shall provide internal connections for pedestrian access to the commercial portions of the development on the west side of Hartle Road.
4. 25% common open space shall be provided.
5. Any walls or fences within the development area on the west side of Hartle Road shall provide for common pedestrian access (sidewalk or trail) to Hartle Road and State Road 50 at intervals not to exceed 1320 feet (1/4 mile).
6. Connection to central water and wastewater treatment is required and shall comply with all applicable State, Regional, and City of Clermont policies and regulations.
7. Prior to the issuance of any permits, the applicant shall be required to submit a formal site plan and construction plans for review and approval to the City of Clermont. The site plan and construction plans shall meet all submittal requirements and comply with all City codes and ordinances, as amended.
8. A trash compacter may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project. If this cannot be demonstrated, then one dumpster per 25 units shall be provided.
9. The project will have private gated streets that will be maintained by the developer or designated party.
10. Parking will be constructed at a minimum ratio of 1.5 spaces per dwelling unit.
11. Maximum building height will be 45 feet.

SECTION 4:

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

SECTION 5:

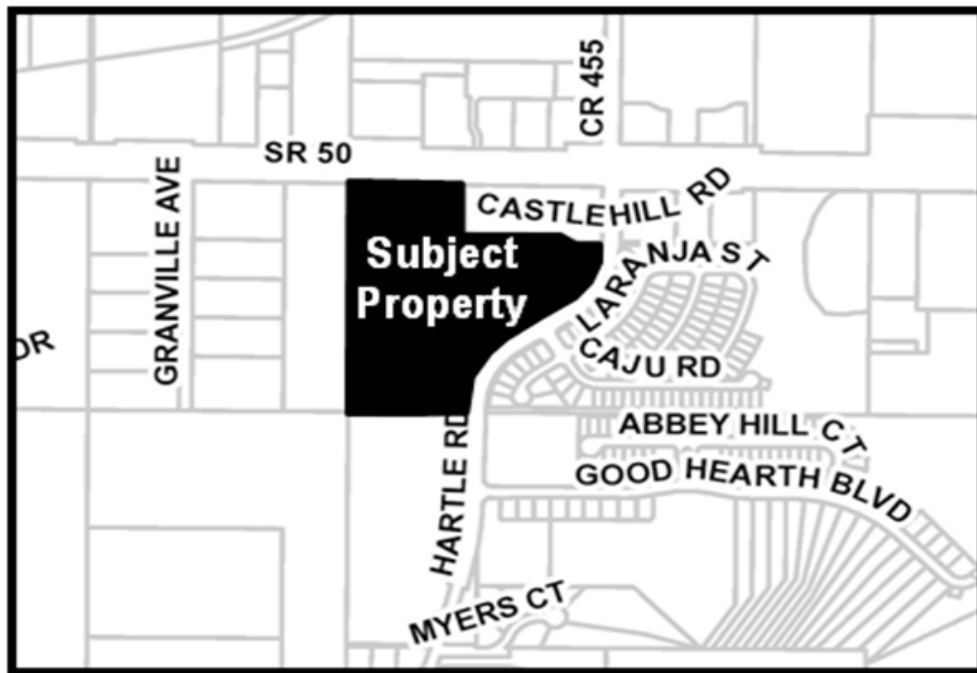
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

CITY OF CLERMONT
ORDINANCE No. 2016-03

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.

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-03

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map
BFG Lakeshore/Hartle Groves PUD Multifamily

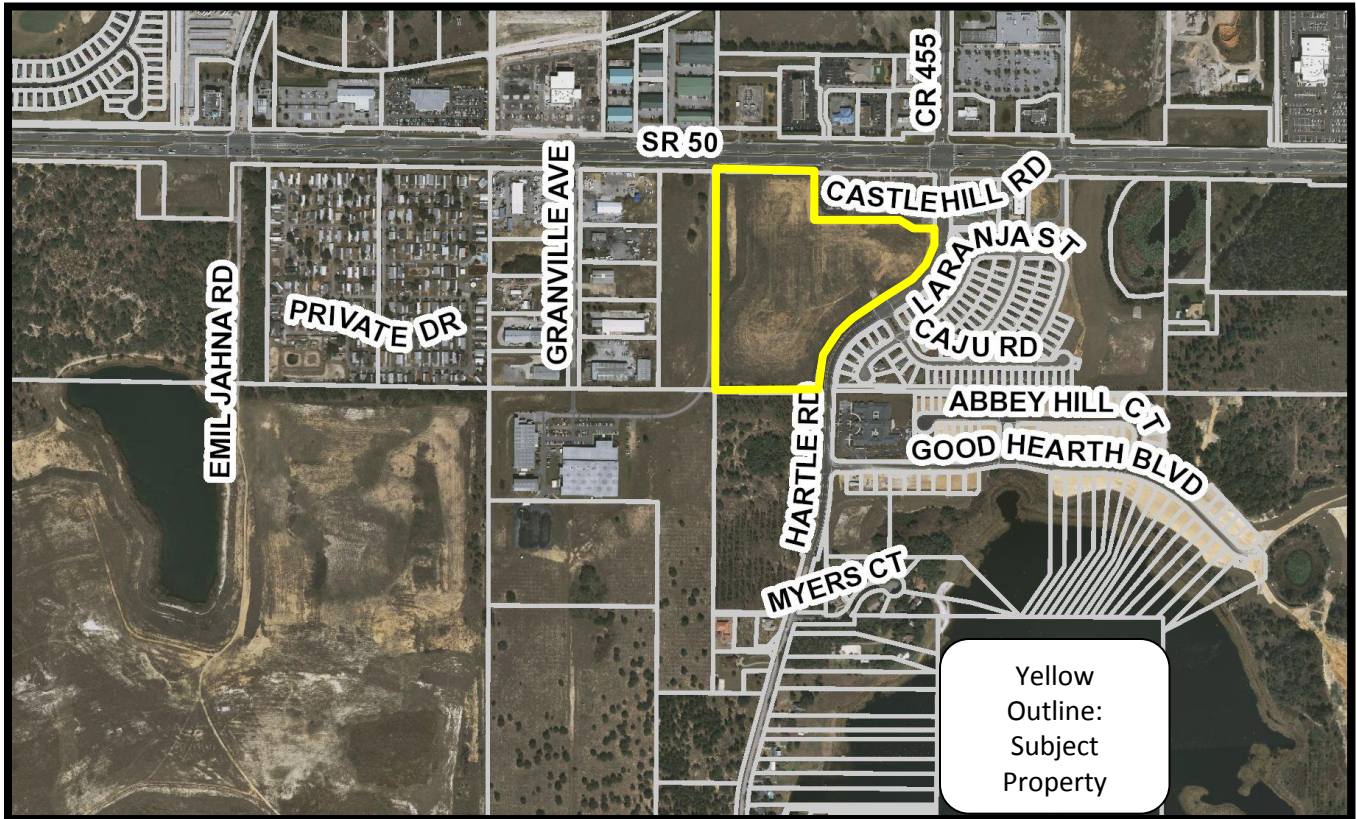
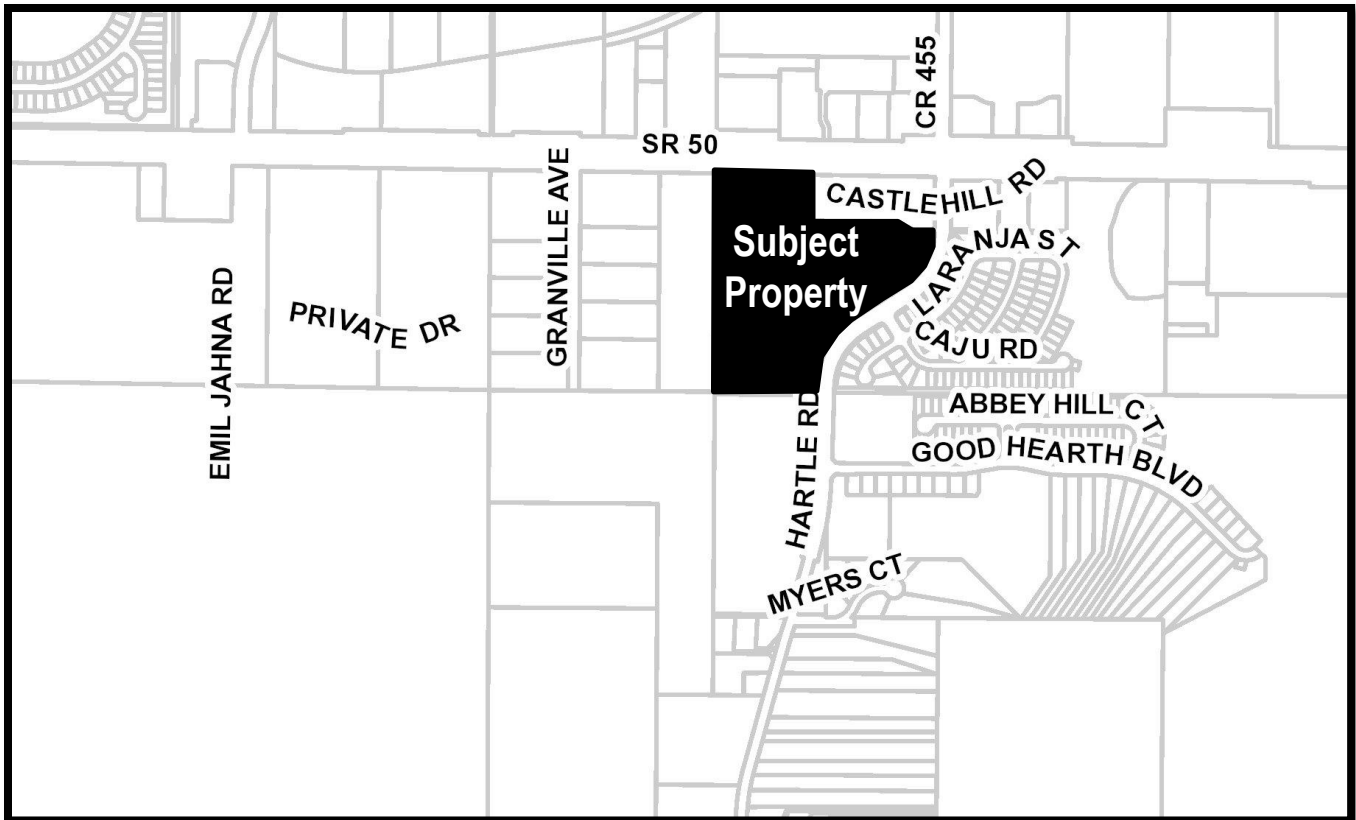
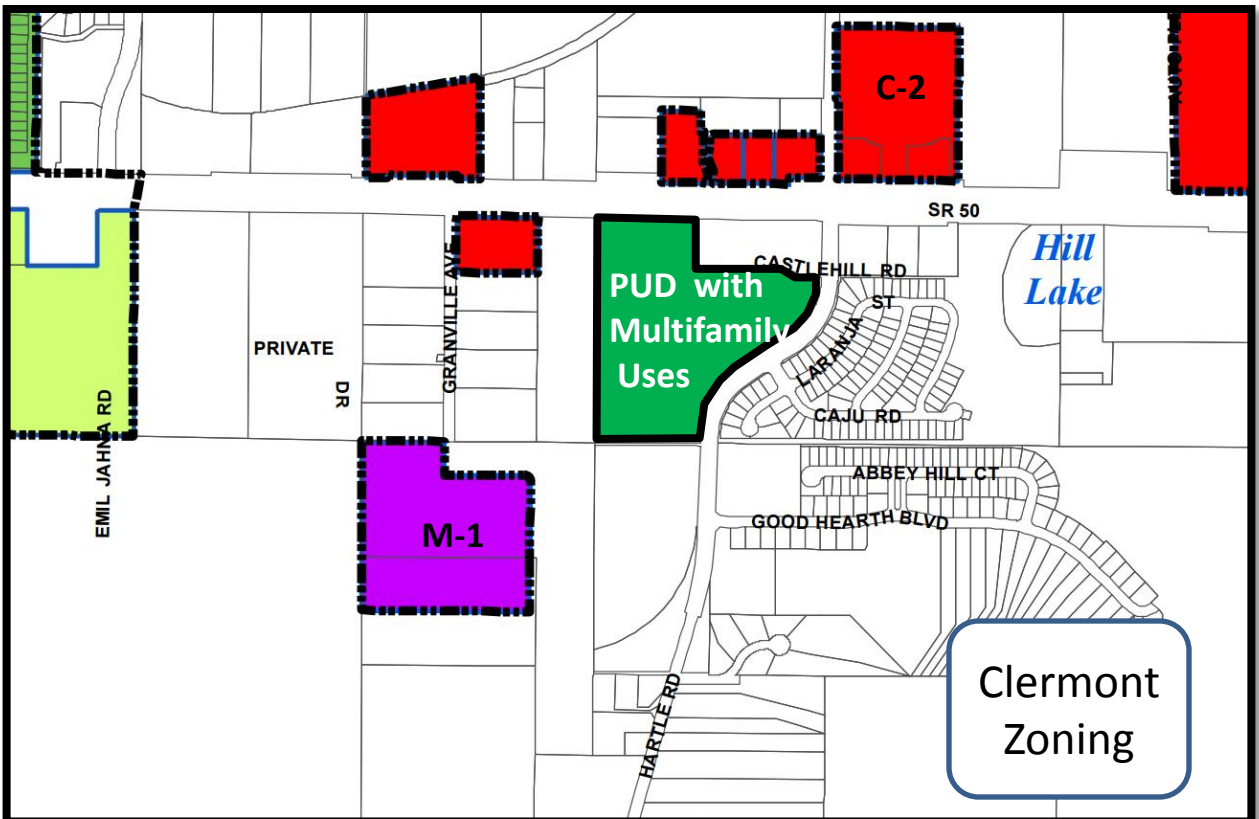
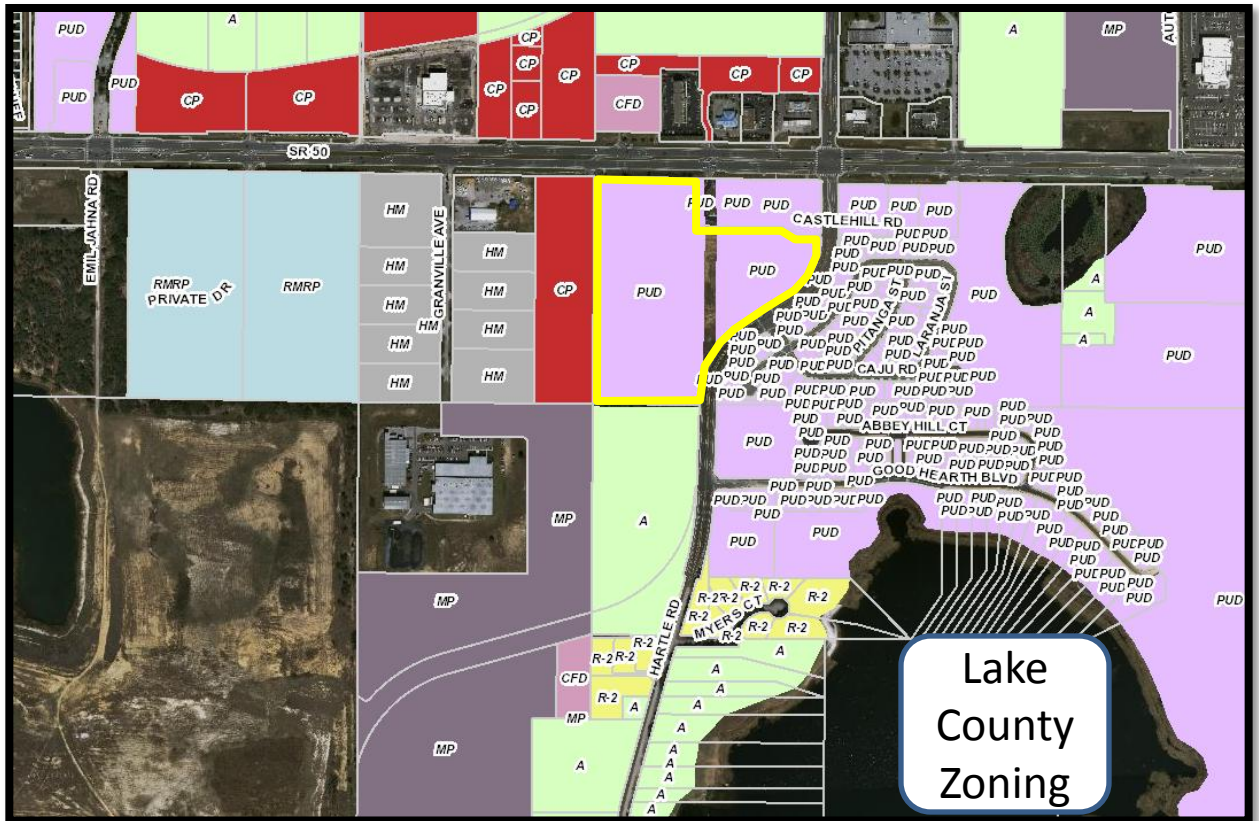


Exhibit - Location Map

BFG Lakeshore/Hartle Groves PUD Multifamily





BUILDING TYPE 2 - FRONT ELEVATION



BUILDING TYPE 2 - ENTRANCE ELEVATION



Hartle Grove Building Type 2

CLERMONT, FLORIDA

Date: December 7, 2015
Scale: 1/16" = 1'-0"
PROJECT No: 5329

RIDGE HEIGHT 45'-0"



BUILDING TYPE 2 - SIDE ELEVATION



© FUGLEBERG KOCH

2555 TEMPLE TRAIL

WINTER PARK • FLORIDA • 32789

Hartle Grove Building Type 2

CLERMONT, FLORIDA

TEL: 407-629-0595

FAX: 407-628-1057

AA26002103

WWW.FUGLEBERGKOCH.COM

Date: December 7, 2015

Scale: 1/16" = 1'-0"

PROJECT No: 5329



BUILDING TYPE 4 - SIDE A ELEVATION



BUILDING TYPE 4 - ENTRANCE ELEVATION



BUILDING TYPE 4 - SIDE B ELEVATION



BUILDING TYPE 4 - FRONT ELEVATION

City of Clermont
685 W. Montrose St
Clermont, FL 34711



UTILITY SERVICE AGREEMENT FOR WATER & WASTEWATER

This document constitutes an agreement between the City of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and BFG Lakeshore, Ltd. and its successors or assigns, hereby referred to as **OWNER**.

WITNESSETH

Whereas, OWNER is proposing to develop a 483 unit residential community and a commercial development on real property (the "Property") described on Exhibit 'A' for the amended portion, attached hereto and by this reference made a part hereof; along with the entire 69 acre +/- development Utility Agreement as approved by the Clermont City Council on 1/10/06; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1 - OFF-SITE WATER/SEWER

Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide water and sewer service for the Property in accordance with the water and sewer utilities development plans as approved by CITY, hereinafter the Final Utility Development Plan.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved and constructed by CITY and located in the "Easement Area" as more particularly described in Exhibit "A" attached hereto and in the Final Utility Development Plan as approved by CITY.
- 1.3 The OWNER shall construct the facilities, lines and appurtenances necessary to connect to the City's system contained in the Easement Area to serve the development as set forth in the approved Final Utility Development Plan. OWNER shall provide such documentation necessary for the CITY to ascertain that the lines shall meet the

- minimum line size requirements as specified by the CITY Land Development Regulations.
- 1.4 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
 - 1.5 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.
 - 1.6 The OWNER shall be responsible for all costs of on-site and off-site improvements, necessary to connect to CITY's system at its current location in the Easement Area. Including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
 - 1.7 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY. The CITY shall notify OWNER within 60 days if lines are to be oversized.
 - 1.8 The existing utilities along State Road 50 must stay in service throughout construction. If in order for the existing utilities to remain in service the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.
 - 1.9 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.
 - 1.10 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
 - 1.11 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.10 from the CITY in the form of Impact Fee Credits.
 - 1.12 The Impact Fee Credits shall be established subject to Sections 1.9 and 1.11 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
 - 1.13 Impact Fee Credits may not be transferred outside of the Property described on Exhibit 'A' but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.
 - 1.14 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns. No chain link shall be used in public view areas.

- 1.15 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).
- 1.16 The remaining development (Single family and commercial portions) and other requirements not covered by this multi-family amendment shall be developed in accordance with the Water & Wastewater Service Agreement approved on 1/10/06.
- 1.17 The multi-family common areas shall be irrigated by private well.
- 1.18 The single family and multi-family residential portions of the development proposed utility flow/demand for water is 169,050 gpd and sewer is 144,900 gpd; and the commercial utility flow/demand for water is 11,305 gpd and sewer is 9,690 gpd.

Section 2 – DEVELOPMENT STANDARDS

- 2.1 The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.
- 2.2 The project shall be developed according to the approved Lake County PUD (Ord. #2004-4 and #2009-4 and #2011-50), the preliminary plat dated 11/22/04; the final engineering drawings dated 7/7/05; and the overall layout plan dated 6/31/11 as submitted with the application. As approved in the PUD, plat and drawings described above, all storm water from the commercial development to be located on the Property, including the first flush generated by the commercial development, may be directed to a master storm water pond to be developed as part of the residential community to be developed on the Property, and such master pond shall satisfy all requirements with respect to storm water from the commercial development without any onsite detention or retention improvements required as part of the commercial development. The commercial development to be located on the Property may be developed in accordance with Lake County standards without regard for the JPA standards. Items with respect to the 325 unit residential community to be developed on the Property not addressed in the PUD must be developed to the JPA standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.
- 2.3 OWNER will ensure that the CITY waterline has a minimum cover of three (3) feet and a maximum of six (6) feet deep from the final surface of the ground.

Section 3 – ANNEXATION

- 3.1 OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance To Annex Property* in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A". The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current

certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

Section 4 – SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5 – NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

OWNER

BFG Lakeshore, Ltd.
James H. Fant
401 Ferguson Drive
Orlando, FL 32805

Section 6 – AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7 – EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, _____ and OWNER through their respective officers _____.

DATED this 16th day of September, 2011.

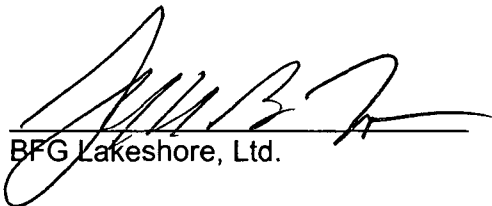
CITY OF CLERMONT


 Harold S. Turville Jr., Mayor

ATTEST:


 Tracy Ackroyd, City Clerk

OWNERS

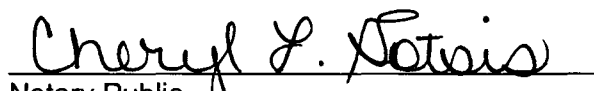

 BFG Lakeshore, Ltd.

*MEMBER/MANAGER
 BFG LAKESHORE LLC
 GENERAL PARTNER FOR
 BFG LAKESHORE, LTD.*

STATE OF FLORIDA
 COUNTY OF Orange

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Jeffrey B. Fuqua, as member/manager of BFG Lakeshore, LLC, who provided identification in the form of General Partner for BFG Lakeshore, Ltd. or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this 16th day of September, 2011.


 Cheryl L. Gotsis
 Notary Public

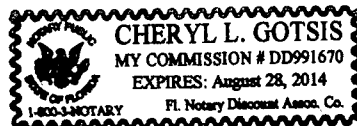


EXHIBIT "A"**PROPERTY DESCRIPTION**
(affected parcel)**Owners:**

BFG Lakeshore, LTD.

Descriptions:

FROM CENTER OF SEC RUN N 89-33-31 W ALONG S LINE OF NW 1/4 A DIST OF 724.83 FT TO W R/W LINE OF HARTLE RD & POB, THENCE LEAVING SAID S LINE RUN N 01-48-40 E 39.57 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE SE'LY HAVING A RADIUS OF 480 FT & A CHORD BEARING OF N 29-30-49 E, THENCE RUN NE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 55-24-18 FOR A DIST OF 464.16 FT TO THE POINT OF TANGENCY, THENCE RUN N 57-12-58 E 342.29 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE NW'LY HAVING A RADIUS OF 380 FT & A CHORD BEARING OF N 28-51-44 E THENCE RUN NE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 56-42-29 FOR A DIST OF 376.1 FT TO A RADIAL LINE, THENCE N 89-29-31 W ALONG SAID RADIAL LINE FOR A DIST OF 6 FT, N 0-30-29 E 25.77 FT, N 89-06-32 W 108.8 FT, N 62-10-41 W 99.09 FT, N 89-06-32 W 507.31 FT, N 0-30-29 E 270 FT TO S R/W LINE OF SR 50, RUN N 89-06-32 W ALONG SAID S R/W LINE 572.14 FT TO W LINE OF E 1/2 OF NW 1/4, THENCE LEAVING SAID S R/W LINE RUN S 0-26-27 W ALONG SAID W LINE OF E 1/2 OF NW 1/4 1285.28 FT TO SW COR OF E 1/2 OF NW 1/4, THENCE RUN S 89-33-31 E ALONG S LINE OF NW 1/4 A DIST OF 605.93 FT TO POB. ORB 2556 PG 877

Containing 25.31 acres +/-

Lake County Alternate Key Number & Parcel Number:

Alternate Key:	3827131	Parcel:	26-22-26-000200002400
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EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this ^{13TH}~~26th~~ ^{September}~~July~~, 2011, between **BFG Lakeshore, LTD**, property owners in the County of Lake, State of Florida Grantor*, and the CITY OF CLERMONT, FLORIDA, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below – described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Exhibit "A"

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

WITNESSES (Two required):

BFG Lakeshore, LTD

Witnesses

By: _____

Signature

Type or print name

By: _____

Signature

Type or print name

1. _____

Signature

Type or print name

2. _____

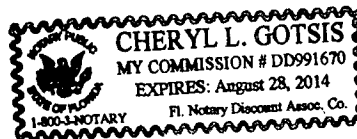
Signature

Type or print name

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me on this 16th day of September 2011, by Jeffrey B. Fuqua, who is personally known to me or who has produced _____ as identification and who did not take an oath.

SEAL:



Notary Public

Cheryl L. Gotsis

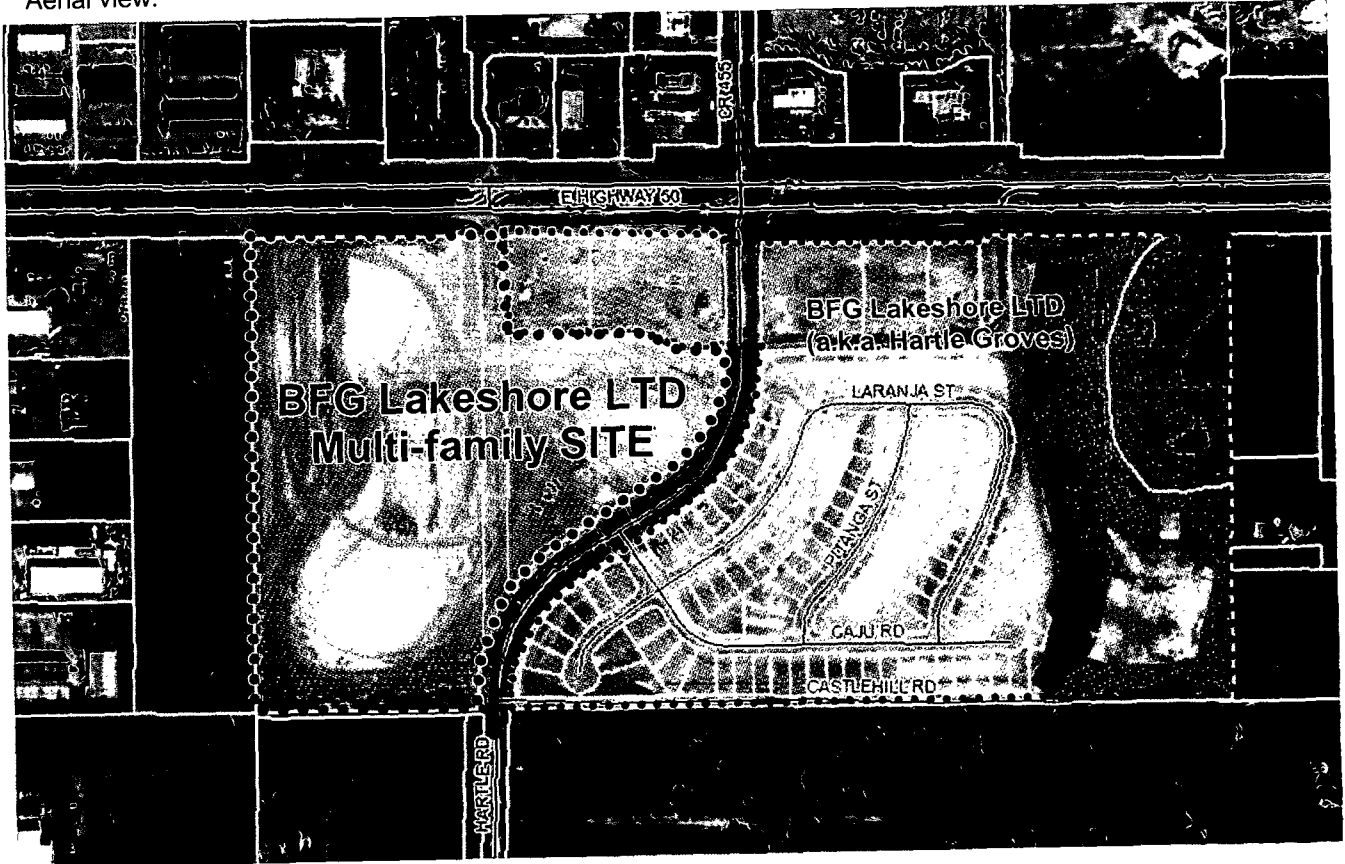
Type/print name

Cheryl L. Gotsis

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

BFG Lakeshore, LTD

Aerial view:



\\Cityhall\shares\Planning and Zoning\JPA -Utility Agreements & Reviews\BFG Lakeshore (Hartle Groves)\BFG Utility Agreement 7-2011.doc

PLANNING AND COMMUNITY DESIGN
ATTN: AZIZA BRYSON
315 WEST MAIN STREET ROOM 511
TAVARES FL 32778



ORDINANCE #2011-50
BFG Lakeshore LTD
Hartle Grove PUD
PH #11-11-2

**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE
LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, James H. Fant, Manager (the "Applicant") on behalf of BFG Lakeshore, LTD (the "Owner") requested an amendment to Planned Unit Development (PUD) Ord. #2009-4 to increase the maximum density of seven (7) dwelling units to the acre, consisting of single and town homes, multi-family residential, and commercial uses on approximately 69 acres as shown on Exhibit B (Conceptual Plan); and

WHEREAS, the subject Planned Unit Development property consists of approximately 69 +/- acres located in the East Clermont area to the south of and on the east and west side of the intersection of SR 50 and Hartle Road, situated in Section 26 - Township 22S - Range 26E, and having Alternate Keys # 3871929, 3871932, 2545551, 3827131, 2545551, 3870703, 3827132, and 3877868 through 3877973, and more particularly described as:

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

WHEREAS, the property is located within the Urban Future Land Use Category; and

WHEREAS, on the 27th day of January, 2004, the Board of County Commissioners approved the Hartle Grove PUD (Ordinance #2004-4) on 69 +/- acres consisting of 325 single-family residential lots and commercial uses; and

WHEREAS, on the 27th day of January, 2009, the Board of County Commissioners approved an amendment to the Hartle Grove PUD (Ordinance #2009-4) to establish specific setbacks for detached single-family residential development, correct a scrivener's error in the legal description of the PUD, and to supersede and replace Ordinance #2004-4 with Ordinance #2009-4; and

WHEREAS, the Lake County Zoning Board did, on the 3rd day of August, 2011, review Petition PH #11-11-2;

AND, after giving Notice of Hearing on petition for a change in the use of land, including notice that said Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of August, 2011; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised, and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved, and

FILED
SEP 14 2011
LAKE COUNTY, FLORIDA
4:11:26 PM

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

1 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
2 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
3 pertain to the above tract of land, as described in EXHIBIT "A", subject to the following terms:

4 **Section 1.** Terms: The terms and conditions of this Ordinance shall mean and include the total of the
5 following. The passage of this Ordinance shall supersede and replace any and all previous
6 ordinances, specifically Ordinance #2009-4, granted for the site or any portions of the site
7 legally described herein and attached hereto as "Exhibit A". The County Manager or designee
8 shall amend the Zoning Map in accordance with this Ordinance.
9

10 A. Land Use and Design:
11

12 1. Residential:

13 a. Density:

- 14 i. 103 single-family residential.
15 ii. 380 multi-family or townhome units.
16 iii. The overall density shall not exceed seven (7) dwelling units to
17 the net acre.
18

19 b. Setbacks for 50-foot Lots (Single-Family Detached or Townhomes)
20

- 21 Front: 20 feet from the property line
22 Secondary Front: 15 feet from the property line
23 Side: 5 feet from the property line (Single-Family
24 Detached)
25 Side: Zero lot line for shared common walls (Townhomes)
26 Rear: 20 feet from the property line (5 feet for accessory
27 structures)
28 Between Buildings: 10 feet plus 15 feet for each story in excess of two
29 stories
30

31 c. Setbacks for Multifamily Residential
32

- 33 Front: 20 feet from the property line
34 Secondary Front: 15 feet from the property line
35 Side: 5 feet from the property line plus 15 feet for each
36 story in excess of two (2)
37 Rear: 20 feet from the property line
38 Between Buildings: 10 feet plus 15 feet for each story in excess of two
39

- 40 d. The multi-family development shall provide internal connections for
41 pedestrian access to the commercial portions of the development on the
42 west side of Hartle Road.

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

2. Commercial:

- a. 10.5 acres for commercial development which shall be designed as an integrated unit within the 69-acre planned unit development.

Functional uses conducted within designated areas of the development shall be limited to the following: Automotive Repair, Automotive Service Station, Banking, Car Wash, Consumer Service and Repair, Medical Service, Personal Care Service, Professional/Medical Offices, Restaurant (Fast Food and General), Retail (Convenience and General), Wholesale and Warehouse, Day Care Center, Hotel and Motel.

B. Open Space/Impervious Area/Floor Area:

1. Residential: 25% (15.15 +/- acres) common open space shall be provided.
2. Commercial: 25% (+/- 2.5 acres) open
3. Open space shall be calculated on an overall basis for the development;
4. Impervious Surface Area: 0.65 for residential land area and 0.70 for commercial land area.

C. Floor Area Ratio: Floor area ratio shall not exceed 0.50 for non-residential development.

D. Landscaping: Landscape buffering shall be installed and maintained in accordance with the requirements of the LDRs, as amended.

E. Transportation:

1. All internal streets and traffic calming devices (Roundabouts, etc.) shall be constructed to meet Access Management and spacing requirements as set forth in the LDRs, as amended.
2. All public roads within the development shall be designed both horizontally and vertically to meet the LDRs requirements for their classification. Public road pavement width shall be based on Average Daily Trips (ADT).
3. The developer shall provide turn lane improvements along Highway 50 and the realignment of Hartle Road, all of which have been completed at the time of this ordinance.
4. Transportation Design: The layout and design of lots and circulation systems within the development shall be substantially consistent with the attached conceptual plan as Exhibit "B" to this Ordinance, submitted as a part of the

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

rezoning application, and may be subsequently revised to reflect current conditions. Access to commercial tracts fronting along Highway 50 shall be controlled by the Florida Department of Transportation and in accordance with the Access Management provisions contained in the LDRs, as amended. To the extent where there are conflicts between Exhibit "B" and this Ordinance, this Ordinance shall take precedence.

5. Any walls or fences within the development area on the west side of Hartle Road shall provide for common pedestrian access (sidewalk or trail) to Hartle Road and State Road 50 at intervals not to exceed 1320 feet (1/4 mile).

F. Environmental Requirements:

1. An environmental survey shall be conducted in accordance with the LDRs, as amended, to address natural vegetative communities, wildlife corridors, and designated species prior to submittal of any development application.
2. A jurisdictional wetland line and designated species habitat delineation has been established and shall be included on any site plan or plat.
3. Wetlands and wetland buffers shall be placed in conservation easements.

G. Utilities: Connection to central water and wastewater treatment is required and shall comply with all applicable State, Regional, and Lake County policies and regulations.

H. Storm Water and Drainage Requirements:

1. The storm water management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements.
2. The storm water management system shall demonstrate that each phase is able to exist as an independent stable unit for drainage purposes. The natural pre-development drainage pattern shall be maintained to the maximum extent possible.

I. External Lighting Standards and Requirements:

1. Exterior lighting shall comply with the Land Development Regulations, as amended.
2. All light fixtures, including security lighting, shall be limited to cutoff type fixtures and shall be incorporated as an integral design element that complements the

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

design of the development through style, material, and color. Luminaries shall not be tilted. Floodlights or lighting types featuring sag, convex, or drop lenses shall be prohibited.

3. The height of lighting fixtures inclusive of supporting pole, the lighting source, and fixture shall not exceed thirty (30') feet within parking areas and fifteen (15') feet otherwise. Such height shall be measured from finished grade to the top of the light fixture.

4. An exterior lighting plan prepared and certified by a licensed engineer qualified in such field shall be submitted with any site plan or construction plan application. Such plan shall consist of a photometric plan of the developed area of the site with accompanying data tables and product design details addressing support poles, lamp fixtures and lenses.

J. Development Review:

1. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be required to submit a formal site plan (multi-family development) or a preliminary plat, construction plans, and final plat (single-family/townhomes), for review and approval to Lake County. The site plan or preliminary plat, construction plans, and final plat shall meet all submittal requirements and comply with all County codes and ordinances, as amended.
2. Concurrency Management: The Owner shall comply with concurrency management regulations. The additional 158 units added to the development by this ordinance are not subject to any vesting granted prior to approval of this ordinance and shall be subject to all applicable concurrency requirements as set forth in the LDRs.
3. Future Development Orders: Any requested development order must comply with the Lake County Comprehensive Plan, as amended and the Lake County Land Development Regulations, as amended.
4. Future Amendments to Statutes, Code, Plan, and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations are inclusive of any future amendments to the Statutes, Code, Plan, and/or Regulations.

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

SECTION 2. Conditions as altered and amended which pertain to the above tract of land shall be as follows:

- A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by the Zoning Board and the Board of County Commissioners.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with the LDRs, as amended, and obtaining approval from the County Manager or designee upon obtaining the permits required from the other appropriate governmental agencies.
- C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- D. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures as contained in the Lake County Land Development Regulations, as amended.
- E. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master shall have the authority to enforce the terms and conditions set forth in this Ordinance and to recommend that the Ordinance be revoked

ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

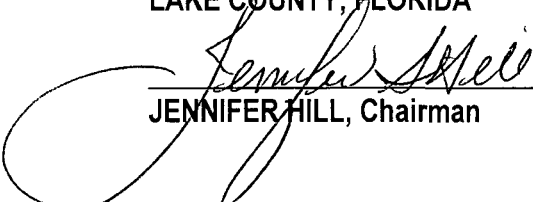
1 **SECTION 3. Effective Date.** This Ordinance shall become effective as provided by law.

2
3 ENACTED this 23 day of August, 2011.

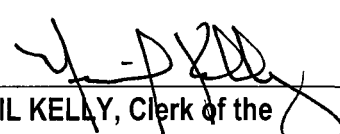
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5 FILED with the Secretary of State September 2, 2011.

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7 EFFECTIVE September 2, 2011.

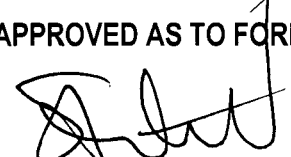
8 **BOARD OF COUNTY COMMISSIONERS**
9 **LAKE COUNTY, FLORIDA**

10
11 
12 **JENNIFER HILL, Chairman**

13
14 **ATTEST:**

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16 
17
18 **NEIL KELLY, Clerk of the**
19 **Board of County Commissioners**
20 **Lake County, Florida**

21
22 **APPROVED AS TO FORM AND LEGALITY**

23
24 
25
26 **SANFORD A. MINKOFF, County Attorney**

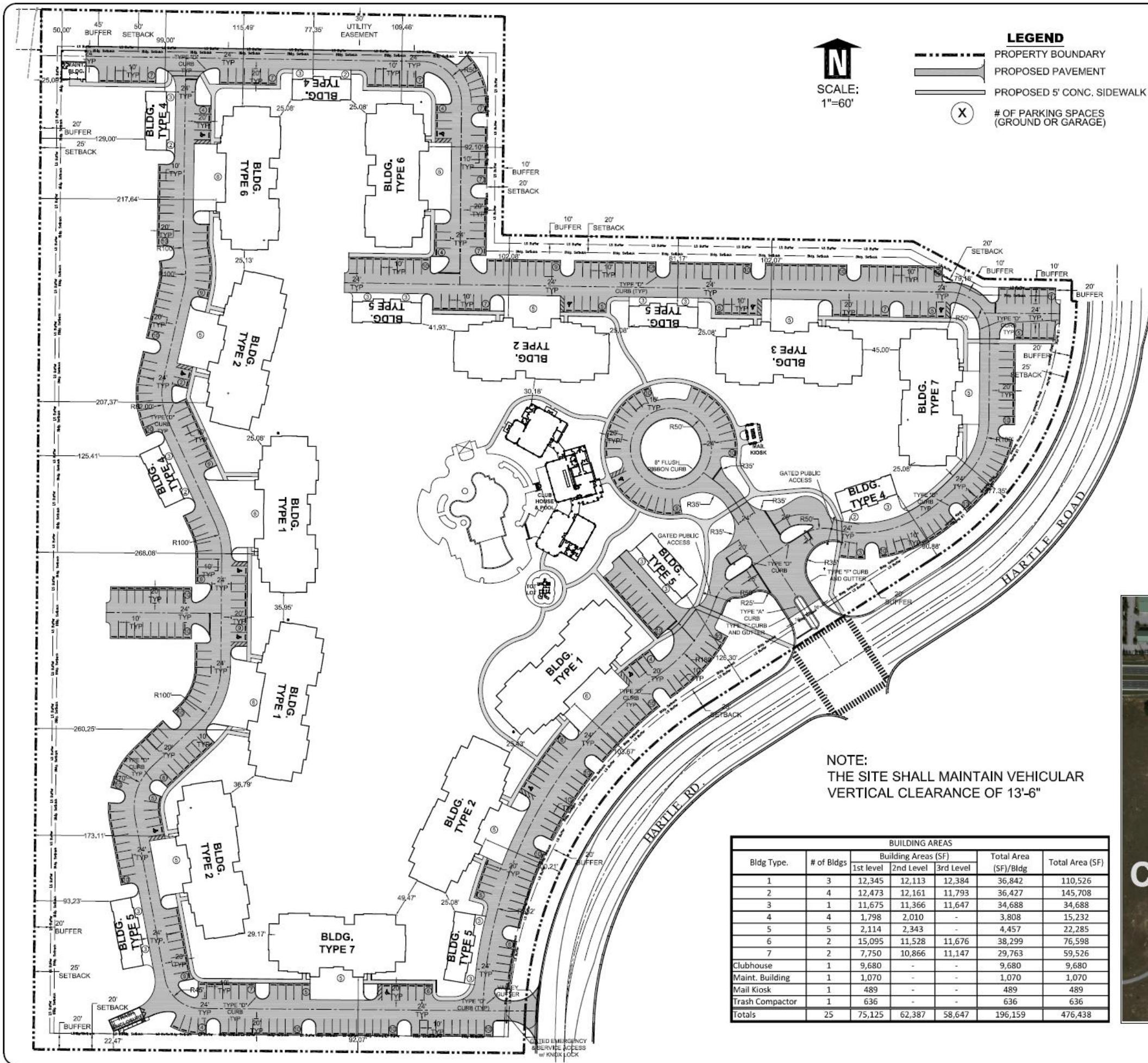
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ORDINANCE NO. #2011-50

PH #11-11-2 (Hartle Grove PUD Amendment)

EXHIBIT "A"

Legal Description: Lake Highlands, Sec 26 Twp. 22S Rge. 26E, Tracts 19, 21, 22 S of SR 50, LESS that part of Tract 21 described as follows: From center of Sec 26 Twp. 22S Rge. 26E, run W along mid-section line 503.3 ft, N 0 deg. 03' E 833.95 ft for POB, continue N 0 deg. 03' East to S r/w line of Hwy 50, W'ly along said r/w to W line of "E 1/2 of SE 1/4 of NW 1/4 of said Sec 26, S'ly along said line to a point S 89 deg. 40' W of POB, N 89 deg. 40' E to POB. Tracts 20, 27, 28, 29, 30 and 30A; AND Lake Highlands, Sec 26 Twp. 22S Rge. 26E, that part of Tract 21 described as follows: From center of Sec 26 Twp. 22S Rge. 26E, run W along mid-section line 503.3 ft, N 0 deg. 03' E 833.95 ft for POB, continue N 0 deg. 03' E to S r/w line of Hwy 50, W'ly along said r/w to W line of E 1/2 of SE 1/4 of NW 1/4 of said Sec 26, S'ly along said line to a point S 89 deg. 40' W of POB, N 89 deg. 40' E to POB, LESS r/w of Hartle Road.



BUILDING AREAS					
Bldg Type.	# of Bldgs	Building Areas (SF)			Total Area (SF)
		1st level	2nd Level	3rd Level	
1	3	12,345	12,113	12,384	36,842
2	4	12,473	12,161	11,793	36,427
3	1	11,675	11,366	11,647	34,688
4	4	1,798	2,010	-	3,808
5	5	2,114	2,343	-	4,457
6	2	15,095	11,528	11,676	38,299
7	2	7,750	10,866	11,147	29,763
Clubhouse	1	9,680	-	-	9,680
Maint. Building	1	1,070	-	-	1,070
Mail Kiosk	1	489	-	-	489
Trash Compactor	1	636	-	-	636
Totals	25	75,125	62,387	58,647	196,159

LEGEND

- PROPERTY BOUNDARY
- PROPOSED PAVEMENT
- PROPOSED 5' CONC. SIDEWALK
- # OF PARKING SPACES (GROUND OR GARAGE)

SCALE:
1"=60'

PROJECT DATA

ZONING :
FUTURE LAND USE AREA :

PUD (Ordinance 2011-50)
URBAN LOW

PROJECT AREA :
IMPERVIOUS AREA

1,102,525 sf (25.31 ac)

APARTMENT BLDGS:
CLUBHOUSE:
POOL DECK:
MAIL KIOSK:
MAINT. BLDG:
TRASH COMPACTOR:
PAVEMENT & SIDEWALK:
TOTAL:

162,054 sf
9,680 sf
10,177 sf
489 sf
1,070 sf
636 sf
300,487 sf
484,593 sf

IMPERV. SURFACE RATIO (ISR):
OPEN SPACE:

0.44 (Maximum 0.65)
56.0% (Minimum 25%)

Setbacks for Multifamily Residential

Front: 20 feet from the property line
Secondary Front: 15 feet from the property line
Side: 5 feet from the property line plus 15 feet for each story in excess of 2
Rear: 20 feet from the property line
Between Buildings: 10 feet plus 15 feet for each story in excess of 2

OF DU'S APPROVED IN PUD ORD:
PROPOSED # OF DWELLING UNITS:

103 S.F. + 380 M.F. = 483 TOTAL
103 S.F. + 328 M.F. = 431 TOTAL

TOTAL RESID. FLOOR AREA:
FLOOR AREA RATIO (FAR):
MAX. BLDG. HEIGHT:
MAX. # OF BLDG STORIES:

464,563 sf
0.42
45 feet
3

PARKING CALCULATIONS

PARKING REQUIRED (1.5/DU):
PARKING PROVIDED:
ACCESSIBLE SPACES:

492 spaces
596 spaces
13 spaces (2.2%)

UTILITIES

WATER :
SEWER :
ELECTRIC :
TELEPHONE :
GAS :

CITY OF CLERMONT
CITY OF CLERMONT
DUKE ENERGY
CENTURYLINK
LAKE APOPKA NATURAL GAS

FLOOD ZONE :

X (FIRM 12069C0595E, 12-18-2012)



ZONING MAP

GRITNEY ENGINEERING
406 N. CENTER STREET
EUSTIS, FLORIDA 32726
PHONE (352) 357-3628
FAX (352) 357-3219
FLORIDA CERT. OF AUTH. # 8082

DONALD A. GRITNEY
FLORIDA 032785

HARTLE GROVES
APARTMENTS, LLC
800 HIGHLAND AVE., SUITE 200
ORLANDO, FLORIDA 32803
PHONE (407) 283-6562
FAX (407) 291-2815

HARTLE GROVES
APARTMENTS
SITE PLAN

LAYOUT

REV. # DATE
12-18-2015
11-08-2015

DRAWN BY:
DAG
CHECKED BY:
MJS
DRAWING #:
15033_4
PROJECT #:
15033SPN
SCALE:
1"=60'

SHEET 3 OF 16

Exhibit A

LEGAL NOTICE

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

ORDINANCE NO. 2016-03

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, an effective date and publication.

LOCATION

(Alternate Key 3827131)
South of S.R. 50, West of the Hartle Road

LEGAL DESCRIPTION

From the center of Section 26, Township 22 South, Range 26 East, run N89-33-31W along S line of NW ¼ a distance of 724.83' to W R/W line of Hartle Road & point of beginning, thence leaving said S line run N01-48-40E 39.57' to the point of curvature of a curve concave southerly having a radius of 480' & a chord bearing on N29-30-49E, thence run northeasterly along the arc of said curve thru a central angle of 55-24-18 for a distance of 464.16' to the point of tangency thence run N57-12-58E 342.29' to the point of curvature of a curve concave NW'LY having a radius of 380' & a chord bearing of N28-51-44E thence run NE'LY along the arc of said curve thru a central angle of 56-42-29 for a distance of 376.1' to a radial line, thence N89-29-31W along said radial line for a distance of 6', N0-30-29E 25.77', N89-06-32W 108.8', N62-10-41W 99.09', N89-06-32W 507.31', N0-30-29E 270' to S R/W line of SR 50. Run N89-06-32W along said S R/W line 572.14' to W line of E 1/2 of NW 1/4, thence leaving said S R/W line run S0-26-27W along said W line of E ½ of NW ¼ 1285.28' to SW cor of E ½ of NW ¼, thence run S89-33-31E along S line of NW ¼ a distance of 605.93' to POB. ORB 2556 PG 877, Containing 25.31 acres more or less

FROM UE Urban Estate
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, January 5, 2016 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, January 26, 2016 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, 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.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
December 29, 2015 and January 12, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, January 12, 2016														
Agenda Item Name														
Ordinance No. 2016-04 <i>Introduction</i>														
Requested Action														
Move to introduce Ordinance 2016-04.														
Staff Report														
The owner is requesting a rezoning from R-1 Single Family Medium Density Residential District to C-1 Light Commercial Zoning District. The property has 6.55 acres of upland developable property and is located at the southeast corner of Highway 27 and Citrus Tower Blvd. The parcel has a future land use of Commercial, which is compatible with the proposed C-1 Light Commercial zoning district. Currently, the owner does not have a site plan ready for review, but does anticipate retail and restaurant uses for the parcel. With the Commercial future land use and the location of the parcel on Highway 27, staff recommends approval of the rezoning from R-1 Single Family Residential to C-1 Light Commercial.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table border="0"><tr><td>1.</td><td>Ordinance</td><td>REZ ORD 2016-04.doc</td></tr><tr><td>2.</td><td>Application</td><td>Rezoning application.pdf</td></tr><tr><td>3.</td><td>Location Map</td><td>South Lake Connector Rezoning Pix.doc</td></tr><tr><td>4.</td><td>Legal ad</td><td>REZ legal ad.docx</td></tr></table>			1.	Ordinance	REZ ORD 2016-04.doc	2.	Application	Rezoning application.pdf	3.	Location Map	South Lake Connector Rezoning Pix.doc	4.	Legal ad	REZ legal ad.docx
1.	Ordinance	REZ ORD 2016-04.doc												
2.	Application	Rezoning application.pdf												
3.	Location Map	South Lake Connector Rezoning Pix.doc												
4.	Legal ad	REZ legal ad.docx												

CITY OF CLERMONT
ORDINANCE No. 2016-04

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

North ½ of northeast ¼ lying easterly of US Highway 27 and lying southeasterly of the following described road right-of-way: From northwest corner of northeast ¼ run south 89-36-07, east 1348.13 feet for point of beginning, continue north 89-36-07 east 110.40 feet, south 24-40-34 east 147.32 feet to a point of curvature of a curve. Concave to the west, having a radius of 400 feet, thence from a chord bearing of south 20-15-06 west run southwesterly along the arc of said curve thru a central angle of 89-51-20 a distance of 627.31 feet to the point of tangency, thence south 65-10-46 west a distance of 146.24 feet to a point on easterly right-of-way line of US Highway 27, thence north 24-49-14 west along said easterly right-of-way line 87.28 feet, north 22-26-06 west along said easterly right-of-way line 12.73 feet, north 65-10-46 east 145.71 feet to a point of curvature of a curve concave to the west, having a radius of 300 feet, thence from a chord bearing north 20-15-06 east run northerly along the arc of said curve thru a central angle of 89-51-20 a distance of 470.48 feet, north 24-40-34 west 194.10 feet to point of beginning for road right-of-way. ORG 4018 PG 748, Containing 37.29 acres more or less

**FROM R-1 Single Family Medium Density Residential
TO C-1 Light Commercial**

SECTION 2:

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

SECTION 3:

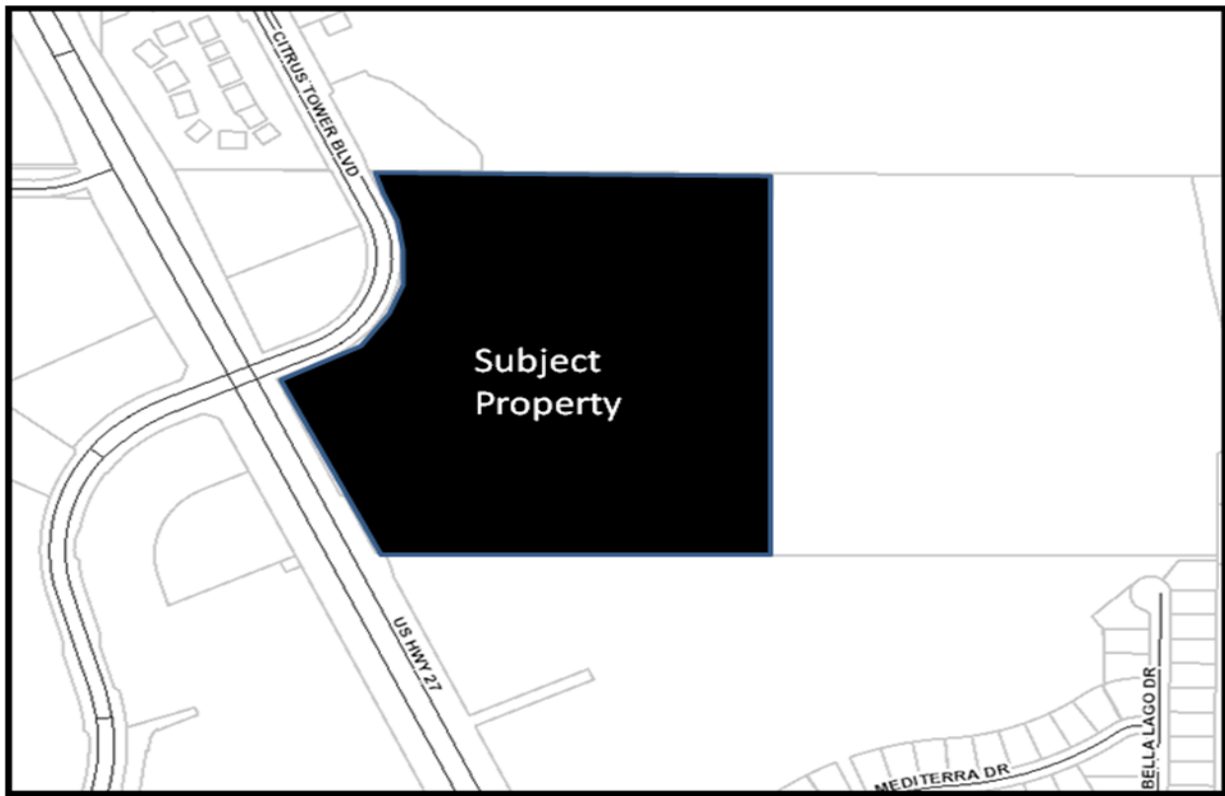
CITY OF CLERMONT
ORDINANCE No. 2016-04

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:

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

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-04

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: 11/10/15

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): SouthLake Connector SE

APPLICANT: Jimmy Crawford

CONTACT PERSON: " "

Address: 1201 W. Highway 50

City: Clermont State: FL Zip: 34711

Phone: (352) 394-7408 Fax: (352) 394-7298

E-Mail: jimmy.crawford@mngellaw.com

OWNER: South Lake Connector, LLC

Address: P.O. Box 120355

City: Clermont State: FL Zip: 34712

Phone: 407 947 6037 Fax: 877 725 7329

Address of Subject Property: 1480 Hammock Ridge Rd

Legal Description (include copy of survey): SEE ATTACHED

Acres: 6.55 Land Use: Commercial
(City verification required)

Present Zoning: R-4 Proposed Zoning: C-2
(City verification required)



**CITY OF CLERMONT
REZONING
APPLICATION**

Page 2

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

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

Construct a commercial center including
retail and restaurant.

Jimmy Crawford
Applicant Name (print)

x [Signature]
Applicant Name (signature)

Southlake Connector, LLC
Owner Name (print)
Ravella Bangley

x [Signature]
Owner Name (signature)

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

PROPERTY RECORD CARD

General Information

Owner Name: SOUTH LAKE CONNECTOR LLC
Alternate Key: 1707307
Mailing Address: PO BOX 120355 CLERMONT, FL 34712-0355
Parcel Number: 05-23-26-000100000100
[Update Mailing Address](#) **Millage Group and City:** 000C (Clermont)
Total Millage Rate: 18.65210
Trash/Recycling/Water/Info: [My Public Services Map](#)

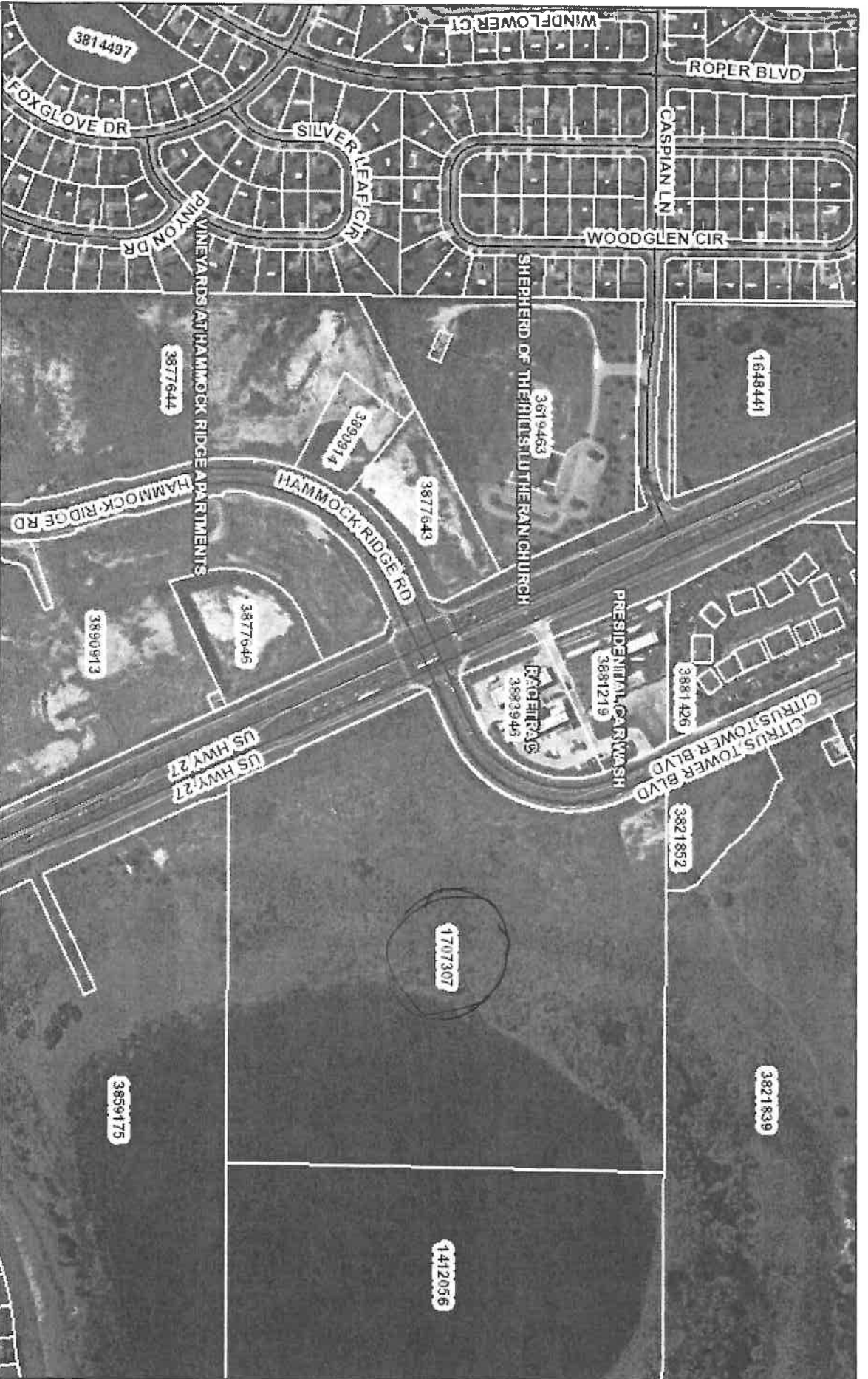
Property Location: CLERMONT FL 34711
[Update Property Location](#) **Property Name:** --
[Submit Property Name](#) **School Locator:** [School and Bus Map](#)

Property Description: N 1/2 OF NE 1/4 LYING E'LY OF US HWY 27 & LYING SE'LY OF THE
 FOLLOWING DESC RD R/W: FROM NW COR OF NE 1/4 RUN S 89-36-07 |
 E 1348.13 FT FOR POB, CONT N 89-36-07 E 110.40 FT, S |
 24-40-34 E 147.32 FT TO A POINT OF CURVATURE OF A CURVE |
 CONCAVE TO THE W, HAVING A RADIUS OF 400 FT, THENCE FROM A |
 CHORD BEARING OF S 20-15-06 W RUN SW'LY ALONG THE ARC OF |
 SAID CURVE THRU A CENTRAL ANGLE OF 89-51-20 A DIST OF 627.31 |
 FT TO THE POINT OF TANGENCY, THENCE S 65-10-46 W A DIST OF |
 146.24 FT TO A POINT ON E'LY R/W LINE OF US HWY 27, THENCE N |
 24-49-14 W ALONG SAID E'LY R/W LINE 87.28 FT, N 22-26-06 W |
 ALONG SAID E'LY R/W LINE 12.73 FT, N 65-10-46 E 145.71 FT TO |
 A POINT OF CURVATURE OF A CURVE CONCAVE TO THE W, HAVING A |
 RADIUS OF 300 FT, THENCE FROM A CHORD BEARING N 20-15-06 E, |
 RUN N'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF |
 89-51-20 A DIST OF 470.48 FT, N 24-40-34 W 194.10 FT TO POB |
 FOR RD R/W |
 ORB 4018 PG 748 |

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		6.55	AC	\$0.00	\$775,520.00
	VACANT							

South Lake Connector LLC



October 29, 2015



County Boundary

Property Name



Surrounding Counties

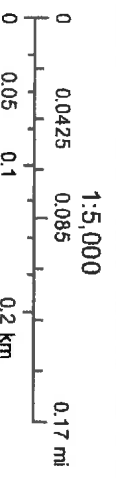
Street Names

Tax Parcels Alternate Key

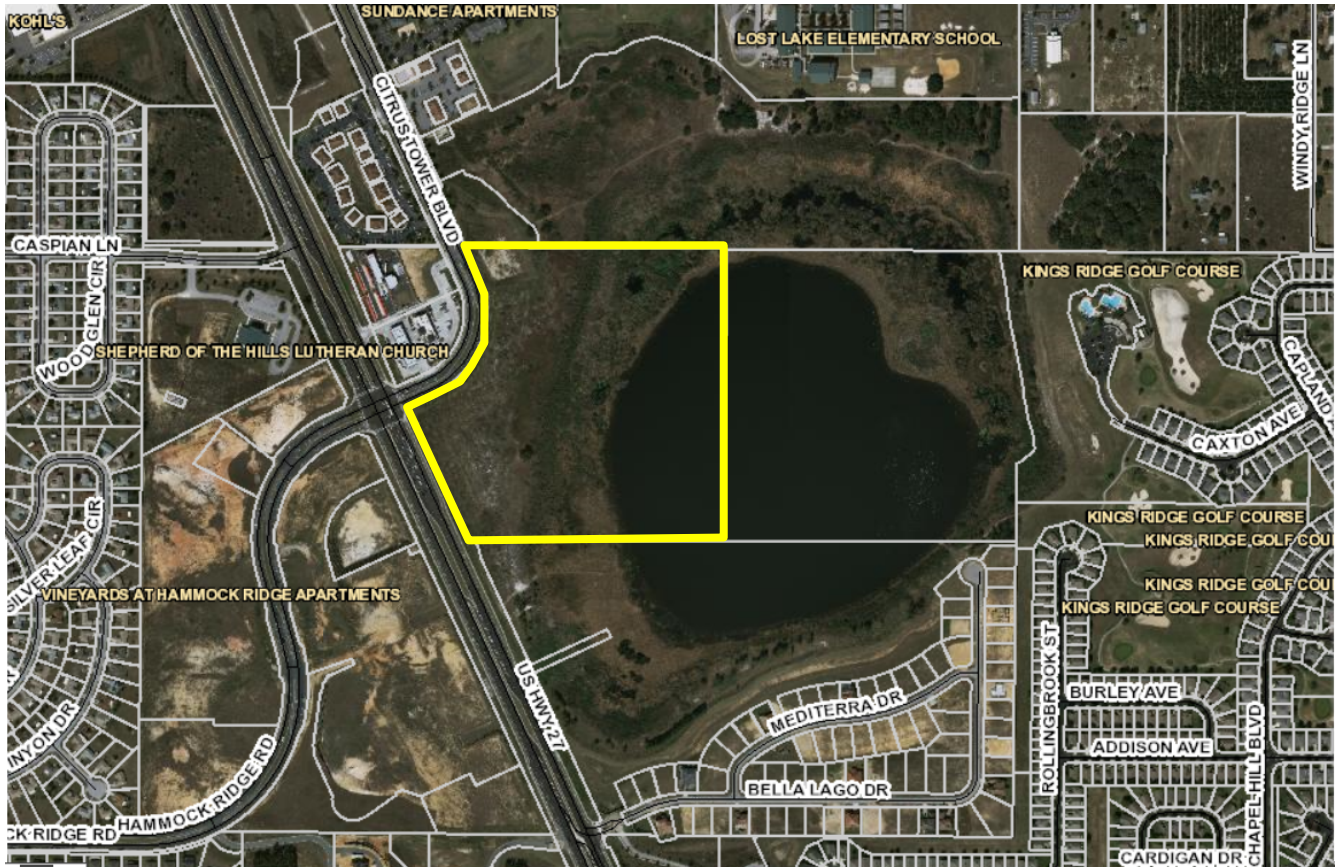
Local Streets



Tax Parcels



Location Map



LEGAL NOTICE

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

ORDINANCE NO. 2016-04

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, an effective date and publication.

LOCATION

(Alternate Key 1707307)

Southeast corner of Highway 27 and Citrus Tower Boulevard

LEGAL DESCRIPTION

North $\frac{1}{2}$ of northeast $\frac{1}{4}$ lying easterly of US Highway 27 and lying southeasterly of the following described road right-of-way: From northwest corner of northeast $\frac{1}{4}$ run south 89-36-07, east 1348.13 feet for point of beginning, continue north 89-36-07 east 110.40 feet, south 24-40-34 east 147.32 feet to a point of curvature of a curve. Concave to the west, having a radius of 400 feet, thence from a chord bearing of south 20-15-06 west run southwesterly along the arc of said curve thru a central angle of 89-51-20 a distance of 627.31 feet to the point of tangency, thence south 65-10-46 west a distance of 146.24 feet to a point on easterly right-of-way line of US Highway 27, thence north 24-49-14 west along said easterly right-of-way line 87.28 feet, north 22-26-06 west along said easterly right-of-way line 12.73 feet, north 65-10-46 east 145.71 feet to a point of curvature of a curve concave to the west, having a radius of 300 feet, thence from a chord bearing north 20-15-06 east run northerly along the arc of said curve thru a central angle of 89-51-20 a distance of 470.48 feet, north 24-40-34 west 194.10 feet to point of beginning for road right-of-way. ORG 4018 PG 748, Containing 37.29 acres more or less

FROM R-1 Single Family Medium Density Residential
TO C-1 Light Commercial

This request will be considered by the Planning & Zoning Commission on Tuesday, January 5, 2016 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, January 26, 2016 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, 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.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
December 29, 2015 and January 12, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, January 12, 2016	
Agenda Item Name	
Ordinance No. 2016-05 <i>Introduction</i>	
Requested Action	
Move to introduce Ordinance 2016-05.	
Staff Report	
This request is to annex the remaining portion of FDOT S.R. 50 rights-of-way from South Greater Hills Blvd. east to the Lake/Orange County line. This will provide for a jurisdictional change of the Right of way indicated in the ordinance. The last time Clermont annexed SR 50 Right of way was on January 24, 2012. Over the past year, Clermont has annexed a large majority of those properties that had Utility Service Agreements which included an encumbrance to annex. These properties extended to the Lake/Orange County line. The Right of way annexation will allow the City to better address reported crimes, traffic enforcement issues, and crashes on this currently unincorporated roadway. Code Enforcement will also be able to address City codes that involve snipe signs and parking on the Right of way. Staff had previously received correspondence from FDOT officials regarding annexation of S.R. 50 and they do not object to annexing those portions of SR 50. As with most all cities, growth and the increased traffic generated within the area require the City to respond accordingly to emergencies and enforcement of the codes. The City's Police Department has been placed in situations where, due to jurisdictional boundaries, officers have been unable to respond to traffic accidents even though they are the first on the scene. This requires the public, who are in many instances residents of the City, to wait for extended periods of time for law enforcement with jurisdictional authority to arrive at the scene. Additionally, the Police receive requests to conduct traffic enforcement on roads that are regularly used by our residents, but not within our City limits. City staff and the Police understand and are sympathetic to the Sheriff's Department and State Troopers staffing difficulty and are more than willing to assist within our future growth area. The annexations of the FDOT S.R. 50 Right of way include the adjacent retention ponds in order to eliminate the creation of any new enclaves. In accordance with Florida Statutes, the City cannot annex properties utilizing only Right of way to establish connection to the City, unless the City limits are actually across the street or adjacent to the existing City limits. The S.R. 50 right-of-way is within the City's JPA (Joint Planning Area) and the ISBA (Interlocal Service Boundary Agreement), and its annexation is consistent with the Goals, Objectives and Policies of the Comprehensive Plan.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance	Ord 2016-05 SR 50 annexation to LC line.doc
2.	Legal ad	ROW ANN legal ad_Edit.docx

CITY OF CLERMONT
ORDINANCE NO. 2016-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF STATE RIGHTS-OF-WAY BEING STATE ROAD 50 FROM EAST OF SOUTH GREATER HILLS BOULEVARD TO THE LAKE COUNTY LINE, TO INCLUDE STATE OWNED RETENTION PONDS ADJACENT TO THE RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING CONTIGUOUS TO THE CITY OF CLERMONT AND BEING ANNEXED IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; REDEFINING THE BOUNDARIES OF THE CITY OF CLERMONT TO INCLUDE SAID RIGHT-OF-WAY; PROVIDING FOR FINDINGS, LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF LAKE COUNTY, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR RECORDING, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Clermont desires to annex certain State Road right-of-ways; and

WHEREAS, the annexation of said right-of-way will allow for more efficient provision of police and fire services to current and future residents of Clermont; and

WHEREAS, the City of Clermont has informed the Florida Department of Transportation of its intentions to annex certain state road right-of-way; and

WHEREAS, the Florida Department of Transportation has not objected to the annexation of said right-of-way; and

WHEREAS, the City of Clermont has informed Lake County Planning, Public Works, and Sheriff's Department of the City of Clermont's intentions to annex said right-of-way; and

WHEREAS, the above referenced Lake County departments have expressed no objection to this annexation; and

WHEREAS, Staff has reviewed and subsequently recommended approval of the annexation of said right-of-way to the City Council of the City of Clermont and have accomplished all actions required under the Code of Ordinances of the City of Clermont; and

WHEREAS, the City Council has determined the right-of-way proposed to be annexed into the City of Clermont are contiguous to the corporate areas of the City of Clermont and that the right-of-way otherwise fully comply with the requirements of State law; and

CITY OF CLERMONT
ORDINANCE NO. 2016-05

WHEREAS, all procedural and notice requirements mandated by State law have been followed, and all requirements of the City of Clermont Land Development Code have been satisfied; and

WHEREAS, the City Council of the City of Clermont hereby determines that it is to the advantage of the City of Clermont and in the best interests of the citizens of the City of Clermont to annex the right-of-way described below; and

WHEREAS, the map displayed hereto as Exhibit "A" show, describe, and depict the right-of-way which is hereby annexed into the City of Clermont;

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

SECTION 1. Legislative Findings.

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Clermont.

SECTION 2. Annexation and Transfer of Jurisdiction.

The following described right-of-way lying within an unincorporated area of Lake County, is hereby annexed to the City of Clermont pursuant to Section 171.044, Florida Statutes (2005). The right-of-way to be annexed; as depicted in Exhibit "A ", and further described as follows:

All the State Road rights-of-way and state associated retention ponds, starting in Section 27, Township 22South, Range 26 East, running east from current Clermont city limits, also identified as being bounded on the West by the Eastern boundary of SR 50 as described in Official Record Book 4473 Page 2329, Public Records of Lake County, Fl; extending East through Sections 25 & 26, Township 22 South, Range 26 East and bounded on the East by the Lake County-Orange County line,

Containing 62.08 acres, more or less

SECTION 3. Effect of Annexation.

Upon this Ordinance becoming effective, the owner of the said right-of-way shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of the City 'of Clermont as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of the City of Clermont and the provisions of said Chapter 171, Florida Statutes.

CITY OF CLERMONT
ORDINANCE NO. 2016-05

SECTION 4. Administrative Actions.

Within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a certified copy of said Ordinance with the Clerk of the Court of Lake County, with the Chief Administrative Officer of Lake County, with the Florida Department of State, and with any additional agencies impacted by said annexation as required by Florida Statutes. This Ordinance shall be recorded in the public records of Lake County, Florida.

SECTION 5. Conflicts.

All Ordinances or part of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this Ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. Codification.

The provisions of this Ordinance shall not be codified, but the annexed right-of-way shall be incorporated and included in all appropriate maps of the City Limits of the City of Clermont by the City Manager, and the City Manager is hereby directed to take any and all appropriate actions relative to land use planning pertaining to the right-of-way annexed pursuant to this Ordinance.

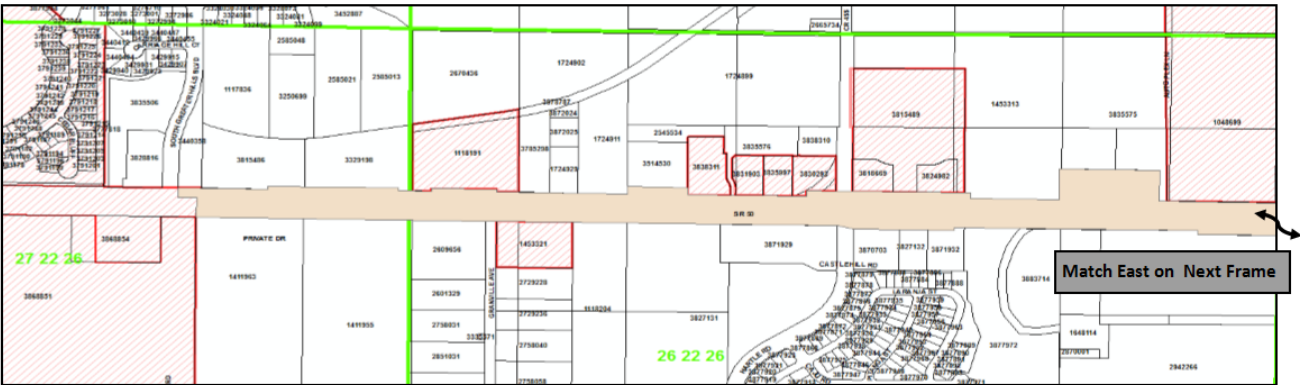
SECTION 8. Effective Date.

This ordinance shall take effect immediately upon its enactment.

CITY OF CLERMONT
ORDINANCE NO. 2016-05

Exhibit “A”

State Road 50 – Right-of-Way annexation



CITY OF CLERMONT
ORDINANCE NO. 2016-05

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on the 26th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday January 26, 2016 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2016-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF STATE RIGHTS-OF-WAY BEING STATE ROAD 50 FROM EAST OF SOUTH GREATER HILLS BOULEVARD TO THE LAKE COUNTY LINE, TO INCLUDE STATE OWNED RETENTION PONDS ADJACENT TO THE RIGHT-OF-WAY, SAID RIGHT-OF-WAY BEING CONTIGUOUS TO THE CITY OF CLERMONT AND BEING ANNEXED IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; REDEFINING THE BOUNDARIES OF THE CITY OF CLERMONT TO INCLUDE SAID RIGHT-OF-WAY; PROVIDING FOR FINDINGS, LEGAL DESCRIPTION AND A MAP; DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF LAKE COUNTY, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR RECORDING, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

LOCATION:

State Road 50 from east of South Greater Hills Boulevard to the Lake County line, to include
State owned retention ponds adjacent to the right-of-way.

LEGAL DESCRIPTION

All the State Road rights-of-way and state associated retention ponds, starting in Section 27, Township 22South, Range 26 East, running east from current Clermont city limits, also identified as being bounded on the West by the Eastern boundary of SR 50 as described in Official Record Book 4473 Page 2329, Public Records of Lake County, FL; extending East through Sections 25 & 26, Township 22 South, Range 26 East and bounded on the East by the Lake County~Orange County line,
Containing 62.08 acres, more or less

See Map Below

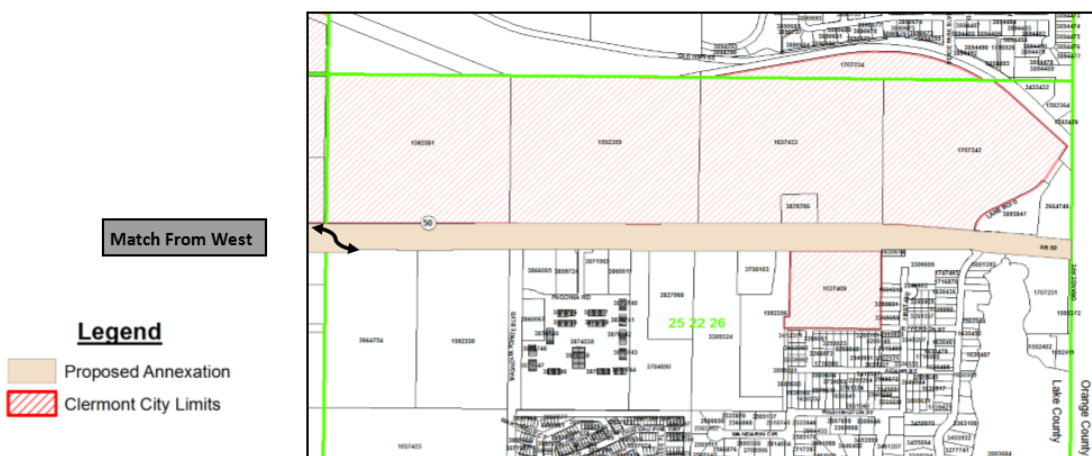
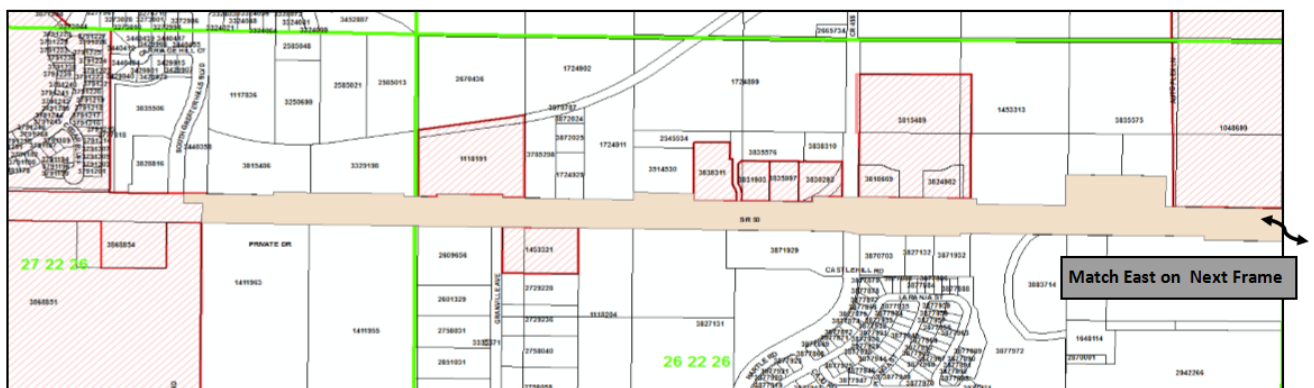
This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
January 5 & 12, 2016

Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 12, 2016		
Agenda Item Name		
Ordinance No. 2016-06 <i>Introduction</i>		
Requested Action		
Move to introduce Ordinance 2016-06.		
Staff Report		
This Land Development Code amendment to Section 62-39 Parking for Certain Purposes, includes a minor amendment to Article II, Sec. 62-39 (2) which clarifies that parking regulations must be adhered to. Upon annexation of the remaining portion of S.R. 50 from South Greater Hills Blvd. to the Lake/Orange County line, parking on the Right Of Way would not be permitted and various businesses will all have to comply with applicable laws, both local and State.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance Parking on ROW Ord 2016-06.doc		
2. Legal ad Parking on ROW AD.docx		

CITY OF CLERMONT

ORDINANCE No. 2016-06

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62 TRAFFIC AND VEHICLES, CREATING A NEW SECTION 62-39 PARKING FOR CERTAIN PURPOSES PROHIBITED; SALE OF MOTOR VEHICLES; PROHIBITED ACTS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on January 5, 2016 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to Amend Chapter 62 Traffic and vehicles, Creating a New Section 62-39 Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts; of the City of Clermont's Code of Ordinances; and

WHEREAS, the State of Florida has adopted under Florida Statutes Section 316.1951 Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts, effective July 1, 2010; and

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

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The City of Clermont Code of Ordinances is hereby amended to read as follows:

Chapter 62 TRAFFIC AND VEHICLES

Article II. Stopping, Standing and Parking

Section 62-39

Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts

CITY OF CLERMONT

ORDINANCE No. 2016-06

- (1) It is unlawful for any person to park a motor vehicle, as defined in Florida Statutes 320.01, upon a public street or highway, a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is in compliance with all municipal or county licensing regulations.
- (2) The provisions of Subsection (1) do not prohibit a person from parking his or her own motor vehicle ~~or his or her other personal property~~ on any private real property which the person owns or leases or on private real property which the person does not own or lease, but for which he or she obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental. Provided, however, that such parking of vehicles shall otherwise comply with all applicable laws, codes and regulations. All Clermont regulations for such parking must be adhered to.
- (3) Subsection (1) does not prohibit a licensed motor vehicle dealer from displaying for sale or offering for sale motor vehicles at locations other than the dealer's licensed location if the dealer has been issued a supplemental license for off-premises sales, as provided in Florida Statutes 320.27(5), and has complied with the requirements in Subsection (1). A vehicle displayed for sale by a licensed dealer at any location other than the dealer's licensed location is subject to immediate removal without warning.
- (4) A local government may adopt an ordinance to allow the towing of a motor vehicle parked in violation of this section. A law enforcement officer, compliance officer, code enforcement officer from any local government agency, or supervisor of the department may issue a citation and cause to be immediately removed at the owner's expense any motor vehicle found in violation of Subsection (1), except as provided in Subsections (2) and (3), or in violation of Subsection (5), Subsection (6), Subsection (7), or Subsection (8), and the owner shall be assessed a penalty as provided in Florida Statutes 318.18(21) by the government agency or authority that orders immediate removal of the motor vehicle. A motor vehicle removed under this Section shall not be released from an impound or towing and storage facility before a release form prescribed by the department has been completed verifying that the fine has been paid to the government agency or authority that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to Florida Statutes 713.78 before payment of the fine or before the release form has been completed.

CITY OF CLERMONT

ORDINANCE No. 2016-06

- (5) It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in Florida Statutes 319.33(1)(d). A vehicle found in violation of this Subsection is subject to immediate removal without warning.
- (6) It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to Florida Statutes 320.261. A vehicle found in violation of this Subsection is subject to immediate removal without warning.
- (7) It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in Florida Statutes 320.02. A vehicle found in violation of this Subsection is subject to immediate removal without warning. This Subsection does not apply to vehicles and recreational vehicles being offered for sale through motor vehicle auctions as defined in Florida Statutes 320.27(1)(c) 4.
- (8) A vehicle is subject to immediate removal without warning if it bears a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period.
- (9) Any other provision of law to the contrary notwithstanding, a violation of Subsection (1), Subsection (5), Subsection (6), Subsection (7), or Subsection (8) shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle and a fine as required by Florida Statutes 318.18.
- (10) This Section does not prohibit the governing body of a municipality or county, with respect to streets, highways, or other property under its jurisdiction, from regulating the parking of motor vehicles for any purpose.
- (11) A violation of this Section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, unless otherwise mandated by general law.

SECTION 3.

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

CITY OF CLERMONT
ORDINANCE No. 2016-06

SECTION 4.

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

SECTION 5.

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

SECTION 5.

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. 2016-06

4

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of January, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

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

ORDINANCE NO. 2016-06

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62 TRAFFIC AND VEHICLES, CREATING A NEW SECTION 62-39 PARKING FOR CERTAIN PURPOSES PROHIBITED; SALE OF MOTOR VEHICLES; PROHIBITED ACTS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Tuesday, January 5, 2016 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, January 26, 2016 at 6:30 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe
City Clerk, MMC

Daily Commercial
December 29, 2015 and January 12, 2016