



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, October 12, 2021**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be extended by the Mayor or by majority vote of the Council. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Metastatic Breast Cancer Awareness Day

Lights On Afterschool Day

PRESENTATIONS

Olympus and Wellness Way Update

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Minutes Approval

Consider the following City Council minutes: August 17 Workshop, August 18 Special Meeting, September 8 First Budget Public Hearing, September 10 Workshop and Special Meeting, September 14 Council Meeting and September 22 Final Budget Public Hearing.

Item No. 2 - Acceptance of Deed in Lieu of Foreclosure

Consider offer from property owner to deed property at 332/334 Palm Lane to City in exchange for release of code enforcement lien.

Item No. 3 - Employee Benefit Renewal and Changes

Consider Employee Group Medical and Dental Plan renewal and changes effective January 1, 2022 .

Item No. 4 - Single/Sole Source Purchase

Consider approval of a single/sole source purchase from National Fitness Campaign, LLC. to acquire a fitness court in the total budgeted amount of \$130,765.

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UNFINISHED BUSINESS

Item No. 5 - Boat Ramp and Jet Ski Update

Staff will provide an update on the boat ramp and jet ski operations.

NEW BUSINESS

Item No. 6 - Variance Request
1066 Nathan Ridge Road

Consider a variance request to allow a rear yard setback of 14 feet instead of the required 20 feet setback.

Item No. 7 - Lien Reduction Request

Consider lien reduction request for the Sanctuary Ridge Golf Course Pro Shop.

Item No. 8 - Clermont Downtown Partnership Request

Consider CDP request to hang decorative banners on street poles in the Downtown and Waterfront areas.

Item No. 9 - Ordinance No. 2021-024
*Introduction
The Vue*

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

Item No. 10 - Ordinance No. 2021-025
*Introduction
The Vue Rezoning*

Consider an amendment to Planned Unit Development Ord. 2017-24 on approximately 30 acres to allow multi-family units and include additional acreage with the workforce housing density bonus criteria.

Item No. 11 - Ordinance No. 2021-028
*Introduction
International Property Maintenance Codes*

Consider text amendment to Chapter 14, Code of Ordinances, to establish minimum requirements for maintenance of residential, commercial and industrial buildings and structures.

Item No. 12 - Ordinance No. 2021-030
*Introduction
Prince Edward Ave.*

Consider Rezoning from R-1- Single Family Medium Density to R-2- Medium Density Residential for a vacant parcel.

ADJOURN

Public Notice

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-

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religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Meeting agendas are available on the city website and are posted within the first floor of City Hall.

Should any person desire to appeal any decision of the City Council with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Office of the City Clerk at (352) 241-7331 (Voice) no later than two (2) business days prior to the proceeding or by contacting the City Clerk's Office at cityclerk@clermontfl.org. TTY users may call via 711 (Florida Relay Service) no later than two (2) business days prior to the proceeding.

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

PROCLAMATION

Whereas, Breast cancer is the most common type of cancer among women in the world, and second leading cause of cancer death among women in the United States. More than one in eight women and one in 833 men in the U.S. will be diagnosed with breast cancer in their lifetimes. In 2021, an estimated 284,200 Americans will be diagnosed; and

Whereas, The metastatic breast cancer awareness tri-color ribbon includes teal, pink and green: The teal color portrays healing and spirituality. Green represents the triumph of spring over winter, life over death, renewal, hope, and immortality and the thin pink overlay signifies that the cancer originated in the breast; and

Whereas, Metastatic breast cancer occurs when breast cancer spreads to other parts of the body, including the bones, lungs, liver and brain and has an average life expectancy of 26 months. An estimated 44,130 Americans, will die from breast cancer in 2021, equal to 115 women and men per day, with 98% due to metastatic breast cancer; and

Whereas, Metastatic breast cancer affects all races and socioeconomic classes. While, Caucasian women see slightly higher incidence rates of breast cancer, the mortality rate for Black women with breast cancer is 41 percent higher than that of Caucasian women, and breast cancer is the leading cause of cancer-related death for Hispanic women.

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the 13th Day of October, Two Thousand and Twenty One as:

METASTATIC BREAST CANCER AWARENESS DAY

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 12th Day of October in the year Two Thousand and Twenty One.

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

PROCLAMATION

Whereas, the Citizens of Clermont are firmly committed to quality afterschool programs and opportunities; and

Whereas, the Florida Afterschool Network has provided significant leadership throughout the pandemic to keep kids engaged in learning and meet the needs of families in our community, especially those who need extra support to catch up and accelerate their learning; and

Whereas, *Lights On Afterschool*, the national celebration of afterschool programs held this year on October 28, 2021, promotes the importance of quality afterschool programs in the lives of children, families and communities; and

Whereas, approximately 1.5 million children and youth in Florida are waiting right now for a spot in an afterschool program, many of whom have no place to go after school; and

Whereas, many afterschool programs across the state are facing funding and staffing shortfalls so severe that they are being forced to close their doors and turn off their lights; and

Whereas, the City of Clermont is committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in the global economy.

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the Day of October 28, Two Thousand and Twenty One as:

LIGHTS ON AFTERSCHOOL DAY

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 12th Day of October in the year Two Thousand and Twenty One.

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
CITY COUNCIL WORKSHOP
August 17, 2021

CALL TO ORDER

The City Council met in a workshop on Tuesday, August 17, 2021 in the Clermont City Council Chambers. Mayor Murry called the workshop to order at 6:30 pm with the following Council Members present: Council Members Pines, Entsuah, Bates, and Purvis.

Other City officials present were Parks & Recreation Director Scott Davidoff, City Attorney Mantzaris, and City Clerk Howe.

OPENING COMMENTS

Director Davidoff stated that the purpose of the workshop was due to the Council requesting additional information regarding the proposed Lincoln Park South Lake Alliance project. He informed the Council that Sharon Keys is present on behalf of the alliance to make a presentation and answer questions from the Council.

Lincoln Park South Lake Alliance Presentation

Ms. Sharon Keys, President, Lincoln Park South Lake Alliance, made a presentation to the Council via PowerPoint. The PowerPoint provided an overview of the project and highlighted the following items:

- Who the organization and the need for the project
- Potential reach of the project
- Phases of Implementation
- Letters of Support
- Model Programs
- Economic Impact
- Renovation Budget & Opportunity Cost
- Operations Budget
- Timeline & Funding Sources
- Organization Structure

Some key points that were made were:

- They are projecting that the facility will be fully occupied within 30 months.
- General contractors have walked the site, but a full inspection has not been done of the facility. Areas currently priced are based on market rates and what were visible during the initial walkthroughs. The buildings need renovations to electrical, plumbing, and HVAC, but the structure is sound.
- Goal is negotiate the lease so that the South Lake Alliance is not responsible for overhead of the buildings until the construction is complete and the buildings are occupied by tenants. They desire to avoid structured operating deficit.
- Funding will be made up of a combination of public, private, and grant contributions. Local government must participate for this project to move forward.
- Proposed the creation of a Community Redevelopment District, but not going into the Lincoln Park neighborhood.

Ms. Keys concluded her presentation by stating what the Alliance is seeking from the City of Clermont. They are seeking the following:

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1. A commitment to partner on the project.
2. For the City to perform or fund a comprehensive economic impact study on the project.
3. To approve the use of ARPA funds for the project.
4. To apply for the Lake County match for ARPA funds for the project.
5. To form a CRA for the Lincoln Park Neighborhood for economic development.
6. To provide resources to reduce the cost of overhead of the project.

Ms. Keys had several speakers within her presentation that spoke as listed below. The first speaker was Dr. Jerry Parrish who discussed potential economic impact of the project.

Dr. Jerry Parrish, Chief Economist, Florida Chamber Foundation – Dr. Parrish disclosed that he has no financial interest in the project and represents the Florida Chamber Foundation. He advocated for a full economic impact study to be done for the project. He stated that he is in favor of the project as a means to lift children and adults out of poverty. He informed the Council that in the 34711 zip code, there are 1,190 children under the age of 18 that are living in poverty; 615 children under 12.

Ms. Keys introduced Attorney Jimmy Crawford to talk about the use of ARPA funds.

Jimmy Crawford, Legal Representative, South Lake Alliance – Mr. Crawford stated that he was going to discuss the financing of the project. He is aware, after a conversation with the City Attorney that no decision can be made on the project at this meeting. Mr. Crawford stated that he believes that American Rescue Plan Act (ARPA) can be used towards the cost of the project at the City level.

Mr. Crawford stated that they had communicated with the City of Orlando and they stated that in their interpretation ARPA funds may be used for a community center. They are planning to use their funds to improve neighborhood centers and other social programs.

Mr. Crawford asked the Council for permission to work with City staff to determine if ARPA funds can be used for the project. If it turns out that they can be, the alliance will be asking for a portion of those funds.

Ms. Keys introduced County Commissioner Sean Parks to discuss the County's commitment.

Sean Parks, Lake County Commission Chairman – Supports the South Lake Alliance and the project. Mr. Parks informed the Council that the Lake County Commission voted by unanimous resolution to continue exploring and supporting the project. He personally supports a Public, Private, Philanthropic (P3) model. The County will be receiving approximately \$72,000,000 and believes that ARPA funds do qualify for the project. He is talking with Lake Technical College to see if there is opportunity to partner with them on this project for additional dollars.

Ms. Keys introduced Ms. Paula Hoisington to speak in support of the project.

Paula Hoisington, Board Member, South Lake Alliance – Spoke in support of the project. Ms. Hoisington gave examples of how programs help alleviate poverty. She asked that the City partner with the Alliance and make this project happen.

After the presentation, Mayor Murry opened the floor for public comments. Those that spoke in favor are listed below:

Chris Walker, 100 E. Minnehaha
Otis Taylor

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Cheryl O'Rourke, 20260 Hwy 27
Steve Smith, 1323 Briar Haven Lane, Clermont

Seeing no further comments, Mayor Murry closed the floor.

Council Member Bates stated that he recognizes the need for it. He wants to take some time to look through the booklet that was created and look at the numbers to get a better understanding. He wants staff to look into whether ARPA funds can be used for it.

Council Member Bates – there is a need for it. Want to look through this booklet and look at the numbers. Get a better understanding. Wants city staff to look into whether ARPA funds can be used for it. Asked for clarification on the boundaries of the proposed CRA.

Ms. Keys stated that the CRA boundary does not go into the Lincoln Park Neighborhood and ends at East Avenue.

Amerial Swart, South Lake Alliance – The purpose of the CRA is to fund both this project and other future projects for that area.

Council Member Entsuaah asked if the CRA would be an extension of the downtown or a new district entirely.

Ms. Swart stated that their intent is to have it be its own district that is specific to the Lincoln Park community.

Council Member Bates asked for clarification on the process to create a new CRA.

City Attorney Mantzaris informed the Council that the first step is to identify an area as blighted which requires the Council to make certain findings that the area is in need of some special assistance. There is a public hearing process. He cautioned the Council that creating a CRA does have negative impact of property values in the short term, but long term will restore or raise the value. The key is the redevelopment with the premise that over the years the value will go up.

Council Member Pines asked the boundaries were determined for the proposed district. Ms. Swart stated that she used previously depressed areas. A study would need to be done in order to determine the real boundaries.

Council Member Bates stated that he believes the City has no business doing this solo, so he likes the P3 concept. However, he is not sure the City has the money to invest in this project. He restated he does like the idea and wants to keep the conversation going.

Mayor Murry asked staff where they currently stand on the interpretation of use for ARPA funds.

City Attorney Mantzaris stated that the next meeting agenda has the agreement for ARPA funds. There has been a lot of discussion on the uses, staff has reviewed it and is not prepared to say the City can use these funds for this project. It has a provision that requires audits and if the audit determines that these funds were not used appropriately, the City has to repay those funds.

Director Davidoff clarified for the Council that no funds have been received to date.

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Council Member Purvis stated that he is a proponent of programs like this. He talked about the successfulness of these programs in Pennsylvania and how they staved off downturns in the culture and community. He felt that it was the cessation of funding for social programs that really hurt those communities. However, this is a lifetime commitment by the City and to make a commitment like this is very heavy because funding mechanisms change over time. He expressed where this program will be in 10 to 20 years from now. He asserted that the City cannot carry this project on their own. He is in support to further explore the partnership options. He thanked the alliance for the presentation and is onboard with the concept.

Council Member Entsuaah agreed with Council Member Purvis. He asked what that backup plan is if the ARPA funds do not come through. Ms. Keys stated that they are looking at grants, but no specific plan. She stated that they are seeking a grant writer to assist. The alliance has talked to the City of Orlando a lot who has showed them how to get funding. Council Member Entsuaah stated that he supports the project and wants the City to be a partner. He supports the City funding an economic impact study.

Council Member Pines has great concerns about the financial aspect of the project. The City does not have the funds to cover this cost. She does support the concept. She asked who will be running the partnership. Ms. Keys stated that they do not have a plan in place and that would need to be discussed.

Mr. Crawford stated that they are asking the Council to direct staff to work with the alliance to submit the proposal to the state to see if it is approved for ARPA funds use.

Council Member Entsuaah asked if the City and County could ask for a state appropriations for this request. Director Davidoff stated that staff could look at the option and utilize the City's contracted grant writers to look at the various state programs. City Attorney Mantzaris asked for clarification on if Council Member Entsuaah was asking for what Director Davidoff referenced or a direct appropriation through their legislative representative. Council Member Entsuaah stated that he is not asking for anything right now. City Attorney Mantzaris informed the Council that if they are going to seek a legislative appropriation they need to submit it soon.

Commissioner Parks supported the legislative appropriation idea and said the County is formulating its list of priorities now and that the County could work together with the City to pursue it as an option. The County is able to use their ARPA money for job training.

Council Member Purvis supported this plan and asked what the next steps were to partner with the County. City Attorney Mantzaris replied that the Council give legislative priorities to the lobbyist and it does not need to be on an agenda. He reminded the Council that if they wish to pursue this funding mechanism they need the state representatives on board to get traction.

Mayor Murry expressed concerns with a partnership form of governance. He is concerned about who will lead the partnership. Mayor Murry pointed out to the Council that after 10 years or so, he expects this community center to make a profit. He suggested that the City be the leader on this project and asked the City Attorney if that would be an issue.

City Attorney Mantzaris stated that at a very high level, there should not be an issue for this if it is for the public purpose.

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Council Member Purvis stated his position that he would never support the City being the leader on this project as he believes it strays too far from the City's scope of services. He strongly supports the project and supports the City assisting with programs, but believes the City needs to help others step up and not be the crutch that others rely on.

Mayor Murry stated that it is the responsibility of a City to run the community center.

Council Member Pines stated that if the City were to take the lead, it would require a significant increase in the budget and asked where that money would come from.

Council Member Bates agreed with Council Member Purvis that taking over the project is too far from the City's scope at this time. He still supports the City being a partner though.

Mayor Murry agreed that the budget would need to be increased for the City, but still stated his support of the City taking on more of a leadership role. He acknowledged that it seemed the rest of Council does not support his position. He stated that the City provides virtually no services for its residents and it is time for the City to step up.

Council Member Purvis stated that the City can provide the services tomorrow by providing funding, in conjunction with the County, to place people on a bus to transport them to nearby areas such as Tavares that already have these types of programs.

Council Member Pines agreed that the City should not be involved in staffing the facility or day-to-day operations. She reminded the Council that they just voted to not increase the millage rate, but when an organization is looking to add an additional facility, they have to seriously consider increasing taxes.

Council Member Entsuaah stated that before anybody moves forward, some of these details that the City Attorney mentioned need to be worked out.

Council Member Pines asked about the provided agreement. City Attorney Mantzaris stated that the provided MOU needs significant work, and staff needs direction from the Council as to whether they want staff to engage with the school board. He stated the draft agreements he has seen do include 10 year agreement reviews.

Mayor Murry asked if there was consensus of the Council for staff to work with the school board and Mr. Crawford on the agreement.

Council Member Purvis asked what the expense is for City staff to pursue this. Director Davidoff responded that it is hard to pin down as there are so many moving parts of the overall project.

The Council decided that staff should not put any effort into the agreements until such time as the ARPA funds usability is determined. Once the funds usability is determined, staff should make a report back to the Council and let the Council decide if more staff time should be allocated.

Director Davidoff asked for clarification on what staff would be looking into and listed off several items that had been discussed during the workshop. The Council said that staff needs to focus on use of ARPA funds; all the other items are premature.

City Attorney Mantzaris informed the Council that if they are interested in pursuing grants or funding from the state, an economic impact study would be helpful. It could be done jointly with the County.

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The Council agreed to move forward with the economic impact study due to the timelines for making requests of the state.

Commissioner Parks said they were willing to participate, especially in terms of the jobs training component.

Ms. Keys thanked the Council for their time and interest.

Director Davidoff asked for clarification from the Council if they wanted staff to move forward with the MOU with the school board. The Mayor and the Council stated that the negotiation of the MOU should fall to whoever is leading the partnership.

City Attorney Mantzaris explained that the MOU is nothing more than an agreement; if the Council decided to move forward with the partnership, the City Attorney's Office will recommend a firm contract tied to performance. When the Council is ready, they will work with Mr. Crawford and the school board. As to who would sign the agreement, it is undetermined at this time.

CLOSING COMMENTS

Mayor Murry asked if there were any closing comments by the Council or city staff. No additional comments were offered.

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ADJOURN: With no further comments, this workshop adjourned at 8:08 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
SPECIAL COUNCIL MEETING
August 18, 2021

The Clermont City Council met at a special meeting on Wednesday, August 18, 2021, in the Clermont City Council Chambers. Mayor Murry opened the meeting at 6:30pm with the following Council Members present: Purvis, Pines, Entsuah. Council Member Bates participated via a conference call line and made comments through the City Clerk staff.

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

Opening Comments

Mayor Murry provided an opening statement regarding how the meeting will proceed.

Agenda

Evaluation of City Manager Candidates and Possible Action

Interim City Manager Dauderis introduced Doug Thomas with SGR Consulting who was appearing to the Council via Zoom conferencing.

Doug Thomas, SGR Consulting – Mr. Thomas explained that the meeting would focus on the next step in the process for selecting a City Manager. The semi-finalists, as selected by the Council, were asked to complete detailed responses to a questionnaire in addition to video recording four (4) responses to interview questions, so the Council could get a sense of how the applicants present themselves. He did remind the Council that candidates also present themselves differently in person, so to keep that in mind. The goal is to narrow the list to three to five individuals and then conduct on site interviews. He informed the Council that one candidate, Jerome Fletcher, has removed himself from consideration as he is moving forward with a position in North Port, FL. He also informed the Council that Jeff Brown withdrew himself from the process.

Doug reviewed the list of semi-finalists and informed the Council that in order to narrow the field, he will go through each candidate and asked each Council Member to rank them from 1 to 3, with 1 being “Favored” and 3 being “Not Favored”. The Council discussed each candidate with Mr. Thomas and graded them as follows:

Tab 1 – Aaron Baker

Mayor Murry	3
Council Member Bates	2
Council Member Purvis	3
Council Member Entsuah	3
Council Member Pines	2
Scored Rank:	13

Tab 3 – Brian Bulthuis

Mayor Murry	2
Council Member Bates	3
Council Member Purvis	2
Council Member Entsuah	1
Council Member Pines	1

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Scored Rank: 9

Tab 4 – Daniel (Dan) Matthys

Mayor Murry	2
Council Member Bates	1
Council Member Purvis	3
Council Member Entsuah	2
Council Member Pines	3

Scored Rank: 11

Tab 5 – Emily Colon

Mayor Murry	2
Council Member Bates	3
Council Member Purvis	2
Council Member Entsuah	3
Council Member Pines	3

Scored Rank: 13

Tab 6 – George Korthauer

Mayor Murry	1
Council Member Bates	2
Council Member Purvis	2
Council Member Entsuah	2
Council Member Pines	2

Scored Rank: 9

Tab 7 – Jeffery (Jeff) Eder

Mayor Murry	2
Council Member Bates	1
Council Member Purvis	3
Council Member Entsuah	2
Council Member Pines	2

Scored Rank: 10

Tab 9 – Joseph (Joe) Lessard

Mayor Murry	2
Council Member Bates	2
Council Member Purvis	3
Council Member Entsuah	2
Council Member Pines	3

Scored Rank: 12

Tab 10 – Lee Staab

Mayor Murry	1
Council Member Bates	1
Council Member Purvis	1
Council Member Entsuah	2
Council Member Pines	3

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Scored Rank: 8

Tab 11 – Shawn Hennessee

Mayor Murry	1
Council Member Bates	1
Council Member Purvis	2
Council Member Entsuah	2
Council Member Pines	1

Scored Rank: 7

Tab 12 – Thomas (Tom) Hutka

Mayor Murry	2
Council Member Bates	2
Council Member Purvis	3
Council Member Entsuah	2
Council Member Pines	2

Scored Rank: 11

Mr. Thomas tallied the vote totals and announced that due to low scores, they would be removing Aaron Baker, Emily Colon, and Joseph Lessard from further consideration. The Council discussed whether they should invite 4 or 5 candidates for an interview. Mr. Thomas recommended that the Council invite five (5) candidates in case one drops out.

After discussion of the remaining candidates, the Council decided to remove Jeff Eder and Tom Hutka from further consideration. The Council also discussed Dan Matthys and determined that they would like to interview him as a candidate.

Council Member Pines asked for the Council to discuss Lee Staab as she has concerns. Council Member Purvis also expressed concerns. Mayor Murry stated that this is his number one pick and believes he has a tremendous background. The Council decided to invite him as a candidate. Mr. Thomas informed the Council that Lee Staab is a finalist in two other cities as well.

Mr. Thomas reviewed the five candidates selected by Council who are: Shawn Hennessee, Lee Staab, George Korthauer, Brian Bulhuis, and Daniel Matthys.

Mr. Thomas informed the Council that moving forward they would notify the candidates and release those that did not make the cut. For the finalists, they would conduct background and reference checks and a stage 2 media search. If the Council desires, they can submit additional questionnaires and a DiSC assessment which would build a profile for the Council to compare the candidates. The finalists will be asked to prepare a first year game plan which will be a written response on how they will approach the position in their first year. The finalists will also be requested to prepare a 10 minute presentation about a number of different topics.

Mr. Thomas informed the Council that this would be a two (2) day interview process with the first day welcoming breakfast and then engaging in one on one sessions between each Council Member and the candidate. The second day would incorporate employee meet and greets with an overall review.

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Council Member Bates and Purvis expressed hesitation at the length of the two day process. Council Member Entsuah asked if the deliberation could be scheduled a different day. Mr. Thomas explained that the schedule is stacked partially because the deliberative sessions have to advertised and noticed as special meetings.

He asked the Council if they would like the finalists to do a DiSCO assessment to create a profile. The Council agreed that they did not want the candidates to do the assessment.

For the PowerPoint presentation, the Council stated they would like the finalists to address the following topics:

- First year game plan
- Top three (3) expected challenges

The Council discussed Jermone Fletcher again. They directed Mr. Thomas to bump Dan Matthys from the top 5 finalists, if Jerome Fletcher became available to interview.

Mayor Murry opened the floor for comments from the public.

Dani Page, Tuscany Ridge – Asked about the 90 minute meet and greet and expressed concerns about the timing and format.

Seeing no further comments, Mayor Murry closed the floor.

The Council discussed different methods for promoting the meet and greet. Mr. Thomas suggested that the City make efforts to invite the public and other stakeholders.

The Council discussed the travel of candidate's spouses and agreed to cover the costs of the spouse.

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Adjourn: The meeting concluded at 8:25 pm with no further comments.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
FIRST BUDGET PUBLIC HEARING
SEPTEMBER 8, 2021

CALL TO ORDER

The City Council met in a Special Meeting on Wednesday, September 8, 2021 at City Hall. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Bates, Purvis, Entsuah, and Pines.

Other City officials present were Acting City Manager Davidoff, City Attorney Mantzaris and City Clerk Howe.

OPENING COMMENTS

Acting City Manager Davidoff informed the Council that this meeting was the first of two public hearings to adopt a millage rate and budget for Fiscal Year 2021-2022. The purpose of this meeting is to present to the public the recommended budget, including a proposed millage rate and the roll back rate. In the tentative budget, the General Fund is based on 4.2061 millage rate for the seventh consecutive year. Even though the millage rate is remaining the same, it will generate additional dollars in ad valorem revenue due to an increase in property values and net new construction that occurred in the City. There is an overall budget decrease of 4.7% from the current year budget due to the completion of the master plan and utility projects. There is an increase of approximately 11% in the General Fund budget due to an increase in state shared revenues. The General Fund is budgeted and balanced using both operating revenues and reserve dollars. The City's Enterprise Funds are financially sound.

The proposed reserves for the General Fund will meet the required 25% according to the reserves policy.

NEW BUSINESS

Item No. 1 – Resolution No. 2021-045R – *Tentative FY 2022 Ad Valorem Millage Rate*

A RESOLUTION OF THE CITY OF CLERMONT OF LAKE COUNTY,
FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM
TAXES FOR FISCAL YEAR 2021-2022; PROVIDING FOR COLLECTION OF
TAXES; PROVIDING FOR AN EFFECTIVE DATE.

This agenda item was discussed concurrently with the following item.

Item No. 2 – Resolution No. 2021-046R – *Tentative FY 2022 Budget*

A RESOLUTION OF THE CITY OF CLERMONT OF LAKE COUNTY,
FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE 2021-2022
FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Howe read into the record Resolution No. 2021-045R in its entirety and Resolution No. 2021-046R by title only.

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FIRST BUDGET PUBLIC HEARING
SEPTEMBER 8, 2021

Finance Director Brosonski presented a PowerPoint presentation as an overview of the Fiscal Year 2022 tentative ad valorem millage rate and budget. The total budget is \$155,900,000 which is more than the current year budget, however the citywide tentative budget decrease is primarily due to the completion of the master plan and utility projects in Fiscal Year 2021. Citywide reserves at the end of Fiscal Year 2022 are projected to be \$52,800,000 more than current year ending reserves.

The City's reserves policy, Resolution No. 2020-53R, requires reserves be at least 25% of operating expenditures unless an unforeseen loss of revenue, such as the Covid-19 pandemic, requires the Council to dip below 25%. The Fiscal Year 2022 budget will meet the 25% requirement.

Director Brosonski also reviewed new positions, property tax revenues, and millage rate history for the City.

Based off of comments from the City Council from the prior meeting, the Finance team has determined that the cost of an additional Code Enforcement Officer with a 10/1 start date would be approximately \$96,600.

Director Brosonski concluded her presentation by informing the Council that the public hearing to adopt final millage rate and budget is scheduled for Wednesday, September 22, 2021 at 6:30pm in the Council Chambers.

Mayor Murry opened the floor for comments from the public; seeing none the floor was closed.

Council Member Bates asked about the code enforcement officer and whether it was in the budget. Acting City Manager Davidoff informed the Council that the \$96,600 is not in the tentative budget, and if the Council wants to move forward, staff would find a way to fit it in.

He also informed them that there is a small surplus in the tentative budget and surplus in the reserves fund with the two amounts totaling \$81,000. This would fund a position starting in February. He reminded the Council that the City has a new code officer that just started.

Council Member Purvis stated that the City needs more code officers. He reminded them that the City is continuing to grow, and while he does not like to make last minute changes, he does support adding another code officer to be paid as outlined by Acting City Manager Davidoff.

Mayor Murry stated that he would like to see the position start before February. Acting City Manager Davidoff stated that the February date was based off of available funding, but he would discuss with the Finance Director to see if they can find additional funds. Staff will return with a plan for the final budget public hearing.

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MOTION TO APPROVE the tentative millage rate of 4.2061 for FY2022 contained in Resolution No. 2021-045R made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

MOTION TO APPROVE the tentative budget for FY2022 contained in Resolution No. 2021-046R made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

CLOSING COMMENTS

Acting City Manager Davidoff reminded the Council of the upcoming meetings for the City Manager recruitment as well as the 9/11 ceremony scheduled for Saturday.

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ADJOURN: With no further comments, this meeting adjourned at 6:47 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
COUNCIL WORKSHOP
September 10, 2021

The Clermont City Council met at a workshop on Friday, September 10, 2021, in the Clermont City Council Chambers. Mayor Murry opened the meeting at 8:08am with the following Council Members present: Bates, Purvis, Pines, Entsuh.

Other City officials present were Acting City Manager Davidoff, City Attorney Mantzaris and City Clerk Howe.

Opening Comments

Doug Thomas, SGR Consulting, provided an overview of the interview process where candidates would provide a presentation of their first year game plan and then engage the Council with a question and answer portion. He requested that the Council ask a series of questions. He informed the Council that his team is finalizing reference checks and hope to have it all done today. Thus far none of the candidates have raised any red flags or reason to a pause their candidacy. As soon as they complete their review, they will turn over the documents to Human Resources for records retention purposes.

The Council recessed at 8:52am

The Council resumed the workshop at 9:03am without the presence of Council Member Pines.

Candidate George Korthauer provided his presentation for a first year game plan followed by questions and answers by the Council.

Council Member Pines returned to the workshop during the question and answer portion of Mr. Korthauer's interview.

Council Member Bates asked how Mr. Korthauer generates enthusiasm for a project and/or staff. Mr. Korthauer provided an example of the Lake Michigan Waterfront project in his former position.

Council Member Bates asked about a time Mr. Korthauer had to deal with a difficult citizen or business owner. Mr. Korthauer responded that the key is patience and hearing people out. He stated that sometimes people just want to be heard.

Council Member Pines asked how Mr. Korthauer would handle having a number of bosses. Mr. Korthauer responded that his former Council was composed of seven (7) individuals, so he does not foresee an issue.

Mayor Murry stated that the City of Clermont is booming with development and citizens have raised concerns about infrastructure. Mr. Korthauer stated that he has extensive experience with managing utilities and has been a part of growing communities. He formerly managed an 1,100 acre site that also contained a cement plant.

Council Member Purvis asked if as a City Manager, Mr. Korthauer would be involved in the decision making process of his directors or if he would allow directors to do their own thing with oversight by the City Manager.

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Mr. Korthauer stated that he prefers the latter option, stated that folks will become aware of his expectations, and he will foster a culture of responsibility. He wants to support directors and not create more work for them.

The Council thanked Mr. Korthauer for being part of this process.

The Council workshop recessed at 10:08am.

The Council workshop resumed at 10:30am.

Doug Thomas introduced Dan Matthys as the next candidate.

Mr. Matthys provided an opening statement to the Council stating that he is a resident of Clermont, and has raised his family here. He is a certified planner and CPM. In his career, he has worked for three (3) counties and two (2) cities. He also helped to design the Town of Celebration for The Disney Corporation. He is currently employed by the City of Maitland. Mr. Matthys then presented his presentation via PowerPoint for the Council on his first year game plan.

Council Member Purvis congratulated Mr. Matthys on an informative and visually pleasing presentation. Mr. Matthys responded that he has to give a lot of presentations and sometimes you have to sell a story in order to get the point across.

Council Member Bates asked how Mr. Matthys handles disagreements amongst his staff. Mr. Matthys stated that he builds an environment of trust with the people he works with and oversees. One of these ways is to have bi-weekly lunch and learns.

Council Member Bates asked how Mr. Matthys handles a disgruntled citizen or business owner. Mr. Matthys stated that his goal is to provide superior customer service because every citizen of the City deserves to have a good experience when they interact with the City. He treats all people with respect and wants to hear their issues. He continued that he has a very open-door policy. He is not afraid to work nights and weekends. He believes in disruptive leadership that resolves issues. He does not want things to linger.

Council Member Pines asked what challenges Mr. Matthys sees if he would take over as City Manager. Mr. Matthys replied that he sees developers and working with a new staff as his main obstacles.

Council Member Entsuh asked since Mr. Matthys is the only candidate with no City Manager experience, what makes him a stronger candidate. Mr. Matthys stated that even though he may not have the experience, he has the skill set for a City Manager. He is a local resident and knows the people and the community. He drives these roads daily and understands the short and long-term issues that Clermont is going through.

Mayor Murry asked Mr. Matthys to describe a situation which he felt disrespected and how he handled it. Mr. Matthys stated that there are local developers that personally he has little respect for and are simply unethical; they go around cheating the systems. However, professionally, he treats everybody equal; every developer is treated with respect.

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He will have his guard up so the interests of the city are best represented. He continued that it is about building relationships based on respect.

Mayor Murry asked Mr. Matthys how he motivates others to achieve goals. Mr. Matthys stated that he motivates others by building them up, getting them cross trained and getting buy in.

Council Member Purvis asked Mr. Matthys to give an overview of public safety and how he would manage Police and Fire. Mr. Matthys stated that law enforcement and public safety are the cornerstone of any community. It is of the utmost importance to the resident to make sure both of these departments have the resources to do their jobs. His management would be based on having a good rapport with the chiefs of those departments.

Mayor Murry asked Mr. Matthys to explain his approach when explaining a complex document and how he would help the Council achieve a level of understanding. Mr. Matthys replied that communication is important, especially with the Council. As City Manager, it is his responsibility to deliver a message in a timely and accurate manner. He would work with each Council Member to break the document down and develop several different ways to explain it.

Council Member Purvis asked how Maitland handled an increase demand for parking in their downtown. Mr. Matthys replied that they had to get creative. They adjusted parking standards for the minimum and maximum parking allotments. They also keep an up-to-date public parking inventory.

The Council asked Mr. Matthys if he had any questions for them.

Mr. Matthys asked about how previous City Managers ran the office. Council Member Purvis responded that Wayne Saunders was a hands on micromanager and Darren Gray allowed staff to run their departments. He complimented Wayne Saunders saying he had a vision for the City long term. Council Member Entsuah added that Darren Gray was politically savvy and was great at building relationships. Mayor Murry added that Wayne Saunders was scared of debt, which was a benefit for the City because everything was paid for and there was always a source of funding in place. Darren Gray took the City in a different direction, but was very solution oriented.

The Council made it clear that they are not looking to replace Darren Gray, but are looking for someone to lead Clermont's evolution and provide the Council the opportunity to take Clermont to the next level.

Mr. Matthys asked what the number one goal or need is that needs to be addressed if he takes over as City Manager. Council Member Bates stated that it is getting people in key positions; there is a lot of vacancies and interims currently. Council Member Pines replied that the comprehensive plan update and the code update are her needs. Council Member Purvis stated that he sees the need to restart the conversation with the County on roads and infrastructure; there are many traffic issues in Clermont. Mayor Murry stated that he would like to see a new master plan put in place for the next 10 years, and he also wants to see more activity in the youth of the community.

The Council recessed the workshop at 12:05pm.

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The Council resumed the workshop at 1:12pm.

Doug Thomas introduced Brian Bulthuis as the next candidate.

Mr. Bulthuis introduced himself. He is from Acworth, Georgia where he served as City Manager for 25 years. He is looking for his next challenge, he was not quitting Acworth, but looking to move on. Mr. Bulthuis made his presentation via PowerPoint and covered his first year game plan. He spoke about building relationships and creating a quality of life based on teamwork.

Mayor Murry congratulated Mr. Bulthuis on a great presentation. He stated that Clermont is home, and what makes the City special is its people.

Council Member Bates asked Mr. Bulthuis how he motivates staff about a project. Mr. Bulthuis gave an example of a train track that was raised too high. Ultimately, they decided to build a bridge in the center of town and now people take pictures with it.

Council Member Bates asked Mr. Bulthuis how he handled a situation or project where senior staff disagreed. Mr. Bulthuis gave an example of dealing with health insurance. His approach was to lay out all the options and listen to what everyone has to say.

Council Member Bates asked Mr. Bulthuis how he handles an upset citizen or business owner. Mr. Bulthuis gave an example of road projects and acquiring right-of-way. It is a matter of letting people be heard and letting them vent. You try to accommodate where you can, but ultimately it is a decision of Council.

Council Member Pines asked how he would find financing for projects. Mr. Bulthuis stated that in his previous position, they used a combination of local option sales tax and debt bonds.

Council Member Entsuh asked Mr. Bulthuis how he would handle making a decision that he did not want to make. Mr. Bulthuis stated that he has to make hard decisions all the time. He asks himself "Is this for the good of the community?" He informed the Council that he has had to tell good people no, if the ask does not benefit the community. He added the he is not one to linger on a decision, once the decision is made, he moves on.

Council Member Purvis asked Mr. Bulthuis to describe his management style. Mr. Bulthuis stated that he loves to work with people. He is a direction setter, but he wants to talk to directors to know what is going on. He favors letting director's move forward to accomplish the priorities he has set without being too hands on. He added that it is important to note that he is there to support the departments. He will be scheduling weekly staff meetings. The City needs to operate as a team as they are all in this together; there is no mine, there is only us.

Mayor Murry asked Mr. Bulthuis how he motivates and inspires others. Mr. Bulthuis responded that he establishes goals and communicates with people. He celebrates the accomplishments of the city.

Mayor Murry asked Mr. Bulthuis how he feels on recognition programs such as the one the police department uses to recognize officers.

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Mr. Bulthuis stated that every department is different, and he has seen programs work and not work. He wants to make sure that those that deserve it, get a sincere thank you.

Mayor Murry stated that Mr. Bulthuis had mentioned Wellness Way in his presentation, and asked what experience he has with utility infrastructure and management. Mr. Bulthuis responded that it's important to sit down with the developers and figure out who is doing what with regards to infrastructure. His personal experience is with power due to them having an electric utility in Acworth and the County provided other utilities.

Council Member Purvis asked Mr. Bulthuis to state his overall perception of public safety. Mr. Bulthuis responded that when people look at a community, they look first at schools and then at public safety. Public Safety is extremely important and need to be given all the resources they require. He knows that Clermont has the top ISO rating and an accredited Police Department said that is because the City funds all the equipment requested.

Council Member Entsuaah asked how long Mr. Bulthuis would see himself serving as City Manager. Mr. Bulthuis stated that he has fallen in love with the community and its people. He is looking for a growing, thriving community that he can become a part of where he can volunteer and ingrain himself.

Council Member Pines asked Mr. Bulthuis to state his position on successful financial operations for a city. Mr. Bulthuis responded that he is a very conservative budgeter. At the end of the year, he would rather return money to the Council than tell them they are short.

Mayor Murry asked for Mr. Bulthuis to explain his philosophy on spending at the end of the fiscal year for departments that have extra funds. Mr. Bulthuis responded that he has an expectation for department heads that budgeted projects get done on schedule and in budget. It causes him great frustration if Council allocates funds and a project does not get completed. If departments have extra funds he will work with the Finance Department to take away extra funds from the departments at the end of the year.

The Council concluded their questions and asked Mr. Bulthuis if he has any questions for them.

Mr. Bulthuis asked the Council what makes Clermont special to them. Council Member Bates stated it is the hills and the lakes, Clermont is unlike any other area of Florida. Council Member Purvis stated that for him it is quality of life. Council Member Entsuaah stated that it is the sense of community. Council Member Pines stated that it is the topography that makes Clermont special and the amount of charitable organizations. Mayor Murry stated the beauty of the community and the love of the people.

Mr. Bulthuis asked what the Council is looking for in the next City Manager. Council Member Bates stated they are looking for stability as staff morale is low. They need a leader able to give direction and who has knowledge of local government. Council Member Purvis stated that he is looking for someone with strong leadership and who can unify the staff to achieve an end goal. Council Member Pines stated that she is looking for a leader and not a yes person; someone to provide the Council with information necessary and not be afraid of their reaction.

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Council Member Entsuaah stated that he is looking for someone stable and consistent who is able to read a room. Mayor Murry stated he is looking for a leader who can raise morale and not be a yes person.

Mr. Bulthuis asked the Council if they are prepared to reevaluate a project if the new City Manager disagrees with its importance or priority. Council Member Bates stated that he is open to the new ideas and Council Member Pines echoed the sentiment.

Council Member Purvis asked what Mr. Bulthuis would do if he wanted to make a change and the Council opposed the change. Mr. Bulthuis stated that he understands that he is the recommending individual and the Council makes the decision. His goal is to present the options that are best for the City, he hates when things are done simply because they have always been done that way.

Mr. Bulthuis stated he had a great time with staff yesterday. They are excited to get this process finished. They respect the Council. He thanked the Council for the consideration.

The Council workshop recessed at 2:39pm.

The Council workshop reconvened at 3:01pm.

Mayor Murry introduced Shawn Hennessee as the final candidate for consideration.

Mr. Hennessee thanked the Council for inviting him to be part of the process. He provided a brief overview of his work history and proceeded into his presentation which was made by PowerPoint and covered his first year game plan.

Council Member Bates asked for Mr. Hennessee to explain how he generates enthusiasm among staff. Mr. Hennessee stated that his is a strong proponent of technology. He would implement a lot of technological updates to assist staff in completing their tasks. He gave an example of records and how using technology they developed an electronic filing system.

Council Member Bates asked how Mr. Hennessee handled a project where staff disagreed. Mr. Hennessee stated that when implementing technology updates, a lot of staff were resistant to the change, but patience was key and once they saw the value of OCR'd documents, staff came around.

Council Member Bates asked how he would handle an issue before it blew up. Mr. Hennessee responded that there are always going to be personality conflicts. His goal is to try to stay ahead of them and diffuse situations before they escalate.

Council Member Pines asked how Mr. Hennessee would handle a situation where he had to oppose senior staff. Mr. Hennessee gave an example of a massive development he had to lead. The Council wanted it to be a top priority, but staff was opposed for a wide variety of reasons including traffic. He encouraged directors to express their concerns and tried to strike a balance between addressing issues raised and moving the project forward as the Council had desired.

Council Member Entsuaah asked Mr. Hennessee to explain a complex document.

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Mr. Henessee stated that he has a legal background which is valuable, so he would be able to understand most documents and interpret them for Council Members.

Council Member Entsuaah asked what Mr. Henessee considers to be the single biggest asset to economic development. Mr. Henessee replied that it's not easy to answer as there are several items that it could be such as Clermont's proximity to a large metro area. Schools and higher education opportunities are also important; especially vocational training. The City would need to focus on new strengths in order to move into the future.

Council Member Purvis stated that in his presentation and answers so far, Mr. Henessee has mentioned many altruistic ideas, he asked how Mr. Henessee would fund them. Mr. Henessee replied that typically the city has been fiscally conservative, and while it is not normally a direct function of a city, he believes that the funding and lines of communication should be open to support these types of programs.

Mayor Murry asked how Mr. Henessee would motivate staff. Mr. Henessee stated that he holds employees to the same standards that he holds himself. The goal is to provide every department with the resources they need, and encourage them to voice their opinions. He is not afraid to admit if he has been wrong and strives to keep an open mind. He will work to encourage and develop employees.

Council Member Entsuaah asked how long Mr. Henessee sees himself in the position. Mr. Henessee stated that he would plan to stay until his retirement.

Mayor Murry stated that Wellness Way was not in Mr. Henessee's presentation and asked how he is prepared to lead on that project. Mr. Henessee stated that Wellness Way is a massive project. He does have familiarity with city projects and wants to take a deeper look at it along with the comprehensive plan. He understands that there is a 10 year build out, so there is still some time.

The Council concluded their questions and asked Mr. Henessee if he had any questions for them.

Mr. Henessee asked the Council about the City's relationship with state representatives. Council Member Bates stated that there has been progress made of the last few years. Council Member Purvis stated that there is still room for improvement.

Mr. Henessee asked about the City's plans for the Florida retirement system. City Attorney Mantzaris informed Mr. Henessee that the City of Clermont has its own retirement plan and does not participate in the state pension system.

With no further questions, Mr. Henessee concluded his interview.

Doug Thomas thanked the Council for their time and informed them that Ms. Debra Rybarczyk has materials for them before their Special Meeting.

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Adjourn: The workshop concluded at 4:19 pm with no further comments.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
SPECIAL COUNCIL MEETING
September 10, 2021

The Clermont City Council met at a Special Meeting on Friday, September 10, 2021, in the Clermont City Council Chambers. Mayor Murry opened the meeting at 5:30pm with the following Council Members present: Bates, Purvis, Pines, Entsuaah.

Other City officials present were Acting City Manager Davidoff, City Attorney Mantzaris and City Clerk Howe.

Opening Comments

Mayor Murry opened the meeting by introducing the City's consultant Doug Thomas.

Doug Thomas, SGR – Mr. Thomas provided an overview of the process. He advised the Council that if they should decide on one candidate this evening, they should also select a backup candidate if their first choice falls through.

Selection of City Manager

Council Member Bates thanked all four candidates for coming to Clermont. In his opinion, two candidates really stood out as a better fit for the City and they were Dan Matthys and Brian Bulthuis. He considered both to be really equal.

Council Member Purvis stated that all four candidates were outstanding. His top two choices are also Dan Matthys and Brian Bulthuis.

Council Member Entsuaah agreed with the previous Council Members. His top two choices are also Dan Matthys and Brian Bulthuis.

Council Member Pines stated that Brian Bulthuis is her number 1 and Dan Matthys is her number 2.

Mayor Murry stated that all four candidates were great. However, he believes that Brian Bulthuis is his number 1 and Dan Matthys is his number 2 choices.

Council Member Bates expressed concerns that Mr. Bulthuis has not had experience overseeing a large group of employees, but also stated that Mr. Matthys has only supervised a limited staff himself. Mr. Matthys seemed to have more energy and drive.

Council Member Pines stated that Mr. Bulthuis is a true City Manager. He has experience in all the relevant areas. He has experience dealing with Police and Fire. Mr. Matthys does not have any of that experience.

Council Member Entsuaah stated that he has been impressed with Mr. Bulthuis dedication to his former community where he has been in that position for 25 years. He was impressed with the energy and drive with Mr. Matthys.

Council Member Bates asked how much catching up Brian will have to do coming from out of state. Council Member Pines stated that Georgia is not dissimilar from Florida.

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Council Member Purvis stated that he is impressed with the fire he saw in Mr. Matthys. He is always a fan of giving the upstart a change, but after talking with residents he is throwing his support for Brian.

Mayor Murry stated that maybe there is an opportunity for Mr. Bulthuis to recruit Mr. Matthys if the Council decides to make the offer to Mr. Bulthuis.

Mr. Thomas informed the Council that he typically sees a lot of new City Managers come from a Community Development and Planning background. He informed the Council that there were no red flags with either candidate and that both will have the ability to step into the role.

MOTION TO DIRECT the City Attorney and SGR to initiate contract negotiations with Brian Bulthuis for the position of City Manager for the City of Clermont made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

Mr. Thomas presented an overview of the relocation process and start date for the new manager. It was clarified that the City would pay for relocation expenses after the new City Manager gets three (3) quotes on moving companies.

The Council discussed when they would like a start date. Council Member Purvis stated he would like the manager to start within 30 to 45 days.

Mr. Thomas concluded his presentations by thanking staff, especially Debra Rybarczyk, for all the assistance provided during this process.

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Adjourn: The meeting concluded at 6:17 pm with no further comments.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
September 14, 2021

The City Council met in a regular meeting on Tuesday, September 14, 2021 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Pines, Entsuah, Bates, and Purvis.

Other City officials present were Acting City Manager Davidoff, City Attorney Mantzaris, and Deputy City Clerk Lueth.

INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was observed in honor of September 11, 2001 followed by the Pledge of Allegiance.

OPENING COMMENTS

Acting City Manager Davidoff informed the Council of the following agenda changes.

Agenda Changes

Item No. 15 – Mural Request – *756 W. Montrose Street*

This item was withdrawn by the applicant.

Item No. 17 – Variance Request – *Perez*

MOTION TO TABLE for future consideration the Variance Request for Perez until September 28, 2021 made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

Item No. 18 – Ordinance No. 2021-022 *INTRODUCTION – Karma Housing Rezoning*

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

Deputy City Clerk Lueth read the title aloud.

MOTION TO TABLE for future consideration Ordinance No. 2021-022 until November 9, 2021 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

Item No. 19 – Ordinance No. 2021-025 *INTRODUCTION – The Vue Rezoning*

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

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Deputy City Clerk Lueth read the title aloud.

MOTION TO TABLE for future consideration Ordinance No. 2021-025 until October 12, 2021 made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

With no further changes, the Council continued with the agenda.

PROCLAMATION

A proclamation was presented for Constitution Week. It was accepted by Ms. Susan Dehart representing the Daughters of the American Revolution Local Chapter.

PUBLIC COMMENTS

Vincent Niemiec, 4569 Barrister Drive – Thanked City staff for the presentation of the September 11, 2001 memorial. Thanked the City Council for their attendance.

Pamela Amerson, 141 West Desoto Street – Expressed concerns about prowlers by her home. Accused the Police Department of not reporting the facts to the Council. She asked for street lights behind the Bishop Field.

Maria Perez-Rios, 150 West Desoto Street – Neighbor of Pamela Amerson. Talked about security footage that they recorded capturing people, but the people were not identifiable in the footage.

Mayor Murry said that the reports were disturbing when he heard them last council meeting. He stated that he did go down there and agrees that there is darkness down there. He stated that he requested the video, but there is no video. Ms. Perez-Rios said that she deleted the video due to her understanding that it was being taken care of.

Mayor Murry stated that he requested a report from Acting City Manager Davidoff which was responded to this afternoon. Acting City Manager Davidoff stated that the Police Department reported they had three (3) reports and two (2) code enforcement reports in 2020. Ms. Amerson stated she has copies of all the calls that were made to her residence. Mayor Murry asked Acting City Manager Davidoff to investigate and report back to the Council.

Council Member Purvis stated that he wants an internal investigation as to what is going on with the Police Department.

Charlene Harrison Forth, 939 West Desoto Street – Displayed two machetes and a newspaper article. Stated that she is not a busy body and rarely gets involved. She is concerned why there are not narratives for each police report. Feels that there are a few police officers that do not do good policing.

Joshua French – Spoke on behalf of the French Family. Mike French (father) lost a battle with Covid-19. He gave the highlights of how his father was an asset for the community. Asked that a baseball field be named in his honor.

Council Member Purvis stated that he would like to see this brought back by staff in accordance with the policy. The Council gave a consensus they want to see this brought back.

Mayor Murry suspended public comments at 07:02PM

At this time, the City Council initiated a conference call regarding the City Manager position.

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City Attorney Mantzaris stated that staff has been working all weekend and all day today and has reached an agreement in principle with Brian Bulthuis for the City Manager position.

City Attorney Mantzaris reviewed the contract highlights. The start date would be no later than December 1st. Mr. Bulthuis's intentions for the relocation are to be available immediately which would start as soon as City Council approval. Council Member Purvis asked when compensation would start. City Attorney Mantzaris stated it would start on the official start date.

Brian Bulthuis (via conference call) - Mr. Bulthuis stated that he is looking for housing and will work to close as soon as possible. He will work as quickly as possible, but it all depends on the situation. The goal is to be in Clermont as soon as possible, but no later than December 1. He wants to start getting agenda packets as soon as possible, so that he can review and provide direction.

City Attorney Mantzaris reviewed the summary of terms for employment including agreement.

Doug Thomas, SGR Consultant (via conference call) – stated that he is here to support the city.

Mayor Murry asked what termination without cause means. City Attorney Mantzaris stated that without cause is determined by what with cause is.

Council Member Entsuah asked if the City Manager has to live within the City. City Attorney Mantzaris stated that there is no requirement in the charter or code.

Council Member Bates asked about relocation if terminated with cause. City Attorney Mantzaris said that the costs of relocation would not have to be repaid.

Council Member Purvis thanked City Attorney Mantzaris for his dedication and hard work to get this contract done in a timely manner.

Mayor Murry opened the floor for comments on the public; seeing none, the floor was closed.

MOTION TO APPROVE the appointment and contract, as presented, with Brian Bulthuis for the position of City Manager of the City of Clermont made by Council Member Tim Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

Council Member Pines stated that although this was not a quick process it was an efficient process. She is very happy with her decisions.

Mr. Thomas stated that they are excited that they got to be part of the process and thanked the City of Clermont.

Mr. Bulthuis thanked the Mayor and Council and stated his excitement. He is looking forward to engaging with the community. He will be in town next Monday, Tuesday, Wednesday.

The Council concluded the conference call.

Mayor resumed public comments at 7:19 pm.

Joan Sills, 253 Ceder Street – Concerned about campaign signs that are still up. There are offensive words on the signs. She also expressed concerns about firearm discharge by her neighbors.

City Attorney Mantzaris stated that if there is a concern about the property, the proper avenue is through code enforcement and they can take a look into the issue raised by Ms. Sills regarding the signs. He also told the Council that they are prohibited by the State to regulate the discharge of a firearm.

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Mayor Murry also asked the City Manager's Office to look at the sidewalk displayed in the picture to see if it can be repaired.

Max Kyrzminski, 3497 Embers Lane, Clermont - Asked about the Hartwood Marsh improvement. Asked if the road was going from US 27 to Regency Hills. Expressed disappointment that the reconstruction will only cover one-fifth of the problem area.

Council Member Purvis stated that the construction area is the only part that is funded, but the rest is planned to be reconstructed as well.

Mayor Murry said he is very pleased with what the County was able to come through with.

Council Member Pines stated that Clermont is lucky to be getting what it is in the time frame. The City needs to be thanking the County as it is very fortunate for getting what it got.

Mayor Murry stated that Mr. Kyrzminski needs to speak to the County.

Vincent Niemiec, Speaking as MPO Citizen Committee Appointee – The County has done a tremendous job. The Regency Hills part of the Hartwood Marsh Road is the most shovel ready.

Greg Amann, 550 W. Ave, Clermont – Gave kudos to the Police Department for the 9/11 memorial. Mr. Amann talked about the ballpark and the darkness issue, and stated he does not want the lighting.

Seeing no further comments, the floor was closed.

REPORTS

INTERIM CITY MANAGER REPORT

Acting City Manager Davidoff

- Updated Council on upcoming meetings.
- Announced that the Sips & Salsa event is on Saturday.
- Brought up the removal of the 2nd meeting in November from the calendar.

MOTION TO CANCEL the 2nd scheduled meeting in November of the Clermont City Council made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

- Informed the Council that the City received a request from the Friends of Lake Apopka asking for support for a multi-year land preservation grant from the state for cleaning up the lake.

MOTION TO SEND a formal letter of support to the Friends of Lake Apopka for their request made by Council Member Purvis. Seconded by Council Member Bates. Passed unanimously with all members present voicing aye.

- Plans for Phase 3 of the downtown street scape. Cost increases. Staff is requesting the purchase of \$535,500 and waive the procurement process. The City can store the brick pavers on site.

Council Member Purvis stated that nobody likes price increases, but the delay may increase the price even more.

MOTION TO APPROVE and authorize staff to purchase bricks at the price of \$1.53 and waive the normal procurement process requirements made by Council Member Purvis. Seconded by Council Member Bates. Passed unanimously with all members present voicing aye.

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CITY ATTORNEY REPORT

City Attorney Mantzaris

- Requested a closed litigation on September 28 to discuss Sprinkles and VP Development.

CITY COUNCIL REPORT

Council Member Bates

- Thanked the Police and Fire Department for event on Saturday.
- Thanked Debbie Rybarczyk for all her hard work regarding the City Manager recruitment.
- Informed the Council that with regards to Hartwood Marsh, Winter Garden is planning to expand the streets to 4-lanes.

Council Member Purvis

- Thanked all the people behind the scenes for the 9/11 ceremony, including the sound people. The effort was not wasted. He stated that he lost several business associates in the 9/11 attack.
- Happy with the selection of the new City Manager.
- Announced that the Hwy 455 spur in Clermont will be known as the Ray Goodgame Parkway as approved by Lake County Board of County Commissioners.
- He was a guest speaker at the rededication of Bee's Auto. It was a wonderful event with a great turnout.

Council Member Entsuh

- Promoted downtown development.

Council Member Pines

- Thanked everybody for the 9/11 ceremony.

Mayor Murry

- Thanked both Chiefs for their contributions at the 9/11 ceremonies.
- Thanked Doug Thomas, Debbie Rybarczyk, and City Attorney Mantzaris for their work in the City Manager process.
- Attended Bee's Auto grand reopening. It was a great event.
- Thanked Acting City Manager Davidoff for getting work done; he is starting off as a great City Manager.
- Lunch with the Mayor will be October 4 at Lily's on the Lake and 12:00 PM.

CONSENT AGENDA

Mayor Murry 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.

Item No. 1 – Minutes Approval

Consider approval of the August 10, 2021 Council Meeting Minutes.

Item No. 2 – Plat Approval

Consider Integra Heights Plat on 14.28 acres within the Olympus PUD Development.

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- | | |
|---|---|
| Item No. 3 – Plat Approval | Consider Plaza Collina Commerical Plat, as required by the PUD. |
| Item No. 4 – Surplus Request | Consider declaring end of life inventory as surplus from Parks and Recreation, Public Services, Police, and Information Technology Departments and dispose of in accordance with the Purchasing Policy. |
| Item No. 5 – Legislative Priorities | Consider list of Legislative Priorities to include our upcoming Master Plan projects and other overall priorities. |
| Item No. 6 – Special Magistrate Appointment | Consider the appointment of Mr. Samuel Reda from Shepard, Smith, Kohlmyer & Hand, PA Law Firm. |
| Item No. 7 – Collective Bargaining Negotiations Team | Consider the proposed City negotiation team to start negotiations on the Collective Bargaining Agreement. |
| Item No. 8 – Agreement Renewal | Consider Law Enforcement Dispatch Services Agreement for FY2022. |
| Item No. 9 – Piggyback Purchase | Consider the piggyback request of HGAC Buy Cooperative contract with Otto Environmental Systems North America, Inc to purchase residential recycling and trash containers ion the budgeted amount of \$110,016. |
| Item No. 10 – Resolution No. 2021-049 | Consider granting authorization for the City Manager to accept the American Rescue Plan Act – Coronavirus Local Fiscal Recovery Fund Agreement with the State of Florida in the amount of \$19,359,997. |
| Item No. 11 – Event Request | Consider the Horrible Hundred event request at Waterfront Park on November 20-21, 2021 |
| Item No. 12 – Event & Open Container Request | Consider event and open container request from The Miller Sound Company at Waterfront Park on November 14, 2021. |
| Item No. 13 – Event, Fee Variance, Open Container Road Closure and Boat Ramp Closure Request | Consider Sommer Sports request of the 2022 season, including open container allowance, a fee variance, road closure for one event, and boat ramp closure for two the events in the season. |

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A member of the public requested that Items No. 6 and 13 be pulled for further discussion.

Council Member Purvis requested that Item No. 7 be pulled for further discussion.

MOTION TO APPROVE the consent agenda items 1-5, 8-12 made by Council Member Bates. Seconded by Council Member Entsuah. Passed unanimously with all members present voicing aye.

Mayor Murry asked the public to come forward for Items No. 6 and 13.

Charlene Forth, 939 Desoto Street – Regarding Item No. 6, Ms. Forth asked if there was a final decision on a code board or a magistrate system. Regarding Item No. 13, Ms. Forth asked why the City is waiving the fee.

Regarding Item No. 6, Mayor Murry explained that they were moving forward with a magistrate on a temporary basis until at least 2022.

Council Member Purvis added that the Council may choose to go back to a board whenever they wish as there is a 30 day termination clause in the magistrate contract.

Regarding Item No. 13, Acting City Manager Davidoff stated that the City traditionally does community partner events and this is one of them. As part of that partnership the event fees are waived. The fees are approximately \$43,000.

Council Member Purvis added that it is better for the City to waive the fees than write a check for the partnership.

MOTION TO APPROVE the consent agenda items 6 and 13 made by Council Member Bates. Seconded by Council Member Entsuah. Passed unanimously with all members present voicing aye.

Regarding number 7, Council Member Purvis expressed concerns about appointing a committee so late in the process. Human Resources Director Nadine Ohlinger stated that internally staff has been in discussions with the unions for quite some time; the committee is just the final step.

City Attorney Mantzaris stated that status quo clause in the existing contract will allow the contract to continue even after it expires.

MOTION TO APPROVE the consent agenda item 7 made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 14 – Ordinance No. 2021-015 *FINAL* – *Skorman Multi-Family PUD*

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

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Deputy City Clerk read the ordinance title into the record. City Attorney Mantzaris informed the Council of the history of the ordinance. He explained that the City Council has three options: accept, reject, or accept with revisions. Should the Council deny the request, the applicant has the right to seek relief in the courts.

John Kruse, Planning Manager, provided a staff report. He reviewed the concessions that were made by the applicant and the City. He stated that a Special Magistrate hearing was conducted on July 28, 2021. Based upon the foregoing findings, applicable law, the Special Magistrate hereby recommends that the City Council approves Ordinance No. 2021-015, which contains concessions made by the applicant.

The applicant is requesting to rezone the property from Urban Estate to Planned Unit Development (PUD) for a 204-unit apartment complex. The 17 +/- acre property is located southwest of the Hooks Street and Excalibur Road intersection, adjacent to East Ridge Middle School. The future land use is Residential/Office, which permits up to 12 dwellings units per acre. The project can be served by city services. A traffic impact analysis has been conducted and showed no new roadway deficiencies because of the project. The applicant is requesting one waiver, cut/fill, up to a maximum of 13 feet over 10% of the site. Since this is a multi-family project, the maximum cut/fill is limited to 10 feet. The applicant revised the conceptual plan and has reduced the volume and depth of the original cut/fill request and the request for retaining wall heights greater than six feet has been removed.

Staff has reviewed the application and proposed project for a Planned Unit Development and determined that the location is suitable for multi-family use since the future land use of Residential/Office allows this type of land use. The property has access to major road networks, and the revised conceptual plan does preserve the natural topography of the site as much as possible.

Planner Kruse concluded by stating that staff is able to support the request and recommends approval of Ordinance 2021-015.

Mayor Murry asked if the applicant was present.

Tara Tedrow, 215 N. Eola Drive, Orlando – *Applicants Legal Representative*. Ms Tedrow displayed a PowerPoint to review the process. She reviewed the findings of the Special Magistrate as submitted in the recommended order. She emphasized points that they are in compliance with the city code which is why city staff recommends approval. She stated that it is a disservice for the Council to continue to deny this project based on conditions that are out of the applicant's control.

Mayor Murry opened the floor for comments from the public.

Dani Page, Inside Clermont – Opposed the project. Displayed photos of traffic.

Charlene Harrison Forth, 939 E Desoto Street – Opposed the project.

Will Bosserman, 634 East Harwood Street, Orlando – Supports the project. Owner of the parcels.

Randy Everdeen, 2430 Woodward Hill, Court – Opposed the project.

Vincent Niemiec, Regency Hills – Asked for clarification on the project.

Seeing no further comments, Mayor Murry closed the floor.

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Ms. Tedrow returned to the podium and addressed the points raised by the public. She reminded the Council that requirements are with the land not the land owner. She also reminded the Council that a government cannot deny a project for deficiencies.

Council Member Purvis said that all that needed to be said has been said. The high school and middle school continue to be in the County and so the City has had little control over those parcels. The school board does not do anything to alleviate traffic.

Council Member Bates stated that he is still concerned about the traffic. He said that the City is partly at fault.

Council Member Pines stated that she has voted for this in the past. The applicant has met all conditions. Every single school in this nation has this problem. Buses do not provide the service they used to and people have to walk. She is going to vote for the application, and she is going to follow the code.

Council Member Entusah stated that he was waiting for the magistrate findings. He is going to change his vote on this issue. The Council had asked for a 3rd party review, and now they have it. He stated the Council has already gone against its staff, against its legal counsel, and rhetorically asked if they were now going to go against the independent reviewer.

Mayor Murry stated that he has not supported the application in the past, and he is hesitant to vote for it now. He is concerned about the traffic study being outdated.

Council Member Purvis asked for the applicant to clarify if the school buses were still picking up inside the development.

Chuck Hight, – *Applicant Representative*. Mr. Hight confirmed that students will be picked up and dropped off internally in the development.

MOTION TO APPROVE and adopt Ordinance No. 2021-015, as presented with the recommendations of the Special Magistrate made by Council Member Purvis. Second by Council Member Pines. Roll Call Vote. Passed 4-1 with Council Member Bates dissenting.

Item No. 15 – Mural Request – 756 W. Montrose Street

This item was considered previously in the agenda and withdrawn.

NEW BUSINESS

Item No. 16 – Variance Request – Costco at Plaza Collina

John Kruse, Planning Manager, made the staff presentation. The applicant, Costco Wholesale Center, is requesting the following ten (10) variances in order to develop the site within Plaza Collina. Costco is proposing a 157,000 square foot club with a stand-alone fueling center on 19 +/- acres. The applicant has indicated the relief elements are requested to allow for development of the Costco Wholesale Center.

- (1) To allow for a wall sign greater than the maximum allowable copy area;
- (2) To allow the number of wall signs to exceed the maximum number permitted by code in Section 102-Signs;
- (3) To allow the outdoor lighting fixture height to exceed the maximum height permitted by the Code, Section 110-173;

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- (4) To allow the use of trash compactors instead of dumpsters and enclosures as required by the Code, Section 114-8;
- (5) To allow for the number of loading docks to be less than required by the Land Development Code, Section 98-7;
- (6) To allow the building landscaped areas that are less than the requirements of the code, Section 118-37;
- (7) To allow for two (2) pedestrian walkways instead of three (3) pedestrian walkways as required by the conditions of the Planned Unit Development (PUD);
- (8) To allow landscape islands that are less than 300 square feet as required by the Land Development Code, Section 118-38;
- (9) To allow for vehicular access points that exceed the minimum number permitted for commercial development by the Land Development Code, Section 98-9 and
- (10) To allow for landscape areas and grading that are greater than 10 percent instead of the required five (5) feet for landscaping as required by the Land Development Code, Section 122-343.

The applicant is requesting the variances as relief from some of the required conditions of approval in the Planned Unit Development (PUD). The City Council on April 28, 2015, approved the adoption of Resolution No. 2015-08 to allow a mixed-use master planned development for the site. The zoning for the property is Planned Unit Development (PUD), with a Master Planned Development Future Land Use Designation.

The Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance. Staff has reviewed the application as presented and finds the application can meet a positive finding. Therefore, staff recommends approval of the variance request to the Land Development Codes for the above referenced items numbers two (2) through nine (9). Staff also recommends denial of items listed and identified as numbers one (1) and two (2) of this Staff Report as they do not meet the requirements of a variance.

Mayor Mury asked if the applicant was present.

Bradley Wester, 1 Independent Drive, Jacksonville, FL – *Applicant Representative*. Provided several handouts to the Council. He informed the Council that each of their requests are non-impactful. If necessary, he asked to revise the signage submittal in order to gain approval.

Russ McFarland, Pennsylvania – *Applicant Representative*. Mr. McFarland is the site designer of the project and stated that there will be additional handicapped stalls on the south of the building, but additional handicapped parking could be made available on the West, if the Council makes that a condition.

Doug Burkbank, 8484 West Park Drive, Virginia – *Applicant Representative*. Mr. Burkbank is the project architect. The parking lot lighting will turn off at 8:30, but the building facility has lighting all around the building on wall packs. 50% of lights will be on 24/7. There will not be a patrolling vehicle overnight. However if the need arises, it can be addressed.

Mayor Murry opened the floor.

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Dani Page, Inside Clermont – Supports the project.

Seeing no further comments, the floor is closed.

Mayor stated he is not opposed to the variances that staff recommended for denial since the code was not made with a building of this size in mind. The Council Members echoed Mayor Murry's statement.

MOTION TO APPROVE the variance request as presented and consistent with the August 30, 2021 submittal made by Council Member Purvis. Seconded by Council Member Bates. Passed unanimously with all members present voicing aye.

Item No. 17 – Variance Request – Perez

This item was considered previously in the agenda and tabled.

Item No. 18 – Ordinance No. 2021-022 INTRODUCTION – Karma Housing Rezoning

This item was considered previously in the agenda and tabled.

Item No. 19 – Ordinance No. 2021-025 INTRODUCTION – The Vue Rezoning

This item was considered previously in the agenda and tabled.

Item No. 20 – Ordinance No. 2021-027 INTRODUCTION – Olympus Rezoning

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

Deputy City Clerk read the ordinance into the record by legal title only.

MOTION TO INTRODUCE for future consideration made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously with all members present voicing aye.

CLOSING COMMENTS

Thanks to Barbara Hollerand.

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REGULAR COUNCIL MEETING
September 14, 2021

ADJOURN: With no further comments, this meeting adjourned at 9:26 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
FINAL BUDGET PUBLIC HEARING
SEPTEMBER 22, 2021

CALL TO ORDER

The City Council met in a Special Meeting on Wednesday, September 22, 2021 at City Hall. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Bates, Purvis, and Pines.

Absent: Council Member Entsuah

Other City officials present were Acting City Manager Davidoff, City Attorney Mantzaris and City Clerk Howe.

OPENING COMMENTS

Acting City Manager Davidoff reviewed the outline of the meeting. He informed the Council that this is the final budget public hearing for the Fiscal Year 2021-2022. He informed the Council that the City will be maintaining its millage rate of 4.2061 which will be the seventh consecutive year doing so. He concluded his comments by stated that the citywide final budget totals approximately \$155,900,000 which is approximately \$4,300,000, or 2.71%, less than the Fiscal Year 2021 budget.

He informed the Council that per their request the Finance team was able to locate the funds for a new Code Enforcement Officer at an approximate cost \$96,000 with the position effective October 1st. He commended the Finance team for their hard work.

NEW BUSINESS

Item No. 1 – Resolution No. 2021-50R – *Adopted FY 2022 Ad Valorem Millage Rate*

A RESOLUTION OF THE CITY OF CLERMONT OF LAKE COUNTY,
FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES
FOR FISCAL YEAR 2021-2022; PROVIDING FOR COLLECTION OF TAXES;
PROVIDING FOR AN EFFECTIVE DATE.

This agenda item was considered concurrently with the following item.

Item No. 2- Resolution No. 2021-051R – *Final FY 2022 Budget*

A RESOLUTION OF THE CITY OF CLERMONT OF LAKE COUNTY,
FLORIDA, ADOPTING THE FINAL BUDGET FOR THE 2021-2022 FISCAL
YEAR; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Howe read into the record Resolution 2021-050R in its entirety; Resolution 2021-051R was read by title only.

Finance Director Pamela Brosonski presented via PowerPoint the budget and millage rate to the Council. She reviewed the General Fund budget total of approximately \$45,400,000; an increase of \$4,500,000, or 11.05%, more than the current year's budget which is due to additional state shared revenues, an increase in utility taxes from new city properties and an increase in property values over Fiscal Year 2021.

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FINAL BUDGET PUBLIC HEARING
SEPTEMBER 22, 2021

She explained that the General Fund is funded from both revenues and an allocation from city reserves in the amount of \$42,414. The ending reserves balance is projected to be approximately \$9,400,000 or 25.01% of operating expenditures. She informed the Council that the City's reserves are back to the pre-pandemic level and complies with the minimum reserve requirement of 25% as stated in City policy.

Director Brosonski reviewed new positions and informed the Council that there are four new Police Officer positions with staggered hire dates throughout the year and one new Code Enforcement Officer position with October 1st effective date.

Director Brosonski concluded her presentation by reviewing the millage rate history and property tax revenues.

Mayor Murry opened the public hearing for comments of the public; seeing no public come forth Mayor Murry closed the floor.

Council Member Purvis thanked staff specifically Finance Director Brosonski and Acting City Manager Davidoff for their work on this budget and for finding the money for the Code Enforcement Officer.

MOTION TO APPROVE AND ADOPT the final ad valorem tax rate of 4.2061 for Fiscal Year 2021/22 contained in Resolution No. 2021-050R made by Council Member Bates. Seconded by Council Member Pines. Passed unanimously (4/0) with all members present voicing aye

MOTION TO APPROVE AND ADOPT the final budget contained in Resolution No. 2021-51R for Fiscal Year 2021/22 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously (4/0) with all members present voicing aye.

CLOSING COMMENTS

Acting City Manager Davidoff reminded the Council that there is a scheduled Community Redevelopment Agency meeting prior to the September 28 meeting and will begin at 6:00 pm.

Mayor Murry announced that he signed the contract for the new City Manager that morning and is looking forward to him starting.

City of Clermont
MINUTES
FINAL BUDGET PUBLIC HEARING
SEPTEMBER 22, 2021

ADJOURN: With no further comments, this meeting adjourned at 6:42 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Acceptance of Deed in Lieu of Foreclosure		
Requested Action		
Staff Report		
This is a request to accept a deed in lieu of foreclosure on a residential property located at 332/334 Palm Lane, which is located between Bowman Street and Anderson Street just one block north of East Lakeshore Drive. The dimension of the lot is approximately 100 feet wide by 200 feet deep and approximately 20,000 square feet in size. The zoning is R-1-A Single Family Low Density. The property is owned by Mr. Richard Klaas. This code enforcement case was initiated in 2017 due to multiple building code violations of an unsafe structure. In March of 2018, the Special Magistrate found this property was in violation and if violations are not corrected by June 20th 2018 a daily fine of \$250 would accrue. In November of 2018, the Special Magistrate imposed a lien in the amount of \$13,250, and it continued at \$250 per day. In February 2019, an abatement notice was sent to the property owner to safeguard the property. The property owner did comply with these orders. In March 2021, code enforcement had to abate the property again for the safety of the surrounding residents and secure the perimeter with a fence due to part of the residence collapsing. On September 21 2021, the Special Magistrate approved the authorization to foreclose on the property. The staff estimated the value of the parcel at \$140,000. This may be a conservative amount as impact fees have already been paid on the parcel, increasing the value. The staff is requesting acceptance of deed in lieu of foreclosure for 332/334 Palm Lane.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. PalmLanememo 10_2021	PalmLanememo 10_2021.pdf	
2. Recorded lien	Recorded lien.pdf	
3. C2017-000484 Hearing and Violation Notice	C2017-000484 Hearing and Violation Notice.pdf	
4. FOF Palm In	FOF Palm In.pdf	



de Beaubien · Simmons · Knight · Mantzaris · Neal

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Writer's e-Mail: dmantzaris@dsklawgroup.com

MEMORANDUM

TO : Scott Davidoff, Acting City Manager

FROM : Daniel F. Mantzaris, City Attorney *DFM*

DATE : October 5, 2021

RE : **Property: 332/334 Palm Lane**
Respondent: Richard J. Klaas Trust
Amount of Code Enforcement Lien: \$254,000
(as of 9/3/21, accruing @ \$250/day)
Property Not in Compliance

As you are aware there exists on the above-referenced property a significant lien that continues to accrue at \$250 per day. The lien is the result of a code enforcement action related to two structures and a wall in significant disrepair and in need of demolition. Despite the efforts by code enforcement staff, the respondent has failed to correct the violations. As a result, code enforcement staff recently requested and received authorization from the Code Enforcement Special Magistrate to foreclose on the lien. Typically, the next step is for the council to provide authorization for our office to proceed with foreclosure of the lien. For your further information, a title search has been completed on the property, as of the date thereof, there does not appear to be any mortgages or priority liens on the property.

Recently and after the foreclosure approval process was initiated by staff, our office was contacted by Attorney Kenneth B. Costello, on behalf of the Respondent. Mr. Costello has advised that his client is willing to deed the subject property to the City in lieu of foreclosure on the lien. Mr. Costello's email of September 20, 2021, is copied below:

From: Ken Costello <kcostello@bcnlawfirm.com>

Sent: Monday, September 20, 2021 11:45 AM

To: Mantzaris, Daniel F. <dmantzaris@dsklawgroup.com>

Memorandum to Scott Davidoff, Acting City Manager
October 5, 2021
Page 2

Cc: Mantzaris, Daniel F. <dmantzaris@dsklawgroup.com>

Subject: [EXT]City of Clermont vs. Richard J. Klaas Trust

Re: City of Clermont vs. Richard J. Klaas Trust
Code Enforcement hearing: September 21, 2021

Good morning Mr. Mantzaris,

I have been retained by Mr. Klaas to represent him in this matter. Mr. Klaas is willing to offer the City a deed in lieu of foreclosure or to otherwise consent to a foreclosure in exchange for a release from the City. Would the City be agreeable to this proposal? I am available to discuss today after 2pm. Thank you and let me know if you need any other information.

Thank you,

Ken

Kenneth B. Costello

Of course, the primary purpose of the foreclosure action by the City is to motivate the respondent to address the code violations. The secondary purpose is for the City to take control of the property and possibly re-purpose or sell it for a beneficial use. As it is clear the respondent is not willing to correct the violations, the only option is for the City to pursue the foreclosure action and possibly acquire the property. If the council were to accept the respondent's offer, however, the foreclosure litigation would be avoided, and the City would take ownership of the property.

For yours and the council's consideration, recognize that if the City were to accept the deed to the property the City will be required to demolish the structures and wall at the City's expense. Public works has estimated that the cost of demolition would be approximately \$15,000. Additionally, as of the date of this memo, there are \$6,255.36 in taxes owed on the property for the 2019 and 2020 tax years. For your use as a guide as to the value of the property, the property appraiser has assessed the land only at \$62,500. Finally, the respondent's offer includes a release of the referenced lien. Since a code enforcement lien attaches to any real or personal property owned by the respondent in the Lake County, those properties would also be released from the lien. We understand that the respondent owns several other properties in the county.

On the other hand, if the City were to decline the respondent's offer and initiate a foreclosure action, assuming the respondent does not challenge the foreclosure, the attorney fees and costs would be approximately \$5,000. There would also likely be a several month delay in the City having complete access to the property to demolish the structures. Of course, the result

Memorandum to Scott Davidoff, Acting City Manager
October 5, 2021
Page 3

of the foreclosure action would most likely be that the City would acquire the property at a foreclosure sale. In that case, the City would still have to address the code violations on the property. Additionally, as tax certificates have been issued for the past due taxes, if the City acquired the property in a foreclosure action, it would remain responsible for the outstanding taxes.

Essentially, then, there are two differences between the two options. First, if the respondents offer is accepted, the City can move very quickly to demolish the structures and the City would not incur the fees and costs of the foreclosure action. Second, if the foreclosure option is selected, the original lien, after reduction for a reasonable value for the land and structures, would remain outstanding.

Given the foregoing and in the primary interest of correcting the code violations and condition of the property as soon as possible, we recommend that the City accept respondent's offer of a deed in lieu of the foreclosure. Thereafter, staff can proceed with the required remedial actions and present a plan to either re-purpose the property for a city use or market it for sale.

If you have any questions, or wish to discuss this matter further, please do not hesitate to contact me.

cc: Mayor Murry and Council Members
Curt Henschel
Evie Wallace

CITY OF CLERMONT
PO BOX 120890
685 W MONTROS ST
CLERMONT FL 34711



**CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT,
Petitioner,**

**Case No: C2017-000484
332 & 334 Palm Lane
CLERMONT, FL**

VS.

**RICHARD J. KLAAS TRUST,
Respondent.**

ORDER IMPOSING ADMINISTRATIVE FINE AND CREATING LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on November 27, 2018, after due notice to Respondents upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Special Magistrate noted that Respondent was present and was advised that the Respondent did not timely comply with the Special Magistrate's Order of April 2, 2018.

It is hereby ORDERED THAT:

1. A lien is imposed in the amount of ONE HUNDRED AND THIRTY- ONE THOUSAND AND TWO HUNDRED AND FIFTY DOLLARS (\$131,250) as of November 27, 2018, and shall continue to accrue thereafter at the rate of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per day until the date that compliance has been documented by the Code Enforcement Officer.

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

Parcel Id No. 30-22-26-0400000-03700

Alt Key: 1617600

Legal Description:

CLERMONT, CLERMONT HEIGHTS W ½ OF LOTS 37, 38, PB 4 PG 1, ORB 605 PG 1984, ORB 1467 PG 589
AS LISTED IN LAKE COUNTY PUBLIC RECORDS

Case No: C2017-000484

3. This Order shall be in addition to any other Order of this Board Imposing a Fine and Creating a Lien in this matter.

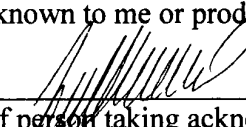
DONE and ORDERED this 20th day of February, 2019



Robert D. Guthrie, Esquire
Special Magistrate
Fla Bar No.: 229555

STATE OF FLORIDA
COUNTY OF ~~LAKE~~ Brevard
Feb

The foregoing instrument was acknowledged before me this 20 day of February, 2019, by Robert D. Guthrie, as City of Clermont Code Enforcement Special Magistrate who is personally known to me or produced FLOL as identification.


Signature of person taking acknowledgment

Jodylynn Bayard
Name of Officer taking acknowledgment typed,
printed or stamped



Jodylynn Bayard
State of Florida
MY COMMISSION # FF 224845
Expires: April 27, 2019

I HEREBY CERTIFY that on this 25th day of February 2019 a true and correct copy of this Order has been furnished by certified and regular first class mail to the Respondent, Richard J. Klaas Trust, 505 7th Street, Clermont, FL 34711.



Matthew Reusch, Code Enforcement Officer

City of Clermont

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

VIOLATION NOTICE

March 17, 2021

Violation # C2017-000484

To: RICHARD J KLAAS TRUST
505 7TH ST
CLERMONT, FL 34711

Violation/Property address: 332 PALM LN CLERMONT, FL. 34711

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 332 PALM LN. CLERMONT, FL. 34711 IN REFERENCE TO: **PROPERTY HAS UNSAFE CONDITIONS AND WAS DEEMED TO BE UNSAFE BY THE CITY'S BUILDING OFFICIAL. STRUCTURE IS UNINHABITABLE FOR HUMAN OCCUPANCY AND HAS BEEN VACANT FOR YEARS. NO SAFEGUARD MEASURES ARE CURRENTLY IN PLACE AND BEEN OVER A YEAR BEFORE THE LAST SAFEGUARD MEASURES WERE IN PLACE; THEREFORE, THIS PROPERTY HAS BEEN DECLARED A NUISANCE AND STRUCTURE(S) NEED TO BE DEMOED SINCE IT IS DANGEROUS TO THE LIFE, HEALTH, AND SAFETY OF THE PUBLIC.**

Compliance with the Violation(s) listed will be when the following condition(s) are met: SUBMIT PLANS TO THE BUILDING DEPARTMENT (CITY HALL/ 1ST FLOOR PLANNING AND DEVELOPMENT SERVICES 352-394-4083) TO APPLY FOR A DEMOLITION PERMIT/ COMPLIANCE DATE AT BOTTOM OF PAGE. TO SECURE AND SAFEGUARD THIS PROPERTY UNTIL DEMOLITION HAS BEEN COMPLETED/ COMPLIANCE DATE AT BOTTOM OF PAGE. ABATEMENT PAPERWORK IS ATTACHED TO THIS NOTICE. FAILURE TO CORRECT THE VIOLATIONS AND ADHERE TO THE COMPLIANCE CONDITIONS, THIS CASE WILL MOVE FORWARD TO A FUTURE HEARING.

Type of Violation: 302.7 Accessory Structures.

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Type of Violation: 304.7 Roofs and Drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutter and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Type of Violation: 306.1.1 UNSAFE CONDITIONS.

306.1.1(4) Masonry that has been subjected to any of the following conditions:

4.1 Deterioration

4.3 Fractures in masonry or mortar joints

Type of Violation: Exterior Structure Section 304.1-IPMC

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Type of Violation: Fence Maintenance

Section 304.2 Fence Maintenance, "All Exterior surfaces, including but not limited to, doors, window frames and door frames, porches, balconies, decks and fences, shall be maintained in good condition.

Type of Violation: PROPERTY MAINTENANCE SECTION 122-344

(i) Property maintenance. It is the duty and obligation of the owner and occupant of all real property in the city to help preserve and protect the public health and general welfare of all residents and their property by keeping their respective lots, parcels or tracts of land, adjacent sidewalks and parkways free from all filth, trash, weeds, dirt, leaves, grass and rubbish and to keep down by mowing, cutting or removal such vegetation and detrimental materials.

Type of Violation: Property Maintenance Section 122-344

(i) Property maintenance. It is the duty and obligation of the owner and occupant of all real property in the city to help preserve and protect the public health and general welfare of all residents and their property by keeping their respective lots, parcels or tracts of land, adjacent sidewalks and parkways free from all filth, trash, weeds, dirt, leaves, grass and rubbish and to keep down by mowing, cutting or removal such vegetation and detrimental materials.

Type of Violation: Sanitation Section 302-IPMC

All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

Type of Violation: Sec. 118-35. Maintenance and pruning.

(a)

Maintenance. The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping, which shall be maintained in good

Type of Violation: STRUCTURE UNFIT FOR OCCUPANCY SECTION 108.1.3-IPMC

The structure is unsafe, unlawful or structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination or lacks ventilation, or constitutes a hazard to the occupants or public.

Type of Violation: UNSAFE STRUCTURE SECTION 108.1.1 -IPMC

A Structure found to be dangerous to the life, health, property or safety of the public, or is so damaged, decayed, dilapidated, structurally unsafe or unstable foundation, that partial or complete collapse is possible.

Type of Violation: Vacant Structures and Lands Section 301.3-IPMC

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition.

Type of Violation: Weeds Section 302.4-IPMC

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 18 inches.

Please contact me at 352-241-7304 or ewallace@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by SECURE PROPERTY/ APRIL 12TH AND FOR DEMOLITION APPLICATION AND APPROVAL NO LATER THAN BY APRIL 30TH, 2021. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All required landscaping shall be maintained in perpetuity.

(b)

Replacement. All unhealthy and dead plant material shall be replaced within 30 days in conformance with the approved site/landscaping plan for the property or in conformance with the provisions of this article if an approved plan is not on file with the city. The size of replacement trees shall be as specified in section 118-113(d)(2).

(c)

Pruning. Vegetation and trees required by this Code shall only be pruned to maintain health and vigor. Pruning shall be in accordance with "Standard Practice for Trees, Shrubs and Other Woody Plant Maintenance ANSI 300" of the National Arborist Association. Trees shall not be severely pruned in order to permanently maintain growth at a reduced height or spread. A tree's natural growth habit shall be considered in advance of conflicts which might arise (i.e. view, signage, lighting and similar conflicts). Excessive pruning, hatracking, topping, etc., shall be considered tree abuse and a violation of this Code.

(d)

Violations. A person who violates any provision of this article, and fails to correct the violation as provided herein, may be subject to penalties pursuant to the city Code of Ordinances. Tree abuse offenses shall be considered a separate offense for each tree damaged or destroyed contrary to the provisions of this article.

Type of Violation: Sec. 34-61. Enumeration of prohibited items, conditions or actions constituting nuisances.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

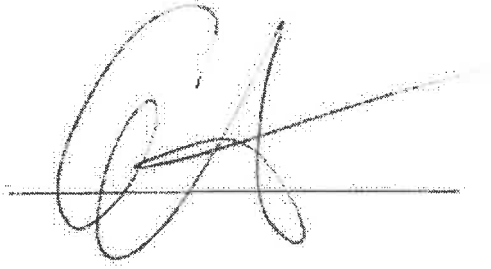
- (1) Weeds. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.
- (2) Refuse. Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.
- (3) Harborage for rats, snakes and other vermin. Any condition which provides harborage for rats, mice, snakes and other vermin.
- (4) Dilapidated buildings. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.

Type of Violation: SEC. 34-63. NOTICE TO ABATE.

Type of Violation: SEC. 34-64. FAILURE OF OWNER TO COMPLY; LIEN.

Type of Violation: Section 34-62 - Creation or Maintenance of Nuisance by Property Owner Declared Unlawful.

It shall be unlawful for any person to create a nuisance, or suffer or permit a nuisance to exist, upon property which is under his care, custody or control.

A handwritten signature in black ink, appearing to be 'E. Wallace', written over a horizontal line.

E. WALLACE
CITY OF CLERMONT
CODE ENFORCEMENT OFFICER



City of Clermont

NOTICE OF NUISANCE AND DEMAND TO ABATE NUISANCE ON
PROPERTY LOCATED AT:

332/ 334 Palm Lane CLERMONT, FL 34711

TO: RICHARD J KLAAS TRUST
505 7TH ST
CLERMONT, FL. 34711

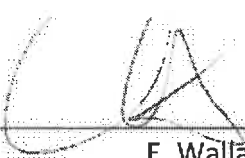
REGARDING: 332/334 PALM LANE CLERMONT, FL. 34711 ALT-KEY# 1617600
PARCEL # 302226040000003700

In accordance with Chapter 34 of the City Code of the City of Clermont, you are hereby advised that a nuisance exists on the above-referenced property as more particularly described in **SECTIONS: UNSAFE STRUCTURE 108.1.1, 108.1.5 DANGEROUS STRUCTURE, 109.1 IMMINENT DANGER, 109.2 TEMPORARY SAFEGUARDS, 109.5 COSTS OF EMERGENCY REPAIRS, 110.1 DEMOLITION 108.6 ABATEMENT METHODS AND SECTIONS 34-61, 34-62 AND 34-63 CREATION OF A NUISANCE BY PROPERTY OWNER DECLARED UNLAWFUL.**

YOU ARE FURTHER ADVISED THAT PURSUANT TO SECTION 34-63 AND SECTION 108.6 OF THE CLERMONT CITY CODE, YOU HAVE TEN (10) DAYS FROM THE DATE BELOW TO ABATE THE ABOVE-REFERENCED NUISANCE AND NO LATER THAN APRIL 30TH TO DEMO STRUCTURE(S) ON PROPERTY. IF YOU FAIL TO TIMELY ABATE THE NUISANCE, THE CITY OF CLERMONT SHALL ENTER UPON THE PROPERTY TO ABATE THE NUISANCE AND A BILL SHALL BE SENT TO YOU FOR THE COST INCURRED BY THE CITY. IF YOU FAIL TO PAY THE BILL WITHIN THIRTY (30) DAYS A LIEN SHALL BE IMPOSED AND ENFORCED AGAINST THE PROPERTY.

Dated this 17TH day of MARCH, 2021.

By:

A handwritten signature in dark ink, appearing to be 'E. Wallace', is written over a horizontal line.

E. Wallace
Code Enforcement Supervisor



City of Clermont AMENDED CODES

NOTICE OF NUISANCE AND DEMAND TO ABATE NUISANCE ON
PROPERTY LOCATED AT:

332/334 Palm Lane CLERMONT, FL 34711

TO: RICHARD J KLAAS TRUST
505 7THST
CLERMONT, FL. 34711

REGARDING: 332/334 Palm Ln CLERMONT, FL. 34711 ALT-KEY# 1617600
PARCEL # 30-22-26-0400-000-03700

In accordance with Chapter 34 of the City Code of the City of Clermont, you are hereby advised that a nuisance exists on the above-referenced property as more particularly described in **SECTIONS: UNSAFE STRUCTURE 111.1.1, DANGEROUS STRUCTURE OR PREMISES 111.1.5, IMMINENT DANGER 112.1, TEMPORARY SAFEGUARDS, 112.2, EMERGENCY REPAIRS 112.4, 112.5 COST OF EMERGENCY REPAIRS, 109.5 AND/OR 111.9 ABATEMENT AND/OR RESTORATION OR ABATEMENT METHODS, DEMOLITION 113.1 AND SECTIONS 34-61, 34-62 AND 34-63 CREATION OF A NUISANCE BY PROPERTY OWNER DECLARED UNLAWFUL.**

AMENDED AND SENT BY CERTIFIED MAIL AND POSTED SINCE A HEARING HAS BEEN SET FOR 9-21-21.

SEE OTHER NOTICES ATTACHED.

Dated this 25TH day of **AUGUST, 2021.**

A handwritten signature in black ink, consisting of a large, stylized 'E' followed by a 'W' and a 'L', written over a horizontal line.

E.WALLACE
CITY OF CLERMONT
CODE ENFORCEMENT
352-241-7304
ewallace@clermontfl.org

Code Enforcement Special Magistrate
City of Clermont
NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2017-000484

vs.

RICHARD J KLAAS TRUST

Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby notified that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Special Magistrate on:

September 21ST, 2021 at 1:30 p.m.

at

685 West Montrose Street, Clermont, Florida.

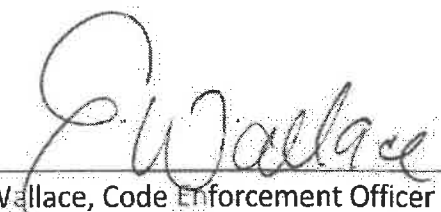
Council Chambers of City Hall

The Special Magistrate will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures of items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

I hereby certify that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Personal Service to Respondent, RICHARD J KLAAS TRUST. 505 7th St Clermont FL 317
Certified Mail/Return Receipt Requested # 9171 9690 0935 0199 6523 08

BY: _____


Evie Wallace, Code Enforcement Officer
this 26th day of August, 2021

IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THESE PROCEEDINGS, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR THIS PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA**

CITY OF CLERMONT

Petitioner,

vs.

RICHARD J. KLOSS TRUST,

Respondent.

**Case No: C2017-000484
332 & 334 Palm Lane
Clermont, Florida**

FINDINGS OF FACT, CONCLUSION OF LAW and ORDER

THIS MATTER came before the Code Enforcement Special Magistrate of the City of Clermont for hearing on **March 20, 2018** and the Special Magistrate having heard sworn testimony and received evidence from **Lori Crain and Evie Wallace, Code Enforcement Officers**, for the City and **Richard Klass** on behalf of Respondent, thereupon issues the following Findings of Fact, Conclusion of Law, and Order:

I. FINDINGS OF FACT

- 1) Notice as required by Section 162.12, F.S. was provided to Respondent.
- 2) The Respondent is the owner of and in custody and control of the property described in the Violation Notice dated September 27, 2017.
- 3) There exists on the property a dwelling unit and structures in severe disrepair..

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **RICHARD J. KLOSS TRUST**, is in violation of City of Clermont Section 302.7 "Accessory Structures"; Section 304.7 "Roofs and Drainage"; Section 304.1-IPMC "Exterior Structure"; Section 304.2 "Fence Maintenance"; and Section 34-61 "Enumeration of prohibited items, conditions or actions constituting nuisances" Section 301.3 Vacant Structures and Lands, Section 302.4 Weeds, Section 34-62 Creation of Nuisances, Section 122-344 and Section 302 Sanitation, Section 118-35 Maintenance and Pruning.

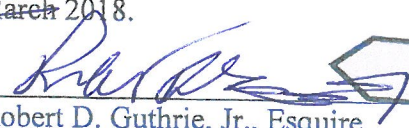
III. ORDER

Based on the above-stated findings and conclusion of law, it is hereby Ordered that:

CASE NO: C2017-000484

- 1) Respondent shall correct the above-stated violation on or before **June 20, 2018** by taking the remedial action as set forth in the Violation Notice dated September 27, 2017. If the Respondent fails to timely correct the violation a fine of **TWO HUNDRED AND FIFTY DOLLARS (\$250)** will accrue for each day the violation continues past the compliance date as stated above.
- 2) Respondent bears the burden of, and shall contact the City of Clermont Code Enforcement Department to arrange for a re-inspection of the Property and to verify that the violations have been corrected, and the property has been brought into compliance with the City Code Sections as cited above. Respondent shall call (352) 241-0178 x6624 to request an inspection.
- 3) Any fine imposed shall accrue from the date it is imposed until the date that the violation is corrected as verified by the City of Clermont Code Enforcement Department.

Done and Ordered this 2nd day of ^{April}~~March~~ 2018.


Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court. Any such appeal shall be filed within thirty (30) days of the rendition of this Order as set forth in Section 162.11, Florida Statutes.

I HEREBY CERTIFY that on this 4th day of ^{April}~~March~~ 2018, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Richard J. Klaas Trust, 505 7th Street, Clermont, FL 34711.


Code Enforcement Officer



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, October 12, 2021	
Agenda Item Name	
Employee Benefit Renewal and Changes	
Requested Action	
Consider approval of the employee group medical and dental plan renewal and changes effective January 1, 2022.	
Staff Report	
The Employee Group Medical Plan is self-funded, established in 1990. The plan provides health, dental and prescription drug coverage for employees, retirees and eligible dependents. During the month of September 2021 the Employee Insurance Team, made up of employees representing all City departments, met to discuss the renewal for the plan. The team has also been meeting quarterly throughout 2021. The following proposed changes, include the necessary funding to reach the ending cash reserve amount of 17.07% of projected claims, are recommended by the Employee Insurance Team for your consideration. The changes would take effect January 1, 2022. The ending reserve amount of 17.07% is below the State required target of 33%, however it is anticipated that due to the current COVID environment, there is some flexibility in this requirement for the 2021 and 2022 plan years. Increase employee contributions for the medical and dental plan by 13.5% per pay check. Increase City contributions by 13.5% for the medical and dental plans. Retiree contributions are based on the total contribution (employee plus City) and will be adjusted in accordance with the City's Resolution 2013-06 regarding the City's contribution toward retiree medical and dental coverage. A 10% budget increase was included in the FY 2022 budget, therefore an additional amount up to \$45,204 is being requested to adequately fund the plan if savings can not be achieved in the departments' budgets covering the additional amount. There are no plan design changes being recommended at this time. Continue the current voluntary employee wellness program incentive of \$150 per year for covered employees and spouses on the city's health plan. Maintain the employee and dependent tobacco user surcharges at 15% of the total unit cost. The tobacco user surcharge has been in place since 2009. As always, the City makes available reasonable alternative standards for the employee/dependent to qualify for the non-tobacco user rates by participating in a tobacco cessation program and submitting a certificate of completion. Continue the current self-insurance plan individual and aggregate stop loss insurance (individual deductible of \$181,500). The overall increase to the stop loss premium is 13%. With all of the above noted changes, if claims run as projected, the fund's reserves at December 31, 2022 are projected to be \$855,832 or 17.07% of projected annual claims. Although this is below the State-required target of approximately 33% of projected claims, consultants believe that 17.07% funding for the plan's reserves will be approved by the State due to COVID.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	Financials 2022 - Agenda Item	Financials 2022 - Agenda Item.pdf	
2.	Insurance Rates 2022	Insurance Rates 2022.pdf	
3.	2022 Premiums including 13.5%	2022 Premiums including 13.5%.pdf	

City of Clermont
Group Medical Self Insurance Fund
Revenues and Expenditures

9/30/2021

2016 - 2022

	<u>CY 2017 Actual</u>	<u>CY 2018 Actual</u>	<u>CY 2019 Actual</u>	<u>CY 2020 Actual</u>	<u>CY 2021 Budget</u>	<u>CY 2021 Actual 08-31-21</u>	<u>% Budget</u>	<u>CY 2021 Projected</u>	<u>13.5% CY 2022 Budget</u>
Beginning Cash	\$718,717	\$927,655	\$1,870,392	\$1,926,637	\$1,115,294	\$1,212,429		\$1,212,429	\$796,134
Revenues									
City Premiums	\$3,389,747	\$3,921,456	\$4,185,182	\$3,956,448	\$4,537,489	\$2,901,373	63.9%	\$4,437,394	\$5,036,442
Employee Premiums	\$788,395	\$852,332	\$775,972	\$788,341	\$921,320	\$587,484	63.8%	\$898,505	\$1,019,804
Retiree/Cobra Premiums	\$70,008	\$82,637	\$131,445	\$163,872	\$188,944	\$99,223	52.5%	\$148,835	\$168,928
Reimb - Reinsurance	\$46,783	\$838	\$639	\$0	\$0	\$0		\$0	\$0
Reimb - CIGNA Wellness	\$30,603	\$31,170	\$31,347	\$32,927	\$32,450	\$18,932	58.3%	\$36,861	\$37,000
Reimb - Other	\$0	\$0	\$0	\$34,162	\$30,000	\$27,287	91.0%	\$83,787	\$141,000
Interest Earnings	\$5,852	\$15,101	\$25,151	\$12,686	\$8,000	\$253	3.2%	\$1,880	\$1,000
Transfer from City	\$600,000	\$599,700	\$0	\$0	\$0	\$0		\$0	\$0
Total Revenues	\$4,931,388	\$5,503,234	\$5,149,736	\$4,988,436	\$5,718,203	\$3,634,553	63.6%	\$5,607,262	\$6,404,173
Expenditures									
Claims	\$3,987,958	\$3,580,388	\$3,831,689	\$4,658,251	\$4,518,246	\$3,121,032	69.1%	\$4,811,167	\$5,013,787
Wellness Programs	\$25,521	\$28,574	\$5,139	\$1,360	\$41,250	\$3,075	7.5%	\$41,250	\$50,000
Admin Fees	\$234,842	\$252,485	\$278,714	\$307,136	\$303,506	\$231,299	76.2%	\$346,949	\$353,443
Reinsurance	\$474,129	\$571,237	\$605,747	\$735,897	\$829,678	\$549,461	66.2%	\$824,191	\$927,245
Reimburse Loan from City	\$0	\$127,813	\$372,201	\$0	\$0	\$0		\$0	\$0
Total Expenditures	\$4,722,450	\$4,560,497	\$5,093,490	\$5,702,645	\$5,692,680	\$3,904,867	68.6%	\$6,023,557	\$6,344,475
Ending Cash	\$927,655	\$1,870,392	\$1,926,637	\$1,212,429	\$1,140,817	\$942,114		\$796,134	\$855,832
Ending Cash % of Claims	23.26%	52.24%	50.28%	26.03%	25.25%	20.12%		16.55%	17.07%
Target Ending Cash (33% of claims amount)	\$1,300,588	\$1,181,252	\$1,264,246	\$1,537,223	\$1,491,021	\$1,544,911		\$1,587,685	\$1,654,550
Cash Variance from Target				(\$324,794)	(\$350,204)	(\$602,797)		(\$791,551)	(\$798,718)

City of Clermont
Group Medical Insurance Rates
January 1, 2022

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Employees				
Employee				
-City Share	Bi-Weekly	\$586.67	\$10.93	\$597.61
-EE Share	Bi-Weekly	\$34.62	\$6.24	\$40.86
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
-EE Tobacco Surcharge	Bi-Weekly	\$93.19	\$0.00	\$93.19
Spouse				
-City Share	Bi-Weekly	\$137.20	\$0.00	\$137.20
-EE Share	Bi-Weekly	\$161.93	\$10.82	\$172.75
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
-EE Tobacco Surcharge	Bi-Weekly	\$44.87	\$0.00	\$44.87
Children				
-City Share	Bi-Weekly	\$119.87	\$0.00	\$119.87
-EE Share	Bi-Weekly	\$149.10	\$9.59	\$158.69
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
-EE Tobacco Surcharge	Bi-Weekly	\$40.34	\$0.00	\$40.34
Family				
-City Share	Bi-Weekly	\$216.08	\$0.00	\$216.08
-EE Share	Bi-Weekly	\$231.51	\$21.24	\$252.75
Total	Annual	\$11,637.28	\$552.13	\$12,189.41
-EE Tobacco Surcharge	Bi-Weekly	\$67.14	\$0.00	\$67.14

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Retirees - Non-Medicare Eligible - Tier 1				
Retiree				
-City Share	Monthly	\$780.76	\$18.98	\$799.74
-Retiree Share	Monthly	\$565.38	\$18.23	\$583.61
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
Spouse				
-City Share	Monthly	\$168.51	\$0.00	\$168.51
-Retiree Share	Monthly	\$479.61	\$23.44	\$503.05
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
Children				
-City Share	Monthly	\$174.83	\$0.00	\$174.83
-Retiree Share	Monthly	\$407.93	\$20.78	\$428.71
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
Family				
-City Share	Monthly	\$320.03	\$0.00	\$320.03
-Retiree Share	Monthly	\$649.75	\$46.01	\$695.76
Total	Annual	\$11,637.28	\$552.13	\$12,189.41

Base Plan - Retirees - Medicare Eligible - Tier 1

Retiree				
-City Share	Monthly	\$476.26	\$18.98	\$495.24
-Retiree Share	Monthly	\$344.88	\$18.23	\$363.11
Total	Annual	\$9,853.72	\$446.56	\$10,300.28
Spouse				
-City Share	Monthly	\$102.79	\$0.00	\$102.79
-Retiree Share	Monthly	\$292.56	\$23.44	\$316.00
Total	Annual	\$4,744.27	\$281.23	\$5,025.50

Tier 1 retirees are employees who retired or entered the DROP prior to October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Retirees - Non-Medicare Eligible - Tier 2				
Retiree				
-City Share	Monthly	\$673.07	\$0.00	\$673.07
-Retiree Share	Monthly	\$673.07	\$37.21	\$710.28
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
Spouse				
-City Share	Monthly	\$162.03	\$0.00	\$162.03
-Retiree Share	Monthly	\$486.09	\$23.44	\$509.53
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
Children				
-City Share	Monthly	\$145.69	\$0.00	\$145.69
-Retiree Share	Monthly	\$437.06	\$20.78	\$457.84
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
Family				
-City Share	Monthly	\$242.44	\$0.00	\$242.44
-Retiree Share	Monthly	\$727.33	\$46.01	\$773.34
Total	Annual	\$11,637.28	\$552.13	\$12,189.41

Base Plan - Retirees - Medicare Eligible - Tier 2

Retiree				
-City Share	Monthly	\$410.57	\$0.00	\$410.57
-Retiree Share	Monthly	\$410.57	\$37.21	\$447.79
Total	Annual	\$9,853.72	\$446.56	\$10,300.28
Spouse				
-City Share	Monthly	\$98.84	\$0.00	\$98.84
-Retiree Share	Monthly	\$296.52	\$23.44	\$319.95
Total	Annual	\$4,744.27	\$281.23	\$5,025.50

Tier 2 retirees are employees who had 20 or more years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Retirees - Non-Medicare Eligible - Tier 3				
Retiree				
-City Share	Monthly	\$403.84	\$0.00	\$403.84
-Retiree Share	Monthly	\$942.30	\$37.21	\$979.51
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
Spouse				
-City Share	Monthly	\$97.22	\$0.00	\$97.22
-Retiree Share	Monthly	\$550.91	\$23.44	\$574.34
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
Children				
-City Share	Monthly	\$87.41	\$0.00	\$87.41
-Retiree Share	Monthly	\$495.34	\$20.78	\$516.12
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
Family				
-City Share	Monthly	\$145.47	\$0.00	\$145.47
-Retiree Share	Monthly	\$824.31	\$46.01	\$870.32
Total	Annual	\$11,637.28	\$552.13	\$12,189.41

Base Plan - Retirees - Medicare Eligible - Tier 3

Retiree				
-City Share	Monthly	\$246.34	\$0.00	\$246.34
-Retiree Share	Monthly	\$574.80	\$37.21	\$612.01
Total	Annual	\$9,853.72	\$446.56	\$10,300.28
Spouse				
-City Share	Monthly	\$59.30	\$0.00	\$59.30
-Retiree Share	Monthly	\$336.05	\$23.44	\$359.49
Total	Annual	\$4,744.27	\$281.23	\$5,025.50

Tier 3 retirees are employees who had at least 10 years, but less than 20 years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Retirees - Non-Medicare Eligible - Tier 4				
Retiree				
-City Share	Monthly	\$134.61	\$0.00	\$134.61
-Retiree Share	Monthly	\$1,211.52	\$37.21	\$1,248.74
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
Spouse				
-City Share	Monthly	\$32.41	\$0.00	\$32.41
-Retiree Share	Monthly	\$615.72	\$23.44	\$639.15
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
Children				
-City Share	Monthly	\$29.14	\$0.00	\$29.14
-Retiree Share	Monthly	\$553.61	\$20.78	\$574.39
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
Family				
-City Share	Monthly	\$48.49	\$0.00	\$48.49
-Retiree Share	Monthly	\$921.28	\$46.01	\$967.30
Total	Annual	\$11,637.28	\$552.13	\$12,189.41

Base Plan - Retirees - Medicare Eligible - Tier 4

Retiree				
-City Share	Monthly	\$82.11	\$0.00	\$82.11
-Retiree Share	Monthly	\$739.03	\$37.21	\$776.24
Total	Annual	\$9,853.72	\$446.56	\$10,300.28
Spouse				
-City Share	Monthly	\$19.77	\$0.00	\$19.77
-Retiree Share	Monthly	\$375.59	\$23.44	\$399.02
Total	Annual	\$4,744.27	\$281.23	\$5,025.50

Tier 4 retirees are employees who had less than 10 years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
Base Plan - Retirees - Non-Medicare Eligible - Tier 5				
Retiree				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$1,346.14	\$37.21	\$1,383.35
Total	Annual	\$16,153.63	\$446.56	\$16,600.20
Spouse				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$648.12	\$23.44	\$671.56
Total	Annual	\$7,777.49	\$281.23	\$8,058.72
Children				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$582.75	\$20.78	\$603.53
Total	Annual	\$6,993.01	\$249.36	\$7,242.37
Family				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$969.77	\$46.01	\$1,015.78
Total	Annual	\$11,637.28	\$552.13	\$12,189.41

Base Plan - Retirees - Medicare Eligible - Tier 5

Retiree				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$821.14	\$37.21	\$858.36
Total	Annual	\$9,853.72	\$446.56	\$10,300.28
Spouse				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$395.36	\$23.44	\$418.79
Total	Annual	\$4,744.27	\$281.23	\$5,025.50

Tier 5 retirees are employees who were hired after February 26, 2013.

		<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Employees				
Employee				
-City Share	Bi-Weekly	\$440.01	\$10.93	\$450.94
-EE Share	Bi-Weekly	\$25.07	\$6.24	\$31.31
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
-EE Tobacco Surcharge	Bi-Weekly	\$69.76	\$0.00	\$69.76
Spouse				
-City Share	Bi-Weekly	\$102.91	\$0.00	\$102.91
-EE Share	Bi-Weekly	\$80.98	\$10.82	\$91.79
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
-EE Tobacco Surcharge	Bi-Weekly	\$27.58	\$0.00	\$27.58
Children				
-City Share	Bi-Weekly	\$89.90	\$0.00	\$89.90
-EE Share	Bi-Weekly	\$74.56	\$9.59	\$84.15
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
-EE Tobacco Surcharge	Bi-Weekly	\$24.67	\$0.00	\$24.67
Family				
-City Share	Bi-Weekly	\$162.05	\$0.00	\$162.05
-EE Share	Bi-Weekly	\$115.76	\$21.24	\$137.00
Total	Annual	\$7,223.20	\$552.13	\$7,775.33
-EE Tobacco Surcharge	Bi-Weekly	\$41.67	\$0.00	\$41.67

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 1				
Retiree				
-City Share	Monthly	\$584.45	\$18.98	\$603.43
-Retiree Share	Monthly	\$423.22	\$18.23	\$441.46
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
Spouse				
-City Share	Monthly	\$103.59	\$0.00	\$103.59
-Retiree Share	Monthly	\$294.83	\$23.44	\$318.27
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
Children				
-City Share	Monthly	\$106.90	\$0.00	\$106.90
-Retiree Share	Monthly	\$249.42	\$20.78	\$270.20
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
Family				
-City Share	Monthly	\$198.64	\$0.00	\$198.64
-Retiree Share	Monthly	\$403.30	\$46.01	\$449.31
Total	Annual	\$7,223.20	\$552.13	\$7,775.33

High Deductible Plan - Retirees - Medicare Eligible - Tier 1

Retiree				
-City Share	Monthly	\$356.51	\$18.98	\$375.49
-Retiree Share	Monthly	\$258.17	\$18.23	\$276.40
Total	Annual	\$7,376.15	\$446.56	\$7,822.72
Spouse				
-City Share	Monthly	\$63.19	\$6.09	\$69.28
-Retiree Share	Monthly	\$179.85	\$17.34	\$197.19
Total	Annual	\$2,916.48	\$281.23	\$3,197.71

Tier 1 retirees are employees who retired or entered the DROP prior to October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 2				
Retiree				
-City Share	Monthly	\$503.84	\$0.00	\$503.84
-Retiree Share	Monthly	\$503.84	\$37.21	\$541.05
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
Spouse				
-City Share	Monthly	\$99.61	\$0.00	\$99.61
-Retiree Share	Monthly	\$298.82	\$23.44	\$322.26
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
Children				
-City Share	Monthly	\$89.08	\$0.00	\$89.08
-Retiree Share	Monthly	\$267.24	\$20.78	\$288.02
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
Family				
-City Share	Monthly	\$150.48	\$0.00	\$150.48
-Retiree Share	Monthly	\$451.45	\$46.01	\$497.46
Total	Annual	\$7,223.20	\$552.13	\$7,775.33

High Deductible Plan - Retirees - Medicare Eligible - Tier 2

Retiree				
-City Share	Monthly	\$307.34	\$0.00	\$307.34
-Retiree Share	Monthly	\$307.34	\$37.21	\$344.55
Total	Annual	\$7,376.15	\$446.56	\$7,822.72
Spouse				
-City Share	Monthly	\$60.76	\$0.00	\$60.76
-Retiree Share	Monthly	\$182.28	\$23.44	\$205.72
Total	Annual	\$2,916.48	\$281.23	\$3,197.71

Tier 2 retirees are employees who had 20 or more years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 3				
Retiree				
-City Share	Monthly	\$302.30	\$0.00	\$302.30
-Retiree Share	Monthly	\$705.37	\$37.21	\$742.58
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
Spouse				
-City Share	Monthly	\$59.76	\$0.00	\$59.76
-Retiree Share	Monthly	\$338.66	\$23.44	\$362.10
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
Children				
-City Share	Monthly	\$53.45	\$0.00	\$53.45
-Retiree Share	Monthly	\$302.87	\$20.78	\$323.65
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
Family				
-City Share	Monthly	\$90.29	\$0.00	\$90.29
-Retiree Share	Monthly	\$511.64	\$46.01	\$557.65
Total	Annual	\$7,223.20	\$552.13	\$7,775.33

High Deductible Plan - Retirees - Medicare Eligible - Tier 3

Retiree				
-City Share	Monthly	\$184.40	\$0.00	\$184.40
-Retiree Share	Monthly	\$430.28	\$37.21	\$467.49
Total	Annual	\$7,376.15	\$446.56	\$7,822.72
Spouse				
-City Share	Monthly	\$36.46	\$0.00	\$36.46
-Retiree Share	Monthly	\$206.58	\$23.44	\$230.02
Total	Annual	\$2,916.48	\$281.23	\$3,197.71

Tier 3 retirees are employees who had at least 10 years, but less than 20 years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 4				
Retiree				
-City Share	Monthly	\$100.77	\$0.00	\$100.77
-Retiree Share	Monthly	\$906.90	\$37.21	\$944.12
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
Spouse				
-City Share	Monthly	\$19.92	\$0.00	\$19.92
-Retiree Share	Monthly	\$378.50	\$23.44	\$401.94
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
Children				
-City Share	Monthly	\$17.82	\$0.00	\$17.82
-Retiree Share	Monthly	\$338.51	\$20.78	\$359.29
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
Family				
-City Share	Monthly	\$30.10	\$0.00	\$30.10
-Retiree Share	Monthly	\$571.84	\$46.01	\$617.85
Total	Annual	\$7,223.20	\$552.13	\$7,775.33

High Deductible Plan - Retirees - Medicare Eligible - Tier 4

Retiree				
-City Share	Monthly	\$61.47	\$0.00	\$61.47
-Retiree Share	Monthly	\$553.21	\$37.21	\$590.43
Total	Annual	\$7,376.15	\$446.56	\$7,822.72
Spouse				
-City Share	Monthly	\$12.15	\$0.00	\$12.15
-Retiree Share	Monthly	\$230.89	\$23.44	\$254.32
Total	Annual	\$2,916.48	\$281.23	\$3,197.71

Tier 4 retirees are employees who had less than 10 years of service as of October 1, 2013.

	<u>Period</u>	<u>Health Rates</u>	<u>Dental Rates</u>	<u>Total Rates</u>
High Deductible Plan - Retirees - Non-Medicare Eligible - Tier 5				
Retiree				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$1,007.67	\$37.21	\$1,044.88
Total	Annual	\$12,092.05	\$446.56	\$12,538.62
Spouse				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$398.43	\$23.44	\$421.86
Total	Annual	\$4,781.11	\$281.23	\$5,062.34
Children				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$356.32	\$20.78	\$377.10
Total	Annual	\$4,275.85	\$249.36	\$4,525.21
Family				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$601.93	\$46.01	\$647.94
Total	Annual	\$7,223.20	\$552.13	\$7,775.33

High Deductible Plan - Retirees - Medicare Eligible - Tier 5

Retiree				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$614.68	\$37.21	\$651.89
Total	Annual	\$7,376.15	\$446.56	\$7,822.72
Spouse				
-City Share	Monthly	\$0.00	\$0.00	\$0.00
-Retiree Share	Monthly	\$243.04	\$23.44	\$266.48
Total	Annual	\$2,916.48	\$281.23	\$3,197.71

Tier 5 retirees are employees who were hired after February 26, 2013.

Medical Plan - OAP PY 2022

2022 EE Deduction	Biweekly Dollar difference per check (EE)	2022 ER Share	Biweekly Dollar difference per check (ER)	Total Cost Per Payperiod	EE % of Cost	ER % of Cost
\$ 34.62	\$ 4.12	\$ 586.67	\$ 69.78	\$ 621.29	5.6%	94.4%
\$ 196.55	\$ 23.38	\$ 723.87	\$ 86.09	\$ 920.42	21.4%	78.6%
\$ 183.72	\$ 21.86	\$ 706.54	\$ 84.04	\$ 890.26	20.6%	79.4%
\$ 266.13	\$ 31.66	\$ 802.75	\$ 95.48	\$ 1,068.88	24.9%	75.1%

Medical Plan - HRA PY 2022

2022 EE Deduction	Biweekly Dollar difference per check (EE)	2022 ER Share	Biweekly Dollar difference per check (ER)	Total Cost Per Payperiod	EE % of Cost	ER % of Cost
\$ 25.07	\$ 2.98	\$ 440.01	\$ 52.33	\$ 465.08	5.4%	94.6%
\$ 106.05	\$ 12.61	\$ 542.95	\$ 64.61	\$ 649.00	16.3%	83.7%
\$ 99.63	\$ 11.86	\$ 529.91	\$ 63.03	\$ 629.54	15.8%	84.2%
\$ 140.83	\$ 16.75	\$ 602.06	\$ 71.60	\$ 742.89	19.0%	81.0%

Dental Plan PY 2022

2022 EE Deduction	Biweekly Dollar difference per check (EE)	2022 ER Share	Biweekly Dollar difference per check (ER)	Total Cost Per Payperiod	EE % of Cost	ER % of Cost
\$ 6.24	\$ 0.74	\$ 10.93	\$ 1.29	\$ 17.17	36.3%	63.7%
\$ 17.06	\$ 2.03	\$ 10.93	\$ 1.29	\$ 27.99	61.0%	39.0%
\$ 15.83	\$ 1.88	\$ 10.93	\$ 1.29	\$ 26.76	59.2%	40.8%
\$ 27.48	\$ 3.27	\$ 10.93	\$ 1.29	\$ 38.41	71.5%	28.5%



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Single/Sole Source Purchase		
Requested Action		
Recommend to approve single/sole source purchase from National Fitness Campaign, LLC. to acquire one (1) fitness court.		
Staff Report		
The Procurement Services Department and the Parks and Recreation Department recommend approval of the above action. In accordance with the direction of the City Council, the Procurement Services Department issued a Request for Interest (RFI) number 2210-001 to verify whether the specifications for the commodity specified are non-restrictive and capable of being met by more than one company. The City of Clermont Procurement Services Policy provides that a purchase may be made without competition when there is only one source for the required product or service. Therefore, a single/sole source purchase is justified if there is only one product of service that can reasonably meet the City's needs and there is only one company that can provide such a product or service. The RFI was posted on the City's website for five (5) business days. At the completion of the RFI, the Procurement Services Department received no interest. Based on this, staff recommends that the council approve the single/sole source purchase. The National Fitness Campaign, LLC. has awarded the City of Clermont with a grant of \$30,000 to purchase this equipment. The total cost to purchase the fitness court, including the grant, is \$105,765. The cost for installation is \$25,000 and provided by Engineered Installation Solution (EIS) as a third party installer. The total cost of acquiring the fitness center and installation is \$130,765.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$130,765 is included in the current fiscal year approved budget. Department Account Code: 14572-66301		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI 2210-001	RFI 2210-001.pdf	
2. Sole Source Letter	Sole Source Letter.pdf	
3. NFC Quote # QU0465	Quote # QU0465 (1).pdf	
4. EIS Installation Quote	EIS Proposal - Clermont FL - 2021-10-04.pdf	



REQUEST FOR INFORMATION

Justification of Sole Source Acquisition from National Fitness Campaign

CONTACT INFORMATION:	RFI No. 2210-001	ISSUED DATE: October 1, 2021
Ramsey Gross, MPA Senior Procurement Agent EMAIL: rgross@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO SOLE SOURCE PURCHASE NOTICE END DATE: <u>October 8, 2021 @ 3:00 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 Procurement Services Director by email.

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

This Request for Information (RFI) is intended to verify whether the specifications for the commodity specified below are non-restrictive and capable of being met by more than one company. **This is not an invitation to submit a bid or quote.** This notice will be posted for five (5) business days.

The City of Clermont Purchasing Policy provides that a purchase may be made without competition when there is only one source for the required product or service. Therefore a "single/sole source" purchase is justified if there is only one product or service that can reasonably meet the City's need and there is only one company who can provide such product or service.

1 – SOLE SOURCE INFORMATION

(a) Department: Parks & Recreation Department

(b) Company Information: National Fitness Campaign, LLC.

(c) Product or Service Provided: To provide one fitness court for a city owned park.

(d) Sole Source Justification: No competitive products exists or is available from another vendor.

2 – ACTION TO BE TAKEN

No action is required if you agree the proposed purchase is a valid sole source. If you disagree that the proposed purchase is a valid sole source, please contact the Procurement Services Director by email or by mail prior to the “Notice End Date” indicated above to advise whether your company can provide the product or service mentioned above.

Prospective respondents are requested to provide information regarding their ability to provide the product or service described. **Respondents are not to provide pricing.** All responses will be evaluated by the Procurement Services 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.



National Fitness Campaign LP | PO Box 2367, San Francisco CA 94126 | info@nfchq.com

February 23rd, 2021

To Whom it May Concern,

National Fitness Campaign LP is a consulting firm that partners with public and private organizations to impact quality of life through changing the built environment and community wellness practices. The NFC initiative provides design and planning services, a trademarked outdoor infrastructure product, the Fitness Court®, an integrated digital ecosystem, the Fitness Court® mobile app and engagement wall, and integrated public art wall to approved cities, schools, and organizations that apply to receive an NFC partnership and bring the program to their selected site location.

This program is highly specialized, and NFC is the only organization in the world that delivers these elements either individually, or as part of an integrated program. For the reasons listed below, the trademark ownership of the system and infrastructure, and the integrated nature of the initiative including services, products, tools and grant funding, it is approved as a sole source across the United States.

A competitive analysis has been conducted by hundreds of cities and institutions across the country, who have concluded that the products and services have no equal. This group includes cities like Sacramento California and Las Vegas Nevada, and institutions such as Stanford University and The University of Colorado at Boulder, where the Fitness Court® and associated tools and services were successfully sole sourced, evidenced by public documentation and approvals which have been documented widely. Further, the Fitness Court® is trademarked and owned by National Fitness Campaign.

While the integrated nature of the products and services is grounds for sole source by most national standards, there are three primary differentiators that validate the sole source justification of the Fitness Court® and national campaign resources, which are described below. In addition to the below descriptions of these three primary items, an appendix is provided as an attachment to this document that provides graphic aids and further detailed information regarding the differentiation of this program and its associated products and services.

1. *Patented Fitness Court® System*

- A. Fitness Court® is trademarked and owned by National Fitness Campaign LP.
 - a. As such, this product cannot be procured from any other organization. Any organization seeking to fund and install a Fitness Court® must do so through National Fitness Campaign LP.
 - i. *See Appendix for Trademark Document from the United States Patent and Trademark Office*
- B. The Fitness Court® and each element is manufactured only by National Fitness Campaign LP. It is impossible to not only procure the elements as a system, but individually. Every aspect of the Fitness Court®, including the functional design of all equipment, structural engineering, elements are the property of National Fitness Campaign LP. The individual elements are each named and registered with a unique design and serial number. Because the design of the elements is owned by National Fitness Campaign LP and not licensed to any other organization or distributor, it is not possible to procure them anywhere else.
- C. The Fitness Court® is available only in a single configuration, shown in the



appendix materials. The system includes over 118 unique elements. There is absolutely no variation in the layout of the elements. Elements can not be added or removed. Spacing cannot be altered. Like many integrated products, Individual elements can not be procured separately.

- D. The Fitness Court® has a patented training envelope that accommodates more users per square foot than any other system in the world. The Fitness Court® is a comprehensive outdoor circuit training system, laid out in 32'x32' of space, for a total of 1024 sq ft of training area. NFC's patented design is able to support 28 simultaneous users on 30 integrated bodyweight training components, derived from the previously stated 118 elements. This configuration is impossible to re-create in only 1024 square feet without NFC's patented equipment and components due to specific requirements set forth by other manufacturers.
- E. Public Art Mural and Digital Engagement Wall
 - a. Each Fitness Court® is designed as a one-of-a-kind work of art that includes a 32'x5.5' public art mural. The mural is an integral component of the Fitness Court design, and makes each Fitness Court® a one-of-a-kind public art installation.
 - b. Further, the mural can be periodically re-designed and introduced, to create a rotating art mural.
 - i. NFC provides integrated consulting and design services to assist in this process.
 - c. Digital Engagement Wall
 - i. On the opposite side of the mural wall, the Fitness Court includes a custom digital engagement wall.
 - 1. This wall provides digital QR codes and embedded, proprietary information regarding the use of the Fitness Court® and Fitness Court App.
 - 2. This information is unavailable from any other organization because it is the IP of National Fitness Campaign LP.
 - 3. Tracking Fitness Court® usage wouldn't be possible without the built in GPS tracking features available on the Fitness Court® digital engagement wall.
 - d. NFC is unaware of any other outdoor fitness element that provides an integrated art mural of any kind.
 - e. Further, NFC has an in-house art studio that designs, produces, and creates the art and custom graphics that are integrated into each Fitness Court.
 - i. This scope of services for design and production of commercial grade, anti-graffiti laminate vinyl specific to the Fitness Court® is not provided by any other organization as an integrated service.

2. Fitness Court® App and Digital Tracking System

- a. Each Fitness Court® is supported by a mobile app called the Fitness Court® App. All IP, including the app itself are owned by National Fitness Campaign LP. The training resources, world-class workout programs, challenges and data analytics features are only available for Fitness Court® users and site partners.
- b. No other outdoor fitness equipment provides a mobile app with the following four categories of functionality:



- c. Mobile App Primary Features
 - 1. Mark Lauren Training Series
 - a. Mark Lauren is a US Special Operations Trainer and Bestselling Author. He has developed 18 proprietary workout programs specifically for the Fitness Court® system. They are only available on the Fitness Court® App. Mark Lauren has no other programs for outdoor fitness equipment available.
 - 2. Fitness Court® App Live Challenge Feature
 - a. This is a proprietary feature that allows a user to score a 7 station circuit on the Fitness Court® using their mobile device. This feature is not available for any other outdoor fitness product of any kind.
 - 3. Annual Data Analytics Reporting
 - a. Each site partner who builds a Fitness Court® receives an annual data report tracking usage on their Fitness Court®.
 - b. To NFC's knowledge, no other manufacturer of any type of outdoor exercise component provides regular, annual report of key usage metrics using digital, GPS based systems.
 - i. The Report is provided by NFC, and includes annual demographic data, user age ranges, Fitness Court app downloads and other important information.
 - ii. This information is generated by NFC's proprietary GPS based data analytics services for each Fitness Court® in America.
 - c. See appendix for sample annual user data report.
 - d. See appendix for additional information regarding the Fitness Court® App.

3. National Grant Funding

- a. National Fitness Campaign LP builds and maintains a National Grant Fund, supported each year by sponsors and partners of the campaign. This funding takes tremendous effort to build, and it is provided by National Fitness Campaign and partners and sponsors to support the mission of making wellness infrastructure free and accessible across America in partnership with leading cities, schools and organizations.
- b. For 2021, National Campaign sponsors include:
 - i. The Keith Haring Fitness Court® Signature Series Collection
 - ii. Engineered Installation Solutions
 - iii. Regupol America
 - iv. USA Shade and Fabric Structures
 - v. Badger Sport
- c. To procure a Fitness Court®, an organization must complete a formal application and be approved for funding and participation. Each partner organization that succeeds in submitting a successful application is eligible to receive a Grant Award which is deducted from the funds required for the NFC program from sponsors of the National Fitness Campaign.



- d. This funding is administered in the preferred method of receipt for each partner organization. Methods include a credit on final invoices for remaining funding, and direct grant disbursements provided by National Fitness Campaign.
- e. This funding is available for a limited number of partners in each state on an annual basis, and is awarded based on merit of application from a qualified site partner, including the requirement for the Fitness Court to build in a publicly accessible location.
- f. For more information, see: <https://nationalfitnesscampaign.com/grants>

No other vendor, distributor or organization makes these materials available for procurement by any city, school, or organization. They must be acquired from National Fitness Campaign LP. If you have further questions regarding this sole source letter or require additional information, please contact us per the information provided on this letterhead.

Sincerely,

Mitch Menaged, *Founder and Director*
National Fitness Campaign LP



QUOTE

City of Clermont
3700 S. Hwy 27
CLERMONT FL 34711
UNITED STATES

Date
Sep 30, 2021

Expiry
Oct 15, 2021

Quote Number
QU-0465

National Fitness
Campaign LLC
For all questions
regarding this quote,
contact:
purchasing@nfchq.com

Description	Quantity	Unit Price	Tax	Amount USD
Fitness Court and National Campaign Resources - Includes Official Installation Kit	1.00	128,000.00	Tax Exempt	128,000.00
2021 National Grant Funding Award	1.00	(30,000.00)	Tax Exempt	(30,000.00)
Freight, Packing and Insurance for shipment	1.00	2,000.00	Tax Exempt	2,000.00
Fall 2021 Material Increase - Raw Steel	1.00	5,765.00		5,765.00
			Subtotal	105,765.00
			TOTAL USD	105,765.00

Terms

1. PAYMENT TERMS

Purchaser will pay Seller 100% of the Purchase Price within 30 days of the Delivery Date. Purchaser is responsible for payment of shipping costs, including packing, insurance and freight. These payment terms will apply unless other approved payment terms have been agreed to by both parties.

2. TAX EXEMPTION

This quoted total is based upon Purchaser's tax exempt status, for which verifying documentation must be provided to Seller. If Purchaser is not tax exempt, sales tax will be applied before Purchase Price is to be considered final or binding.



October 4, 2021

Scott Davidoff
City of Clermont
3700 S. Hwy 27
Clermont, FL 34711

Engineered Installation Solutions (EIS) is pleased to propose Fitness Court installation as supplied by the National Fitness Campaign for the City of Clermont (Client) as follows:

Installation of the following items is INCLUDED in the installation:

- Fitness Court Tile (approximately 33 feet x 34 feet) in the location and orientation as agreed with Client
- Anchor Bolts for the Fitness Court equipment as defined in the Installation Instructions
- The Fitness Court equipment as defined in the Installation Instructions
- Floor Marking Paint for the Fitness Court as defined in the Installation Instructions
- Graphic decal package as supplied by NFC

EIS agrees to work together with the Client on the following items:

- Coordination of local tax & regulatory requirements *
- Coordination of debris & trash removal and recycling *
- Coordination of site security fence during installation *
- Coordination of material delivery to the slab *
- Coordination of required insurance coverage (representative coverage is provided in the attachment) *
- Hand-off of completed documentation and the maintenance kit
- Final inspection of The Fitness Court after installation and a completed Assembly Completion Certificate from the Installation Manual
- * Additional fees may apply if EIS becomes responsible for additional costs not known on the date of this proposal

The following items are specifically not included in the installation and must be available and ready for Fitness Court installation on the date agreed:

- Installation of Concrete Slab (must be cured and ready for tile installation per NFC Slab Drawings)
- Procurement or supply of any Fitness Court Tile, Equipment, Graphics or Installation Kit Material
- Anything else not specifically listed above as included

The price for the installation per the scope defined above and the terms defined herein is **\$25,000.00** (twenty-five thousand US Dollars). Fifty percent of the price is due upon acceptance and establishment of the installation date. The balance due per this agreement is payable Net 30 days after completion.

EIS looks forward to providing the installation of the Fitness Court for the City of Clermont.

Sincerely,

Timothy W. Gunnels, PE
President

Craig J. Ausrud
Vice President



Terms of Proposal:

1. **SERVICES:** Services will be performed within 120 days unless timing is otherwise affected by the Client.
2. **RESPONSIBILITIES OF PURCHASER:** The following materials are to be furnished by the Client and delivered to the installation site on the day and time agreed between EIS and the Client. EIS will contact Client to arrange and agree on the dates and times.
 - a. Concrete Slab ready for installation of tile per the Slab Drawings
 - b. The Fitness Court as purchased from National Fitness Campaign
 - c. The Fitness Court Tile and associated adhesive and accessories as supplied by National Fitness Campaign
 - d. The Fitness Court Installation Kit as supplied by National Fitness Campaign
 - e. Site Fence to enclose and secure the installation area
 - f. Dedicated Site Access
 - g. Available parking for 1 vehicle adjacent to the installation location
3. **EXCUSABLE DELAY:** Except with respect to defaults of subcontractors, EIS shall not be liable for delays or defaults in installation due to causes beyond its control and without its fault or negligence. Written notice setting forth the cause for any anticipated delay will be given immediately to the Client. Any delay due to default of a subcontractor will be excusable if beyond the control and without the fault or negligence of both EIS and the subcontractor and if EIS established that it could not obtain supplies or services from any other source in time to meet scheduled deliveries.
4. **SCHEDULING / CLIENT DELAYS:** Whereas the agreed installation date for the Fitness Court will be highly coordinated with other Fitness Court installations and changes to the installation schedule that are out of the control of EIS will be very costly to EIS, such schedule changes will be handled as follows:

NOTE: EIS will work with the Client whenever possible to avoid additional incurred charges.

- a. Agreement on the Installation Start Date will be made between Client and EIS 14 calendar days or more prior to the Installation Start Date.
- b. Changes by the Client to the agreed Installation Start Date more than 14 days from the agreed Installation Start Date will be allowed one time.
- c. Should it become necessary to make changes to the installation schedule less than 14 days from the agreed start date, Client and EIS will work together to mitigate any possible costs associated with the schedule change. Should the Client make changes to the schedule less than 14 days from the scheduled start date, EIS may add rescheduling fees that cannot be reasonably mitigated. This would be paid as a direct pass through with no additional markup or administration fee.
- d. The client is responsible to provide the following items to facilitate the EIS installation schedule. Failure to provide the items as agreed may cause delays to the installation that are not the fault of EIS. Remedy of such delays will be the responsibility of the Client. Such delays may require demobilization and / or remobilization fees for a return trip to the site or may require delay fees for extending the duration of the installation while at the site. EIS and Client agree to work together to resolve issues to prevent schedule delays and to prevent the need for demobilization and remobilization.
 - Visible fence around the perimeter of the Fitness Court work area intended to keep the public out of the work area until the Fitness Court installation is approved by the client and is safe for public use.
 - Accessible dumpster in a location as agreed between EIS and Client or agreed arrangements for disposal of packaging material.
 - Delivery of material by the Client to the Fitness Court work area according to the schedule agreed between EIS and the Client. All Fitness Court, Floor Tile, and associated material provided by the Client (sourced from NFC) for EIS installation must be free of defects and in proper condition and ready for EIS installation per the NFC Installation Instructions.
 - Completed and cured concrete slab installed according to the NFC Slab Drawings that is ready for floor tile installation per NFC Installation Manual and Slab Drawing requirements.
5. **DELAYS DUE TO WEATHER OR ACTS OF GOD:** Upon arrival at the installation site, delays that are out of the control of both the Client and EIS such as weather and other "Acts of God" will impact both the Client and EIS from a cost and schedule perspective. Client and EIS agree to work together to mitigate costs associated with such an event. EIS may add rescheduling fees that cannot be reasonably mitigated. This would be paid as a direct pass through with no additional markup or administration fee.



6. **CANCELLATION:** The Client reserves the right to cancel all or any part of the work covered by this agreement if EIS does not deliver services as specified or so fails to make progress as to endanger performance of the work and does not correct such failure within 10 days after receipt of written notice from Client specifying such failure, or if EIS breaches any of the terms hereof. Additionally, performance of work under this agreement may be terminated by the Client at its option, in whole or in part by delivery, or by e-mailing a written notice of termination whenever the Client determines such termination is in its best interest. Upon termination under this paragraph, Client shall pay to EIS the following amounts without duplication:
 - a. The purchase order price for all completed deliveries of materials, services or construction not previously paid for.
 - b. The actual costs incurred by EIS in accordance with the purchase order to the extent such costs are reasonable in amount and are properly assigned under generally accepted accounting practices to the terminated portion of the purchase order. Payments shall not exceed the aggregate price specified in the purchase order, less payments otherwise made or to be made.
7. **SAFETY / SECURITY:** EIS has a reasonable expectation of working in a safe environment while performing the work. EIS reserves the right to leave the job site at any time if the EIS site leader judges the work area to be unsafe. If such an event occurs, EIS will contact the Client representative to discuss the event and how to proceed safely with the installation.
8. **ADDITIONAL COSTS:** While the proposed price is intended to be inclusive of the scope described, additional costs due to specific requirements from the Client not known at the time of the proposal will be additional to the amount of the proposal. Examples of such additional costs are special insurance requirements, bonds, fees, permits, etc. EIS reserves the right to provide a revised proposal to cover such fees when discovered. Coverage of additional costs known at the time of the proposal are specifically listed in this proposal.
9. **REMEDIES:** All remedies are herein reserved by the Client and shall be cumulative and in addition to any further remedies provided in law or equity. No waiver of a breach of any provision of this contract shall constitute a waiver of any other breach or of such provision.
10. **ACCEPTANCE:** This quotation may be accepted to form a binding contract upon any one of the following options:
 - a. Signature below for the items listed in this quote prior to the expiration date.
 - b. Issuance of a purchase order to Engineered Installation Solutions referencing this quote and the terms and conditions herein prior to the expiration date.
 - c. Formal "Installation Agreement" signed thereafter, prior to scheduling of services.

Agreed and Accepted:

Client Authorized Representative Name Printed: _____

Client Authorized Representative Signature / Date: _____

Date of Acceptance: _____ / _____ / _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, October 12, 2021			
Agenda Item Name			
Boat Ramp and Jet Ski Update			
Requested Action			
Staff Report			
Staff will provide an update on the operations of the boat ramp and commercial watercraft businesses			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Variance Request 1066 Nathan Ridge Road		
Requested Action		
Recommend denial of requested variance.		
Staff Report		
The applicant is requesting a rear yard setback variance to allow for the expansion of an existing covered lanai. The request to extend the lanai with a solid insulated roof 10 feet towards the rear yard property line and 22 feet along the existing covered lanai. Under the current code, solid roofs are considered a structure and must comply with the setbacks for the primary residence. The rear property setback in this subdivision is 20 feet from the rear property line of the primary structures. The existing single-family residence is currently 24 feet from the rear property line and, with the proposed structure, will be located 14 feet from the rear property line. This would be a 6 feet intrusion into the rear setback. The addition of this structure will increase the impervious surface area by 3.5 %, but will still be under the 75% permitted for the total lot coverage. The applicant has indicated the construction of the insulated solid roof with the screened walls will provide a play area of artificial turf for their children while protecting them from the environment and mosquitos. Staff finds the applicant is seeking reasonable use of the property. However, the impervious surface area is increasing. The insulated solid roof enclosed lanai addition located 14 feet from the rear property line may be considered as intrusive to the surrounding property owners. STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on all of the five review criteria. Therefore, staff recommends denial of the variance request.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. New Staff Analysis 1066 Nathan Ridge Rd	New Staff Analysis 1066 Nathan Ridge Rd.pdf	
2. New 86-174 Review Criteria- 1066 Nathan Ridge VAR	New 86-174 Review Criteria- 1066 Nathan Ridge VAR.pdf	

3.	Maps	Maps.pdf
4.	Site Plan with Proposed Covered Enclosure	Site with Proposed Covered Enclosure.pdf
5.	Applicant Narrative	Applicant Narrative.pdf
6.	Application	Application.pdf
7.	New 1066 Nathan Ridge -Legal AD	New 1066 Nathan Ridge -Legal AD.pdf



CITY OF CLERMONT Staff Analysis Report

OWNER: Jonathan Garcia & Destiny Fantauzzi

APPLICANT: Jonathan Garcia

PROJECT NAME: 1066 Nathan Ridge Road Setback Variance

REQUESTED ACTION: Consider a request for the following variance: (1) to allow for a rear yard setback of 14 feet instead of 20 feet as required in the Highland Ranch PUD (Resolution No. 2019-26R), Section 9, and Item 10

SIZE OF PARCEL: 6,187 SF lot

LOCATION: 1066 Nathan Ridge Road – Highland Ranch Canyons Subdivision

EXISTING ZONING: UE, Urban Estate with a Conditional Use Permit (2019-26R) for a Planned Unit Development

EXISTING LAND USE: Single Family Residence

FUTURE LAND USE CATEGORY: Master Planned Development

ANALYSIS:

The applicant is requesting one (1) setback variance in order to allow the expansion of an existing covered lanai. The applicant is requesting to extend the lanai with a solid insulated roof 10 feet towards the rear property line and will run 22 feet along the existing lanai. Under the current code, solid roofs are considered a structure and must be able to meet the setbacks for the primary residence. The rear property setback in this subdivision is 20 feet from the rear property line for primary structures.

The existing single-family residence currently is 24 feet from the rear property line and with the proposed structure, will be located 14 feet from the rear property line. This would be a 6 feet intrusion into the rear setback. The addition of this structure will increase the impervious surface area by 3.5 %, but will still be under the 75% for the total lot coverage.

The applicant has indicated the construction of the insulated solid roof with the screened walls will provide a play area of artificial turf for their children while protecting them from the environment and mosquitos.

Staff finds, although the applicant is seeking reasonable use of the property. However, the impervious surface area is increasing. The installation of the insulated solid roof encroachment into the rear property setback maybe considered as intrusive to the surrounding property owners.

STAFF RECOMMENDATION:

Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on all of the five review criteria. Therefore, staff recommends **denial** of the variance request.

1066 Nathan Ridge Road Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
Applicant response: *Some direct neighbors have similar enclosures albeit bigger, and we are sure ours would not negatively impact them or others within 150 feet.*

Staff comments: *The extension of the existing lanai with an insulated solid roof would have the most impact on adjacent property owners due to it encroaching into the rear yard setback. In addition, the impervious surface is being increased, which may impact the adjacent owners with additional stormwater runoff if not conveyed properly.*

Negative Finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: *We believe this variance is reasonable and not pushing the limits of what can be granted.*

Staff comments: *The variance request is not out of character with other properties in the same zoning category.*

Positive Finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: *If granted, this variance’s benefit would outweigh any negative impact on the neighborhood or community. The homeowner would be able to enjoy a comfortable space, and increased property value as would the surrounding properties as well.*

Staff comments: *The extension of the existing lanai with an insulated solid roof would be a benefit that outweighs the current situation, especially living in Florida with the extreme heat and rain. The approval of this variance would not hinder any legitimate City objective.*

Positive Finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan;
Applicant response: *The granting of the variance is consistent with the City’s Comprehensive Plan and does not provide a conflict.*

Staff comments: *The requested variance is not in conflict with the Clermont Comprehensive Plan.*

Positive Finding

- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;

Applicant response: The variance requested is the minimum variance needed to provide an outdoor play area for our kids. The variance requested will allow a place shielded from the weather and provide relieve from the mosquitos.

Staff comments: The applicant is requesting to extend the existing lanai with an insulated solid roof with screened walls. The benefit to the homeowner that would be achieved by granting the variance would outweigh the benefits under this criteria if the variance was denied.

Positive Finding

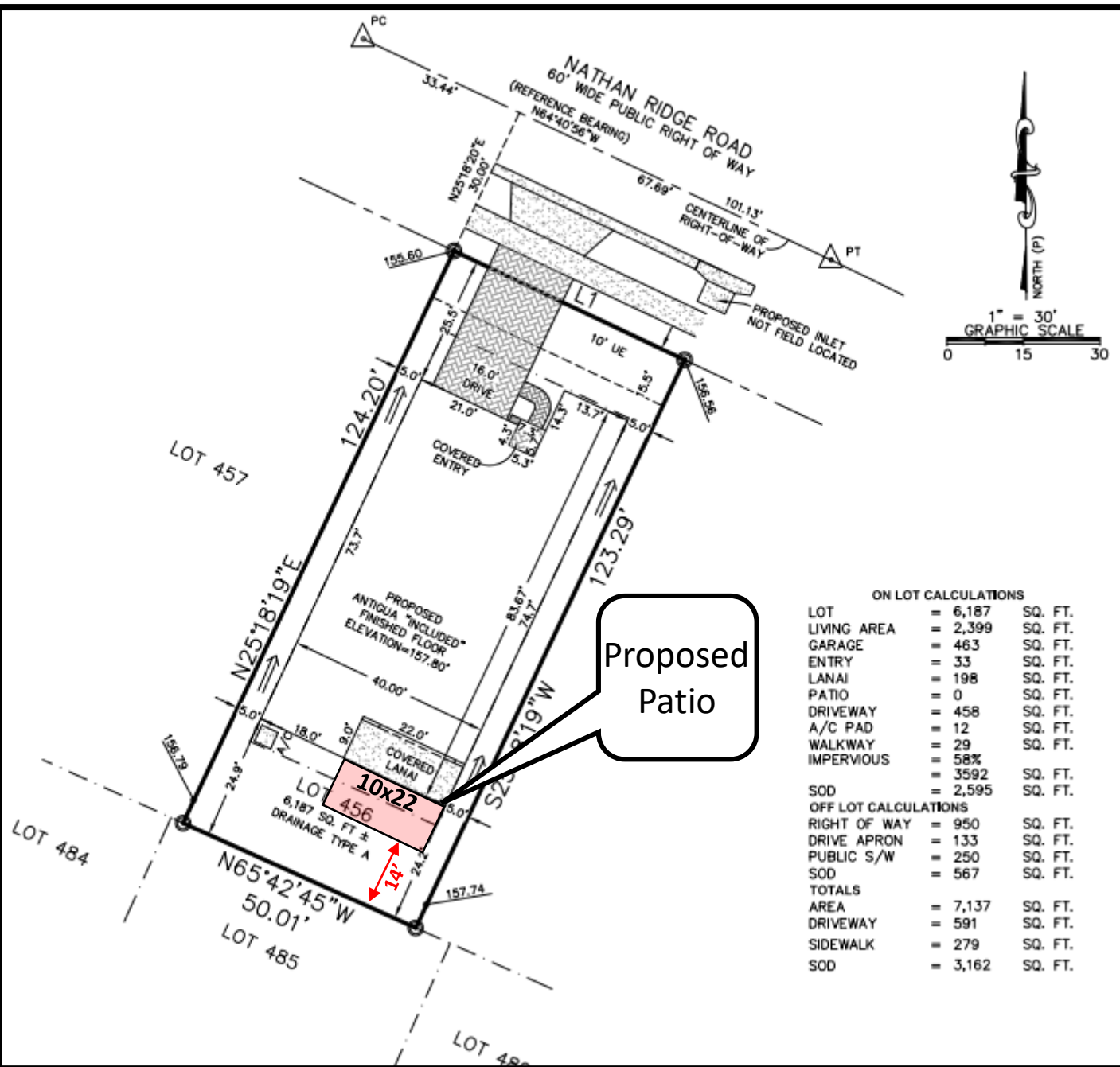
STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on **one** of the Review Criteria and Findings. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

1066 Nathan Ridge Road – Variance Request



1066 Nathan Ridge Road – Variance Request

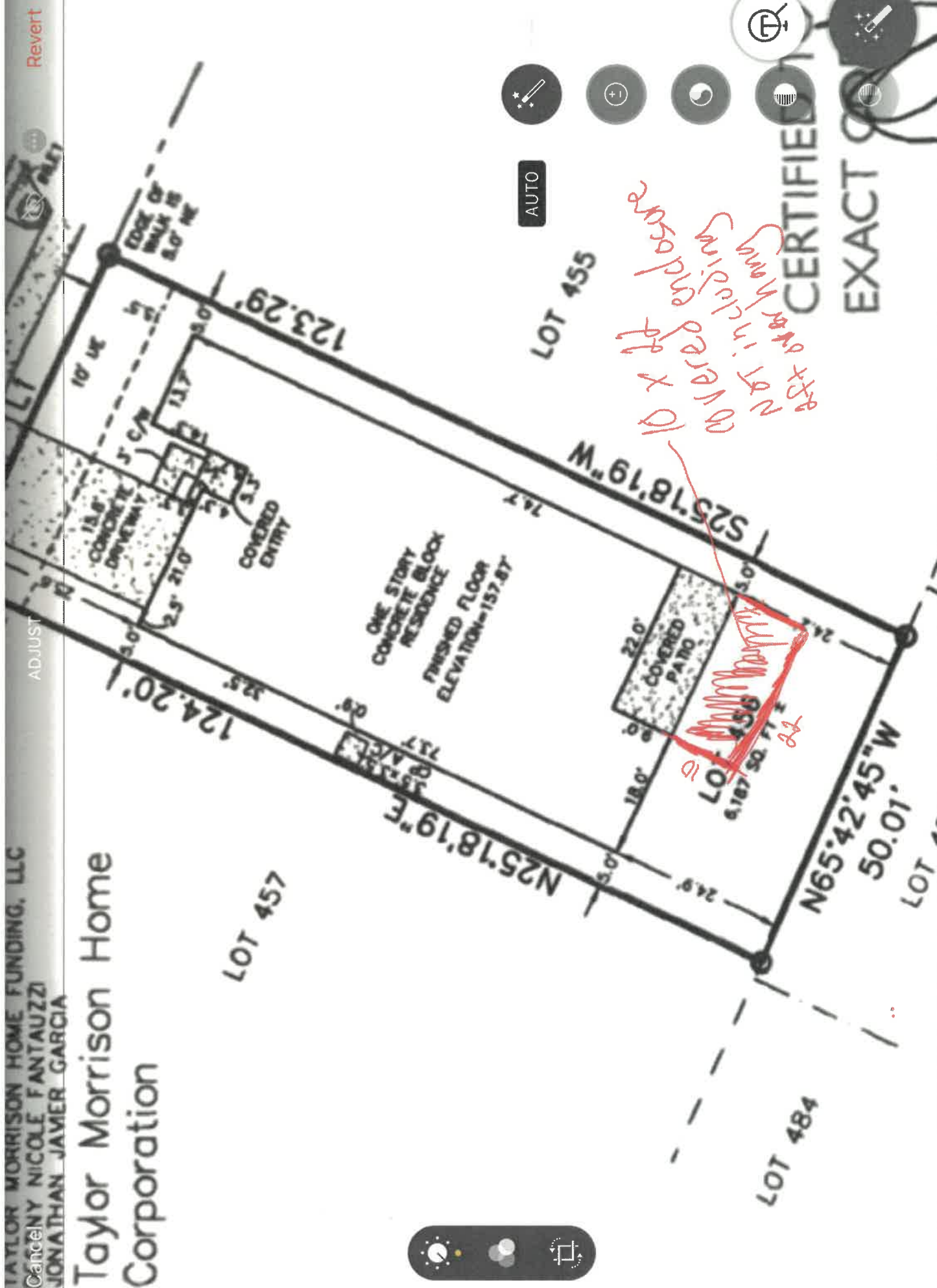
Rear yard setback of 14 feet instead of 20 feet for
a solid roof patio/screen enclosure



Taylor Morrison Home Funding, LLC
CANCY NICOLE FANTAUZZI
JONATHAN JAMER GARCIA

Taylor Morrison Home Corporation

Revert



To whom it may concern,

We have received multiple quotes for a screened enclosure with artificial turf inside that will extend 10 ft out from the existing lanai and match the 22ft width along with an insulated hard roof about 12 ft long and 24 ft wide including a 2 ft roof overhang on all sides. The companies made us aware of the setback requirements and advised that a variance would be needed before breaking any ground. We have 3 kids and 2 under 4 whom love to be outside but it is often very hot for them. On top of that my middle child is allergic to the grass and mosquitos which can be very unbearable. Some direct Neighbors have similar enclosures albeit bigger, and we are sure ours would not negatively impact them or others within 150 ft. We believe this variance is reasonable and not pushing the limits of what can be granted.

Sincerely,
Jonathan Garcia



CITY OF CLERMONT **VARIANCE** FILING INSTRUCTIONS

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

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

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

Notification of Public Hearing

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

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

Conditions of Approval and Denial

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



CITY OF CLERMONT VARIANCE FILING INSTRUCTIONS

Check List

The following information shall be provided:

- ☒ Proof of ownership (i.e. Lake County Property record card, tax receipt, or deed.)
- ☒ Legal description of the property – may be on information above.
- ☒ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the variance request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on the Variance).
- ☒ A written justification based on Sec. 86-174, which explains the conditions and circumstances of the alleged hardship and the necessity of the action. Staff will review the application based on the review criteria. Therefore, it is in the applicant's best interest to submit the application with those five (5) items in mind to justify the variance request.
- ☒ Visual aids that may clarify the variance request such as overhead projections, large scale drawings, etc. A location map must be included that identifies the location of the property. These will be presented by the applicant at the public hearing.
- ☒ The original application and all supplemental materials. All materials can be submitted in PDF format on a CD or via email to planning@clermontfl.org
- ☐ Fee: \$300.⁰⁰ plus advertisement for existing single-family residential.
\$600.⁰⁰ plus advertisement for all others.

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



CITY OF CLERMONT VARIANCE APPLICATION

DATE <u>3/29/21</u>		FEE: <u>\$300</u>	
Project Name (if applicable)			
Applicant <u>Jonathan Garcia</u>			
Contact Person <u>Same as above</u>			
Address <u>1066 Nathan Ridge Rd.</u>		City <u>Clermont</u>	State <u>FL</u> Zip <u>34715</u>
Telephone <u>766 546 9132</u>		Fax	
Email <u>Jon_8785@yahoo.com</u>			
OWNER INFORMATION ☒ (Check box if information is same as Applicant)			
Owner's Name			
Owner Address		City	State Zip
Telephone		Email	
PROPERTY INFORMATION			
Address of Subject Property <u>1066 Nathan Ridge Rd</u>		City <u>Clermont</u>	State <u>FL</u> Zip <u>34715</u>
General Location <u>Taylor Morrison - The Canyons at Highland Ranch</u> <u>between old highway 50 + Ann Clark</u>			
Legal Description & Alternate Key (include copy of survey)			
<u>See survey + Deed</u>			
Land Use (City verification required)			
Zoning (City verification required)			



CITY OF CLERMONT
VARIANCE
APPLICATION

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

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

Section 122-346 'The minimum back yard setback shall be 30 ft'

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

roof enclosure measuring 10 ft out from existing lanai.

How does the Code create a hardship?

a 10 ft roof enclosure would make setback about 15 ft which would be less than minimum backyard setback

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Article 5 section 122-346 setbacks.

Sec. 86-174. Review criteria and findings.

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

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
- (2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;



CITY OF CLERMONT
VARIANCE
APPLICATION

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

(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied.

Jonathan Garcia

Applicant Name (print)

Jonathan Garcia

Owner Name (print)

x [Signature]

Applicant Name (signature)

[Signature]

Owner Name (signature)

NOTICE

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

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



ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

Hardship relief. A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape, surroundings or topographical condition of the property, compliance would result in a particular hardship upon the owner. A hardship is distinguished from a mere inconvenience or a desire to increase monetary gain.

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

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

Sec. 86-172. Application.

Sec. 86-173. Notice of public hearing.



Sec. 86-174. Review criteria and findings.

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

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
- (2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;
- (4) The granting of the variance is consistent with the city's comprehensive plan; and
- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied.

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

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

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

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



The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune | News Herald
Northwest Florida Daily News

Order Confirmation

Not an Invoice

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Chris Dudeck
Contact Phone:	(352) 708-5997
Contact Email:	cdudeck@clermontfl.org
PO Number:	

Date:	09/28/2021
Order Number:	6350542
Prepayment Amount:	\$ 0.00

Column Count:	1
Line Count:	50.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	10/05/2021 - 10/05/2021	Govt Public Notices
LEE dailycommercial.com	1	10/05/2021 - 10/05/2021	Govt Public Notices

Total Order Confirmation

\$89.00

Ad Preview

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a rear yard setback of 14 feet instead of 20 feet as required in the Highland Ranch PUD (Resolution No. 2019-26R), Section 9, Item 10 at the following location:

LOCATION:

1066 Nathan Ridge Road
(Alt. Key 3914505)

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, October 12, 2021 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. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

6350542
October 05, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Lien Reduction Request		
Requested Action		
Staff Report		
This is a lien reduction request for the Sanctuary Ridge Golf Course Pro Shop located at 2601 Diamond Club in the Summit Greens Neighborhood. This is in reference to code enforcement case # C2018-000570. On 12-18-2018, Code Enforcement was contacted in reference to several fire inspection violations that did not pass their annual inspection. These violations were in reference to: ceiling tiles that needed to be replaced, cover plates on electrical outlets that were missing, and unapproved use of extension cords. After several failed inspections, code enforcement sent a Notice of Violation on 12-19-18 with a compliance date of 1-14-19. On 3-19-19, a Special Magistrate's hearing was held and they were found in violation. The Special Magistrate provided a new compliance date of 4-1-19 or fines would accrue at \$175 daily. No representative or respondent was present. After monthly inspections were performed, on 8-8-19 an inspection report was obtained by Code Enforcement stating the property was in full compliance. Fines were stopped but had accrued from 4-2-19 to 8-8-19, totaling 129 days at \$175 per day with a total amount due \$22,575. On 1-21-20, an order imposing a lien on the property was filed for \$22,575. The SRGC management team, Cara and Craig Edwards, have since been in contact with Code Enforcement and have requested to pay 25% of the total amount, rounding it off to pay \$5,000.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Clermont Downtown Partnership Request		
Requested Action		
Recommend approval for the Clermont Downtown Partnership to hang decorative banners on street poles in the Downtown and Waterfront area		
Staff Report		
The Clermont Downtown Partnership is requesting approval to utilize City street poles as a part of their new "Downtown Banner Program" as a part of the rebranding of the organization and effort to bring people to Downtown Clermont. The organization will install up to 150 banners within the Downtown and Waterfront starting in January 2022 with the specific poles to be determined as the City moves through the construction of the Master Plan project. The staff has been working with the Partnership on the installation to ensure that requirements and safety standards are met and no funds from the City of Clermont are being requested for this project.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Downtown Banner Program presentation	Downtown Banner Program presentation.pdf	



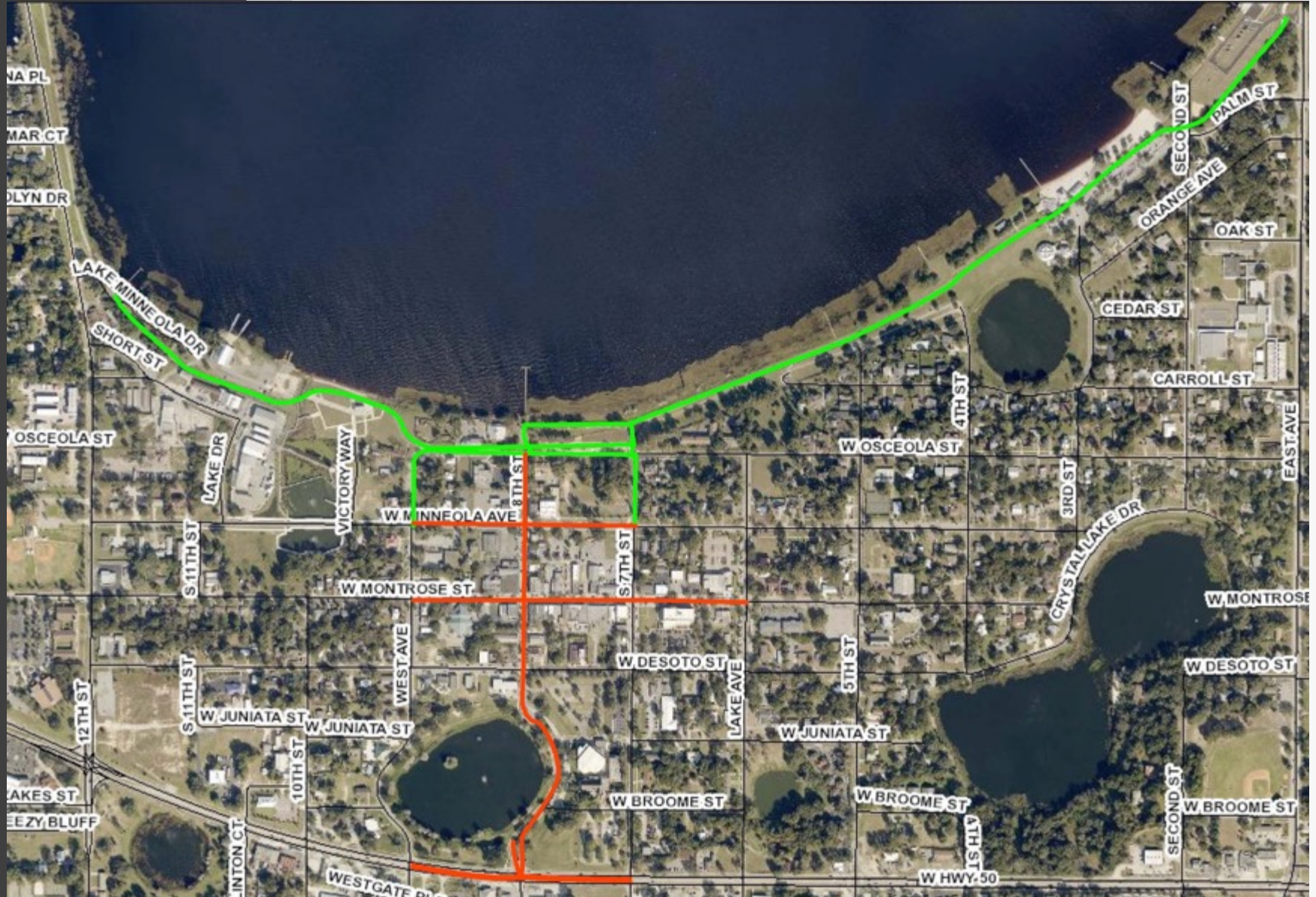
Downtown Banner Program

Creating brand awareness,
sense of place and linkages to
Downtown Clermont

Purpose

- The Downtown Banner Program is a key component of the new rebranding effort to market Downtown Clermont as a destination.
- Banners with the new Downtown Clermont logo will create brand awareness and interest both within Downtown and along the edges of the district.
- Early implementation will help counter the adverse impacts of the year-long Phase III Streetscape project along Montrose Street beginning in January 2022.

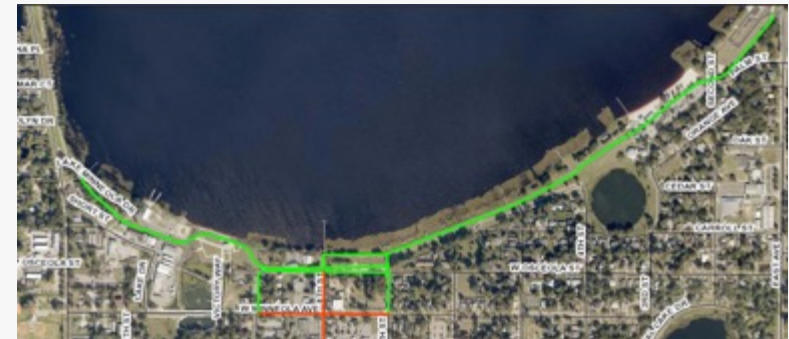
General Locations of Interest



General Locations of Interest

Initial phase (shown in green):

- South Lake Trail (East Avenue to Twelfth Street, with consideration of expansion up to Lake Hiawatha bridge)
- Trail spur adjacent to Eighth Street Pier
- Osceola Street (between West Avenue & Seventh Street)
- West Avenue (between Osceola Street & Minneola Avenue)
- Seventh Street (between Osceola Street & Minneola Avenue)
- Initial quantity of 50 (to evaluate durability)
- In some areas, placement will be on every other pole or on one side of trail
- ***Note: If conflicts arise with holiday decoration placement, no Downtown banners will be placed in those areas until 2022.***



General Locations of Interest

Second phase (shown in red):

- Minneola Avenue (between West Avenue & Seventh Street)
- Montrose Street (between West Avenue & Lake Avenue)
- Eighth Street (between Osceola Street & Highway 50)
- Highway 50 (between West Avenue & Seventh Street)
- Quantity of up to 100 banners
- In some areas, placement will be on every other pole or on one side of street/trail
- Placement will be after the holiday decorations are taken down



Illustrative Mockup

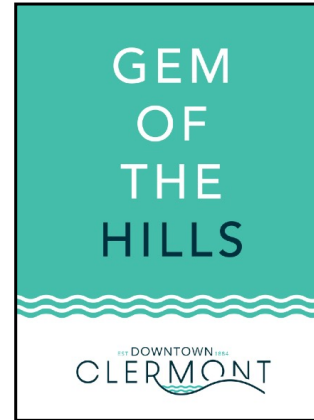


Illustrative Mockup

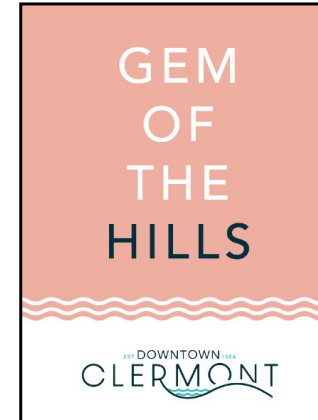


More Sample Designs

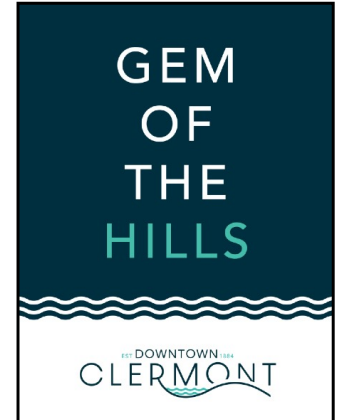
SIDE A



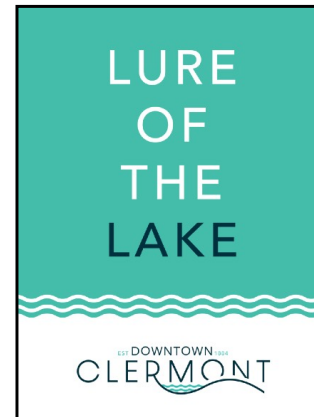
SIDE A



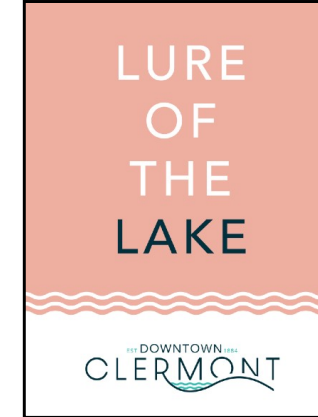
SIDE A



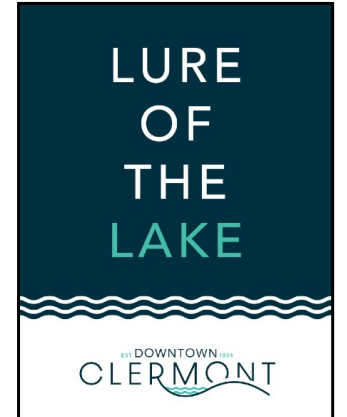
SIDE B



SIDE B



SIDE B



More Sample Designs

SIDE A



SIDE A



SIDE A



SIDE B



SIDE B



SIDE B



Design Specs

- Banner dimensions are approximately 18"x36"
- Designs are double-sided
- Multiple colors within the brand color palette will be used on alternating signs
- Banners are mounted to one side of the pole using appropriate hardware
- "Bibs" under signs are 12"x12"
- Bibs feature Downtown businesses with name/logo
- Bibs are not mounted to the pole but attached underneath the banner with manufacturer's strapping.
- Depending on the City's preference, Public Services can provide installation or the banner company can install.

Additional Information

- The Partnership/Clermont Main Street is paying for the banners.
- The Partnership/Clermont Main Street requests to use existing mounting hardware already owned by the City but will purchase additional mounting kits as needed.
- The banners are intended to stay up year-round unless the poles are utilized for City holiday decorations.
- There are no plans for seasonal banners or special event banners at this time.
- The bibs will feature Downtown businesses, not sponsors (some banner locations may not have bibs).
- The process for banner installation can be worked out to meet the City's preferences, but maps with specific pole locations and guidance by the Partnership/Clermont Main Street will be provided as needed.

Request

- The Partnership/Clermont Main Street requests to place Downtown Clermont banners on up to 50 light poles along or near the South Lake Trail in 2021.
- After the holiday decorations are taken down in early 2022, the Partnership/Clermont Main Street requests to add up to 100 additional banners to light poles throughout Downtown and along Eighth Street up to the gateway tower at Highway 50.
- Similar banners along Highway 50 between West Avenue and Seventh Street are requested at a size consistent with banners displayed on Highway 50 poles in the past (pending FDOT authorization).



Thank you

AGENDA ITEM

Meeting Date	
Tuesday, October 12, 2021	
Agenda Item Name	
Ordinance No. 2021-024 <i>Introduction</i> <i>The Vue</i>	
Requested Action	
Recommend denial of Ordinance 2021-024.	
Staff Report	
The applicant has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on a portion of the property from Low Density Residential to Commercial. A companion second request is for an amendment to PUD Ordinance 2017-24. The applicant is requesting these amendments to: (1) grant approval to construct multi-family units on the Hooks Street frontage and (2) to add approximately 6.6 acres South of Hooks Street to the PUD to be utilized for workforce rental housing.	
The Small Scale Comprehensive Plan Amendment is for property located south of Hooks Street, between Miss Florida Avenue and Excalibur Road. The parcel is approximately 13.3 acres with a portion consisting of 6.63 acres for the requested change. The Applicant is not seeking a Future Land Use Amendment on the entire parcel.	
	
When reviewing requests for new Commercial Future Land Use designations, the Comprehensive Plan provides the following guidance:	
Objective 1.9: Commercial Land Use Category. <i>The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.</i>	
Policy 1.9.1: <i>The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent</i>	

residential, public facilities/institutional and recreation uses.

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

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

Staff recommends denial of the proposed amendment because it fails to comply with Policy 1.9.1 of the Future Land Use Element and Section 86-226(3) of the Land Development Code. Staff recommends denial of Ordinance No. 2021-024. The Planning and Zoning Commission recommended denial, 6-1.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

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



CITY OF CLERMONT
ORDINANCE NO. 2021-024

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

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

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



CITY OF CLERMONT
ORDINANCE NO. 2021-024

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

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

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

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

CITY OF CLERMONT
ORDINANCE NO. 2021-024

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

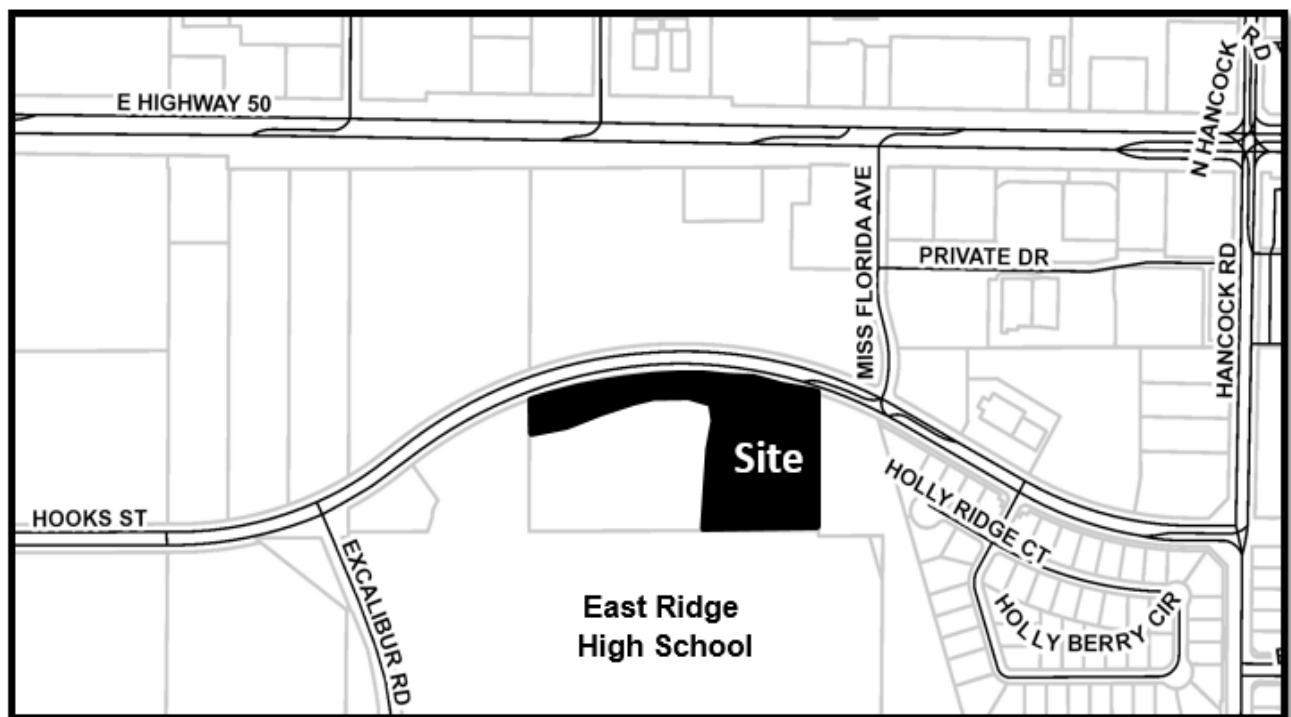
CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

LOCATION

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

Portion of Alternate Key #3905347

6.63 +/- Acres



CHANGE IN FUTURE LAND USE DESIGNATION:

FROM: LOW DENSITY RESIDENTIAL

TO: COMMERCIAL

SECTION 2: CONFLICT

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



CITY OF CLERMONT
ORDINANCE NO. 2021-024

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION

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

SECTION 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-024

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

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – The Vue Comprehensive Plan Amendment

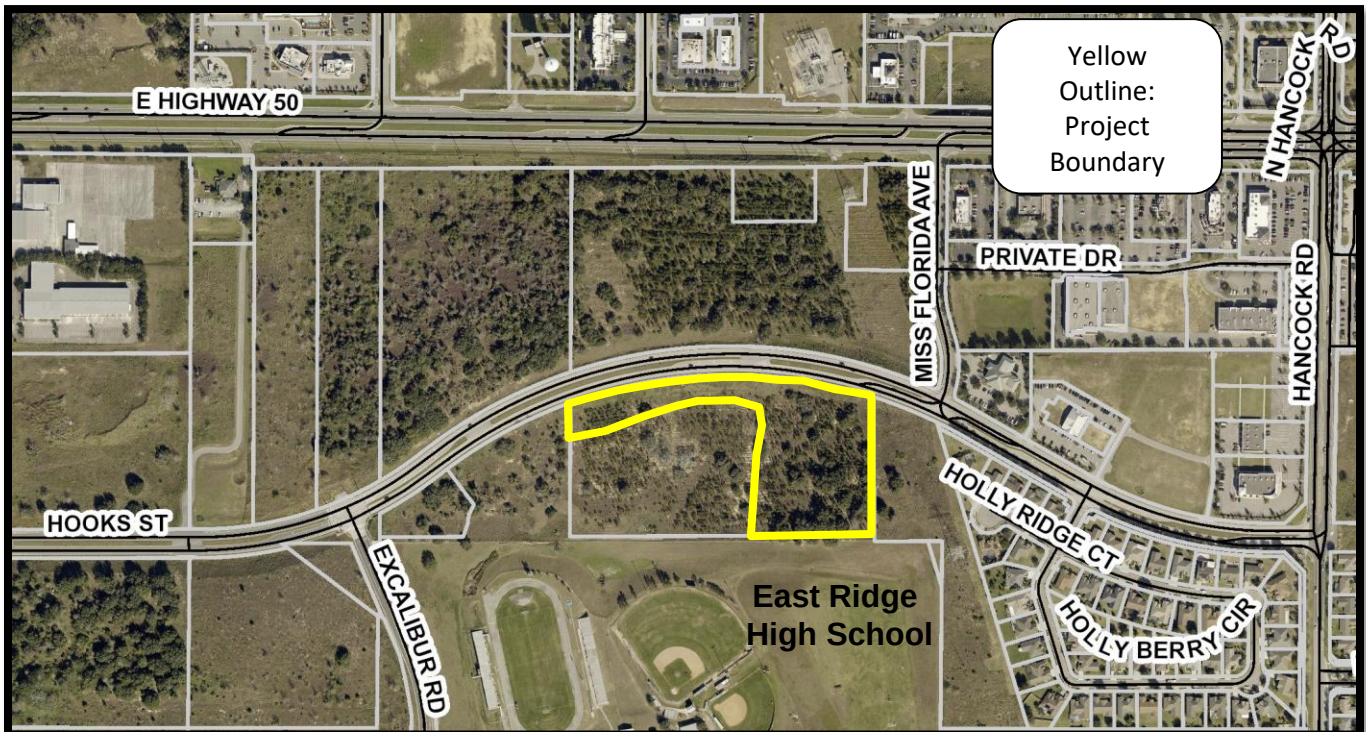
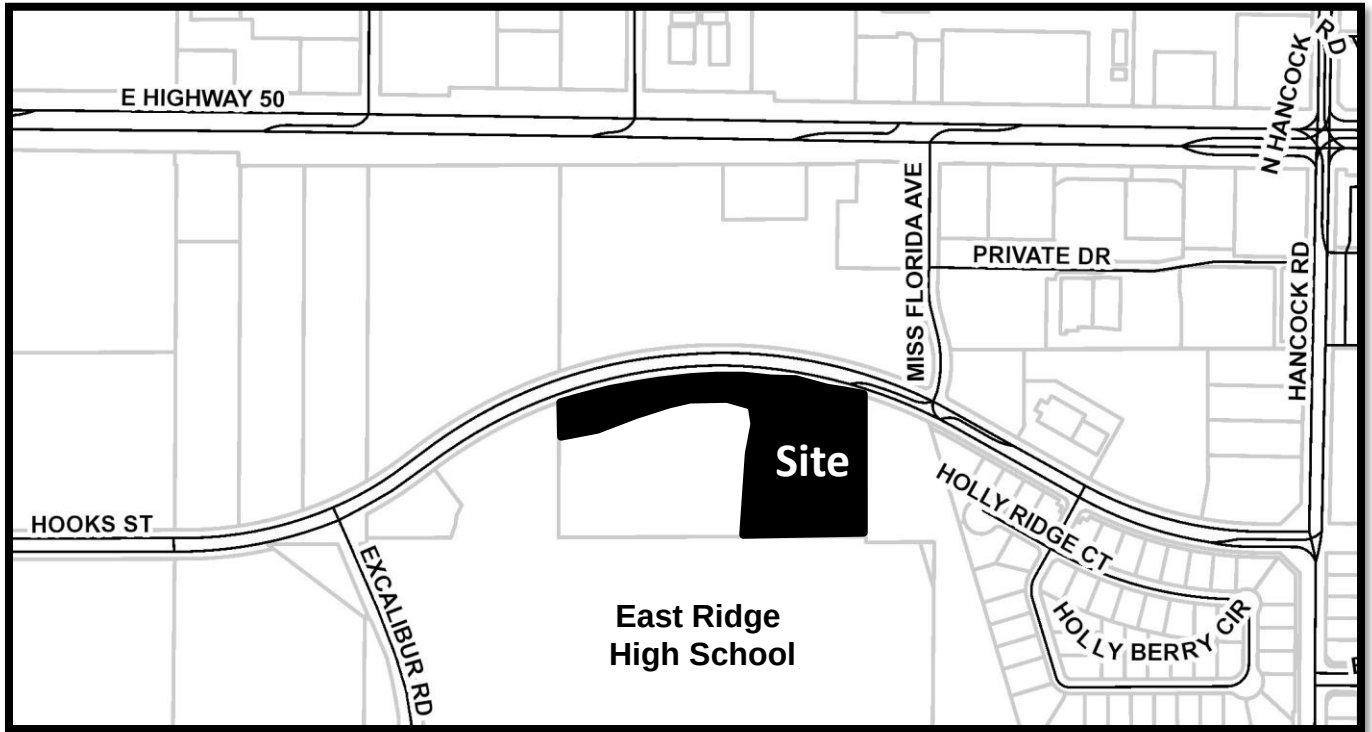
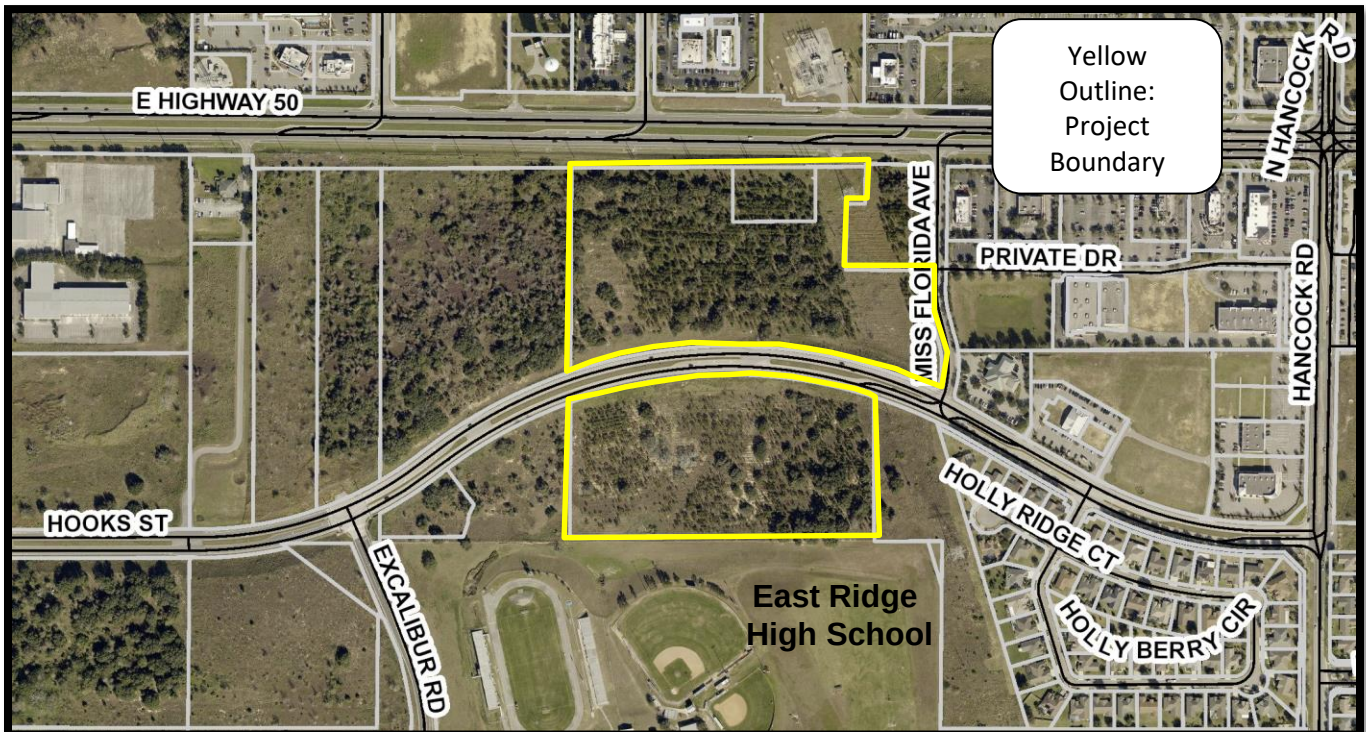
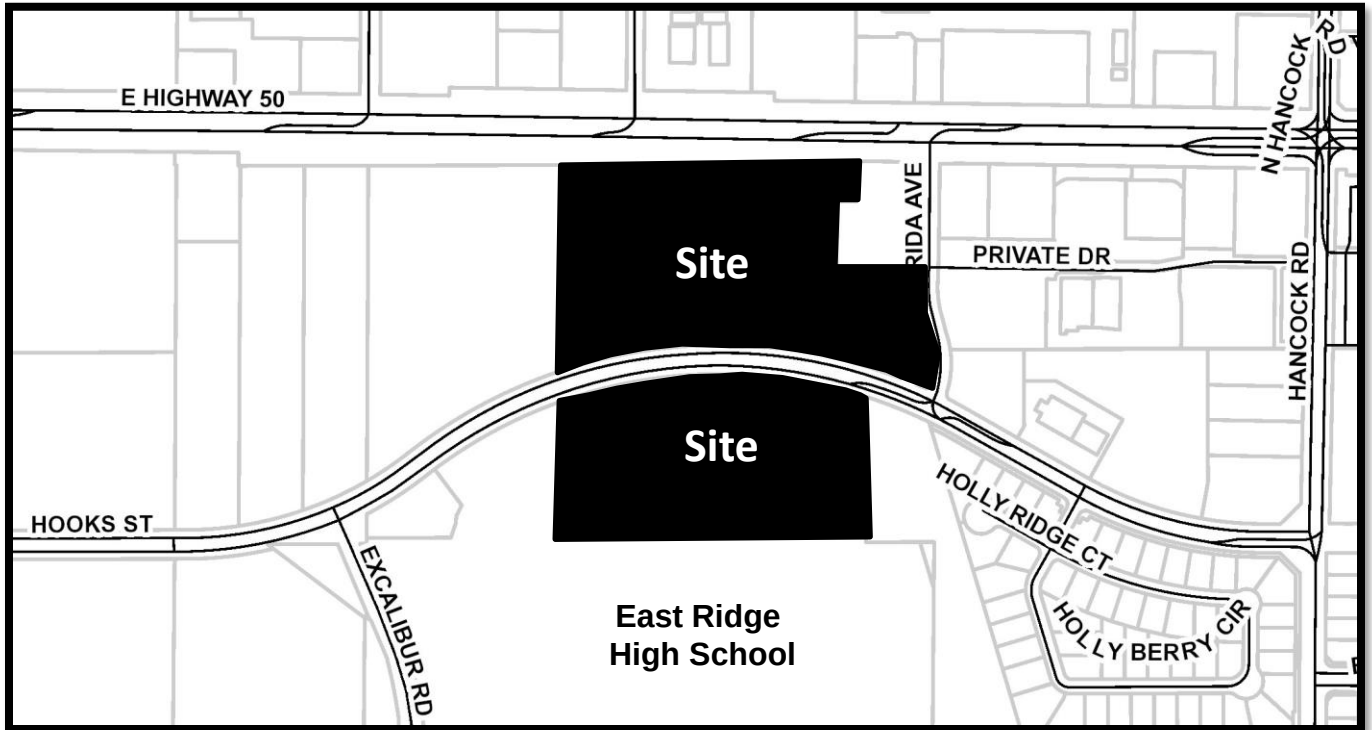


Exhibit - Location Map – The Vue PUD Rezoning Amendment





Future Land Use
2021-024

Before

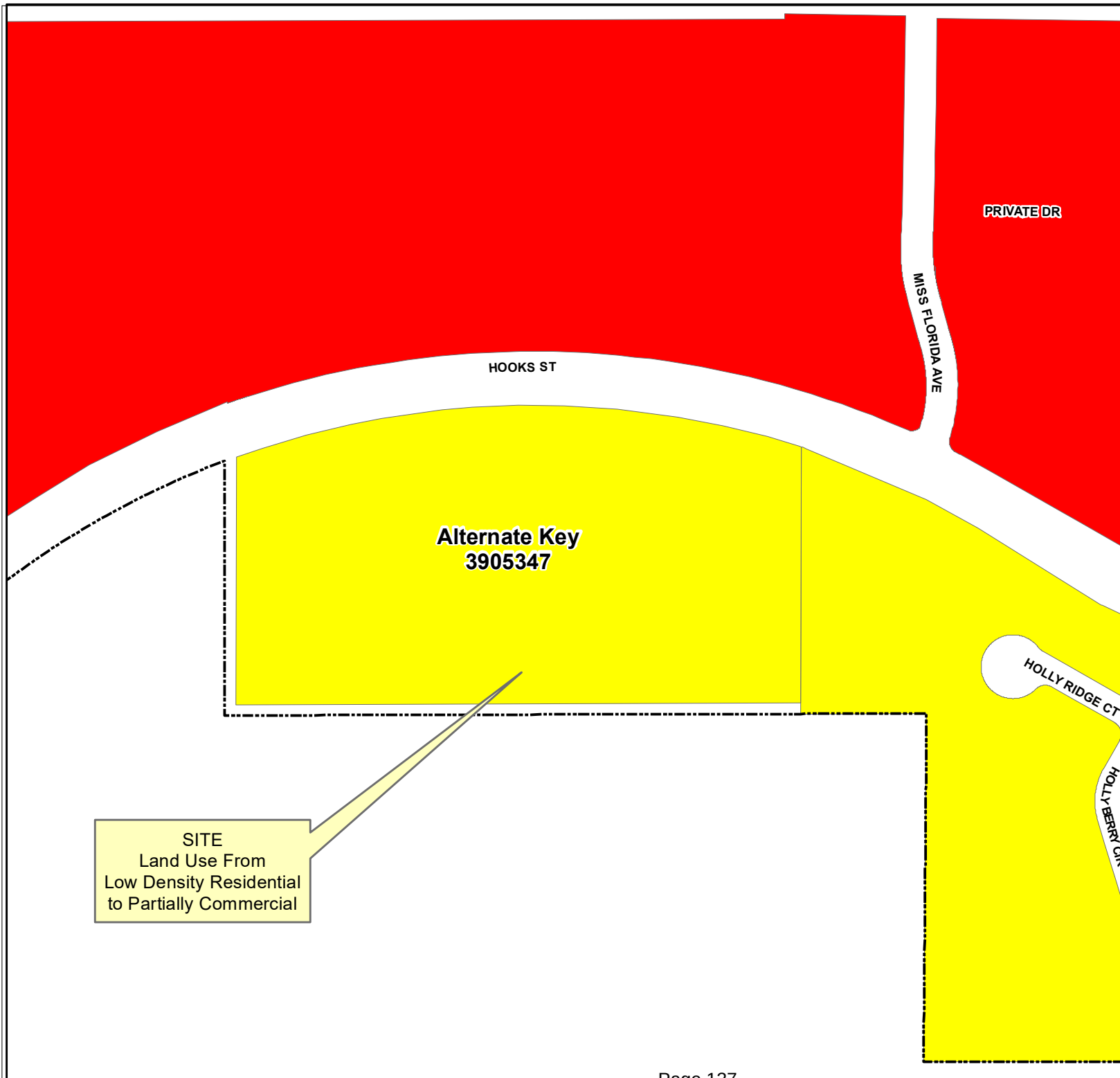
Legend

City Limits

Clermont FLU

Land Use

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





Future Land Use
2021-024

After

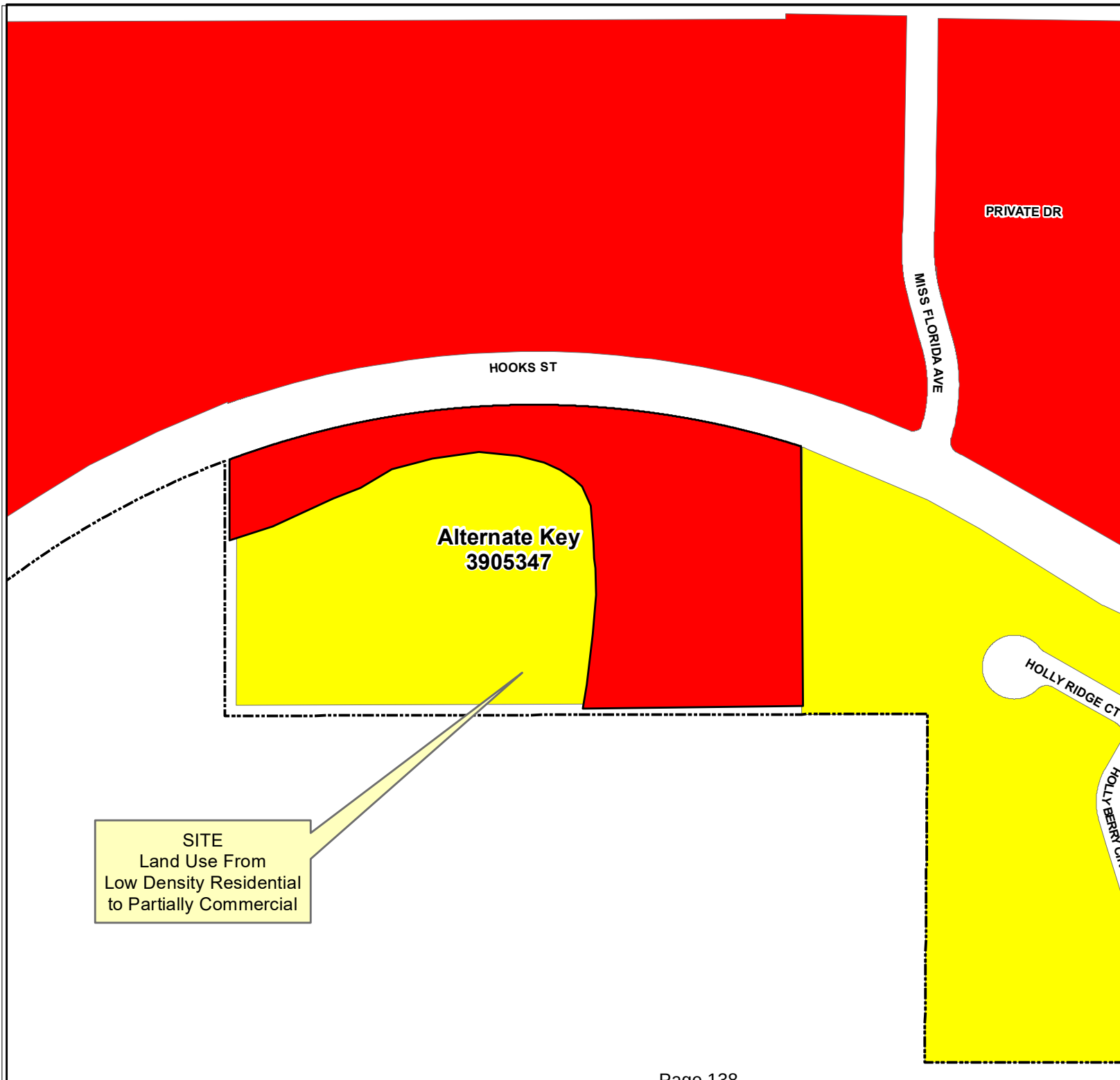
Legend

City Limits

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





CITY OF CLERMONT

Staff Analysis Report

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

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

PROJECT NAME: The Vue – 2021 Amendment

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

SIZE OF PARCEL: 30.66 +/-acres

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

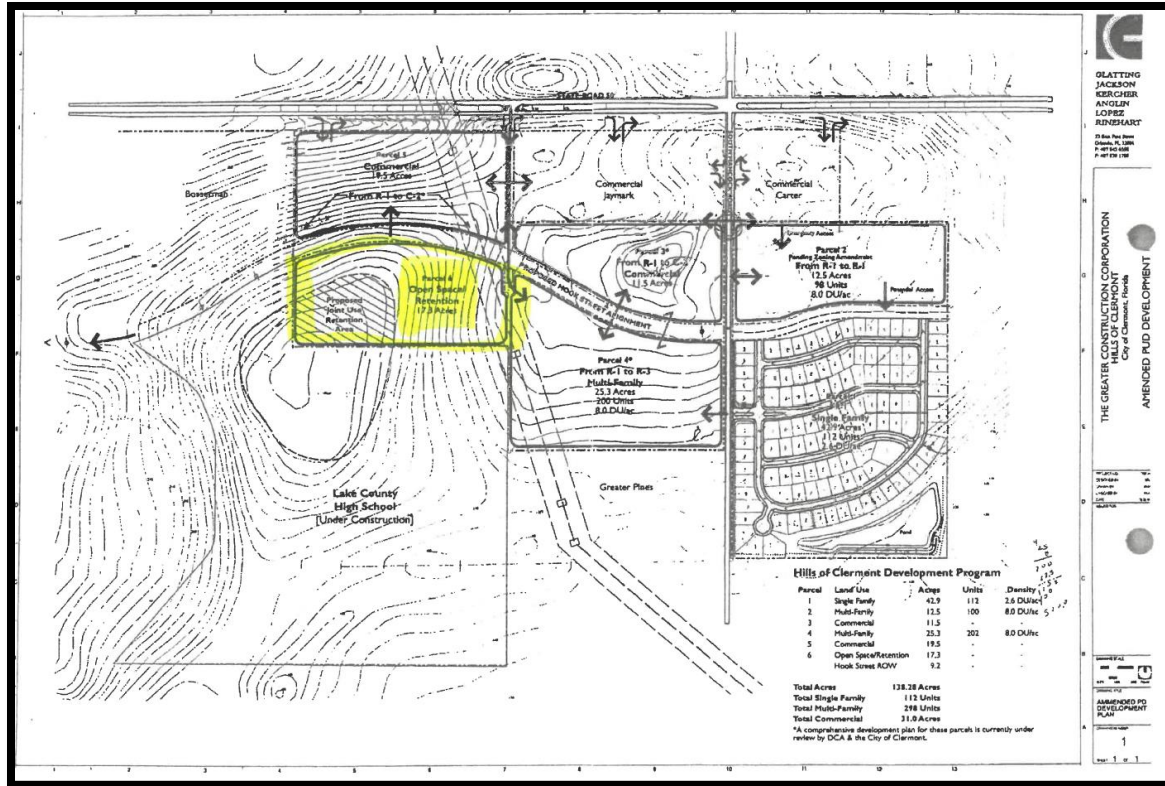
EXISTING ZONING: PUD Zoning, Ordinance 2017-24

EXISTING LAND USE: Vacant land

FUTURE LAND USE CATEGORY: Commercial and Low Density Residential

BACKGROUND

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



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

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

Small Scale Comprehensive Plan Amendment

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

Objective 1.9: Commercial Land Use Category.

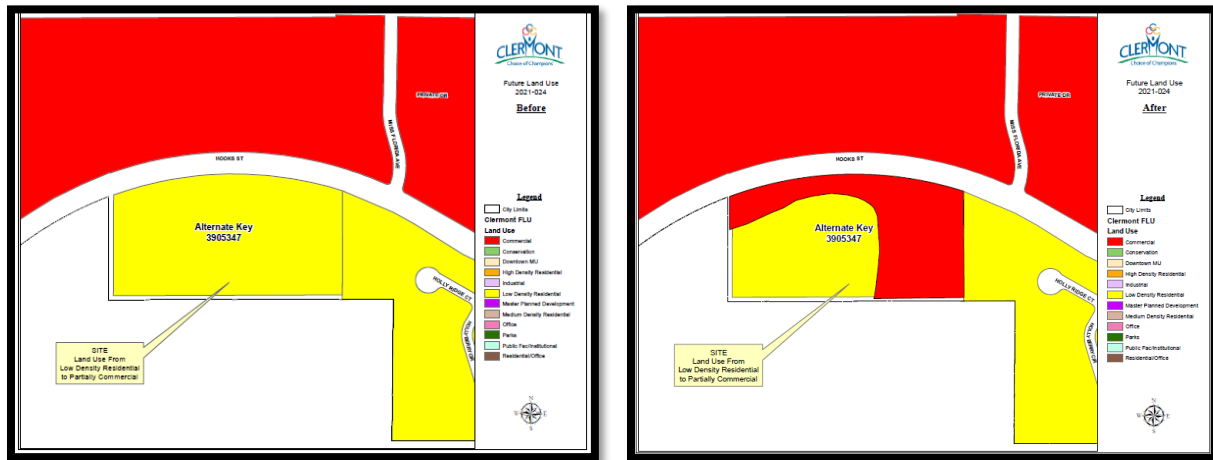
The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as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

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

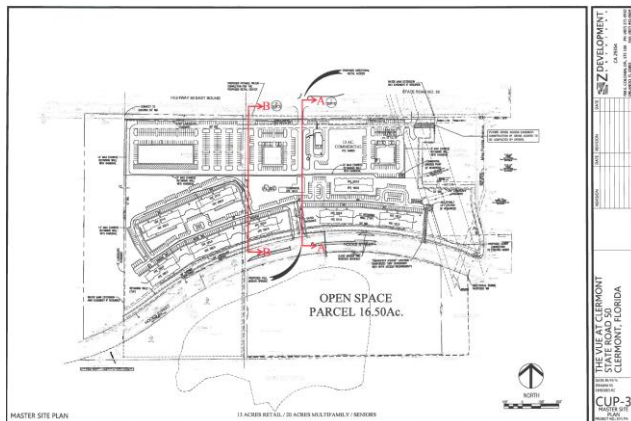
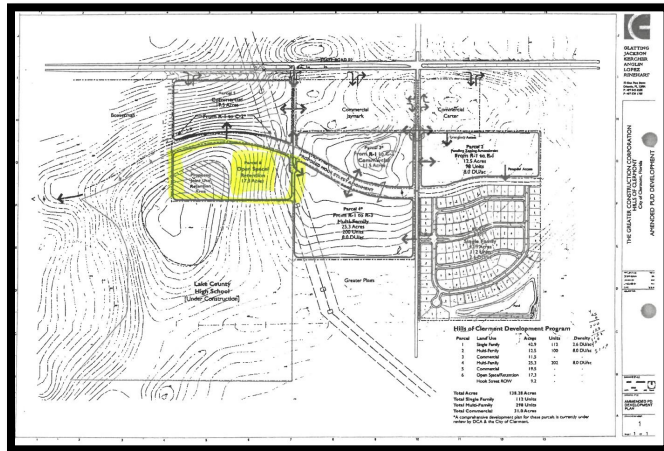
The adopted Objective and Policy from the Comprehensive Plan do not support the applicant's request to utilize approximately 50 % of the land area for residential use. Commercial FLU lands are desired for employment and non-residential support uses.

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

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



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



PUD Amendment

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

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

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

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

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

The waivers previously approved under Ordinance 2017-24 include:

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

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

The additional waivers being requested are:

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

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

Summary

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

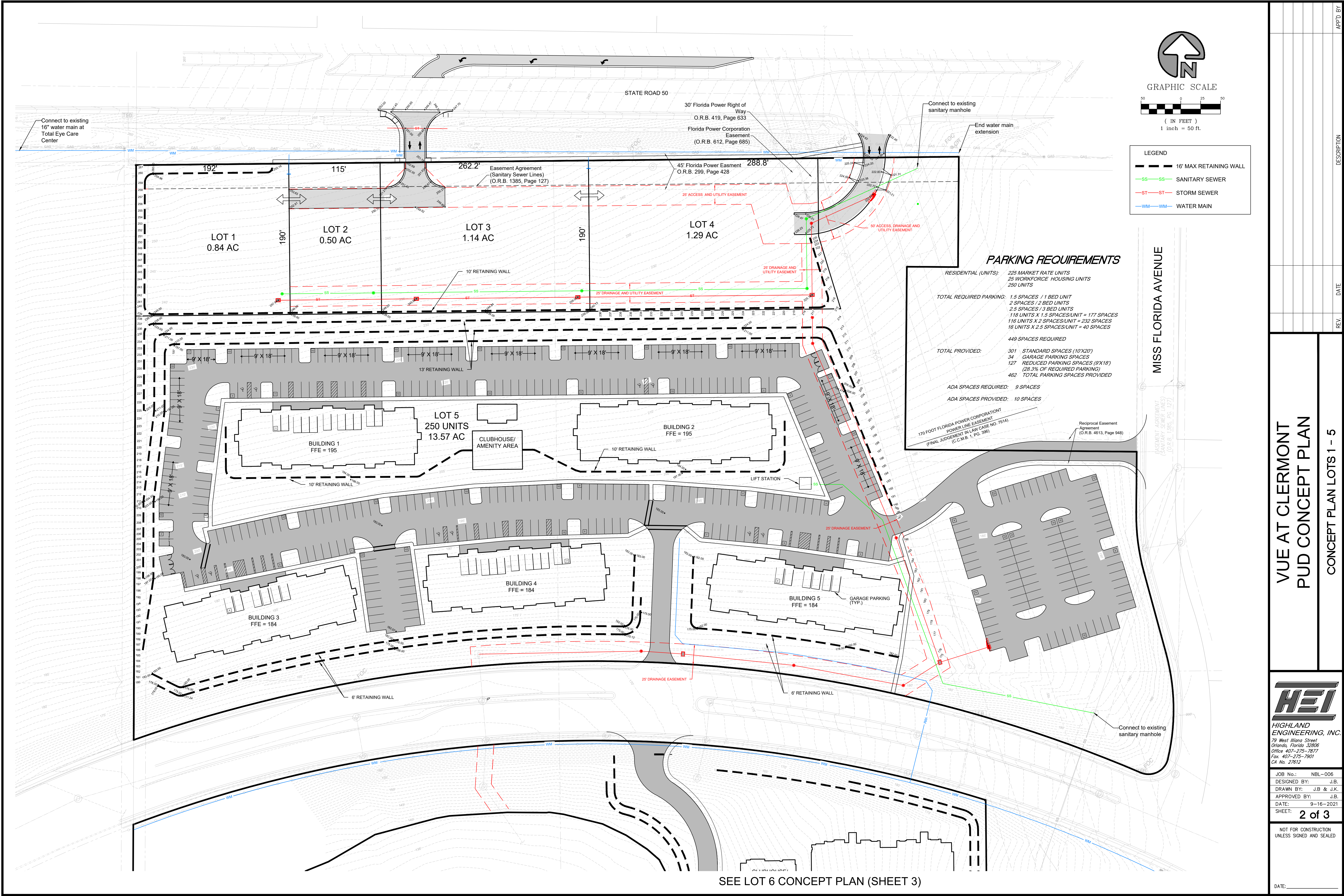
Finally, the applicant has requested the Future Land Use amendment from Low Density Residential to Commercial in order to increase residential density on this portion of the property, 6.63 acres, and to utilize the workforce housing density bonus in section 122-358, of the Land Development Code. Previously,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

STAFF RECOMMENDATION:

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

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

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



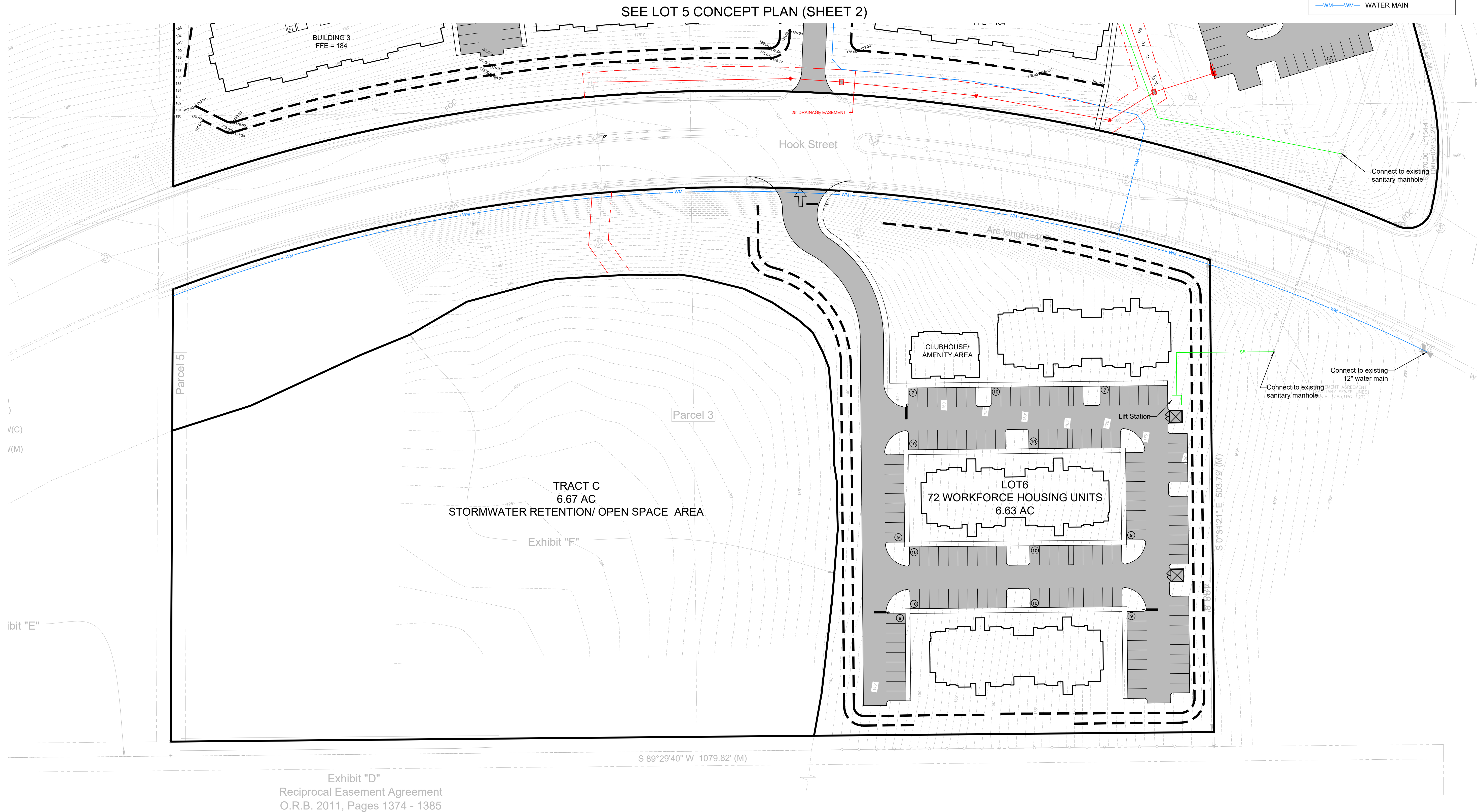
VUE AT CLERMONT
PUD CONCEPT PLAN
CONCEPT PLAN LOTS 1 - 5

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

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

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

DATE: _____



REV.	DATE	DESCRIPTION	APP'D BY

VUE AT CLERMONT
PUD CONCEPT PLAN

CONCEPT SITE PLAN - LOT 6



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

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

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

DATE: _____



July 9, 2021

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

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

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

Dear Mr. Crawford,

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

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

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

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

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

Sincerely,



John Kruse, AICP
Planning Manager
City of Clermont

EXHIBIT "A"

Description of Properties

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

Legal Description:

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

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

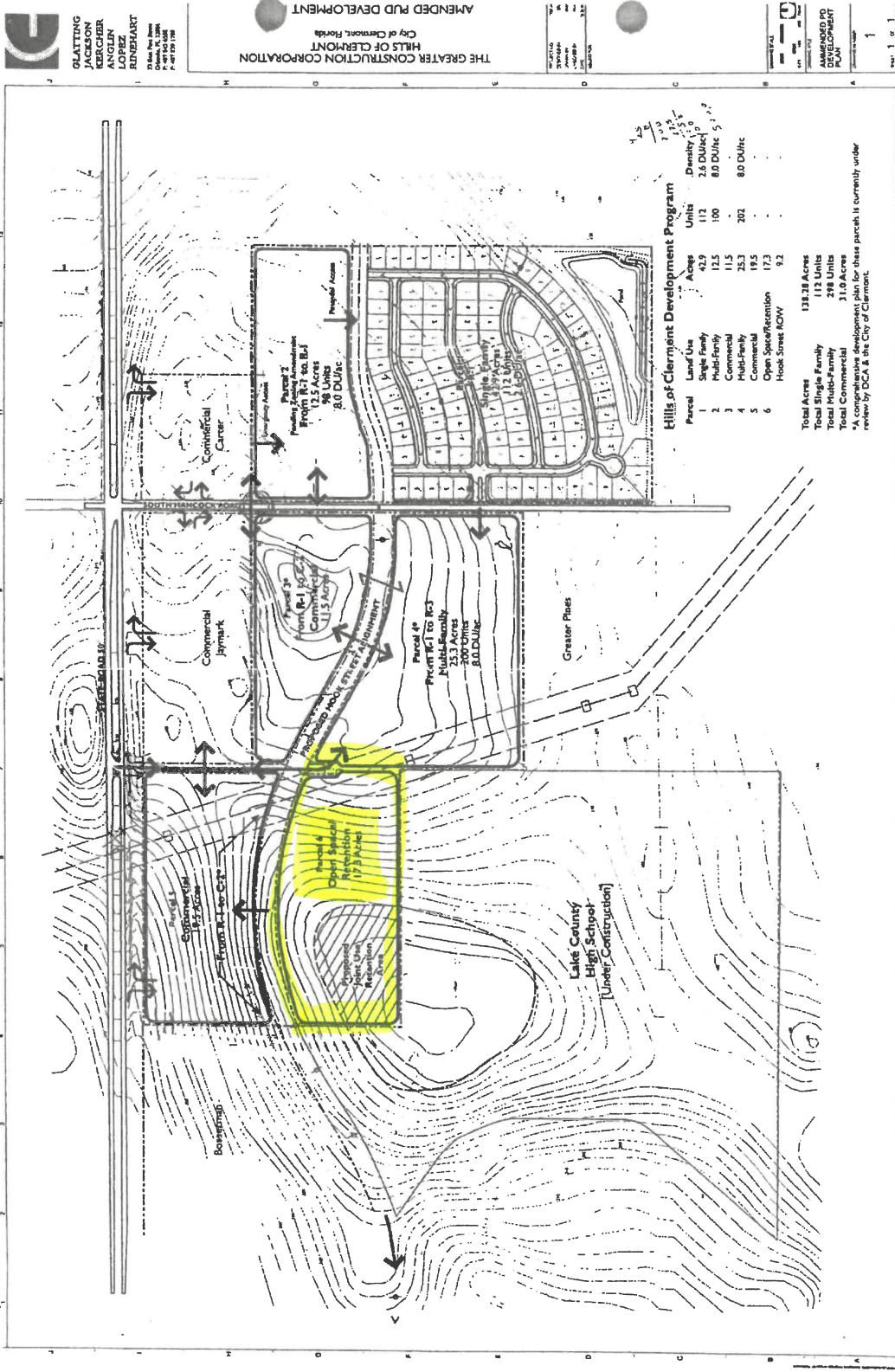
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(1) NORTH 10° 08' 26" E, A DISTANCE OF 44.71 FEET; (2) NORTH 06° 25' 18" EAST, A DISTANCE OF 96.44 FEET; (3) NORTH 04° 35' 47" EAST, A DISTANCE OF 73.34 FEET; (4) NORTH 01° 13' 39" WEST, A DISTANCE OF 50.70 FEET; (5) NORTH 08° 35' 38" WEST, A DISTANCE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

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

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

1563



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

CLATTON
JACKSON
KERSCHER
ANGLEN
LOPEZ
RUNKHART

7000 West 10th Street
Clermont, Florida 34711
P: 407-321-1563
F: 407-321-1563

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

City of Clermont, Florida

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

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AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

August 6, 2021

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

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

Dear Mr. Kruse:

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

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

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

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

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

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

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

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

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

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

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

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

RESPONSE: See attached plans, elevations and information.

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

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

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

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

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

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

RESPONSE: See response to No. 5 above.

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

RESPONSE: Understood.

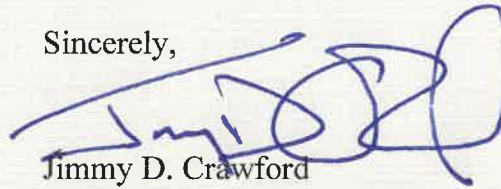
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff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

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

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

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

Sincerely,



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

ATTACHMENTS

CC: CLIENTS

Choice of Champions
CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

PAID
CC
(1297.00)
* 1329.43

DATE: June 29, 2021

FEE: \$755.00

Project Name (if applicable): The Vue

Applicant: Jimmy D. Crawford, Esq.

Contact Person: Jimmy Crawford or Jennifer Cotch

Address: 702 W. Montrose Street

City: Clermont State: Florida Zip: 34711

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

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

OWNER: AC Commercial Properties I, LLC

Address: 1760 Fennell Street, Suite 200

City: Maitland State: FL Zip: 32751

Phone: 407-312-6356 Fax: _____

E-Mail: jamoore@accommercial.com

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

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

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

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

Existing (Actual) Land Use: Vacant

Existing Zoning: PUD

Existing Future Land Use: Low Density Residential

Proposed Future Land Use: Commercial

Type of development proposed: Multi-family residential



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

Proposed Zoning District: PUD

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

Please find enclosed Statement of Support.

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

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

***** NOTICE *****

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

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



STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jimmy D. Crawford, Esq., who being

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

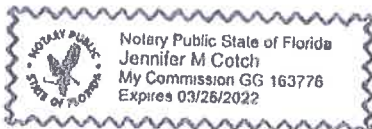
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application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

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

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

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



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

My Commission Expires: _____



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jonathan Moore, as Manager of AC Commercial Properties I, LLC, who being

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

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

Jonathan Moore
Affiant - Applicant Name (print)

X 
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

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

X _____
Notary Public, State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"

Description of Properties

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

Legal Description:

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

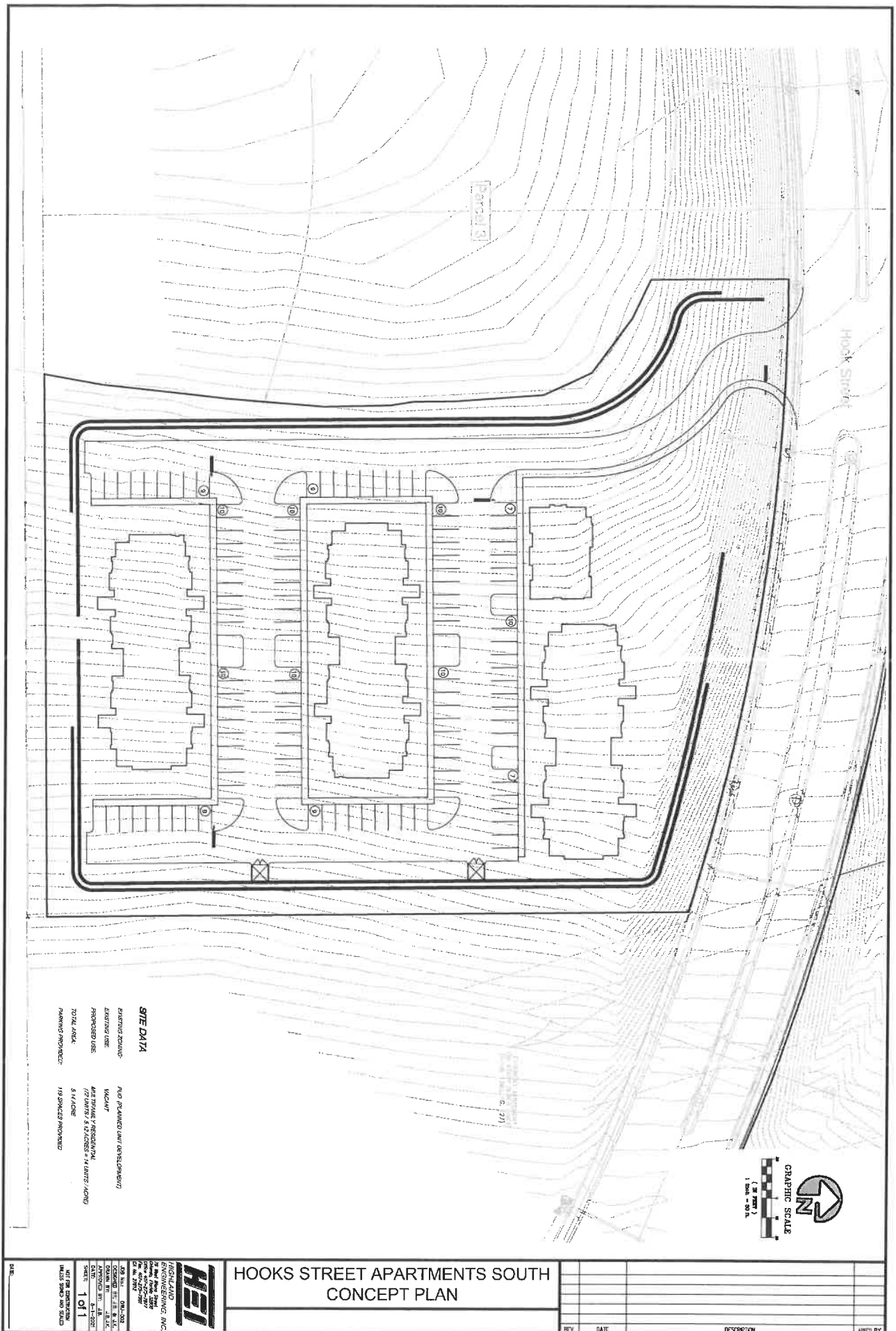
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01° 07' 06" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE NORTH 89° 06' 23" WEST, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES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

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

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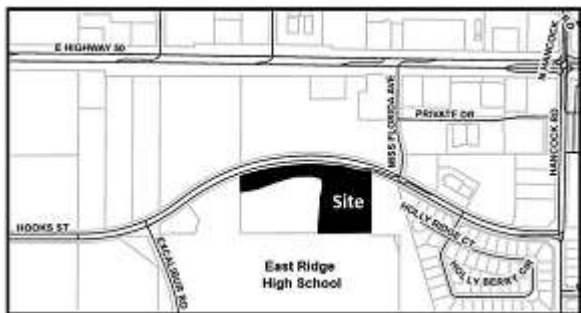
CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES



CITY OF CLERMONT

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

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, September 7, 2021 at 6:30 P. M., and a public meeting will be held before the Clermont City Council on Tuesday, September 28, 2021 at 6:30 P.M. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 6.63 +/- acre parcel below from Clermont Low Density Residential to Clermont Commercial Land Use Designation. (Portion of Alternate Key #3905347).



Location:

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

Portion of Alternate Key #3905347

6.63 +/- Acres

Ordinance 2021-024

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

August 23, 2021 and September 13, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date

Tuesday, October 12, 2021

Agenda Item Name

Ordinance No. 2021-025 *Introduction*
The Vue Rezoning

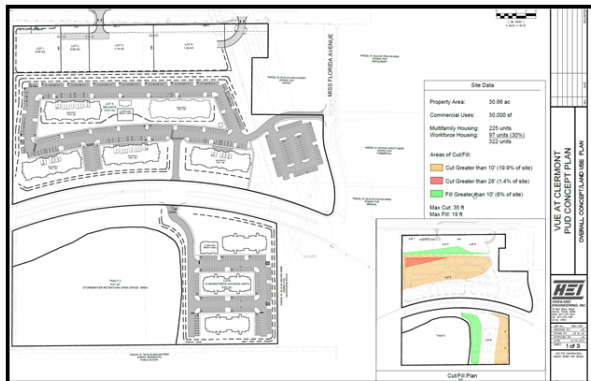
Requested Action

Recommend denial of Ordinance 2021-025

Staff Report

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

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



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

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

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does not comply with the Land Development Regulations, specifically Section 122-358 Workforce Housing Density Bonus and general requirements for granting an amendment to a Planned Unit Development (PUD). The segregation of housing type goes against the very principle of providing inclusive housing for all. The density and intensity of the project with the multi-family units has created the 35 foot cut request and 49 foot high staggered retaining walls in the project that does not preserve the natural topography. In addition, no traffic study was presented to analyze the impacts the development would have on the existing road network. Therefore, staff recommends denial of Ordinance No. 2021-025. The Planning and Zoning Commission recommended denial, 6-1.

Additional Analysis

Fiscal Impact Summary

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

- | | |
|--|---|
| 1. Ord 2021-025 - The VUE Rezoning (09.30.2021 V1) | Ord 2021-025 - The VUE Rezoning (09.30.2021 V1).pdf |
| 2. The VUE Maps | The VUE Maps.pdf |
| 3. Vue at Clermont PUD Concept Plan - 9-20-2021 | Vue at Clermont PUD Concept Plan - 9-20-2021.pdf |
| 4. Staff Analysis The VUE V5 | Staff Analysis The VUE V5.pdf |
| 5. June 2017 CC Minutes | June 2017 CC Minutes.pdf |
| 6. Elevation | Elevation.pdf |
| 7. REZ Application | REZ Application.pdf |
| 8. Rezoning-Application- Highway 50-2 | Rezoning-Application- Highway 50-2.pdf |
| 9. The Vue RAI July 9 2021 | The Vue RAI July 9 2021.pdf |
| 10. Response letter | Response letter.pdf |
| 11. Legal ad 2021-25 | Legal ad 2021-25.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

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

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



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

SECOND SURVEY

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

Containing 0.50 acre, more or less

THIRD SURVEY

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

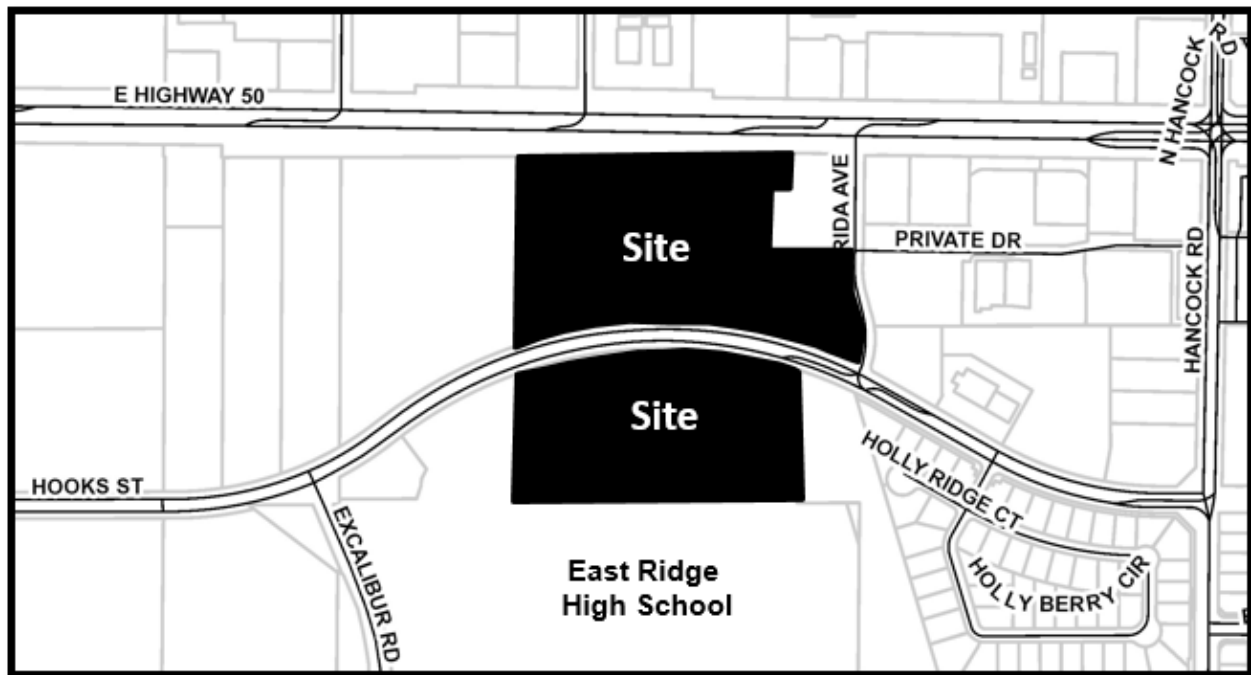
right of way line of Highway 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24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

FOURTH SURVEY

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

LOCATION

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





CITY OF CLERMONT
ORDINANCE NO. 2021-025

REQUESTED ACTION:

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

SECTION 2. GENERAL CONDITIONS

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

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest and this Ordinance shall repeal and replace Ordinance 2017-14.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Highland Engineering, Inc., dated 9-16-2021, PUD Concept Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

SECTION 3. LAND USES AND SPECIFIC CONDITIONS

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

CITY OF CLERMONT
ORDINANCE NO. 2021-025

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

CITY OF CLERMONT
ORDINANCE NO. 2021-025

submittal.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

SECTION 7.



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
ORDINANCE NO. 2021-025

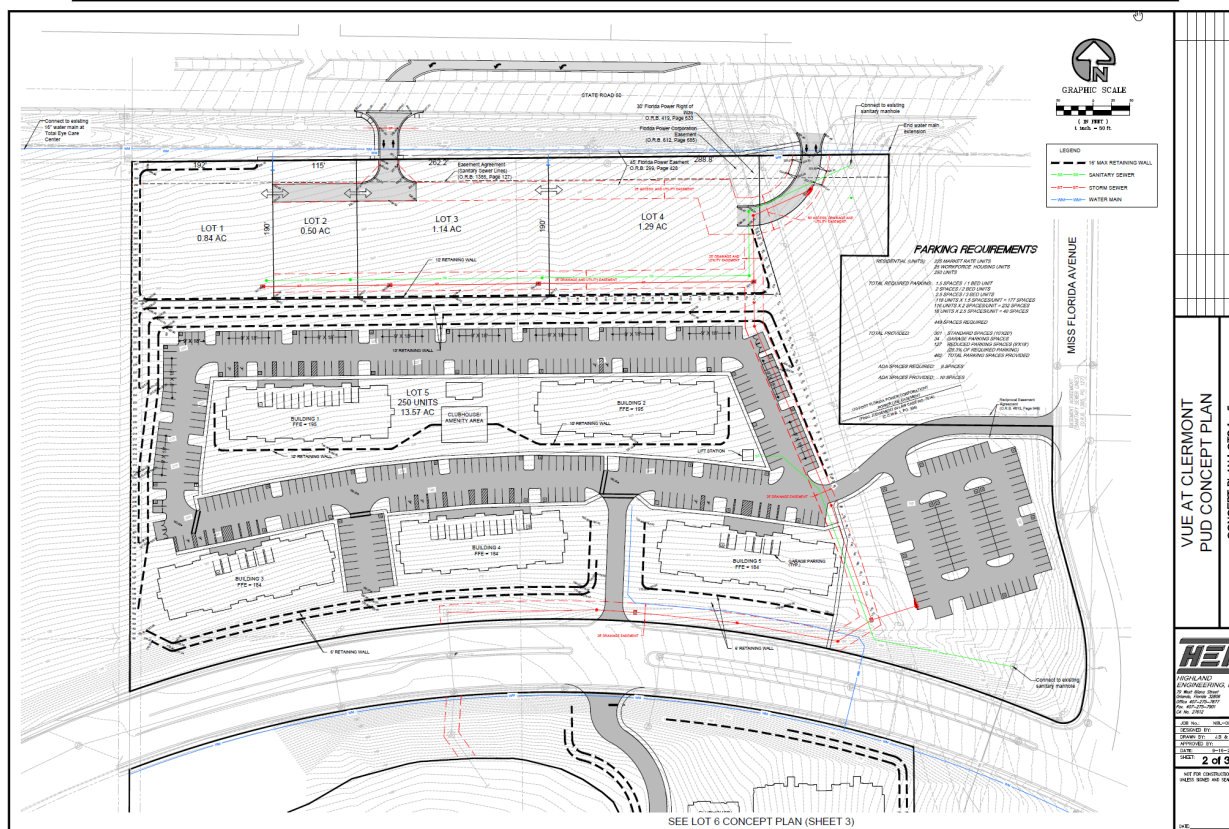
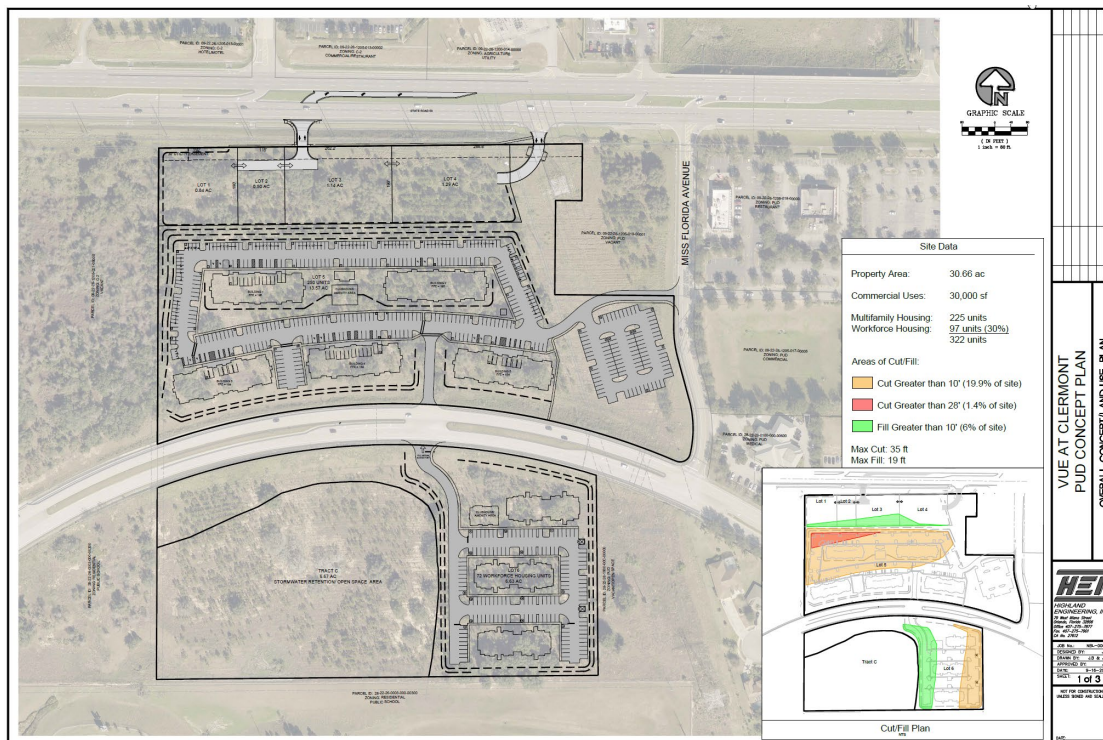


Exhibit - Location Map – The Vue Comprehensive Plan Amendment

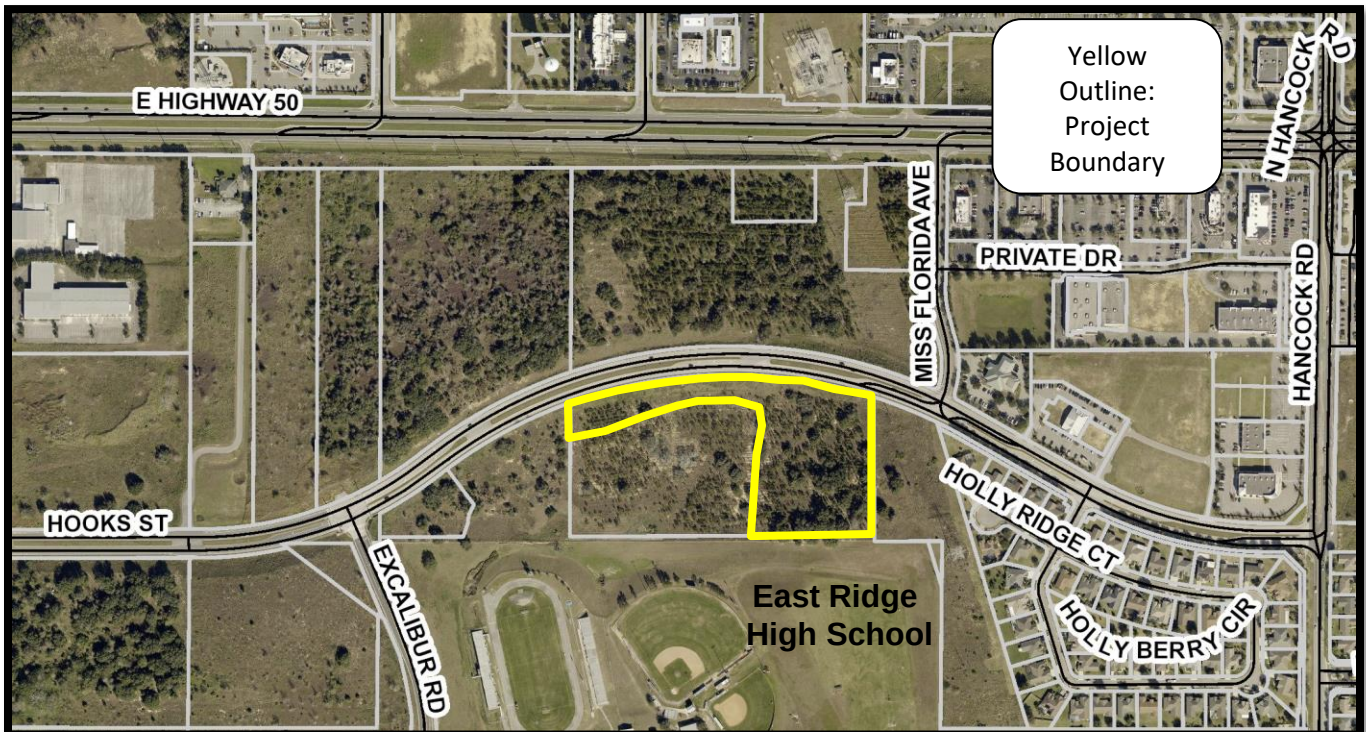
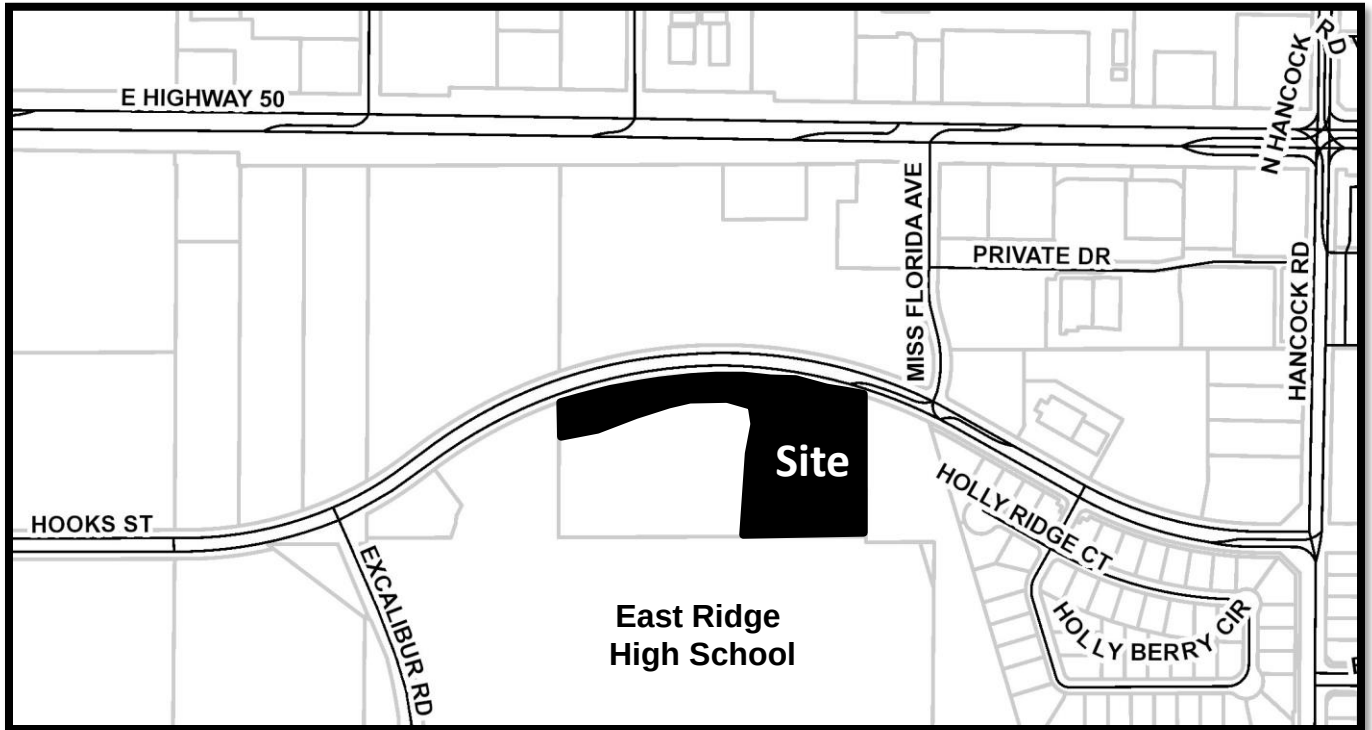
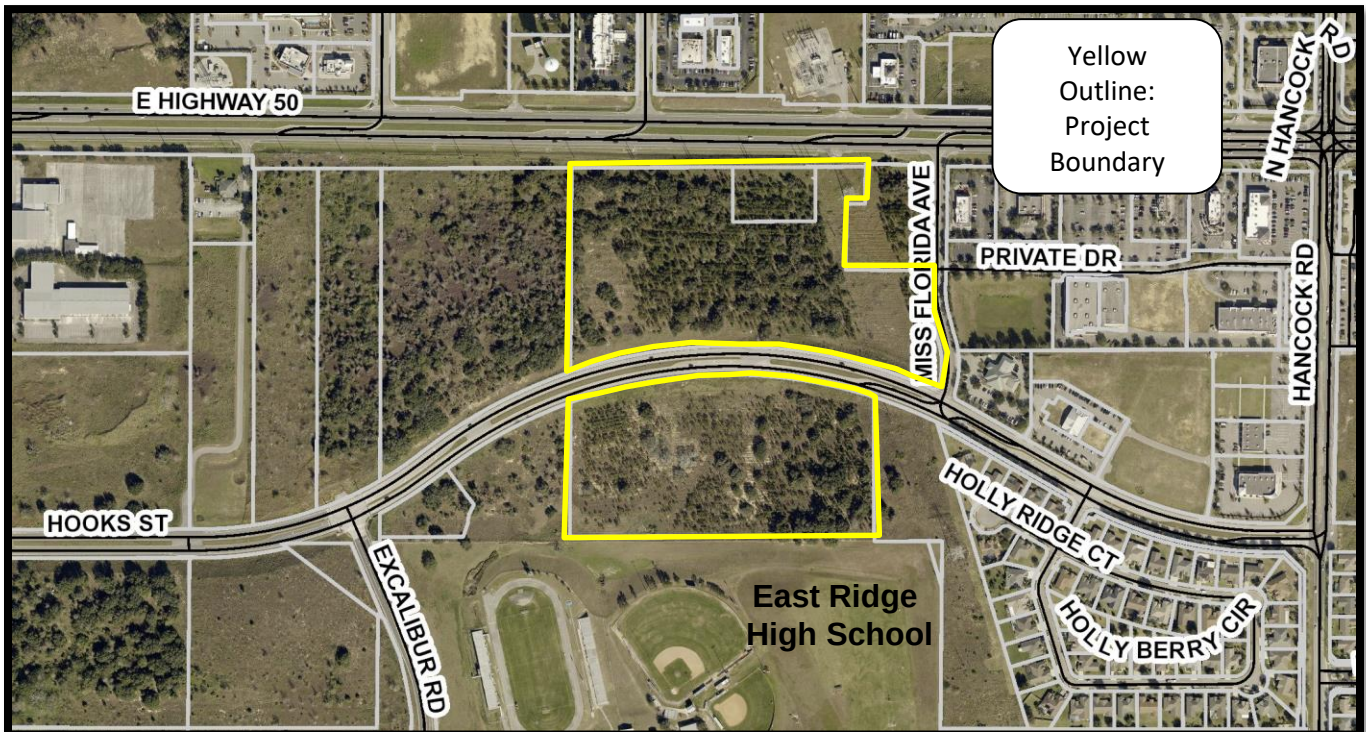
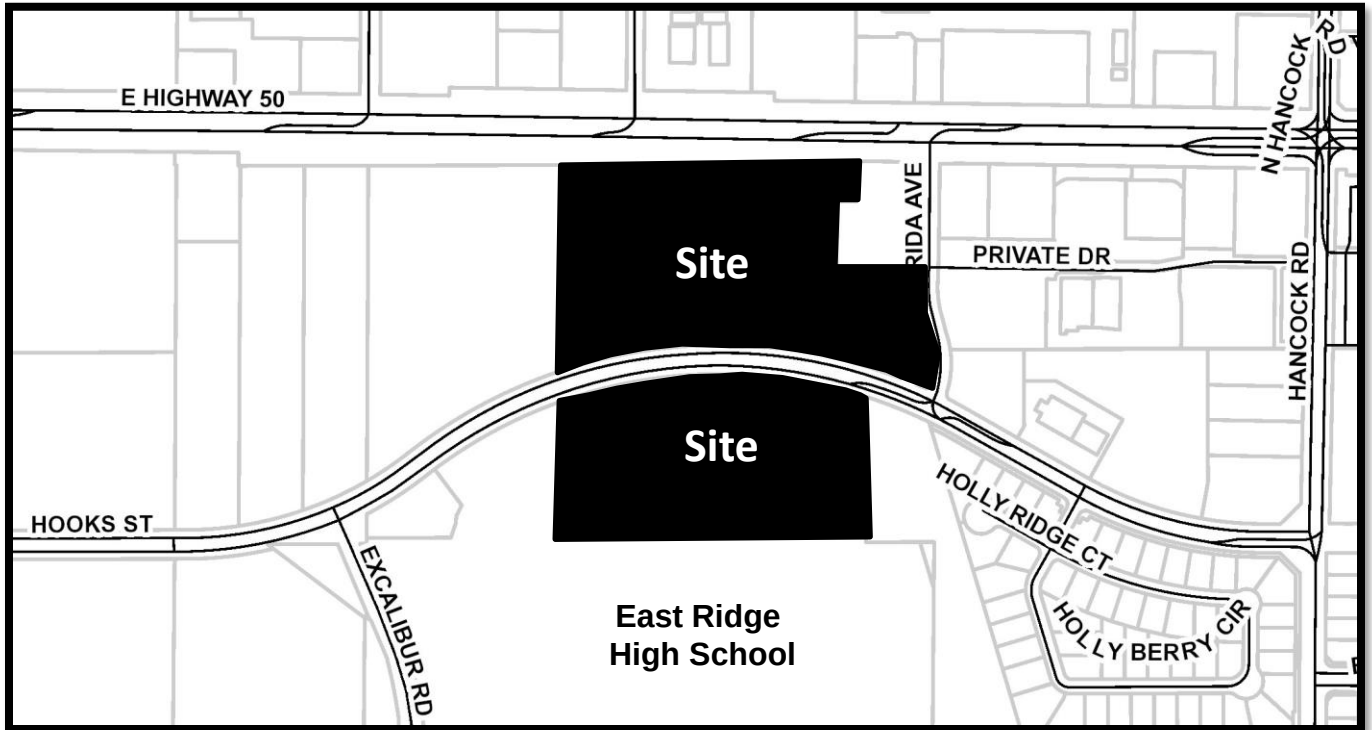
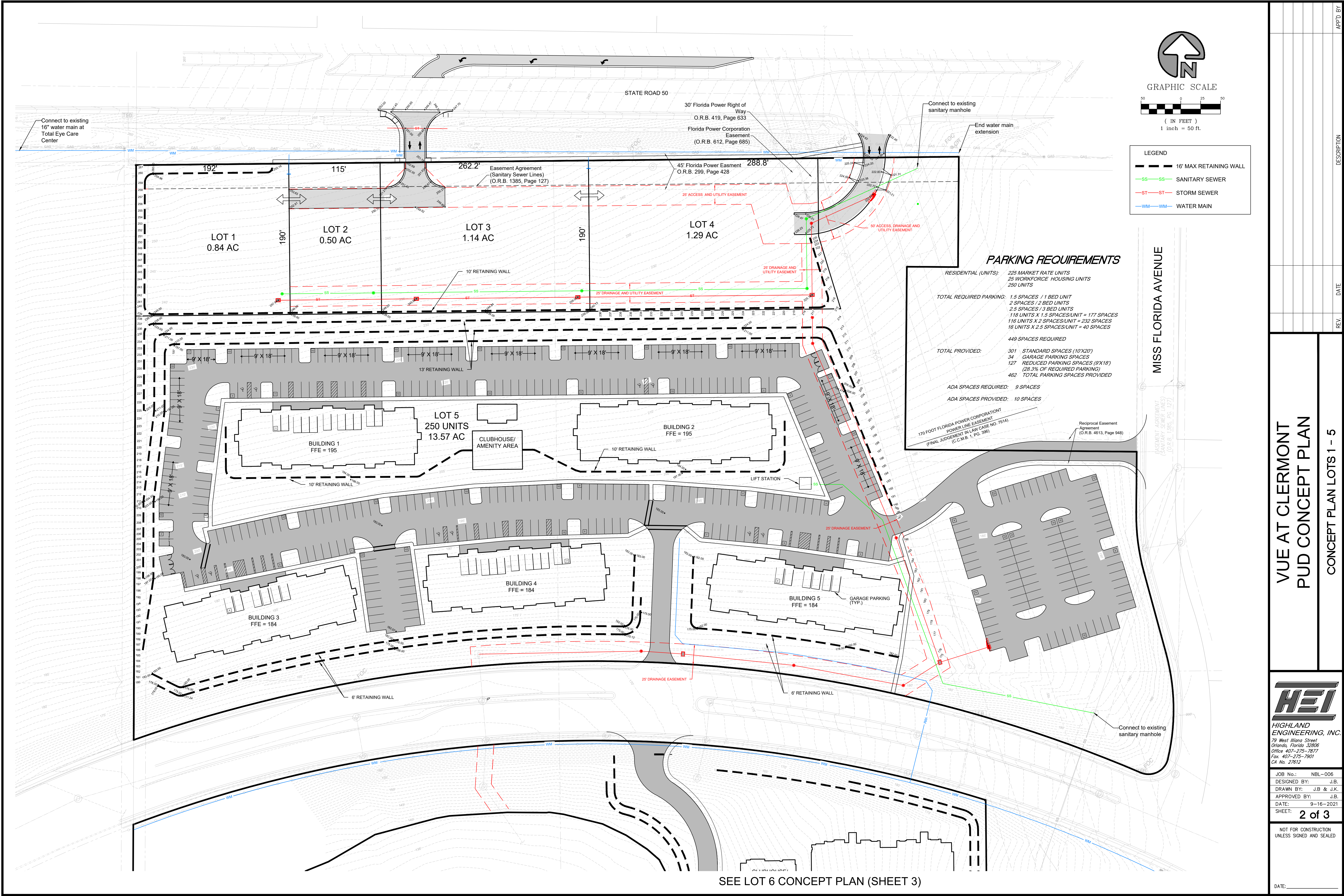


Exhibit - Location Map – The Vue PUD Rezoning Amendment





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

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

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

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED



CITY OF CLERMONT

Staff Analysis Report

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

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

PROJECT NAME: The Vue – 2021 Amendment

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

SIZE OF PARCEL: 30.66 +/-acres

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

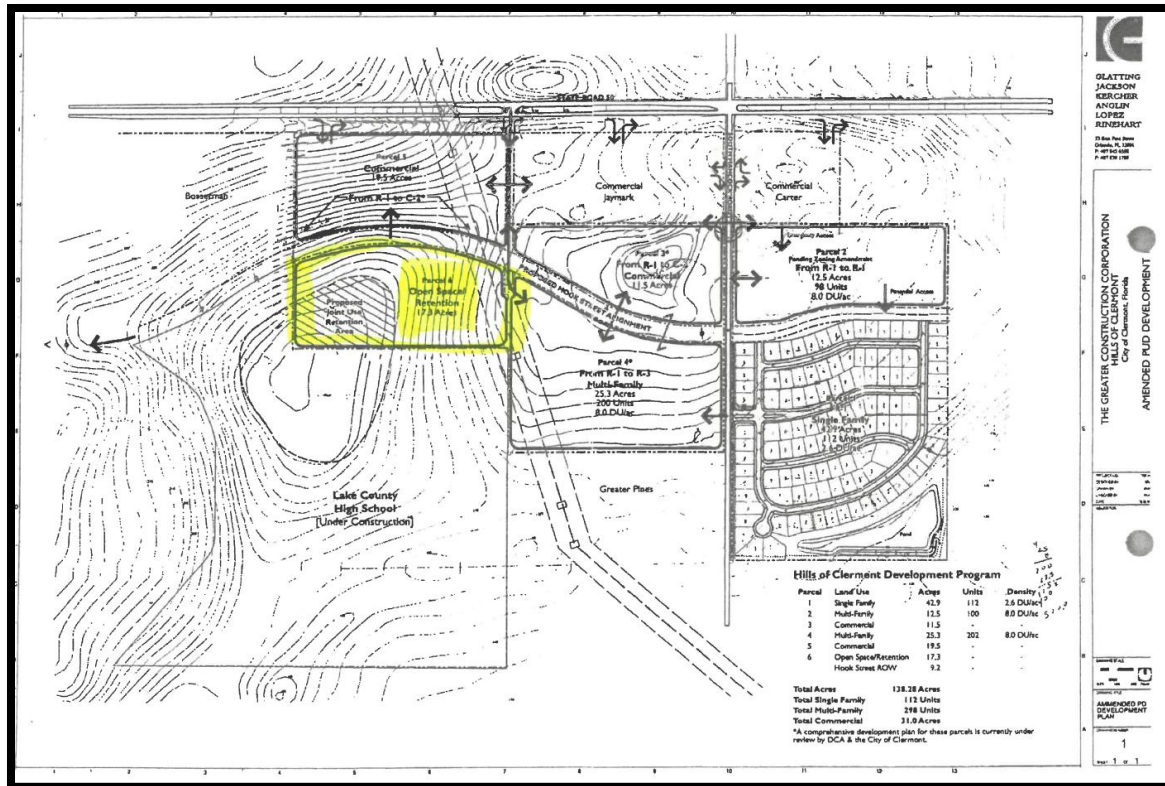
EXISTING ZONING: PUD Zoning, Ordinance 2017-24

EXISTING LAND USE: Vacant land

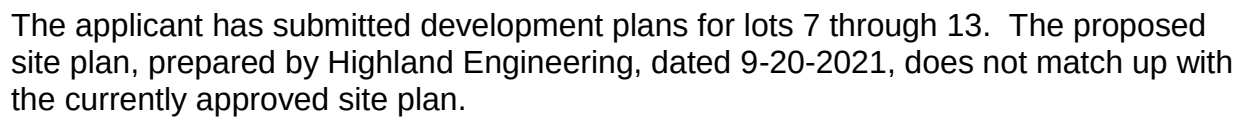
FUTURE LAND USE CATEGORY: Commercial and Low Density Residential

BACKGROUND

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



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



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

Small Scale Comprehensive Plan Amendment

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

Objective 1.9: Commercial Land Use Category.

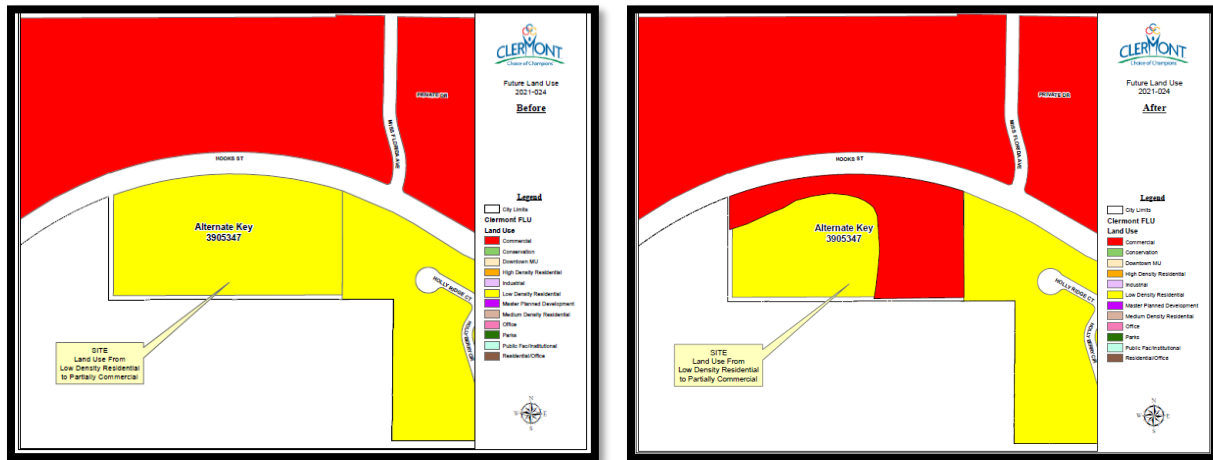
The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as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

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

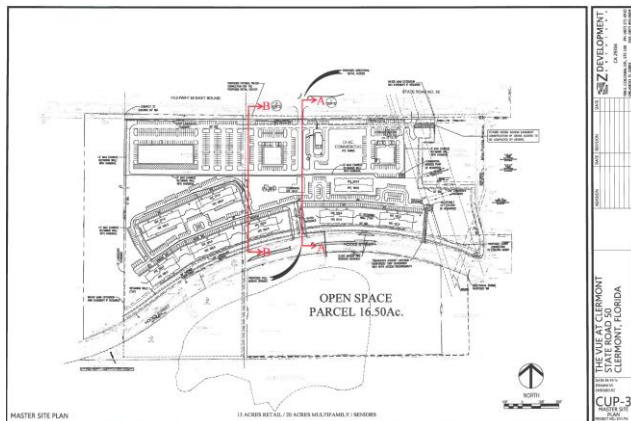
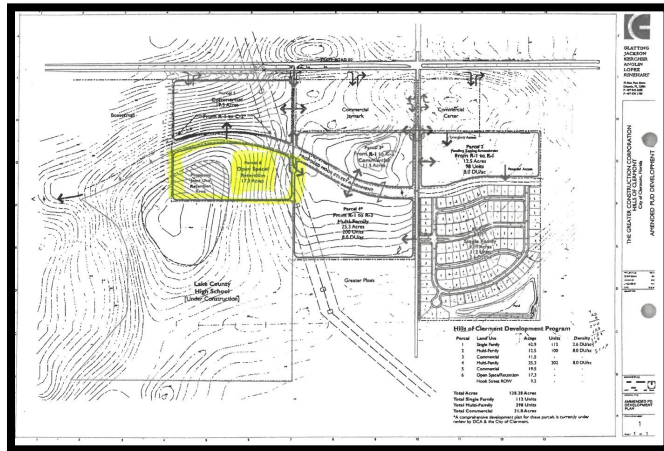
The adopted Objective and Policy from the Comprehensive Plan do not support the applicant's request to utilize approximately 50 % of the land area for residential use. Commercial FLU lands are desired for employment and non-residential support uses.

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

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



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



PUD Amendment

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

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

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

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

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

The waivers previously approved under Ordinance 2017-24 include:

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

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

The additional waivers being requested are:

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

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

Summary

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

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

STAFF RECOMMENDATION:

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

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

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 13, 2017

Council Member Goodgame moved for approval of the Consent Agenda; seconded by Council Member Mullins. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 8 – Ordinance No. 2017-24, Final - The Vue Planned Unit Development Amendment

Deputy City Clerk Noak read Ordinance 2017-24 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; rezoning the real properties described herein as shown below; providing for severability, effective date, and publication.

Planning Manager Henschel presented the request to amend the Planned Unit Development granted in June 2016. The applicant is proposing to eliminate the multi-family portion of the project to develop the area as a senior housing or age-restricted housing with 324 units.

The applicant is requesting waivers to develop the site as proposed. The applicant is requesting up to 28 feet of cut and fill, allow monument signs to a maximum height of 22 feet, and add veterinary, self-storage, assisted living facility, daycare, and private and charter schools as allowable uses.

The Planning and Zoning Commission unanimously recommended denial of the request. Staff recommended denial of the request.

Johnathan Moore; Applicant, stated the benefit of the change request was the site would not be overdeveloped. The monument signs need to be taller than allowed by City Code due to the existing Florida Department of Transportation berm; however, due to Council concerns regarding the signs, the request is for a total of five signs up to 22 feet in height. The assisted living facility use was added as there is a need in the community.

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

Council Member Bates asked of the change to the cut and the fill. Mr. Moore stated the extreme elevation changes from State Road 50 to Hook Street prevents the project from obtaining the City's setback requirements without the cut and fill request.

Council Member Travis expressed concern of the additional allowable uses and requested the specific uses and their locations be provided.

Mr. Moore inquired which uses were of concern. The uses which are of concern could come back before the Council in the future.

Council Member Travis indicated the only feasible additional allowable use would be the assisted living facility.

Mayor Ash asked of the locations for the amended allowable uses. Mr. Moore commented the additional allowed uses would be off of Hook Street and one lot off of Stated Road 50.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 13, 2017

Council Member Travis and Mayor Ash spoke in opposition of the self-storage use.

Council Member Goodgame inquired if the senior housing units would be similar in design to the previously approved apartments. Mr. Moore indicated the units would look different.

Council Member Goodgame stated he would like to see the conceptual plans for the senior housing units. He requested the units be made of concrete block construction and have elevators in the units with three or more floors.

Mr. Moore stated he could provide a conceptual architectural design plan on the senior housing units and the self-storage facility.

Mayor Ash was opposed to the self-storage facility use on Highway 50 and locating private or charter schools off of Hook Street.

Council Member Mullins commented prior discussions of the self-storage facility use was to have the use limited to lot 12 and go through the architectural review process.

City Manager Gray stated if any plan submitted to staff does not meet City Code, the plan would come before the City Council.

Council Member Mullins expressed concern of the lack of conceptual plans when a project is within a Planned Unit Development. Mr. Mullins questioned the need for a 28 foot cut and fill.

Mayor Ash suggested reducing the number of units for the senior housing use to decrease the amount of cut and fill. Ms. Ash spoke in agreement with Council Member Goodgame on providing a conceptual design plan.

Council Member Goodgame asked of the time Mr. Moore would require to return with a conceptual design.

Mr. Moore requested Council address and approve the variances and require each individual additional use to return to Council for review of the architectural design and site plan.

City Attorney Mantzaris rephrased Mr. Moore's request. Mr. Moore would like to add a condition indicating he would return to the City Council with architectural designs and site plans when he was ready to proceed developing any of the additional uses listed.

Council Member Travis was opposed to all of the additional uses except the assisted living facility.

Council Member Travis stated Lots 7, 8, 9, 10, 11, 12 should be restricted to an assisted living facility. Ms. Travis was opposed to placing a self-storage facility off State Road 50 on Lot 6.

Mr. Moore commented he would remove the self-storage and private school uses.

Council Member Mullins stated 1 ½ acres was not enough land for a school unless the educational facility was similar to a night class type facility.

Mayor Ash opined combining several lots would allow room for a private or charter school.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 13, 2017

Council Member Mullins was opposed to taller monument signs on Hook Street.

Council Member Goodgame suggested tabling the request to allow staff to meet with Mr. Moore and include the details within the proposed Planned Unit Development amendment.

Mayor Ash reviewed Council's requested changes. The Council is opposed to a self-storage facility and private charter schools. The monument signs on Hook Street will adhere to City Code.

Mayor Ash asked Mr. Moore of any objection to tabling the request to the next Council meeting and meeting with staff on the uses and the monument signs.

Mr. Moore had no objection.

Council Member Goodgame moved to table Ordinance 2017-24 to June 27, 2017; seconded by Council Member Mullins. The motion passed with all members present voting aye.

NEW BUSINESS

Item No. 9 – Resolution No. 2017-28, Master Plan Capital Projects Revenue Note

Deputy City Clerk Noak read Resolution 2017-28 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida authorizing the issuance of not to exceed \$30,000,000 Master Plan Capital Projects Revenue Note, Series, 2017 to finance all or a part of the costs of certain master plan capital projects described herein and to pay related closing costs; providing that such note shall be a limited obligation of the City payable solely from non-ad valorem revenues budgeted and appropriated as provided herein; providing for the rights, securities and remedies for the owner of such note; making certain covenants and agreements in connection therewith; and providing an effective date.

Finance Director VanZile stated at the April 11, 2017 Council meeting staff presented a financing plan to fund the construction of Victory Pointe, Boat Ramp Relocation, Downtown Waterfront District Revitalization, Legacy Loop Trail Spur and Public WiFi Network. The plan provided for the use of approved grants, reserve funds, and a bank loan up to \$24,000,000.

The City received proposals from four lenders and staff recommended accepting the proposal from Pinnacle Public Finance for a 15-year loan with a 2.63 percent fixed interest rate.

The City sought to increase the loan amount to \$30,000,000 based on the same terms in order to fund the City Limits Signage and the Public Works Complex projects. Pinnacle Public Finance agreed to the increased loan amount. Staff recommended increasing the loan amount to \$30,000,000.

The average annual debt service will be approximately \$2.4 million beginning in December 2017 and will be paid from the Infrastructure Sales Tax, Recreation Impact Fees, Stormwater Fees, and Sanitation Fees. General Fund revenues will not be used.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 27, 2017

Item No. 5 – Contract Award

Consider approval to piggyback the City of Plantation contract with Allied Universal Corporation for supply and delivery of Sodium Hypochlorite in the estimated annual budgeted amount of \$160,000 per year.

Item No. 6 – Interlocal Agreement

Consider approval of the Interlocal Agreement with the Town of Montverde providing wholesale wastewater treatment for up to 200,000 gallons per day.

Item No. 7 – Resolution No. 2017-31

Consider Resolution authorizing the purchase of property from John Kingman Keating, Tony H. Roper, and Bert E. Roper & Barbara C. Roper Family Limited Partnership for property located on Hancock Road consisting of 18 acres in the amended budget amount of \$1.8 million dollars.

Item No. 8 – Resolution No. 2017-32

Consider Resolution approval to amend the Fiscal Year 2017 Budget.

Council Member Mullins moved for approval of the Consent Agenda; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 9 – Ordinance No. 2017-24 Final – The Vue Planned Unit Development Amendment

Deputy City Clerk Noak read Ordinance 2017-24 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; rezoning the real properties described herein as shown below; providing for severability, effective date, and publication.

Planning Manager Henschel presented the request to amend the Planned Unit Development granted in June 2016. The property is located south of Highway 50, west of Miss Florida Avenue, and north and south of Hooks Street. The applicant is requesting up to 28 feet of cut and fill in portions of the project and allow for monument signs to be 15 feet above the Florida Department of Transportation berm.

Staff recommended, if the commercial portion of the project adjacent to Highway 50 is approved, any future development to the south of the project fronting Hooks Street be required to submit a Planned Unit Development amendment for approval by the City Council.

Staff recommended denial of the proposed Planned Unit Development amendment.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 27, 2017

Jonathan Moore; Applicant, stated the additional uses requested at the June 11, 2017 meeting for the south side of the property were removed, the senior housing units will have elevators in units with three stories or more, and the monument signs on Highway 50 will not exceed more than 15 feet above the Florida Department of Transportation berm on Highway 50.

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

Council Member Bates asked of the number of monument signs. Mr. Moore stated there would be three monument signs on Highway 50 and two monument signs on Hooks Street.

Council Member Travis asked for the request to be restated.

Planning Manager Henschel stated the proposed changes to the current Planned Unit Development included a cut and fill of up to 28 feet, monument sign height of no greater than 15 foot above the Florida Department of Transportation berm on Highway 50, where the wall height exceeds 40 feet there will be a 20-foot buffer, removal of the proposed accessory uses, and any uses on lots 7 through 13 are required to come back to the Council as an amendment to the Planned Unit Development.

Council Member Bates moved for approval as presented; seconded by Council Member Mullins. The motion passed with all members present voting aye.

Item No. 10 – Ordinance No. 2017-25, Final – Comprehensive Plan Amendment

Deputy City Clerk Noak read Ordinance 2017-25 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the Small Scale Comprehensive Plan Amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the Small Scale Comprehensive Plan Amendment; setting forth the purpose and intent of the Small Scale Comprehensive Plan Amendment; providing for the adoption of the Small Scale Comprehensive Plan Amendment; establishing the legal status of the Small Scale Comprehensive Plan Amendment; providing a severability clause and providing an effective date.

Senior Planner Kruse presented the Small Scale Comprehensive Plan Amendment to change the future land use from Parks to Downtown Mixed Use to allow City-owned property the highest and best future use. The site is directly south of Lake Minneola and north of the West Avenue and Osceola Street intersection. The current zoning is Central Business District, which is consistent with the requested Downtown Mixed Use future land use. Staff recommended approval.

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

Council Member Goodgame spoke in opposition of approval until a parking plan is in place.

Clermont Multifamily

Lamar Johnson
Collaborative
© 2021

May 10th 2021

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LJC7

Siteplan

Clermont

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





Design Vision
Clermont



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LJC7

Design Vision
Clermont



Design Vision
Clermont



Design Vision
Clermont



Site Section
Clermont





CITY OF CLERMONT
REZONING
APPLICATION

PAID
CC (1297.00)
\$1329.43

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



CITY OF CLERMONT
REZONING
APPLICATION

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

What are you proposing to do that would require a rezoning?
Amendment of existing PUD Ordinance 2017-24 to add work force housing.
Please see attached Statement of Support for more details.

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

Jimmy D. Crawford, Esq.

Applicant Name (print)

x

Applicant Name (signature)

Jonathan Moore

Owner Name (print)

x

Owner Name (signature)

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

5/22/2020

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

THE VUE AT CLERMONT 2021 AMENDMENT

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

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

None beyond that granted in Ordinance 2017-24.
6. See attached conceptual plan, indicating changes requested.

7. STATEMENT OF JUSTIFICATION/NEED/CHANGED CONDITIONS

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

EXHIBIT “A”
Legal Description



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

Detail by Entity Name

Florida Limited Liability Company
AC COMMERCIAL PROPERTIES I, LLC

Filing Information

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

Principal Address

1760 FENNELL STREET
SUITE 200
MAITLAND, FL 32751

Changed: 05/11/2021

Mailing Address

1760 FENNELL STREET
SUITE 200
MAITLAND, FL 32751

Changed: 05/11/2021

Registered Agent Name & Address

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

Address Changed: 02/23/2015

Authorized Person(s) Detail

Name & Address

Title MGRM

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

Annual Reports

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

Document Images

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

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

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

FOR RECORDING DEPARTMENT USE ONLY

TRUSTEE'S SPECIAL WARRANTY DEED

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

WITNESSETH:

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

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

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

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

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

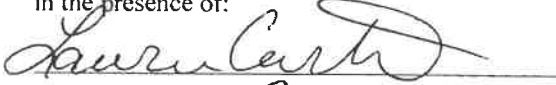
AND the Grantor hereby warrants and represents that the Property conveyed hereby is not the Grantor's homestead and, is not contiguous to Grantor's homestead.

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

0001972\168049\3064362\1

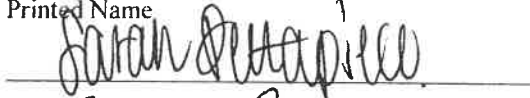
IN WITNESS WHEREOF, the Grantor has executed these presents as of the day and year first above written.

Signed, sealed and delivered
in the presence of:



LAUREN CARTER

Printed Name



SARAH PETTAPIECE

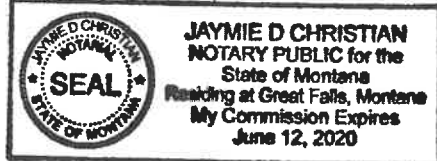
Printed Name

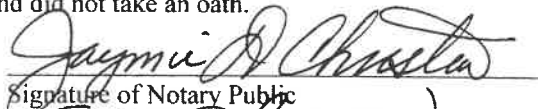

MAYNARD K. KNAPP, TRUSTEE

STATE OF MONTANA
COUNTY OF CASCADE

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

(NOTARY SEAL)




Signature of Notary Public

JAYMIE D. CHRISTIAN
Typed, Printed or Stamped Name of Notary

Commission No.: 53713194 N

My Commission Expires: JUNE 12, 2020

EXHIBIT "A"

PARCEL 1 (FEE SIMPLE ESTATE)

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

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

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

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

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

AND

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

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

PARCEL 5

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

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

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

EXHIBIT "A"

Description of Properties

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

Legal Description:

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

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

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

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

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

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

PROPERTY RECORD CARD

General Information

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

Land Data

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

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

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

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

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

Values and Estimated Ad Valorem Taxes 📍

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

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

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

Exemptions Information

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

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

Exemption Savings 📊

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

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

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

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

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

Save Our Homes Assessment Transfer (Portability)

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

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

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

Conservation Classification Assessment Limitation

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

✓ Agricultural Classification

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

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

Assessment Reduction Savings

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

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

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

CITY OF CLERMONT
ORDINANCE No. 2017-24

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

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

CITY OF CLERMONT
ORDINANCE No. 2017-24

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

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

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

SECOND SURVEY

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

CITY OF CLERMONT
ORDINANCE No. 2017-24

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

Containing 0.50 acre, more or less

THIRD SURVEY

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

Containing 0.32 acres, more or less

FOURTH SURVEY

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

LOCATION

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

To amend the Planned Unit Development

SECTION 2 - General Conditions:

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

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Z Development Services, dated 8-01-16, Overall Site Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

SECTION 3 - Land Uses and Specific Conditions:

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

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

SECTION 4:

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

SECTION 5:

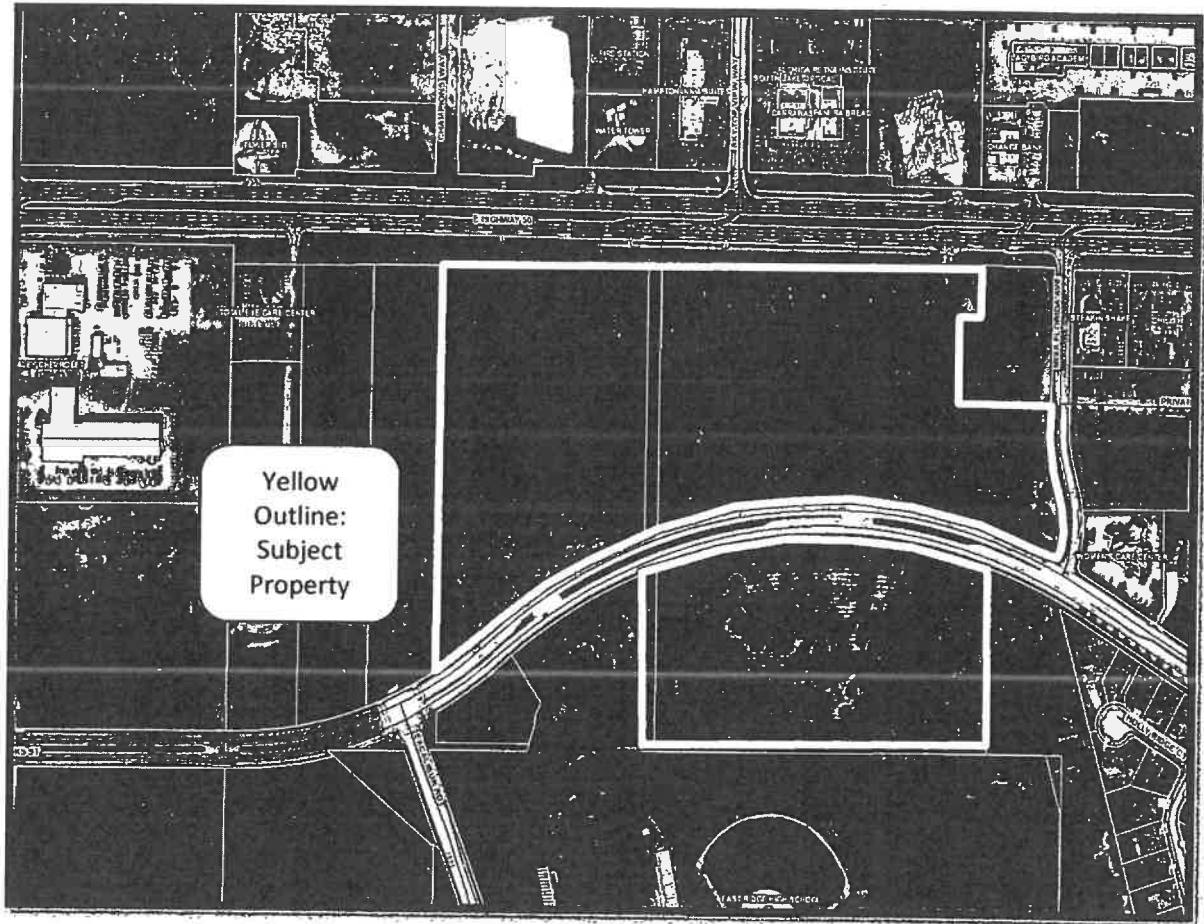
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

SECTION 6:

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

CITY OF CLERMONT
ORDINANCE No. 2017-24

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-24

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

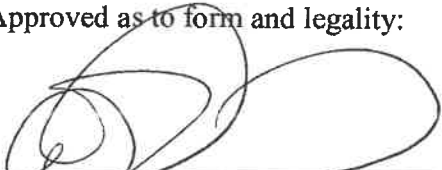
CITY OF CLERMONT

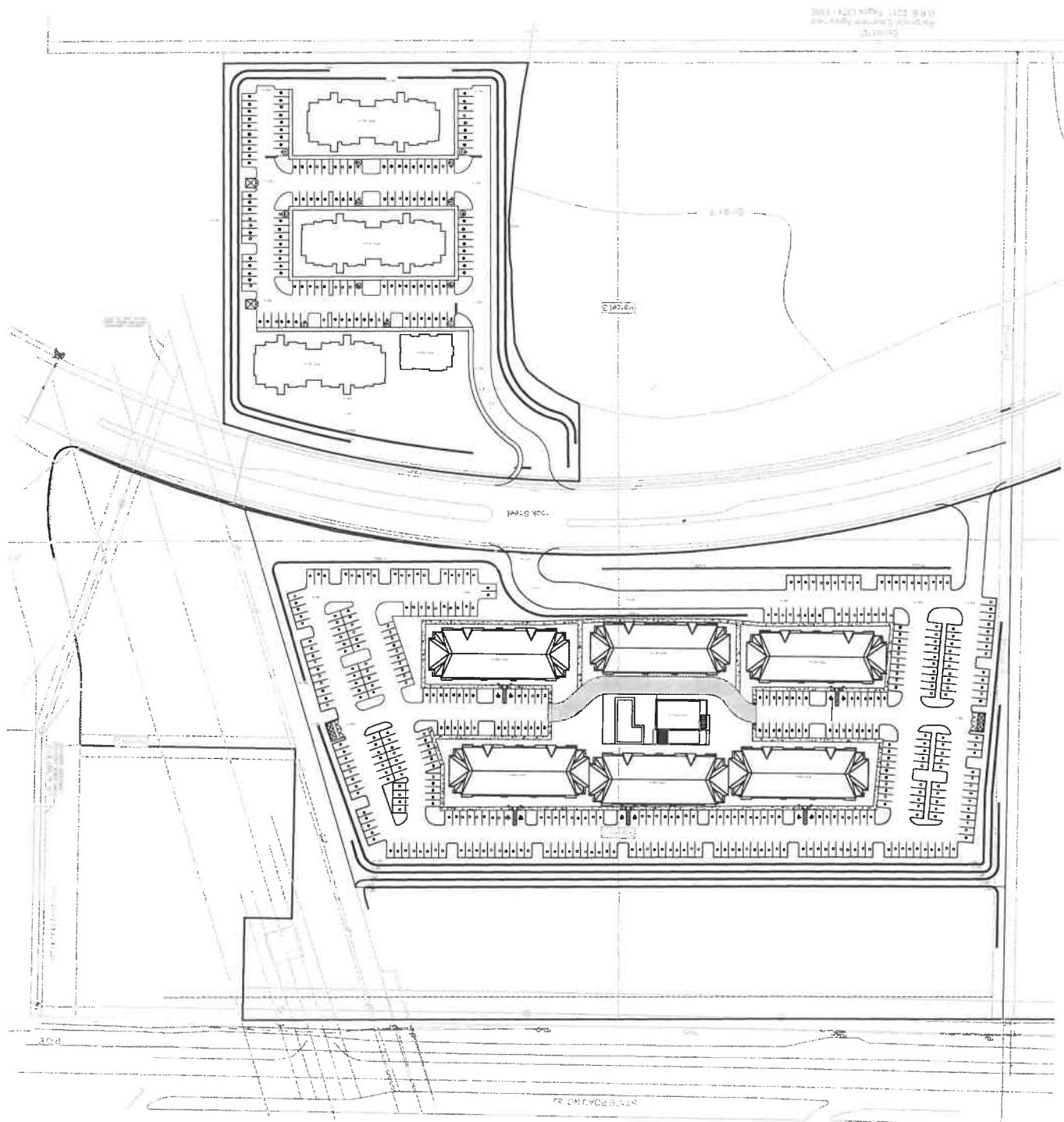

Gail L. Ash, Mayor


ATTEST


Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

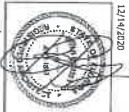

Daniel F. Mantzaris, City Attorney



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

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

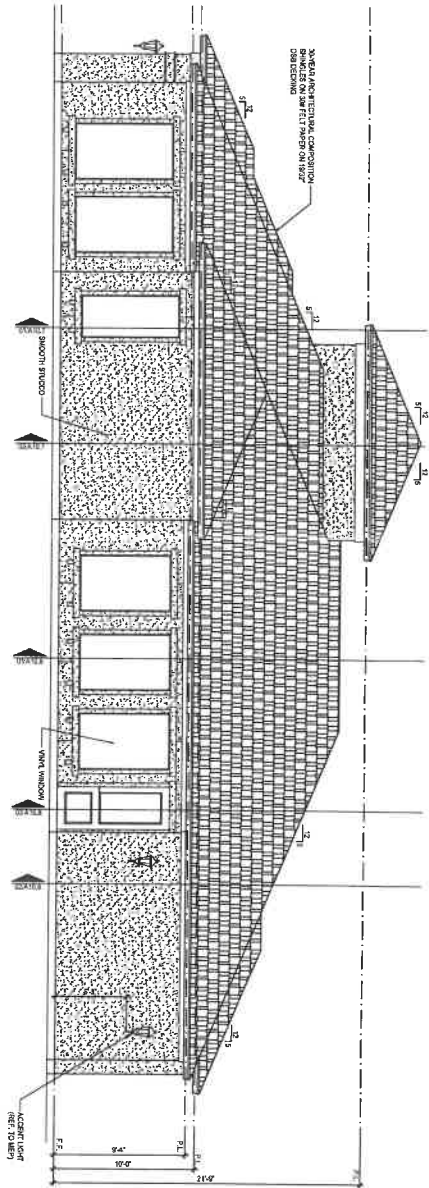
Turnstone



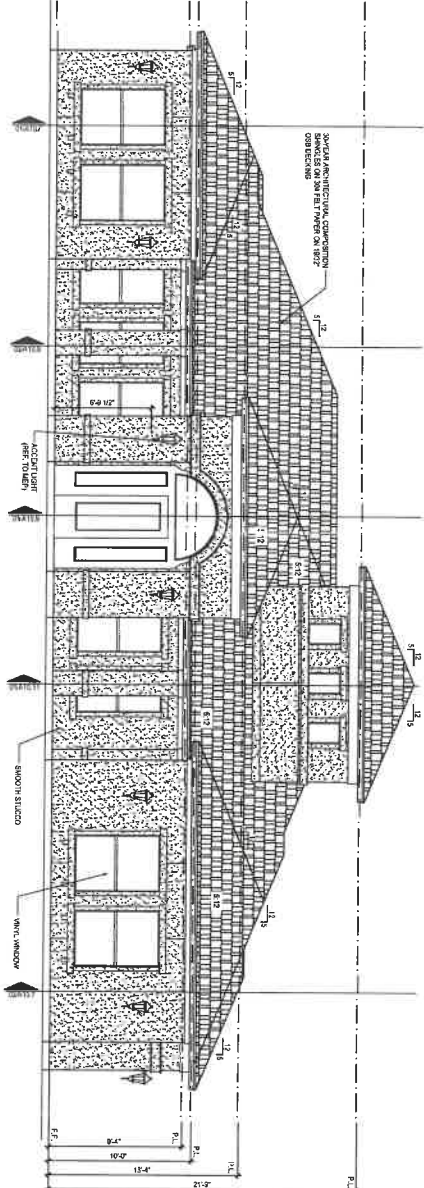
PLATEAU VILLAGE
LAKELAND, FLORIDA

ISSUED FOR:
FINAL BID SET
SHEET NUMBER
A10.5
CLUBHOUSE
EXTERIOR
ELEVATIONS
COPYRIGHT © 2000

02
1/4" = 1'-0"



01
1/4" = 1'-0"



PRELIMINARY ONLY
NOT FOR CONSTRUCTION

PLATEAU VILLAGE
LAKELAND, FLORIDA

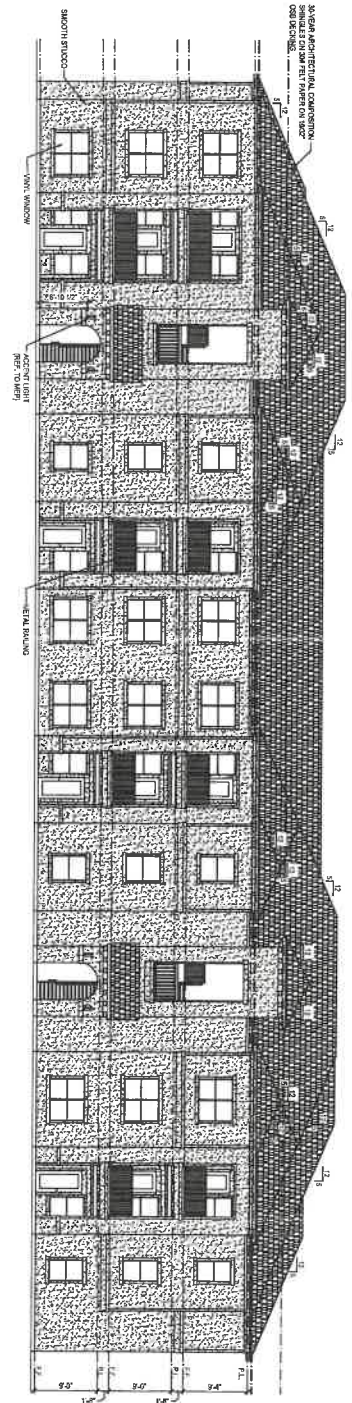
ARCHITECT:
CROSS ARCHITECTS, PLLC
879 JUNCTION DRIVE
ALLEN, TEXAS 75013
P: 972.398.6644
WWW.CROSSARCHITECTS.COM

Turnstone

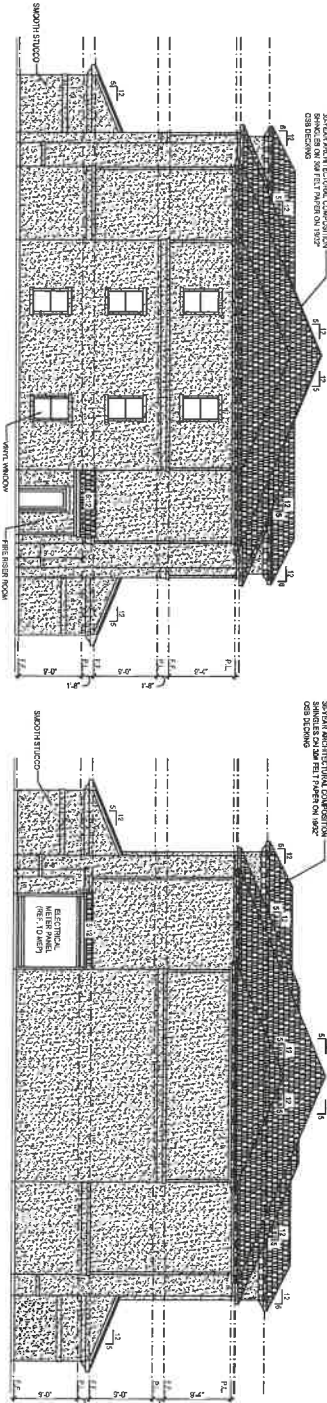


ISSUED FOR
FINAL BID SET
SHEET NUMBER
A10.4
CLUBHOUSE
EXTERIOR
ELEVATIONS
COPYRIGHT © 2020

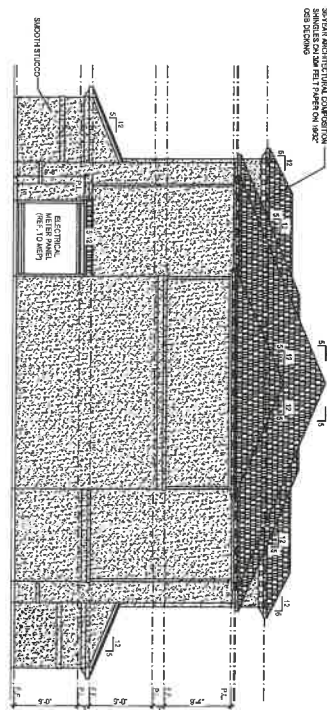
PRELIMINARY ONLY
NOT FOR CONSTRUCTION



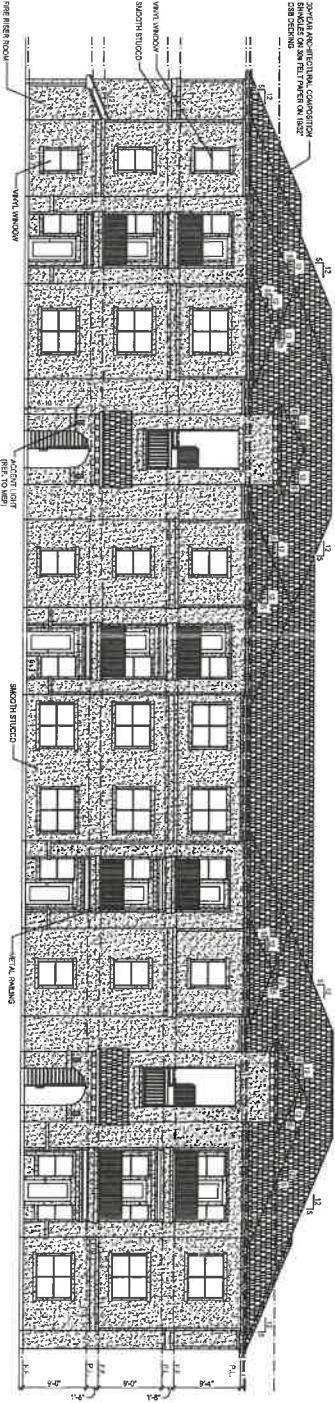
04 BUILDING TYPE A, REAR ELEVATION
SCALE: 1/8" = 1'-0"



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



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



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

DATE: 12/14/2020
PROJECT NUMBER: 20044
REVISIONS:
NO. DATE

**PLATEAU VILLAGE
LAKELAND, FLORIDA**

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

TURNSTONE
Bridon
A4.5
BLDG. W.
ELEVATIONS
CROSS 1 & 200

12/14/2020

12/14/2020



CITY OF CLERMONT REZONING FILING INSTRUCTIONS

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

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

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

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



CITY OF CLERMONT

REZONING

APPLICATION

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



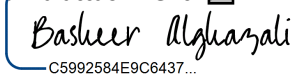
CITY OF CLERMONT REZONING APPLICATION

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

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

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

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


C5992584E9C6437...

Jimmy D. Crawford, Esq.

Applicant Name (print)

x _____
Applicant Name (signature)

Owner Name (print)

x _____
Owner Name (signature)

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

5/22/2020



July 9, 2021

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

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

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

Dear Mr. Crawford,

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

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

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

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

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

Sincerely,



John Kruse, AICP
Planning Manager
City of Clermont

EXHIBIT "A"

Description of Properties

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

Legal Description:

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

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

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

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

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

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

1563



CLATTING
JACKSON
KERSCHER
ANGLEN
LOPEZ
RUNKHART

7000 West 10th Street
Miami, Florida 33155
P: 305-441-1563
F: 305-441-1564

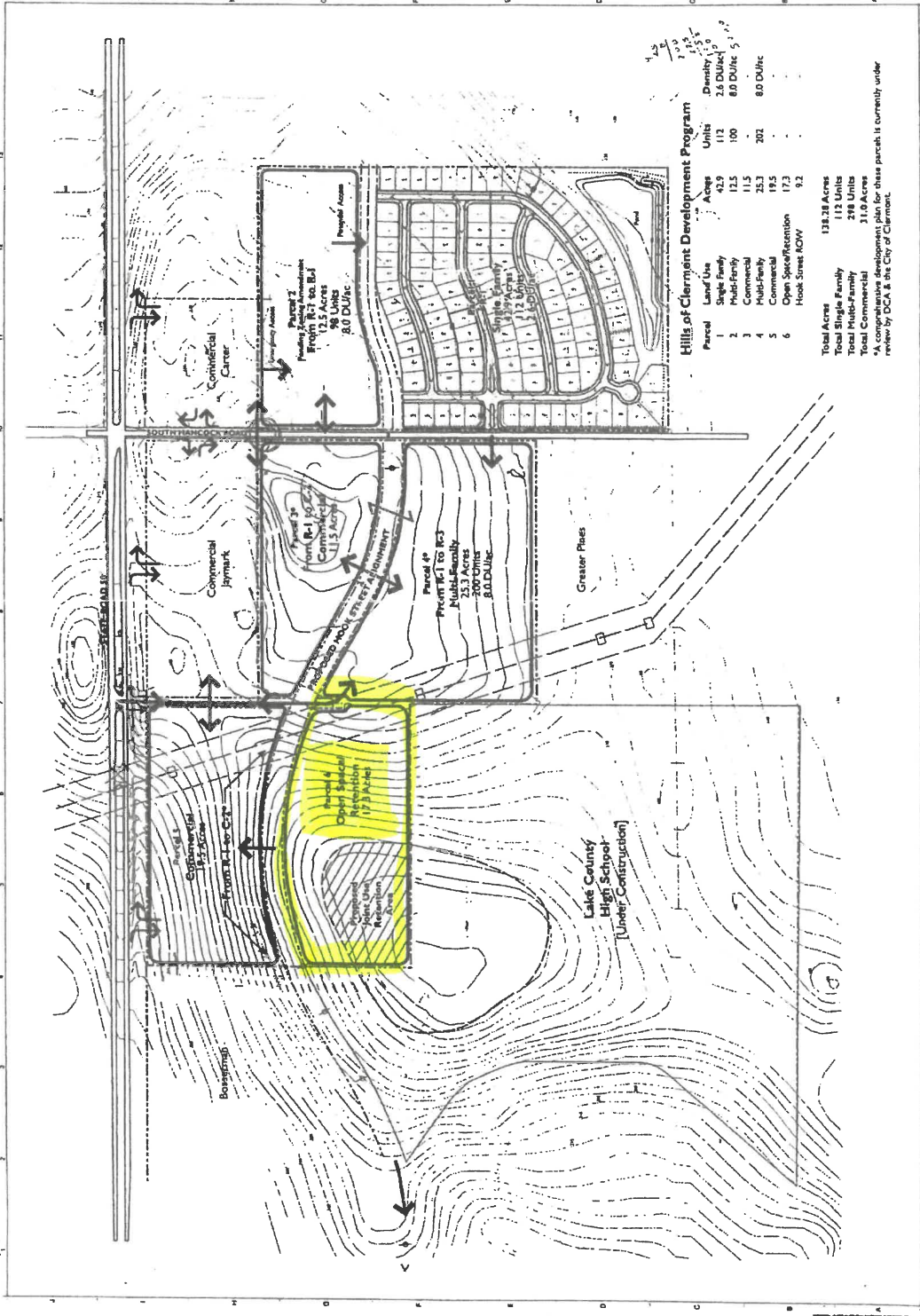
THE GREATER CONSTRUCTION CORPORATION
HILLS OF CLEMONT
City of Clemont, Florida
AMENDED PUD DEVELOPMENT

Scale: 1" = 100'
North Arrow
Legend



AMENDED PUD
DEVELOPMENT
PLAN

Sheet 1 of 1



August 6, 2021

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

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

Dear Mr. Kruse:

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

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

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

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

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

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

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

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

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

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

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

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

RESPONSE: See attached plans, elevations and information.

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

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

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

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

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

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

RESPONSE: See response to No. 5 above.

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

RESPONSE: Understood.

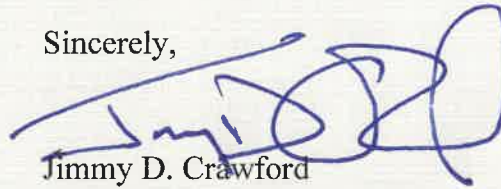
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff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

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

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

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

Sincerely,



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

ATTACHMENTS

CC: CLIENTS

LEGAL NOTICE

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

ORDINANCE NO. 2021-025

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

LOCATION

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

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

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

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

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

SECOND SURVEY

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

CONTAINING 0.50 ACRE, MORE OR LESS

THIRD SURVEY

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

CONTAINING 0.32 ACRES, MORE OR LESS

FOURTH SURVEY

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

CONTAINING 30.66 ACRES +/-

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



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

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

The meetings will be held at City Hall, Council Chambers, located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M. Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Ordinance No. 2021-028 <i>Introduction International Property Maintenance Codes</i>		
Requested Action		
Recommend approval of Ordinance No. 2021-028.		
Staff Report		
This is a staff initiated text amendment to the Clermont Codes, Chapter 14 - The International Property Maintenance Codes. The intent and purpose of the International Property Maintenance Code is to protect public health, safety, morals and welfare by establishing minimum requirements governing the maintenance, appearance and condition of residential, rental, housing, commercial, business and industrial premises to establish minimum requirements for governing utilities and other physical components and conditions essential to make the previously mentioned facilities fit for occupancy and use. The adoption of the code requires all buildings to provide structural strength, stability, sanitation, adequate light, ventilation, and life safety conditions from fire, nuisances, and other hazards to conserve and maintain the viable stock to basic standards essential for occupancy. General and technical amendments to the Florida Building Codes may require text updates and changes to the International Property Maintenance Codes. The City's last update to the code was adopted on May 26, 2009. The current amendment will provide compliance with the latest updates for the adoption of the 2021 International Property Maintenance Codes. Staff recommends approval of Ordinance No. 2021-028.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord 2021-028 - Building Code Text Update (10.05.2021 V3) - R&FBL	Ord 2021-028 - Building Code Text Update (10.05.2021 V3) - R&FBL.pdf	
2. Legal AD	Legal AD.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2021-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE I, "IN GENERAL" BY CREATING SECTION 14-9 "INTERNATIONAL PROPERTY MAINTENANCE CODE"; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City Council determined that it is in the public interest to amend the building code regulations to bring the regulations into conformance with the most current International Property Maintenance Code for Florida communities.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, as follows:

SECTION 1:

Chapter 14, "Buildings and Building Regulations" Article I, "In General" is hereby amended to read as follows; (note strikethrough indicates removed words and underlined indicates added):

Sec. 14-9. International Property Maintenance Code.

The International Property Maintenance Code, 2006 edition, and any amendments or successor code thereto, and the local option amendments set forth below, are hereby adopted by reference as if set out in its entirety in this section and as stated and shall be controlling with regard to all buildings and other structures in the city. The local option amendments adopted by the city are as follows:

(1) Section 101.1. Title. The jurisdiction shall be the City of Clermont.

(2) Section 103.1. Name. The name of Department shall be Development Services/Code Enforcement.

~~—— (2) Section 103.5. Fees. The fee schedule shall be such fees as adopted by resolution of the City Council and on file in the office of the City Clerk.~~

(3) Section 302.4. Weeds. All premises and exterior property shall be maintained free from weeds and plant growth in excess of 18 inches for an improved lot and 18 inches for a vacant lot.



CITY OF CLERMONT
ORDINANCE NO. 2021-028

(4) Section 304.14. *Insert Screens.* ~~The applicable period shall be January 1 through and including December 31.~~ Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, and food services must be supplied with approved tightly fitting screens of a minimum 16 mesh per inch with self-closing device in good working conditions.

(5) Section 602.3. *Heat Supply.* ~~The applicable period shall be January 1 through and including December 31.~~ Every owner and operator of any building, who rents, leases or lets one or more dwelling units or sleeping units on terms needs to be furnished with heat to the occupants.

(6) Section 602.4. *Occupiable Work Spaces.* Work spaces shall be supplied with heat from a ~~The applicable period of January 1 though and including December 31.~~

SECTION 2: CONFLICT

Any portion of the Code of Ordinances, City of Clermont, Florida or any ordinance or part thereof in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 3: SEVERABILITY

It is declared to be the intent of the City Council that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4: CODIFICATION

The text of Section 1 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: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION & EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-028

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

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Daniel F. Mantzaris, City Attorney



The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune | News Herald
Northwest Florida Daily News

Order Confirmation

Not an Invoice

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City Of Clermont-Legals P.O. BOX 120219 CLERMONT FL 34712
Contact Name:	Chris Dudeck
Contact Phone:	(352) 708-5997
Contact Email:	cdudeck@clermontfl.org
PO Number:	

Date:	09/24/2021
Order Number:	6338445
Prepayment Amount:	\$ 0.00

Column Count:	1
Line Count:	66.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	09/29/2021 - 10/12/2021	Govt Public Notices
LEE dailycommercial.com	2	09/29/2021 - 10/12/2021	Govt Public Notices

Total Order Confirmation

\$202.72

Ad Preview

LEGAL NOTICE

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

ORDINANCE NO. 2021-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE I, "IN GENERAL" BY CREATING SECTION 14-9 "INTERNATIONAL PROPERTY MAINTENANCE CODE"; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, October 12, 2021 (Introduction) at 6:30 P.M., and on Tuesday, October 26, 2021 at 6:30 P.M. for (final enactment).

All meetings will be held in Clermont City Hall, first floor Council Chambers, 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. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

6338445
September 29, 2021 &
October 12, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, October 12, 2021		
Agenda Item Name		
Ordinance No. 2021-030 <i>Introduction Prince Edward Ave.</i>		
Requested Action		
Recommend approval of Ordinance No. 2021-030.		
Staff Report		
The applicant is requesting a rezoning from "R-1" - Single Family Medium Density Residential District to "R-2"- Medium Density Residential for a vacant parcel located on the corner of Prince Edward Avenue and East Minneola Avenue. The parcel is approximately 0.42 +/- acres with a Future Land Use Designation of Medium Density Residential. The applicant has requested the rezoning to R-2 Medium Density Residential to allow for a lot split, creating two (2) 75-foot wide lots for construction of two new single-family homes. The current lot dimensions are 150-foot width x 122-foot depth. The minimum development standards requirements for a single-family lot in the R-2 zoning district, Section 122-145, requires a lot width of 75-feet and a minimum lot area of 7,500 square feet. The adjacent parcel that is located to the north of the property is zoned R-2 Medium Density Residential. Because the surrounding parcels of land have been developed, this vacant parcel is considered as infill development. The Clermont Comprehensive Plan encourages and promotes infill development to increase the quality of life and property values in existing residential neighborhoods. Any future development of the lots will require compliance with the Land Development Regulations and building and fire safety codes before the issuance of a building permit. The proposed R-2 Medium Density Residential zoning will be consistent and compatible with the existing residential neighborhoods. The rezoning request is not in conflict with the Comprehensive Plan goals, objectives and policies for residential land use. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and provisions of the land development codes to ensure compliance with the review criteria. Therefore, staff recommends approval of the rezoning request from "R-1" Single Family Medium Density Residential to "R-2" Medium Density Residential District. Staff recommends <u>approval</u> of Ordinance No. 2021-030.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

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

CITY OF CLERMONT
ORDINANCE NO. 2021-030

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

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

SECTION 1.

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

LEGAL DESCRIPTION

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

LOCATION:

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





CITY OF CLERMONT
ORDINANCE NO. 2021-030

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

SECTION 2: CONFLICT

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

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION

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

SECTION 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-030

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

CITY OF CLERMONT

Tim Murry, Mayor

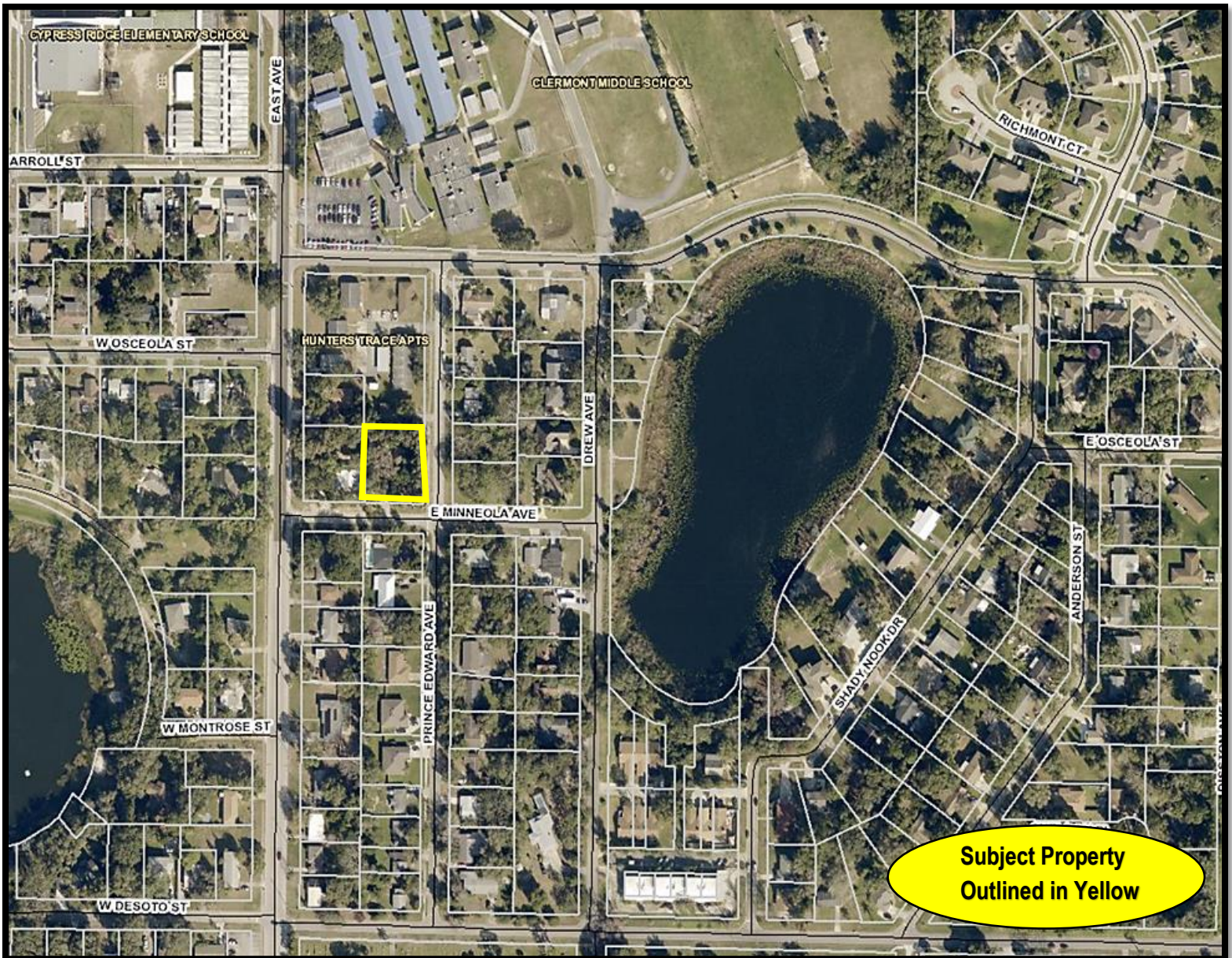
ATTEST:

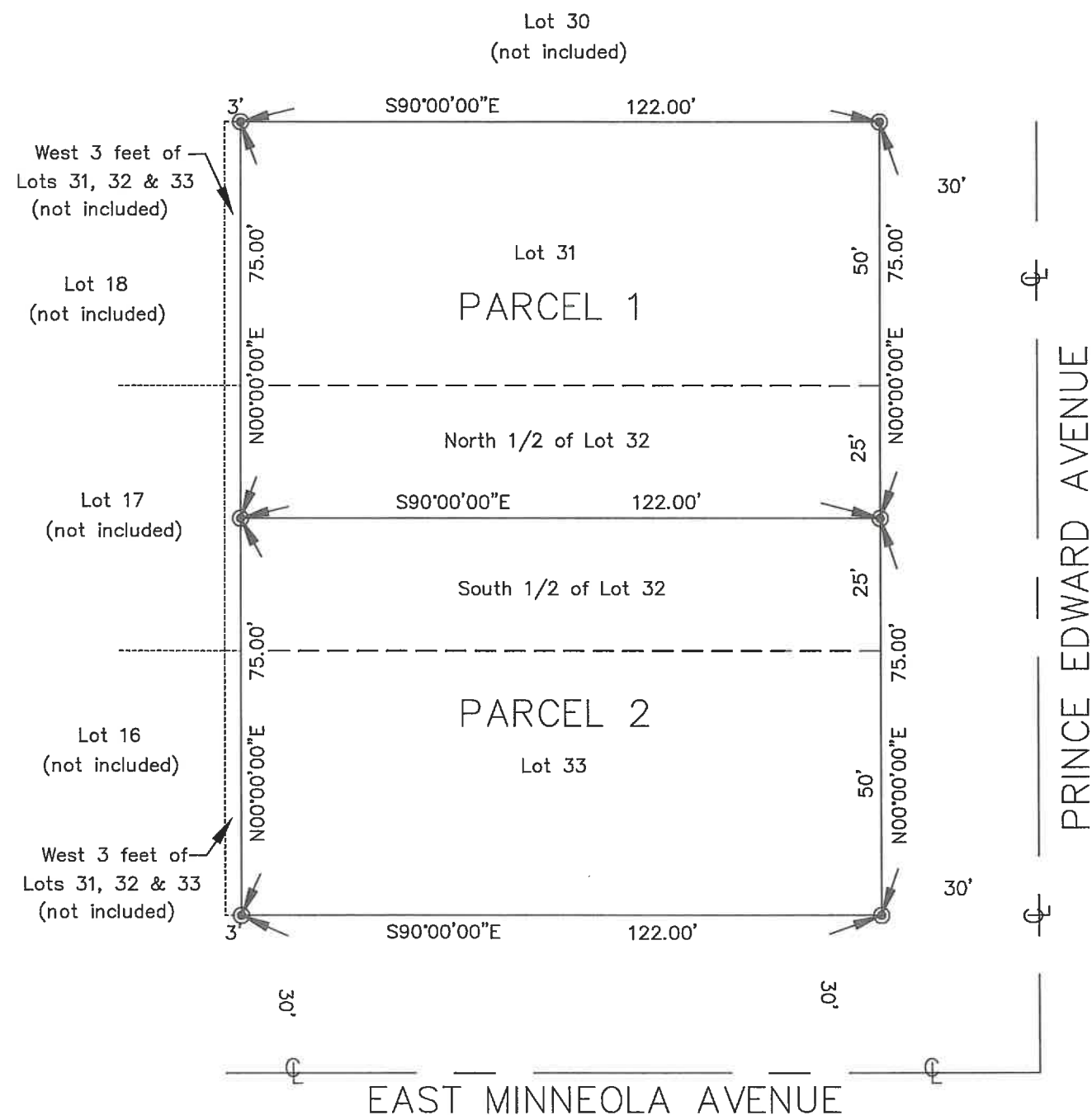
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





DESCRIPTIONS:

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

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

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

NOTES:

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



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

SKETCH OF DESCRIPTION FOR:
BRIGMOND CONSTRUCTION

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

HILLCREST
LAKE COUNTY, FLORIDA

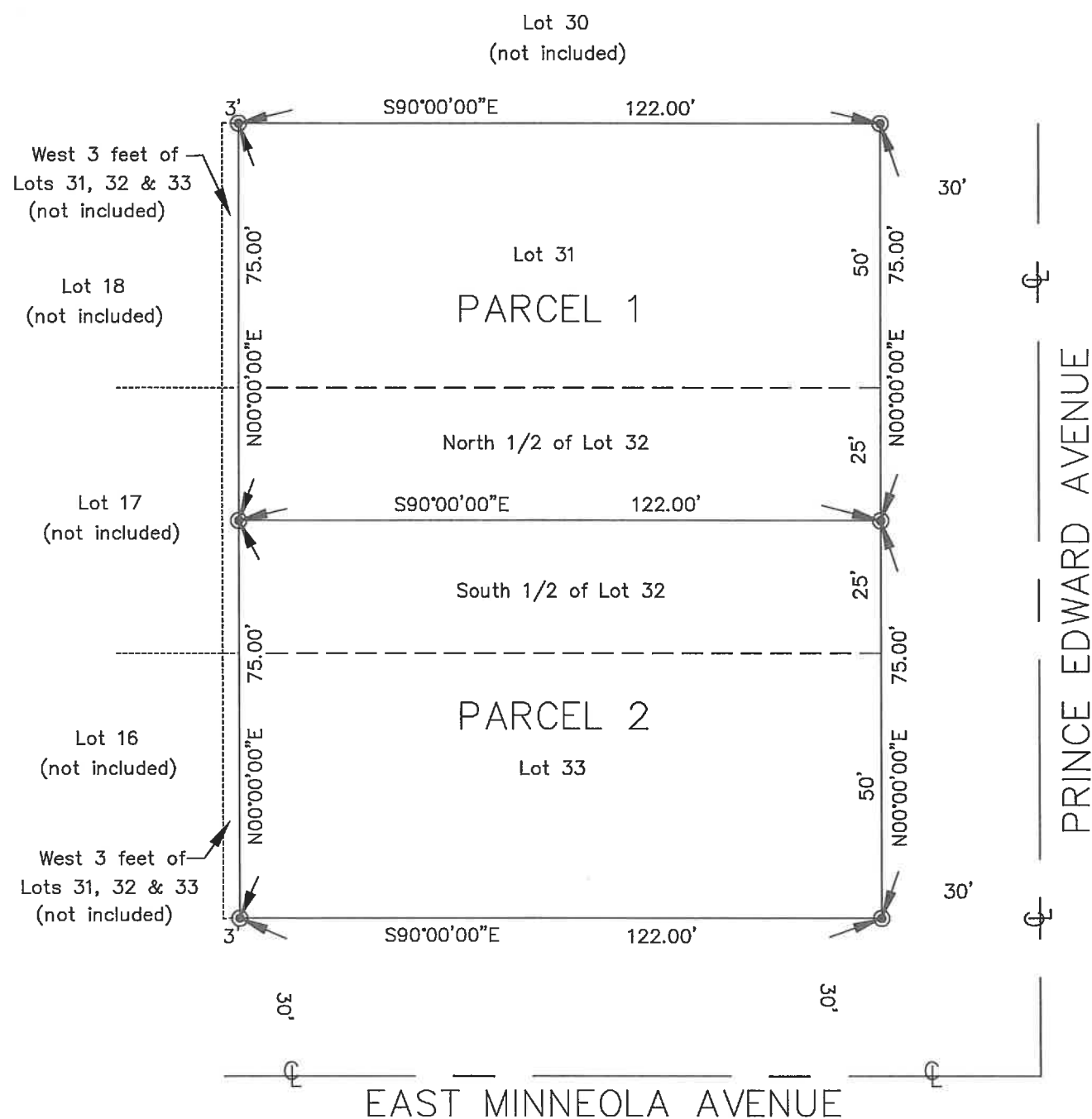
PAGE NO. 1	DRAWING NO. PERRY-HCZIP19
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GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

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



DESCRIPTIONS:

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

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SKETCH OF DESCRIPTION FOR:
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SCALE: 1" = 30	APPROVED BY: PMK	DRAWN BY: TERRY PITT
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HILLCREST
LAKE COUNTY, FLORIDA

PAGE NO. 1	DRAWING NO. PERRY-HCZIP19
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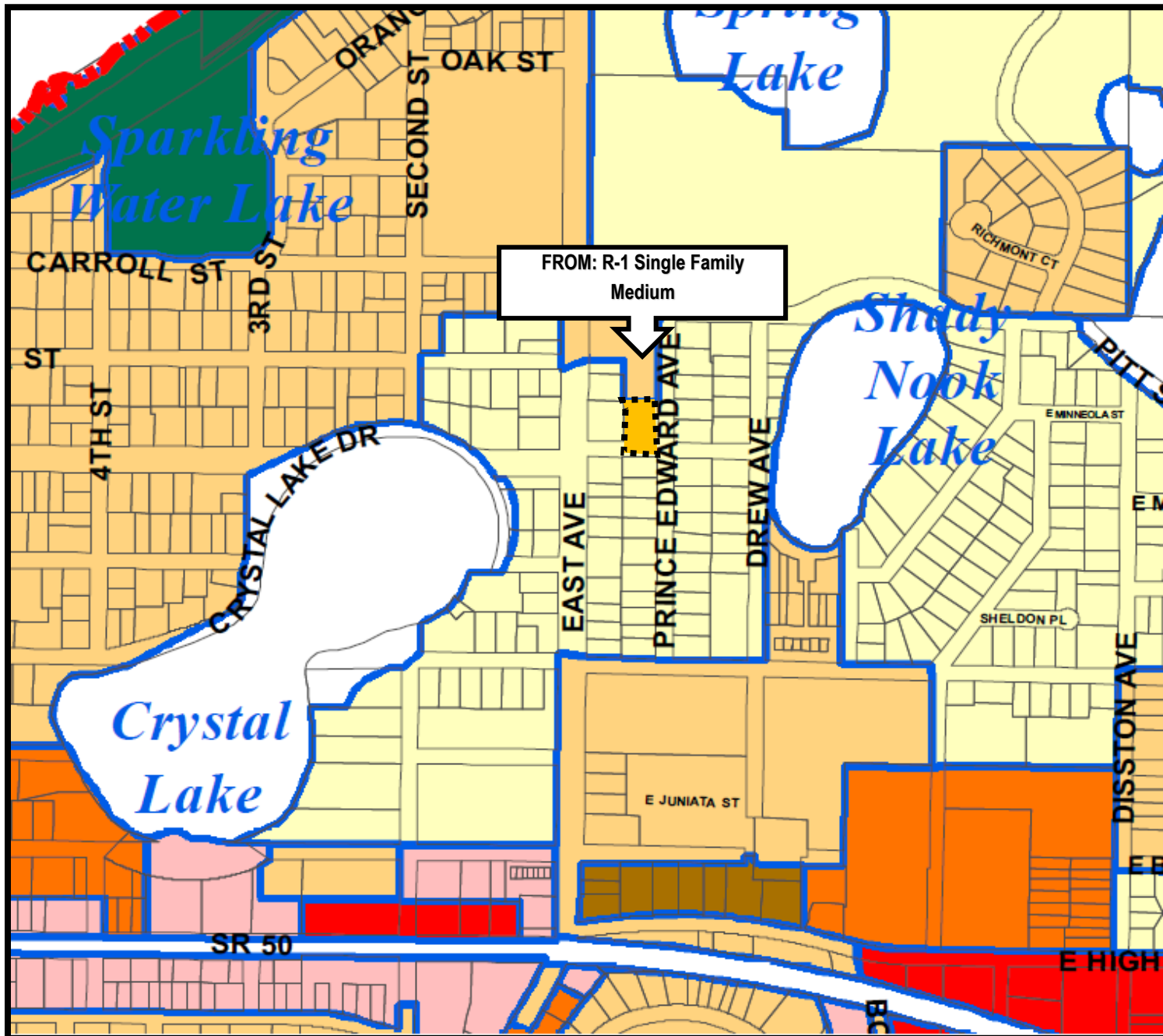
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

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

CLERMONT ZONING MAP



Legend

City Limits

Zoning Designations

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



CITY OF CLERMONT REZONING APPLICATION

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



CITY OF CLERMONT
**REZONING
APPLICATION**

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

What are you proposing to do that would require a rezoning? TO create 2
SEPARATE LOTS. That will be
compatible with the surrounding
zoning.

Brigmond CONSTRUCTION,
INC.

Perry L. Brigmond
Applicant Name (print) PRESIDENT

Perry L. Brigmond
Owner Name (print)

x Perry L. Brigmond
Applicant Name (signature)

x Perry L. Brigmond
Owner Name (signature)

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

03/04/2020



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

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

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

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

WARRANTY DEED

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

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

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

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

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

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

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

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

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

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

Witness Signature: Michele Snively

Printed Name: Michele Snively

Harold S. Turville Jr.

Witness Signature: Kodee Napier

Printed Name: Kodee Napier

State of Florida
County of Lake

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

Michele Snively
Notary Public Signature

Printed Name: Christina Milbourne

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

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



Property Record Card

General Information

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

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

Land Data

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

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

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

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

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

Values and Estimated Ad Valorem Taxes ⓘ

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

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

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

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

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

Assessment Reduction Savings ⓘ

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

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

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Property data last updated on June 20, 2021

[Site Notice](#)

DIVISION 6. - R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

Footnotes:

--- (6) ---

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

Sec. 122-141. - Intent.

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

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

Sec. 122-142. - Site plan review.

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

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

Sec. 122-143. - Permitted uses.

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

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

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

Sec. 122-144. - Conditional uses.

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

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

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

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

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

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

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

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

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

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

Sec. 122-146. - Yards.

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

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

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

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

Secs. 122-147—122-160. - Reserved.

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

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

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

Sec. 122-105. Yards.

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

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

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

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

Secs. 122-106—122-120. Reserved.

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

Sec. 122-121. Intent.

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

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

Sec. 122-122. Permitted uses.

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

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

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

Sec. 122-123. Conditional uses.

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

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

(b) In case of uncertainty of the classification of any use, uses may be permitted which, after consideration by the planning and zoning commission and approval by the city council, are not more obnoxious to the district than uses provided in this section. All conditional uses must be provided per chapter 86, article III, division 3. (Code 1998, § 122-123; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 290-C, § III, 10-27-1998)

Sec. 122-124. Lot and height requirements.

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

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

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

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

Sec. 122-125. Yards.

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

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

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

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

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

Secs. 122-126—122-140. Reserved.

DIVISION 6. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT*

Sec. 122-141. Intent.

The R-2 district is intended for medium density single-family and two-family residential use.
(Code 1998, § 122-141; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

Sec. 122-142. Site plan review.

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

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

Sec. 122-143. Permitted uses.

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

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

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





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Detail by Entity Name

Florida Profit Corporation
BRIGMOND CONSTRUCTION, INC.

Filing Information

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

Principal Address

11710 MONTE VISTA RD
CLERMONT, FL 34711

Mailing Address

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CLERMONT, FL 34711

Registered Agent Name & Address

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CLERMONT, FL 34711

Officer/Director Detail

Name & Address

Title PT

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11710 MONTE VISTA ROAD
CLERMONT, FL 34711

Title VPS

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CLERMONT, FL 34711

Annual Reports

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

LEGAL NOTICE

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

ORDINANCE NO. 2021-030

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

LOCATION

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

LEGAL DESCRIPTION

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

REZONING SUBJECT PROPERTY:

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



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

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

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

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

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

Tracy Ackroyd Howe, MMC

Daily Commercial
September 20, 2021 and October 11, 2021

City Clerk

LF-26402155