



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, May 3, 2022**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE**

MINUTES

Approval of the April 5, 2022 Planning & Zoning Commission meeting minutes

REPORTS

Item 1 - Ordinance No. 2022-010

Table to June 7th

Chicone Large-scale CPA

Consider a request to change the future land use from Lake County Wellness Way 3 to City of Clermont Master Planned Development, located west of Orange County at McKinney Road.

NEW BUSINESS

Item 2 - Resolution No. 2022-010R

Clermont Yacht Club Conditional Use Permit

Consider the request for a Conditional Use Permit to allow for an increase to the number of multi-family housing units permitted for the Clermont Yacht Club, located adjacent to East Grand Highway.

Item 3 - Resolution No. 2022-014R

Iglesia Betesda Church Conditional Use Permit

Consider the request for a Conditional Use Permit to allow the permitted use of a church facility in the C-2 General Commercial zoning district for the property located at 305 State Road 50.

Item 4 - Resolution No. 2022-015R

Kinetic Veterinary Specialists Conditional Use Permit

Consider a request for a Conditional Use Permit to allow for a veterinary clinic to be located in the C-2 General Commercial zoning district, located at 1600 S. Grand Highway.

Item 5 - Resolution No. 2022-016R

APC Roofing Conditional Use Permit

Consider the request for a Conditional Use Permit to allow a commercial building greater than 5,000 square feet in the C-1 Light Commercial zoning district on a vacant parcel located south of W. Broome Street between Second Street and East Avenue.

Item 6 - Ordinance No. 2022-021

Kia Small-scale Comprehensive Plan Amendment

Consider the request to change the future land use from Lake County Regional Commercial to Clermont

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Item 7 - Ordinance No. 2022-022
Kia Auto Rezoning

Commercial for a vacant parcel located south of State Road 50 and east of Magnolia Pointe Boulevard.

Consider the request to change the zoning from Lake County Commercial Planned to Clermont C-2 General Commercial for property located south of State Road 50 and east of Magnolia Pointe Boulevard.

Discussion of Non-Agenda Items

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact Development Services at (352) 241-7335.

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

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
April 5, 2022

The meeting of the Planning & Zoning Commission was called to order on Tuesday, April 5, 2022 at 6:30 p.m. by Chairman Krzyminski. Members present were: Chairman Max Krzyminski, Vincent Niemiec, David Colby, Michael Gonzalez, Chuck Seaver, and Jane McAllister. Lavonte Rogers was not present. Also present for City staff was City Attorney Dan Mantzaris, Curt Henschel, Planning Director, Planning Manager John Kruse, Senior Planner Regina McGruder, and Planning Coordinator Rae Chidlow.

MINUTES:

MOTION TO APPROVE the March 1, 2022 minutes of the Planning & Zoning Commission as amended made by Commissioner McAllister, and was seconded by Commissioner Colby. Passed unanimously.

REPORTS FROM THE COMMISSION:

There were no reports

NEW BUSINESS

Item #1: Ordinance No. 2022-010 – Chicone Large-scale CPA

Request to table to May 3, 2022 Planning and Zoning Commission meeting.

Action:

MOTION TO TABLE Ordinance No. 2022-010 to the May 3, 2022 meeting was made by Commissioner McAllister, seconded by Commissioner Gonzalez. Passed unanimously.

Item #2: Resolution No. 2022-005R – Mason Ridge Conditional Use Permit

Senior Planner Regina McGruder presented as follows:

The applicant is requesting a Conditional Use Permit (CUP) to allow a multi-family development consisting of 112 residential apartments; the parcel is located at the southwest corner of Pitt Street and Grand Highway. The 10.14 +/-acre parcel is zoned C-2 General Commercial and the Future Land Use designation is Residential/Office. The Land Development Code, Section 122-224, allows a multi-family development in the C-2 zoning category with an approved Conditional Use Permit (CUP) and provided the development complies with the provisions of the R-3 (Residential/Professional) zoning district regulations. The Comprehensive Plan allows up to the maximum of 12 dwelling units per acre for the subject property.

The City Council approved on August 23, 2016 a Conditional Use Permit (Resolution No. 2016-30), to allow a multifamily development with 102 fee-simple townhomes units for the site. The City Council later revoked this Conditional Use Permit with (Resolution No. 2020-02R) and removed all previous development entitlements granted to the property. The existing project conditions failed to comply with the provisions of the Conditional Permit. The current site

conditions have most of the major infrastructure and site utilities installed and complete. The applicant has also submitted a Traffic Impact Study (TIS), for review by the City's Traffic Consultant and any recommended traffic improvements will be the developer's responsibility. The applicant will be required to coordinate and comply with the requirements of Lake County Public Schools for School Concurrency. The applicant will also be requesting a variance to allow a front yard setback to be less than the minimum code requirements for the project.

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. Staff recommends approval of Resolution 2022-05R to allow up to 112- multifamily dwelling units, not to exceed the maximum density allowed of 12 units per acre. The completion of this development will provide enhancement to the site and improvements to the neighborhoods character, valued by the community. Staff recommends approval of Resolution No 2022-005R

Jimmy Crawford, 702 W. Montrose St. stated that he is representing the applicant and property owner. He stated that Robert Sherman and Spencer Brass who are the contract purchaser for the property 30 days after approval of the Conditional Use Permit. He stated that they are present to answer any questions.

Commissioner Seaver stated that he is glad to see something moving forward. He asked if the four-way stop was part of the traffic study.

Charlotte Davidson, Traffic and Mobility Consultants, 3101 Maguire Blvd., Orlando, stated that there is a traffic study currently under way and they are looking at the intersection at Grand Highway and Pitt St.

Commissioner Seaver asked how many entrances are planned for this project.

Mr. Crawford showed where the main entrance and an emergency entrance for the project.

Commissioner McAllister asked what the land extending to Highway 27 will be used for.

Mr. Crawford stated that portion of the site will be left vacant and possible put a park of some sort.

Commissioner Gonzalez asked if Fire will be able to get to any building since there is only one way in and out except for the emergency entrance.

Mr. Crawford stated that they added an emergency entrance from the recommendation of Fire.

Ms. McGruder stated that staff along with Fire will review this project through site review at a later date to ensure they meet the code.

Commissioner Gonzalez asked about how long the project will take to complete.

Mr. Crawford stated they plan to be under construction in 6 months with a completion date in 18 months.

Commissioner Gonzalez asked if the traffic study will be completed by this time.

Mr. Crawford stated that the traffic study should be submitted tomorrow.

Commissioner Colby asked if they took into consideration the new school that will be coming that will have access to Pitt St.

Ms. Davidson clarified that the traffic study has not been submitted to the city at this time. She stated that what has been submitted is the methodology which defines how the study will be borne. She stated that the study will be submitted in the next day or two.

Commissioner Colby asked about the traffic study process.

Ms. Davidson stated that they do a methodology which defines what they are studying which includes the intersection at Pitt St. and Grand Highway and project access. She stated that the site will not generate that much traffic during peak hours so they will be doing a de minimis traffic study. She stated that they take into consideration the current traffic that is in the area today and they apply growth which is about 2% in that area historically.

Mr. Crawford stated that the traffic numbers they have used is from when Clermont Middle School was open. He stated that the City's traffic consultant will review what is submitted.

Commissioner Colby asked if they reached out to the neighbors.

Mr. Crawford stated they have not reached out to anyone other than the mailings and postings the City sent out.

Commissioner Niemiec asked if the property owner was present.

Mr. Crawford stated that the owner is not present.

Commissioner Niemiec asked if the new owner will take over the liens on the property.

Mr. Crawford stated there is a request for a lien reduction but yes the new owners will assume the liens.

Commissioner Niemiec asked what the level of service is for the cross section.

Ms. Davidson stated that the intersection is working at level service C a couple of weeks ago.

Commissioner Niemiec asked if these are condos or apartments.

Mr. Crawford stated they are townhomes.

Commissioner Niemiec asked if these will be rented.

Mr. Crawford stated that they will be rented.

Commissioner Niemiec stated that he would approve this if it was homeownership. He asked what the rental cost will be.

Mr. Crawford stated that they will be market rate but the rent has not been determined.

Commissioner Niemiec asked if there was accurate room for fire trucks to turn around.

Katherine Felter, Kimley Horn, 189 S. Orange Ave., Orlando stated that this is a very large round about and they will be required to submit a truck turn analysis. She stated that for proximity to building the fire code makes all access within 250 feet from the road to farthest point of the building which is compliant with this project.

Commissioner Niemiec asked about the buffer.

Mr. Crawford stated that the right-a-way was not correct on the 2016 survey and the improvements based on this survey and it was five feet off. In lieu of taking out utilities they are requesting a variance for the buffer.

Chairman Krzyminski stated that he likes the project. He asked that if the owners could separate the parcel and develop that portions.

Ms. McGruder stated that the parcel is all part of the project and it is included in the Conditional Use Permit that the portion near Highway 27 will be required to leave that portion as open space.

City Attorney Dan Mantzaris stated that should they want to develop that property in the future they will be required to come back before the Commission.

Action:

MOTION TO RECOMMEND APPROVAL Resolution No. 2021-005R was made by Commissioner McAllister, seconded by Commissioner Colby. Motion passes 5-1, with Commissioner Niemiec opposing.

Item #3: Resolution No. 2022-009R – Johnson Conditional Use Permit

Senior Planner Regina McGruder presented as follows:

The applicant is requesting a Conditional Use Permit (CUP) to allow a 4,000 square foot detached garage accessory structure for property located at 1730 Nita Place. The property zoning is R-1A Single Family Low Density Residential and the Future Land Use is Low Density Residential. The Land Development Code Section 122-342 requires any detached garage or accessory building must be located behind the front yard building setback line; and must be able to meet the setbacks of the primary structure. The accessory building should be secondary in area or size, extent and purpose of the principle structure. The existing primary residence is approximately 1,884 square foot of living space and the proposed garage structure would be 4,000 square foot, and larger than the existing home, which would be in direct conflict to the Land Development Codes. In addition, the applicant has a secondary unit on the parcel as well, consisting of a 520 square feet living space with an additional 660 square foot garage. The property consists of two lots that was combine recently into one large lot through a unity of title.

The 4,000 square foot garage does not meet the intent and purpose of the code for accessory structures permitted on residential lots. The proposed garage would be larger than the primary residence, but held to less restrictive accessory structure standards. The proposed garage structure is the size equivalent to a very large house and will provide the same visual impact, but without the code regulations for construction of a single-family residential home.

The large garage structure may have an adverse impact to adjacent property owners and would be inconsistent and out of character with the exiting character of the neighborhood. The structure will also increase the impervious surface ratio lot coverage permitted for residential lots in the R-1A zoning district. Because of the size, the visual effect would be comparable to allowing two residential homes on a single-family lot, and that is not permitted in the Land Development Regulations.

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed 4,000 square feet garage structure would be in conflict with the intent and purpose of the code provisions that regulate accessory structures and buildings located on single-family residential lots.

Staff recommends denial of Resolution No. 2022-009R.

Carl Wagner, 153 Ricky Way, stated that he was here to represent the owner. He stated that a neighbor didn't like the color so they agreed to go with another color. He stated that the garage would be covered with bamboo to shield the garage.

Michael English, 1728 Nita Place, stated they are in approval of the project. He stated that 3 out of 4 of the residents were present in approval of the garage. He stated that at one time there were two homes on the lot at one time.

Commissioner Niemiec asked where Mr. English lived from the applicant's property.

Mr. English stated directly across street from the Johnson's.

Marcia English, 1728 Nita Place, stated that she is in favor of the project.

Brian Elliston, 1732 Nita Place, stated he lived right across the street and is in favor of the project. He stated that the Johnson's have improved their neighborhood since they moved in. He stated that he did not like the color, but they agreed to change the color.

Commissioner Niemiec asked what color he was changing to.

Todd Johnson stated that he has agreed to a muted earth tone color and something that will blend in with the neighborhood.

Commissioner Niemiec asked if he will have a color picked out before City Council.

Mr. Johnson stated that it will depend on what colors are available at the time he is ready to construct the building since building materials are so scarce right now.

Commissioner Niemiec asked what kind of plants he will plant.

Mr. Johnson stated that he will probably go with bamboo since it grows quick and tall.

Commissioner Niemiec if he will be using the garage to store construction equipment.

Mr. Johnson stated that it will be for storage and hobbies.

Commissioner Colby stated that he feels it is so far out of code to support the garage.

Planning Manager John Kruse read the code and stated that what he is proposing can't be supported by staff because it does not seem to be a customary accessory building.

Commissioner Gonzalez asked would he entertain something smaller and would there be utilities.

Mr. Johnson stated that if that's an option then yes. He stated that they will build the building then later come back to pull permit for power.

Commissioner Gonzalez asked why the large garage doors.

Mr. Johnson stated that he has a dually and a car hauler and he would like to just pull straight through. He stated that he would rather have and not need than to need and not have.

Commissioner McAllister stated she does not agree with the size of the building in an R-1-A residential area.

Commissioner Seaver stated he does not see a way around it the way it is presented.

Chairman Krzyminski stated that he understands what the applicant is trying to do, however rules are rules. He stated that even though the applicant has support from the neighbors, he cannot support the size of the garage.

Action:

MOTION TO RECOMMEND DENIAL Resolution No. 2022-009R was made by Commissioner McAllister, seconded by Commissioner Colby. Passed unanimously.

Item #4: Resolution No. 2022-012 – New Beginnings Small-scale CPA

Planning Manager John Kruse presented as follows:

The applicant, New Beginnings of Central Florida Inc., has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment and the second request is for a rezoning to a Planned Unit Development (PUD) to grant approval to construct six (6) small multi-family units and to continue to use the property for the New Beginnings thrift store and office.

The applicant is requesting an amendment to the Future Land Use Map to change the property from Industrial to Commercial for a 2.3 acre site located south of the Hatteras Ave. and Citrus

Tower Blvd. intersection. The property has historically been used for industrial uses since the mid-1980s. However, the property was converted to a commercial use in 2009, which is indicative to the area. The property and existing 11,470 square foot building is currently being used for retail/commercial use as the New Beginnings Thrift Store. The applicant desires to add a residential component to the project to offer people with the New Beginnings program an affordable place to live while receiving job training and employment re-establishment. New Beginnings is a non-profit organization.

The applicant is requesting an amendment to the Future Land Use Map to change the property from Industrial to Commercial since residential uses are not allowed in Industrial, as directed under Policy 1.10.1 of the City's Future Land Use Element. The existing retail thrift store is an allowable use under the Industrial future land use. The applicant's request to change to the Commercial future land use allows residential uses along with continuing the commercial use, as directed under Policy 1.9.1 of the City's Future Land Use Element. The change in land use reduces the density of building area permissible from a floor area ratio of 1.0 down to 0.25. This change also reduces the opportunity of intensive industrial uses in an area that has transitioned to more commercial and residential uses over the past several decades. A more comprehensive review is in the attached staff analysis report.

Staff has reviewed the applicant's request to change the future land use from Industrial to Commercial. The existing commercial use of the thrift store and proposed residential component is in conformance with the proposed Commercial future land use. The reduction in intensity of land uses in this area is consistent with the development activity over the past 20 years, which is supportive of the downgrade from Industrial to Commercial future land use. Therefore, staff recommends approval of Ordinance No. 2022-012.

Item #5: Resolution No. 2022-013 – New Beginnings Rezoning

The applicant, New Beginnings of Central Florida Inc., has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment and the second request is for a rezoning to a Planned Unit Development (PUD) to grant approval to construct six (6) small multi-family units and to continue to use the property for the New Beginnings thrift store and office.

The applicant is requesting a rezoning from Industrial to a Planned Unit Development zoning. The applicant desires to add an affordable housing option at the New Beginnings Thrift Store location. The current Industrial zoning does not permit residential use on the property. The property is a 2.3 acre site located south of the Hatteras Ave. and Citrus Tower Blvd. intersection. The property was originally developed in 1985 for an industrial use with 11,470 square foot building used for storage and office use. The area around the building was used for parking of heavy equipment and vehicles.

The applicant is requesting the ability to construct a single building in the rear of the property consisting of six, 600 square feet living units. These units are planned to be used for people within the New Beginnings program to offer them a place to live while receiving job training and employment re-establishment with the goal of moving on to Woodwinds or another housing option once they regain financial independence. The applicant has indicated this is a need in our community and desires to offer this option. New Beginnings is a non-profit organization.

The applicant desires to continue the thrift store use in the 11,470 square foot building along with adding some accessory structures. The applicant has indicated that they would like to add a 30 feet by 40 feet metal canopy structure adjacent to the rear of the existing building. The applicant has indicated that this is the receiving area of goods coming into the thrift store. In addition, the applicant is requesting to keep two 8 feet by 40 feet metal storage containers for goods as well along with two dumpsters. A 16 feet by 20 feet tool shed is also being requested. The applicant has agreed to bring the site into conformance with majority of the Land Development Codes except for two waivers. The two waivers include: (1) to allow the existing crushed concrete in the rear portion of the property to be used for parking instead of improving to City standard and (2) to eliminate the perimeter landscape requirement along the property lines to the east, south and west. Landscaping will be install along the Citrus Tower right of way and in front of the proposed six-plex. A more comprehensive review is in the attached staff analysis report.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed residential use does not appear to have an impact on traffic conditions that would be noticeable and would be considered De minimis. The property is currently being served by public utilities and the additional demand can be provided by the City. The addition of the residential component would be in a close proximity in relationship to the existing residential uses to the south. Since the applicant's request is unique for a commercial/residential project, the Planned Unit Development zoning offers the ability to consider the proposal as presented. Staff is supportive of the project if it develops according to the proposed site plan and the applicant manages the residential component as indicated. Staff has placed conditions within the ordinance to assist with the operation of the project. Therefore, staff recommends approval of Ordinance No. 2022-013.

Steve Smith, 1323 Briarhaven Lane, stated that there are approximately 1200 students homeless according to Lake County. He stated that in order to get people to work here, they need to be able to afford to live here. He stated they will abide by the building codes. He stated that they are small, affordable and 2 bedrooms. He stated that most who will rent there will not be able to afford a car and these are located near enough to a variety of stores. He stated that most tenants will be one to two year lease. He stated that no one will pay no more than \$500 for rent and it's based on a sliding scale. He stated that the goal is to get the tenants to work towards other apartments or home ownership.

Otis Taylor, 3686 Caladesi Rd., stated that this is the energy we need in Clermont.

Commissioner Seaver stated that he agrees with the project. He asked if they will remodel the façade of the thrift store.

Mr. Smith stated that they will match the front of the store with the apartments.

Commissioner McAllister asked if it was water retention behind the proposed building.

Mr. Kruse stated that it is water retention on the south side of the building.

Commissioner McAllister asked that the area be paved for handicap purposes.

Mr. Smith stated that there is a paved walkway to the street. He stated that they will pave the handicap parking space.

Commissioner McAllister asked if he runs the program that teaches job skills.

Mr. Smith stated that he brings in qualified personnel to provide the training classes.

Commissioner Gonzalez asked if they offer job placement or is it just training.

Mr. Smith stated that it is job preparedness. He stated that they do background checks. He stated that the tenants will be provided on a referral basis.

Commissioner Gonzalez asked if he would sell the apartments later.

Mr. Smith stated that he can put a deed restriction in to state that they cannot put these units on the market for a specified amount of time.

Commissioner Colby stated that this is a good project.

Commissioner Niemiec asked if there was any way to get to apartments from the thrift store without walking on gravel if the parking lot is not paved.

Jeff Banker, 415 Citrus Tower Blvd., stated that there is a concrete sidewalk in front of the units as well as a sidewalk leading up to the thrift store, and the entire frontage of the thrift store is pavement.

Chairman Krzyminski state that this is a good project.

Action:

MOTION TO RECOMMEND APPROVAL Resolution No. 2022-012 was made by Commissioner Niemiec, seconded by Commissioner Colby. Passed unanimously.

Action:

MOTION TO RECOMMEND APPROVAL Resolution No. 2022-013 was made by Commissioner McAllister, seconded by Commissioner Gonzalez. Passed unanimously.

Chairman Krzyminski stated that they would take a break and return at 8:30.

Item #6: Resolution No. 2022-014 – Cityside Townhomes Rezoning

Planning Manager John Kruse presented as follows:

The applicant, Cecelia Bonifay with Akerman, is requesting a rezoning to a Planned Unit Development (PUD) to construct sixty-eight (68) single-family attached townhomes on an 8.05 +/- acre property. The property is located northwest of US 27 and SR 50 intersection, directly north of the Crown Lounge and south of Highland Avenue. A portion of the site was previously used for a motel site – Clermont Motor Lodge that was demolished in 2013. On the northeast corner of the site, an EMS station was operational until the closing of the Highland Avenue and

SR 27 intersection. This was a result of the US 27 and SR 50 intersection improvements which permanently closed access to US 27 from this area. The property has been vacant since this time.

The property is currently zoned C-2 General Commercial with a Commercial future land use designation. The Commercial future land use designation allows residential uses up to a density of 12 dwelling units per acre. The current zoning of C-2 General Commercial allows for the consideration of residential uses through a Conditional Use Permit, under section 122-223 of the Land Development Code. The applicant has decided to pursue the rezoning to a Planned Unit Development (PUD) due to the flexibility in design and waivers requested. The PUD zoning also provides a more site specific approach to the development of the property since a site plan is linked to the approval with specific conditions. The applicant has provided a conceptual site plan, prepared by Stringfellow Planning & Design, dated February 15, 2022. A more comprehensive review is in the attached staff analysis report.

The applicant is proposing sixty-eight (68) attached single-family townhomes along with amenities consisting of a community pool, activity lawn, promenade, and dog walking trail. The density of the project is at 8.45 dwelling units per acre, which is under the 12 dwelling units per acre that can be considered under the Commercial future land use. The applicant is proposing the townhomes to be 24 feet wide by 50 feet deep, two-story in height with a two car garage. The applicant has demonstrated the ability to house two vehicles and trash receptacles within the garage. Each townhome lot will be a minimum of 24 feet by 100 feet or 2,400 square feet. This is a waiver to the code that requires a minimum of 3,500 square feet.

As part of the design and to offer a rear loaded garage product, the applicant is requesting one way streets in a portion of the project with a reduced right-of-way width of 45 feet. This is a waiver request and staff has reviewed this request and does not oppose this request with the condition that the internal roads and alleyway will be privately maintained with an easement dedicated to the City. In addition, the applicant will be providing dedicated parallel parking spaces along these one-way streets.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location of the project is within 1/8 of a mile of two arterial roadways, US 27 and SR 50 and within 1/4 mile of many services, which include grocery, restaurant, banking, etc., thus offering a greater walkability option for residents. The project has multiple access points that can distribute the traffic onto the existing transportation network. The site has City utilities available and the City can serve the proposed development. The property has been previously developed and the redevelopment opportunity would be supportive of Objective 1.15: Redevelopment and Renewal of Blighted Areas, in the City's Comprehensive Plan. Staff recommends approval of Ordinance No. 2022-014.

Cecelia Bonifay, Akerman Law Firm, stated she is representing the Cityside development. She stated that previously the motor lodge was located on this property which was demolished. She stated that the access to Highway 27 has since then been closed. She stated that she feels this is a great project for this parcel.

Alex Stringfellow, 2735 Woodside Ave., Winter Park, stated that he started the project on January 3rd. He stated that the reason for the lot size waivers is due to the code requesting a 35

foot wide product. He stated that current industry standard is 21-24 foot wide. He stated that the other waiver is a reduction of width for right-of-way. He stated that code is silent on the width for one-way right-of-way therefore they are required to ask for a waiver.

Otis Taylor, 3686 Caladesi Rd., asked if they can see what the project looks like.

Mr. Kruse showed the elevations.

Lisa Saeger, 1560 5th St., asked what the price point is for the townhomes.

Ms. Bonifay stated it will be based on the market but probably about \$300,000.

Commissioner Seaver stated that he likes the project. He asked if there will be any revisions to the intersection of Bloxam and Almond.

Mr. Kruse stated that would be a question for Public Works. He stated that the traffic engineer was present and could possibly expand on that intersection.

Charlotte Davidson stated that they did look into that and she is not aware of any improvements to that intersection.

Commissioner Seaver stated that intersection is a very dangerous intersection.

Commissioner McAllister stated that she agrees with Commissioner Seaver about the intersection.

Commissioner Gonzalez stated he is also concerned about traffic as well. He asked if the roads within the project are one-way.

Ms. Davidson stated that there are two accesses, one off Highland Ave. and the other on Almond. She stated that the traffic will disburse out to the least resistance.

Mr. Stringfellow stated that it is a commercial use which is higher traffic generator than this project. He stated that the townhomes would create a lower traffic area.

Commissioner Colby stated that he likes the neighborhood. He asked how many guest parking spaces available.

Mr. Stringfellow stated that there are 28 guest parking.

Commissioner Niemiec asked if Ms. Davidson knew the level of service for Highland Ave and Almond St.

Ms. Davidson stated she did not know the level of service for the roads, she has intersections that were analyzed.

Commissioner Niemiec asked if there will be an HOA and will there be a rental clause.

Ms. Bonifay stated that the developer will be the HOA until a certain phase at which point it will be turned over. She stated that the developer has not determined a rental clause at this time.

Commissioner Niemiec asked if they would need a waiver of 45 feet if they didn't have 68 homes.

Mr. Stringfellow stated they would lose the open space if they didn't ask for the waiver.

Chairman Krzyminski asked about trash pickup.

Mr. Stringfellow stated that they will each have their own containers.

Action:

MOTION TO RECOMMEND APPROVAL Resolution No. 2022-014 was made by Commissioner Colby, there was no second so the motion fails.

MOTION TO RECOMMEND DENIAL Resolution No. 2022-014 was made by Commissioner Niemiec, seconded by Commissioner Seaver. The vote was 3-3 so there is no recommendation.

MOTION TO RECOMMEND APPROVAL Resolution No. 2022-014 was made by Commissioner Colby, there was no second so the motion fails.

Item #7: Resolution No. 2022-016 – USA Roller Chain Small-scale CPA

Item #8: Resolution No. 2022-017 – USA Roller Chain Rezoning

Senior Planner Regina McGruder presented as follows:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, and rezoning of 2.35 acre+/- parcel located at 13610 Granville Avenue. The current site conditions contains an existing warehouse building and light manufacturing with associated parking for the business. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

The City of Clermont has sufficient capacity to provide water and sewer services for the development.

The annexation request; also included a petition for a small-scale comprehensive plan amendment to change the existing land use map from Lake County Regional Office to Clermont Industrial designation. The proposed rezoning request would change the current zoning from Lake County "HM" Heavy Industrial to Clermont "M-1" Industrial designation. The Clermont Land Development Codes, Section 122-263, "M-1" Industrial zoning allows warehouse and light manufacturing as permitted uses.

The applicant indicates that upon annexation of the property into the City's boundaries, any future development or expansions to the site will be required to comply with Clermont Land Development Regulations and Standards.

Staff recommends approval of Ordinance No. 2022-016 and Ordinance No. 2022-017.

Rick Hartenstein stated that he is representing the owner. He stated that it is preexisting building and business but they are requesting to annex into the city for future plans.

There were no questions or concerns.

Action:

MOTION TO APPROVE Resolution No. 2022-016 was made by Commissioner McAllister, seconded by Commissioner Niemiec. Passed unanimously.

Action:

MOTION TO APPROVE Resolution No. 2022-017 was made by Commissioner McAllister, seconded by Commissioner Seaver. Passed unanimously.

With no further comments, Chairman Krzyminski adjourned the meeting at 9:25 P.M.

City Manager Brian Bulthuis entered the Council Chambers and asked if the Chair had closed the meeting.

Chairman Krzyminski stated that he had closed the meeting.

City Manager Brian Bulthuis asked to reopen the meeting.

Chairman Krzyminski agreed to reopen the meeting.

City Manager Brian Bulthuis stated that the Commission needs to be careful when having discussions. He stated that they have zero obligation to state why they are voting the way they are voting. He stating they can voice their concerns during discussions.

City Attorney Dan Mantzaris stated that every record of denial needs to have enough discussion to support their decisions. He stated that there was a lot of discussion about items that were not before them tonight and that can be a cause for litigation.

City Manager Brian Bulthuis stated that the Commission needs to be careful what questions they ask the applicants, such as how much is something going to be. He stated that if you want to add recommendation, they can do so with in the motions.

Chairman Krzyminski asked when a recommendation turns into speculation.

City Manager Brian Bulthuis provided an example of adding a recommendation to a motion.

Commissioner Niemiec stated that he hears a lot of questions pertaining to traffic and asking how much rent will be.

City Manager Brian Bulthuis stated that they should never ask that question.

Commissioner Colby stated that it seems they discuss business plans a lot and they shouldn't be discussing them.

City Manager Brian Bulthuis stated that business plans isn't the Commission's concerns. He stated that he is discussing with them and will also follow up with City Council about the appropriate questions that they should be asking. He stated that they should ask their selves if this meets the intent of the zoning ordinance, does it meet what the neighborhood is, and is there a traffic concern.

Commissioner Seaver stated that traffic is a hot topic right now. He stated that he may like a project but traffic will be an issue and we continue to build.

City Manager Brian Bulthuis stated that what the Commission needs to look at is a property owner has a right to use their property. Then look at how it is currently zoned and what can they build there with no variances or anything. He stated to start there when looking at an application then compare it to what they are asking to do on that property. He stated that if they have a commercial zoning, what they are allowed to do there.

Commissioner Niemiec stated that he studies traffic reports all the time and the problems we have with the roads in Clermont are a major problem.

City Manager Brian Bulthuis stated that if they need additional information for staff then they should ask.

City Attorney Dan Mantzaris stated that the way the law works is the applicant has a right to establish that what they are asking for that particular property that it meets Clermont's comprehensive plan the way it's written. He stated that once they show that then the burden is on staff to show that there is some overriding issue that would impact the development and not allow the change and recommend denial. He stated that overriding issue has to be based on substantial competent evidence. He stated that the substantial competent evidence for traffic will be the traffic impact analysis. He stated without different credible expert analysis, staff has no choice but to move forward with recommendation of approval. He stated that even if you ask staff for additional information, that information would have to come from a traffic engineer that would show that there is a negative traffic impact in order to use traffic as a reason to deny an application. He stated that the neighbors that live in the area can provide testimony about traffic impact but it doesn't carry the weight of a traffic expert. He stated that the City cannot hold the current traffic condition at the time the applicant applies against them. He stated that the law states that it is not that applicant's fault. He stated that they can state that this project is going to add additional traffic but they can't say I'm not going to approve your project because the traffic is bad.

City Manager Brian Bulthuis asked the Commission if it would be beneficial to them if he asked the City's traffic consultant to come and talk to them about their process.

Chairman Krzyminski stated that it would be beneficial to speak with the traffic engineer as a workshop.

Commissioner Seaver asked if the applicant has a traffic study, does the City's consultant review their traffic study.

Planning Manager John Kruse explained the process and requirements of an applicant's traffic study.

Development Services Director Curt Henschel stated that the Commissioners also need to understand that what they are looking at in these applications are conceptual plans. He stated that these plans have not gone through their formal engineering until after they have received approval from City Council to move forward with their project. He stated at that time they will finalize their plans that will include all the required details such as emergency entrances, parking, etc.

Chairman Krzyminski adjourned the meeting at 9:47.

Max Krzyminski, Chairman

ATTEST:

Rae Chidlow, Planning Coordinator



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Ordinance No. 2022-010 Table to June 7th Chicone Large-scale CPA		
Requested Action		
Table to June 7, 2022		
Staff Report		
Request to table to June 7, 2022		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. CPA Legal Ad Chicone	CPA Legal Ad Chicone.pdf	

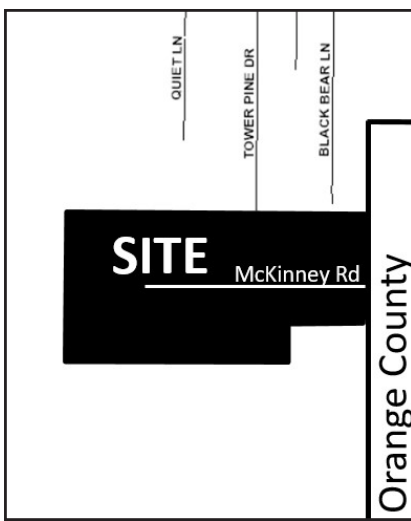
CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN

ORDINANCE NO. 2022-010

The City of Clermont will hold public hearings on Tuesday, March 1, 2022 at 6:30 P.M. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, March 8, 2022 at 6:30 P.M. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the property below from Lake County Wellness Way 3 to City of Clermont Master Planned Development.

The City of Clermont will hold a public hearing on Tuesday, May 24, 2022 (final hearing) beginning at 6:30 P.M. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location:

3 miles east of Schofield Road and US Hwy 27 intersection
West of the Orange County line, adjacent to McKinney Road
Approx. 304 +/- Acres

Alternate Keys 1029198, 2689919, 1122848, 1070970,
1029201, 1594545

ORDINANCE #2022-010:

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

The public hearings will be held at Clermont City Hall, inside the first floor City Council Chambers, located at 685 W. Montrose Street, Clermont, FL 34711 and are open to public comment. Please call (352) 241-7335 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (first floor, City Hall) between 8 A.M. and 5 P.M. Monday through Friday.

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Resolution No. 2022-010R <i>Clermont Yacht Club Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No 2022-010R.		
Staff Report		
The applicant is requesting a Conditional Use Permit to allow for the construction of the remaining 108 multi-family units that was approved with the Master Development Plan (Resolution No. 98-1029), which permitted 205 multi-family units and 266 townhome or condominium units, with various amenities such as a clubhouse, pools, tennis courts, basketball courts, and other amenities within the development. On November 24, 1998, the Clermont City Council approved the Planned Unit Development (Resolution No. 98-1029). The developer constructed the 266 condominium units and the recreation amenities for the project, but never moved forward with the construction of the 108 multi-family units as approved by the PUD. The applicant has submitted an updated Traffic Impact Study (TIS), for review by the City's Traffic Consultant and, based on the results of the (TIS), determined, with the low trip volumes, the change to the distribution that is being requested is only going to shuffle a few trips around the network, and will have a negligible impact on the study results. Although the intersection of US 27/Grand Highway is operating at LOS E/F on many movements in the existing/no-build, the project is proposing to add trips to some of the least-delayed movements at the intersection, which is lowering the average delay at the intersection. (The southbound left and westbound right are the highest delayed movements, but the project is not adding trips to either). The applicant will be required to coordinate and comply with the requirements of Lake County Public Schools for School Concurrency. The proposed multi-family units shall be designed and constructed in a manner that reflects similar styles, materials, colors and design features that unify and provide for an aesthetically compatible transition with the existing onsite condominium development. Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and finds the proposed use is consistent with the intent of the Comprehensive Plan goals, objectives and policies. Staff recommends approval of Resolution 2022-010R to allow for up to 108 multi-family dwelling units as approved with the original Master Development Plan.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Clermont Yacht Club CUP -Staff Analysis Report	Clermont Yacht Club CUP -Staff Analysis Report.pdf	
2. 2022-010R - Clermont Yacht Club CUP (04.28.2022)	2022-010R - Clermont Yacht Club CUP (04.28.2022).pdf	

3.	LOCATION MAP	LOCATION MAP.pdf
4.	Clermont Yacht Club Tract E Survey	Clermont Yacht Club Tract E Survey.pdf
5.	CYC Condos Aerial SS 2-10-2022	CYC Condos Aerial SS 2-10-2022.pdf
6.	CYC Condos Prel SP SS 2-10-2022	CYC Condos Prel SP SS 2-10-2022.pdf
7.	Clermont Yacht Club Rendering	Clermont Yacht Club Rendering.pdf
8.	CYC Typical Condo Elevation Plans	CYC Typical Condo Elevation Plans.pdf
9.	CYC TIA Summary	CYC TIA Summary.pdf
10.	Clermont Yacht Club TIA Review	Clermont Yacht Club TIA Review.pdf
11.	Clermont Yacht Club TIA Comment Kittelson	Clermont Yacht Club TIA Comment Kittelson.pdf
12.	CYC Typical Kingfisher-Blue Heron Floor Plans	CYC Typical Kingfisher-Blue Heron Floor Plans.pdf
13.	CYC Typical Osprey-Sandpiper Floor Plans	CYC Typical Osprey-Sandpiper Floor Plans.pdf
14.	CUP Application- Masthead - Signed	CUP Application- Masthead - Signed.pdf
15.	Yacht Club legal ad 7201400	Yacht Club legal ad 7201400.pdf



CITY OF CLERMONT Staff Analysis Report

OWNER: ALP Investments, LLC.

APPLICANT: Masterhead, LLC.

PROJECT NAME: Clermont Yacht Club, Phase 2

REQUESTED ACTION: A Conditional Use Permit (CUP) to allow for the construction of 108 multi-family dwelling units as approved with the Master Development Plan (Resolution No. 98-1029).

SIZE OF PARCEL: Alternate Key 1070422 & 2702184

LOCATION: Vacant property located between Masterhead Boulevard and East Grand Highway.

EXISTING ZONING: "PUD/R-1

EXISTING LAND USE: Vacant Property

FUTURE LAND USE CATEGORY: Medium Density Residential

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting a Conditional Use Permit (CUP) to allow for the construction of the remaining 108 multi-family units that was approved with the Master Development Plan (Resolution No. 98-1029), which permitted 205 multi-family units and 266 townhome or condominium units, with various amenities such as a clubhouse, pools, tennis courts, basketball courts, and other amenities within the development. On November 24, 1998, the Clermont City Council approved the Planned Unit Development (Resolution No. 98-1029). The developer constructed the 266 condominium units and the recreation amenities for the project; but never moved forward with the construction of the 108 multi-family units as approved with the PUD.

The applicant has submitted an updated Traffic Impact Study (TIS), for review by the City's Traffic Consultant and based on the results of the (TIS) determined, with the low trip volumes, the change to the distribution I am requesting is only going to shuffle a few trips around the network, and will have a negligible impact on the study results. Although the intersection of US 27/Grand Highway is operating at LOS E/F on many movements in the existing/no-build, the project is proposing to add trips to some of the

least-delayed movements at the intersection, which is lowering the average delay at the intersection. (The southbound left and westbound right are the highest delayed movements, but the project is not adding trips to either).

The applicant will be required to coordinate and comply with the requirements of Lake County Public Schools for School Concurrency.

The proposed multi-family units shall be designed and constructed in a manner that reflects similar styles, materials, colors and design features that unify and provide for an aesthetically compatible transition with the existing onsite condominium development.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and finds the proposed use is consistent with the intent of the Comprehensive Plan goals, objectives and policies.

Staff recommends approval of Resolution 2022-010R to allow for up to 108 multifamily dwelling units as approved with the original Master Development Plan.



CITY OF CLERMONT
RESOLUTION NO. 2022-010R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN INCREASE TO THE NUMBER OF MULTI-FAMILY UNITS PERMITTED FOR THE PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2022 recommended approval of this Conditional Use Permit to allow an increase to the number of multi-family units permitted for the Planned Unit Development; at the following location:

LOCATION:

Vacant parcel located adjacent to E. Grand Highway
Clermont Yacht Club
Alternate Key 3798475

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

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

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

This application for a Conditional Use Permit to allow an increase to the number of multi-family units permitted for the Planned Unit Development; be granted subject to the following conditions:

SECTION 1: GENERAL CONDITIONS

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
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



CITY OF CLERMONT
RESOLUTION NO. 2022-010R

manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. The Fire Inspector shall provide building inspections for life safety requirements and all fire code regulations must be in compliance prior to the issuance of any Building Certificate of Occupancy.
5. The Building Inspector shall inspect all structures and building for compliance and any building code violations shall be corrected before the issuance of the Certificate of Occupancy.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Clermont Development Services Department.
10. Should approved uses cease operation for more than 180 days, a new Conditional Use Permit shall be required for the same or similar operations.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A) prepared by McCoy & Associates, dated February 2022. All new development and/or changes to the subject property must submit for site plan approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The presentation site plan submitted with the Conditional Use Permit application is not the approved and final construction plan. The presentation site plan does not grant any development entitlements.



CITY OF CLERMONT
RESOLUTION NO. 2022-010R

SECTION 2: LAND USE

1. This Conditional Use Permit shall grant approval to allow for the development and construction of 108 multi-family dwelling units as approved with the Master Planned Unit Development (Resolution No. 98-1029).
2. The development shall comply with the requirements of the Land Development Regulations and the provisions and conditions of the Master Development Plan (Resolution No. 98-1029)
3. The buildings shall be designed and constructed in a manner that reflects similar styles, materials, colors and design features that unify and provide for an aesthetically compatible transition with the existing onsite condominium development.
4. The development shall provide adequate onsite parking which includes additional guest parking that meet the requirements of Chapter 98-Parking.
5. Any fences and walls must be decorative and provide aesthetically pleasing design features to complement the existing neighborhoods.
6. The applicant/owner must coordinate with the Lake County School District for school capacity and concurrency requirements pertaining to schools, and in conformance with City Code, prior to the issuance of any building permits.
7. The Landscape design for all parking areas, buffers, rights-of-way, pedestrian ways and focal points shall be unified and complementary to the ambiance of the development.
8. The developer or property owner shall be responsible for implementation and construction of any recommended traffic improvements requirements based on the results of the (TIS) Traffic Impact Study. The developer shall be responsible for any proportionate fair share improvement obligations, which must meet the design standards of the City of Clermont, Lake County and Florida Department of Transportation (FDOT) maintained roads.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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



CITY OF CLERMONT
RESOLUTION NO. 2022-010R

SECTION 5: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION AND EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2022-010R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

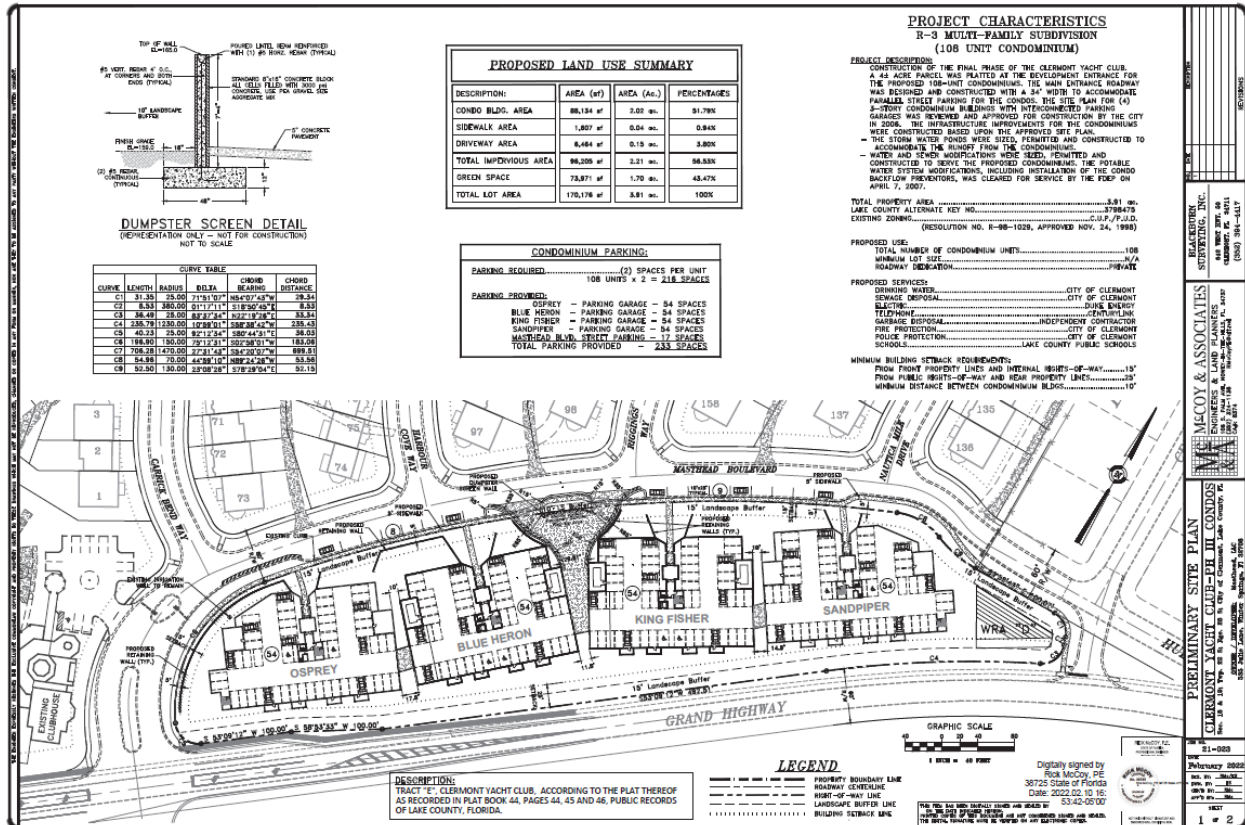
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

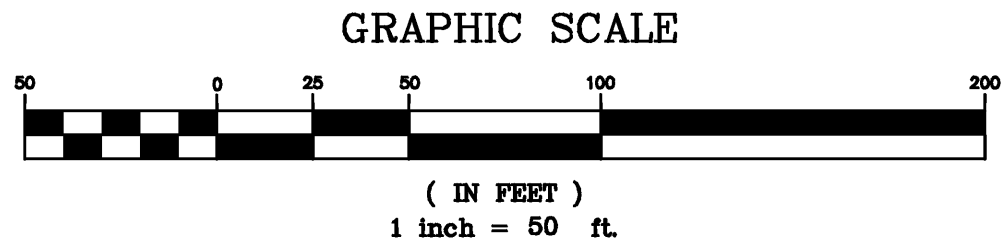
CITY OF CLERMONT RESOLUTION NO. 2022-010R

Exhibit A Presentation Site Plan

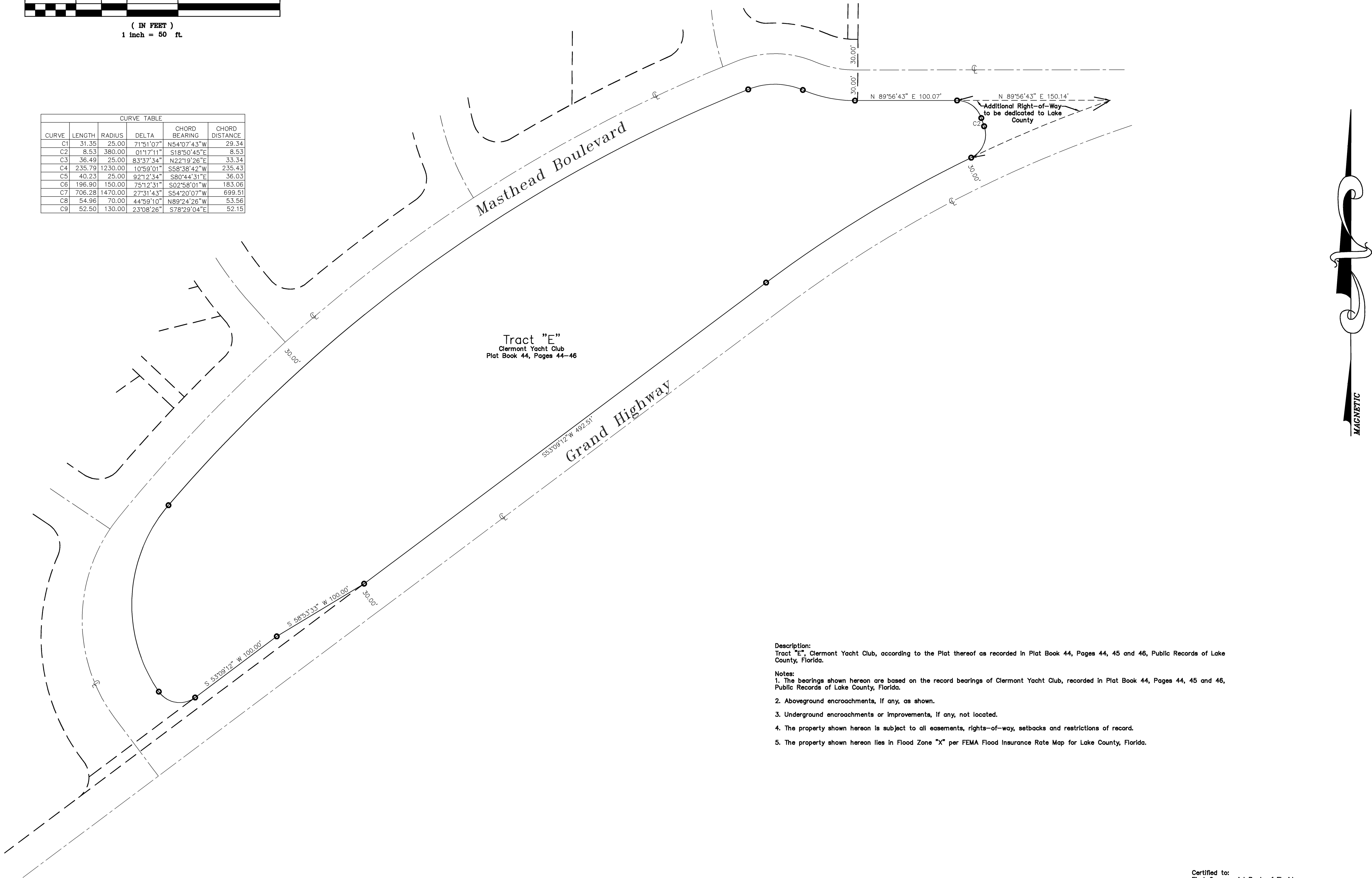


LOCATION MAP





CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	31.35	25.00	71°51'07"	N54°07'43"W	29.34
C2	8.53	380.00	01°17'11"	S18°50'45"E	8.53
C3	36.49	25.00	83°37'34"	N22°19'26"E	33.34
C4	235.79	1250.00	10°59'01"	S58°38'42"W	238.43
C5	40.23	25.00	92°12'34"	S80°44'31"E	36.03
C6	196.90	150.00	75°12'31"	S02°58'01"W	183.06
C7	706.28	1470.00	27°31'43"	S54°20'07"W	699.51
C8	54.96	70.00	44°59'10"	N89°24'26"W	53.56
C9	52.50	130.00	23°08'26"	S78°29'04"E	52.15



Description:
Tract "E", Clermont Yacht Club, according to the Plat thereof as recorded in Plat Book 44, Pages 44, 45 and 46, Public Records of Lake County, Florida.

Notes:
1. The bearings shown hereon are based on the record bearings of Clermont Yacht Club, recorded in Plat Book 44, Pages 44, 45 and 46, Public Records of Lake County, Florida.

- Aboveground encroachments, if any, as shown.
- Underground encroachments or improvements, if any, not located.
- The property shown hereon is subject to all easements, rights-of-way, setbacks and restrictions of record.
- The property shown hereon lies in Flood Zone "X" per FEMA Flood Insurance Rate Map for Lake County, Florida.

Certified to:
First Commercial Bank of Florida
Masthead, LLC
Miller, South, Milhausen & Carr, P.A.
Ticor Title Insurance Company of Florida

Blackburn Surveying, Inc.
L.B. # 6628
1814 Bowman Street
Sunnyvale Plaza
P.O. Box 121082
Clermont, Florida 34712
(352) 394-4417
Fax (352) 394-7058

Boundary Survey for: Masthead, LLC		
SCALE: 1" = 50' PMK	APPROVED BY: DATE: 7/18/05	DRAWN BY: Tony Hawkes
Clermont Yacht Club Phase 3 LAKE COUNTY, FLORIDA		
PAGE NO. 1	DRAWING NO. cye-ph3-bdy	

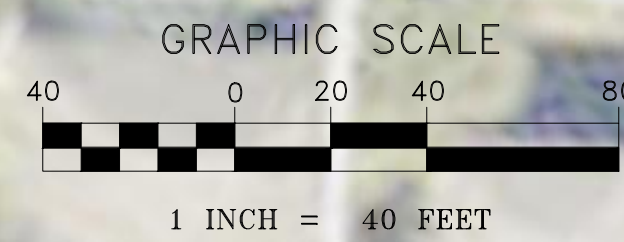
PATRICK M. KELLEY, P.L.S. FLORIDA SURVEYOR'S CERTIFICATE NO. 4423
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR & MAPPER
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE

THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMONLAW COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEER'S WRITTEN CONSENT.



DESCRIPTION:
TRACT "E", CLERMONT YACHT CLUB, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 44, PAGES 44, 45 AND 46, PUBLIC RECORDS
OF LAKE COUNTY, FLORIDA.

LEGEND	
	PROPERTY BOUNDARY LINE
	ROADWAY CENTERLINE
	RIGHT-OF-WAY LINE
	LANDSCAPE BUFFER LINE
	BUILDING SETBACK LINE



Digitally signed by
Rick McCoy, PE
38725 State of Florida
Date: 2022.02.10 16:
54:50-05'00"

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY I
ON THE DATE INDICATED HEREON.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

RICK MCCOY, P.E.
STATE OF FLORIDA
PROFESSIONAL ENGINEER
LICENSE NO. 38725



NOT VALID WITHOUT SIGNATURE AND
EMBOSSED SEAL OR DIGITAL SEAL

2020 AERIAL OVERLAY
CLERMONT YACHT CLUB-PH III CONDOS
Sec. 18 & 19; Twp. 22 S; Rge. 26 S; City of Clermont, Lake County, FL
OWNER / DEVELOPER: Masthead, LLC
535 Julie Lane, Winter Springs, FL 32708

Mc
& A
ENGINEERS & LAND PLANNERS
106 S. PALM AVE. HOWEY-IN-THE-HILLS, FL 34737
(352) 324-1156 RMcCoPE@att.net
CA#: 8574

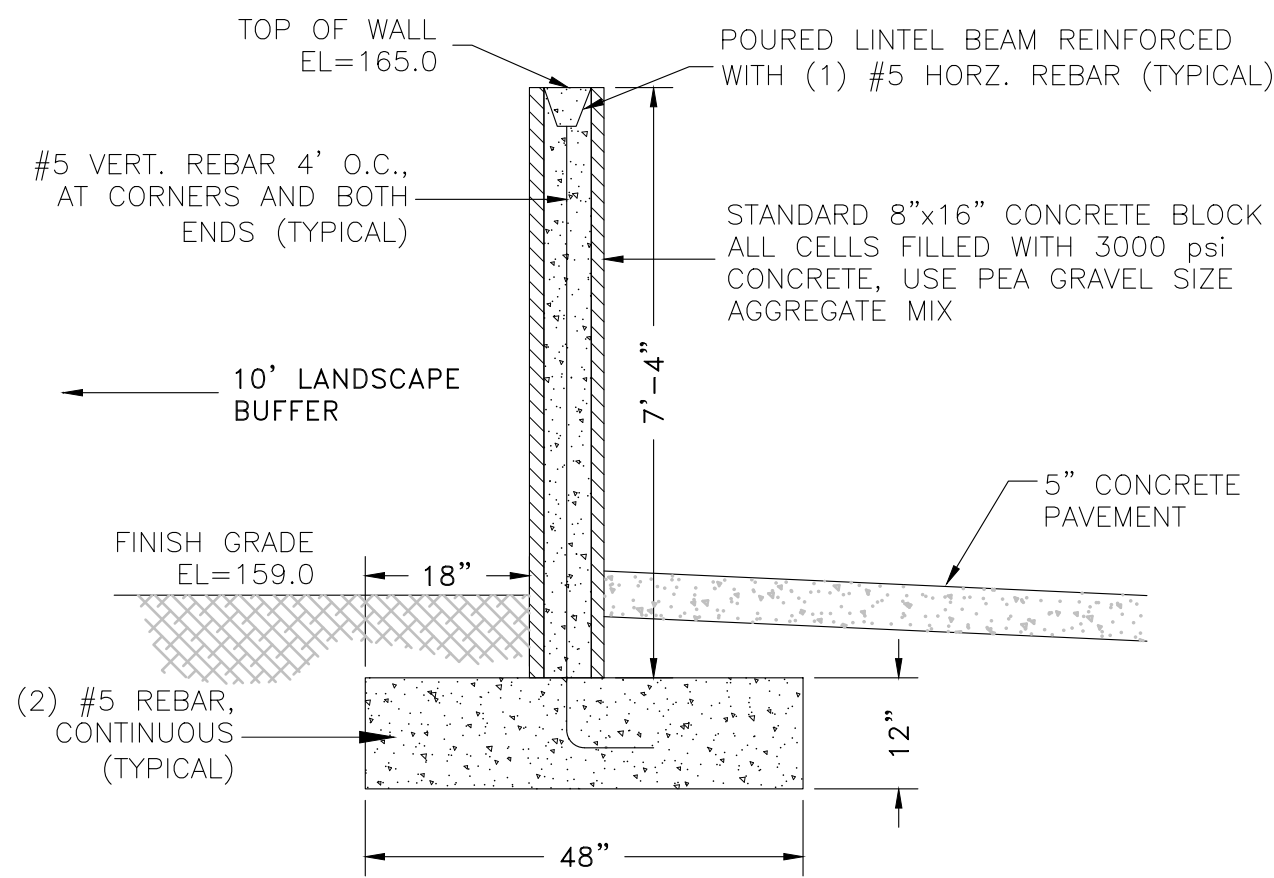
BLACKBURN
SURVEYING, INC.
642 WEST HWY. 50
CLERMONT, FL 34711
(352) 394-4417

NO.	DATE	DESCRIPTION
1		

REVISIONS

JOB NO.	21-023
DATE	February 2022
DES. BY:	RMc/ES
CHK'D BY:	ES
APP'D BY:	RMc
SHEET	2 OF 2

THE ENGINEER EXPRESSLY RESERVES THE EXCLUSIVE COMMON-LAW COPYRIGHT AND PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE ENGINEER'S WRITTEN CONSENT.



DUMPSTER SCREEN DETAIL
(REPRESENTATION ONLY - NOT FOR CONSTRUCTION)
NOT TO SCALE

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
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C8	54.96	70.00	44°59'10"	N89°24'26"W	53.56
C9	52.50	130.00	23°08'26"	S78°29'04"E	52.15

PROPOSED LAND USE SUMMARY

DESCRIPTION:	AREA (sf)	AREA (Ac.)	PERCENTAGES
CONDO BLDG. AREA	88,134 sf	2.02 ac.	51.79%
SIDEWALK AREA	1,607 sf	0.04 ac.	0.94%
DRIVEWAY AREA	6,464 sf	0.15 ac.	3.80%
TOTAL IMPERVIOUS AREA	96,205 sf	2.21 ac.	56.53%
GREEN SPACE	73,971 sf	1.70 ac.	43.47%
TOTAL LOT AREA	170,176 sf	3.91 ac.	100%

CONDOMINIUM PARKING:

PARKING REQUIRED.....(2) SPACES PER UNIT
108 UNITS x 2 = 216 SPACES

PARKING PROVIDED:
OSPREY - PARKING GARAGE - 54 SPACES
BLUE HERON - PARKING GARAGE - 54 SPACES
KING FISHER - PARKING GARAGE - 54 SPACES
SANDPIPER - PARKING GARAGE - 54 SPACES
MASTHEAD BLVD. STREET PARKING - 17 SPACES
TOTAL PARKING PROVIDED - 233 SPACES

PROJECT CHARACTERISTICS

R-3 MULTI-FAMILY SUBDIVISION

(108 UNIT CONDOMINIUM)

PROJECT DESCRIPTION:

CONSTRUCTION OF THE FINAL PHASE OF THE CLERMONT YACHT CLUB. A 4± ACRE PARCEL WAS PLATTED AT THE DEVELOPMENT ENTRANCE FOR THE PROPOSED 108-UNIT CONDOMINIUMS. THE MAIN ENTRANCE ROADWAY WAS DESIGNED AND CONSTRUCTED WITH A 34' WIDTH TO ACCOMMODATE PARALLEL STREET PARKING FOR THE CONDOS. THE SITE PLAN FOR (4) 3-STORY CONDOMINIUM BUILDINGS WITH INTERCONNECTED PARKING GARAGES WAS REVIEWED AND APPROVED FOR CONSTRUCTION BY THE CITY IN 2006. THE INFRASTRUCTURE IMPROVEMENTS FOR THE CONDOMINIUMS WERE CONSTRUCTED BASED UPON THE APPROVED SITE PLAN.

- THE STORM WATER PONDS WERE SIZED, PERMITTED AND CONSTRUCTED TO ACCOMMODATE THE RUNOFF FROM THE CONDOMINIUMS.
- WATER AND SEWER MODIFICATIONS WERE SIZED, PERMITTED AND CONSTRUCTED TO SERVE THE PROPOSED CONDOMINIUMS. THE POTABLE WATER SYSTEM MODIFICATIONS, INCLUDING INSTALLATION OF THE CONDO BACKFLOW PREVENTORS, WAS CLEARED FOR SERVICE BY THE FDEP ON APRIL 7, 2007.

TOTAL PROPERTY AREA3.91 ac.
LAKE COUNTY ALTERNATE KEY NO.....3798475
EXISTING ZONING.....C.U.P./P.U.D.
(RESOLUTION NO. R-98-1029, APPROVED NOV. 24, 1998)

PROPOSED USE:

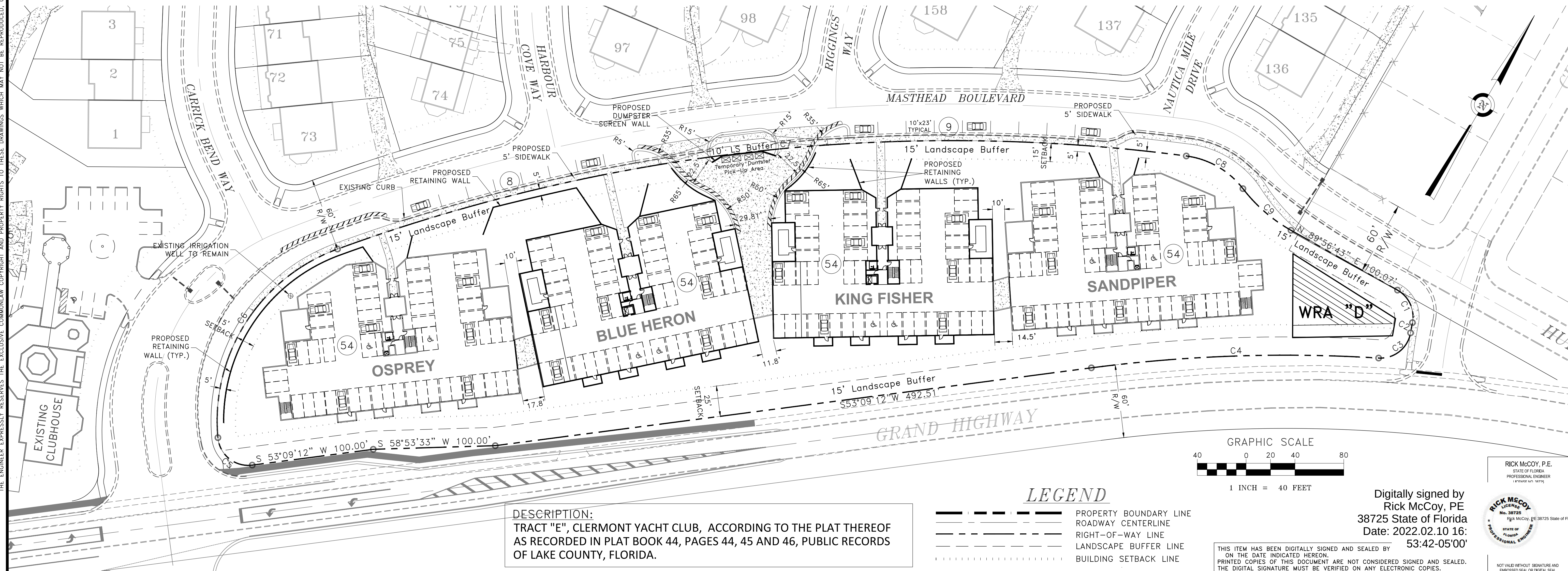
TOTAL NUMBER OF CONDOMINIUM UNITS.....108
MINIMUM LOT SIZE.....N/A
ROADWAY DEDICATION.....PRIVATE

PROPOSED SERVICES:

DRINKING WATER.....CITY OF CLERMONT
SEWAGE DISPOSAL.....CITY OF CLERMONT
ELECTRIC.....DUKE ENERGY
TELEPHONE.....CENTURYLINK
GARBAGE DISPOSAL.....INDEPENDENT CONTRACTOR
FIRE PROTECTION.....CITY OF CLERMONT
POLICE PROTECTION.....CITY OF CLERMONT
SCHOOLS.....LAKE COUNTY PUBLIC SCHOOLS

MINIMUM BUILDING SETBACK REQUIREMENTS:

FROM FRONT PROPERTY LINES AND INTERNAL RIGHTS-OF-WAY.....15'
FROM PUBLIC RIGHTS-OF-WAY AND REAR PROPERTY LINES.....25'
MINIMUM DISTANCE BETWEEN CONDOMINIUM BLDGS.....10'





OSPREY



INDEX OF ARCHITECTURAL DRAWINGS			
SHT	DESCRIPTION	SHT	DESCRIPTION
C-1	COVER SHEET	A-4.4	1/4" ENLARGED UNIT PLAN
SP-1	ARCHITECTURAL SITE PLAN	A-5	ROOF PLAN
A-1	OVERALL GARAGE FLOOR PLAN	A-6	EXTERIOR ELEVATIONS FRONT & REAR
A-2	OVERALL 1ST FLOOR DIMENSION PLAN	A-7	EXTERIOR ELEVATIONS LEFT & RIGHT
A-2.1	1st FLOOR 1/4" ENLARGED UNIT PLAN	A-8	TYPICAL WALL SECTIONS
A-2.2	1st FLOOR 1/4" ENLARGED UNIT PLAN	A-8.1	TYPICAL WALL SECTIONS
A-2.3	1st FLOOR 1/4" ENLARGED UNIT PLAN	A-9	CENTER STAIR SECTION AND DETAILS
A-2.4	1st FLOOR 1/4" ENLARGED UNIT PLAN	A-9.1	'B' STAIR SECTION AND DETAILS
A-3	OVERALL 2ND FLOOR DIMENSION PLAN	A-9.2	'B' STAIR SECTION AND DETAILS
A-3.1	2nd FLOOR 1/4" ENLARGED UNIT PLAN	A-9.3	'C' STAIR SECTION AND DETAILS
A-3.2	2nd FLOOR 1/4" ENLARGED UNIT PLAN	A-9.4	'C' STAIR SECTION AND DETAILS
A-3.3	2nd FLOOR 1/4" ENLARGED UNIT PLAN	A-10	FIRE WALL DETAILS
A-3.4	2nd FLOOR 1/4" ENLARGED UNIT PLAN	A-11	DOOR, WINDOW, FINISH SCHEDULES/ADA DETAILS
A-4	OVERALL 3RD FLOOR DIMENSION PLAN	A-12	GARAGE LIFE SAFETY PLAN
A-4.1	3rd FLOOR 1/4" ENLARGED UNIT PLAN	A-12.1	FIRST & SECOND FLOOR LIFE SAFETY PLAN
A-4.2	3rd FLOOR 1/4" ENLARGED UNIT PLAN	A-12.2	THIRD FLOOR LIFE SAFETY PLAN
A-4.3	3rd FLOOR 1/4" ENLARGED UNIT PLAN		

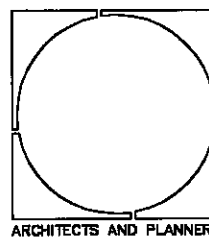
INDEX OF MECHANICAL DRAWINGS	
SHT	DESCRIPTION
M-1	GROUND FLOOR HVAC PLAN
M-2	1ST FLOOR HVAC PLAN
M-3	2ND FLOOR HVAC PLAN
M-4	3RD FLOOR HVAC PLAN
M-5	ROOF HVAC PLAN
M-6	HVAC RISER, SCHEDULES AND NOTES
M-7	HVAC DETAILS

INDEX OF ELECTRICAL DRAWINGS	
SHT	DESCRIPTION
E-1	GROUND FLOOR ELECTRICAL PLAN
E-2	1ST FLOOR ELECTRICAL PLAN
E-3	2ND FLOOR ELECTRICAL PLAN
E-4	3RD FLOOR ELECTRICAL PLAN
E-5	ROOF ELECTRICAL PLAN
E-6	LOAD CALCULATIONS AND PANELS
E-7	LOAD CALCULATIONS AND PANELS
E-8	ELECTRICAL RISER AND NOTES
E-9	CABLE AND TV RISER

INDEX OF STRUCTURAL DRAWINGS	
SHT	DESCRIPTION
S-1	FOUNDATION PLAN
S-2	GARAGE FRAMING PLAN
S-3	1ST FLOOR FRAMING PLAN
S-4	2ND FLOOR FRAMING PLAN
S-5	ROOF FRAMING PLAN
S-6	DETAIL SHEET 1
S-7	DETAIL SHEET 2
S-8	DETAIL SHEET 3
S-9	NOTES AND SPECIFICATIONS

INDEX OF PLUMBING DRAWINGS	
SHT	DESCRIPTION
P-1	GROUND FLOOR PLUMBING PLAN
P-2	FIRST FLOOR PLUMBING PLAN
P-3	SECOND FLOOR PLUMBING PLAN
P-4	THIRD FLOOR PLUMBING PLAN
P-5	ROOF DRAINAGE PLAN
P-6	DETAIL SHEET 1
P-7	PLUMBING RISER
P-8	PLUMBING DETAILS

AREA CALCULATIONS	
GROUND FLOOR A/C.....	570 S.F.
FIRST FLOOR A/C.....	15,763 S.F.
SECOND FLOOR A/C.....	16,479 S.F.
THIRD FLOOR A/C.....	16,428 S.F.
TOTAL U/A AREA.....	49,240 S.F.
COVERED ENTRY.....	207 S.F.
GARAGE.....	21,121 S.F.
FIRST FLOOR COVERED AREAS.....	1,028 S.F.
SECOND FLOOR COVERED AREAS.....	1,028 S.F.
THIRD FLOOR COVERED AREAS.....	1,028 S.F.
TOTAL AREA.....	73,652 S.F.

CODE CONSULTANT:	ENGINEER OF RECORD:	OWNER:	CIVIL ENGINEER:
 SLA Architects and Planners, Inc. 11382 Prosperity Farms Rd. Suite 225 Palm Beach Gardens, Florida 33410 561-626-6599	LTL ASSOCIATES, INC. CONSULTING ENGINEERS CERTIFICATE OF AUTHORIZATION NO. 6116 5725 Corporate Way, Suite 202, West Palm Beach, Florida 33407 (561) 478-1845 Fax: (561) 478-6881	MASTHEAD, L.L.C. 1150 W. MINNEOLA AVE. CLERMONT, FLORIDA 34711 (352) 394-4436	McCOY & ASSOCIATES 713 W. MONTROSE ST. CLERMONT, FLORIDA 34711

LTL ASSOCIATES, INC.
CONSULTING ENGINEERS
CERTIFICATE OF AUTHORIZATION NO. 6116
5725 Corporate Way, Suite 202, West Palm Beach, Florida 33407
(561) 478-1845 Fax: (561) 478-6881

MASTHEAD, L.L.C.
OWNER:
1150 W. MINNEOLA AVE.
CLERMONT, FLORIDA 34711

OSPREY
CLERMONT YACHT CLUB
CONDOMINIUMS
CLERMONT, FLORIDA

SEAL
LEONARD A. TYLKA JR., PE
FL. LIC. NO. 31738
DATE 27 APR. 06
SCALE AS SHOWN
DRAWN DMW
JOB CLERMONT YC
SHEET
C-1
OF 66 SHEETS

REVISIONS	BY

LTL ASSOCIATES, INC.
 CONSULTING ENGINEERS
 CERTIFICATE OF AUTHORIZATION NO. 6116
 5725 Corporate Way, Suite 202, West Palm Beach, Florida 33407
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 CLERMONT, FLORIDA 34711

OPREY
CLERMONT YACHT CLUB
CONDOMINIUMS
 CLERMONT, FLORIDA

SEAL

LEONARD A. TYLKA JR. PE
 FL. LIC. NO. 31738

DATE 27 APR, 06

SCALE AS SHOWN

DRAWN DMW

JOB CLERMONT YC

SHEET

A-6
 OF 66 SHEETS



FRONT ELEVATION

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



REAR ELEVATION

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



RIGHT SIDE ELEVATION

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



LEFT SIDE ELEVATION

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

REVISIONS	BY

LTL ASSOCIATES, INC.
CONSULTING ENGINEERS
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CLERMONT, FLORIDA 34711

OSPREY
CLERMONT YACHT CLUB
CONDOMINIUMS
CLERMONT, FLORIDA

SEAL	LEONARD A. TYLKA JR. PE FL. LIC. NO. 31738
DATE	27 APR, 06
SCALE	AS SHOWN
DRAWN	DMW
JOB	CLERMONT YC
SHEET	A-7 OF 66 SHEETS



Masthead, LLC

Clermont Yacht Club Residential Development

Traffic Study Report

Lake County, Florida

April 11, 2022

Executive Summary

A 108-unit multi-family residential development is proposed on a 3.91-acre vacant tract of land located in Lake County west of US 27 and east of Lake Minneola. Access to the proposed development is to be provided by a single access driveway. The driveway will be located on Masthead Boulevard between Harbour Cove Way and Riggings Way. The proposed development is estimated to generate 768 new trips per day, of which 67 new vehicle trips would occur during the PM peak hour of the adjacent street.

A roadway segment analysis was performed to evaluate the future traffic operations on four roadway segments throughout the study area, with and without the proposed development. The results of the analysis indicate that all of the study roadway segments are projected to operate at volume-to-capacity ratios that are less than or equal to 0.68, which equate to a Level of Service (LOS) D or better during the PM peak hour period in the year 2023. Highway capacity and LOS analyses were also performed for the proposed development's single access driveway and four other intersections located in the area of influence. The results of the analysis indicate that all of the study intersections are projected to operate at a similar level of service during the PM peak hour with or without the proposed development.

The need for dedicated right and left turn lanes on Masthead Boulevard at the project's single access driveway was evaluated using prescribed volume warrants. The results of the turn lane warrant review indicate that neither an exclusive right turn lane nor an exclusive left turn lane into the project driveway on Masthead Boulevard is warranted based on meeting prescribed minimum volume thresholds.

Transit routes and multimodal facilities in the project area were analyzed to evaluate the impact of the proposed development. There are no transit routes in the general project area. Pedestrian and bicycle facilities will not experience negative impacts due to the proposed development.

Professional Engineer's Certification

I Elizabeth Fernandez, PE, a registered professional engineer in the State of Florida (PE License 91091), hereby certify that the traffic analyses employed to evaluate the traffic operations associated with the proposed Clermont Yacht Club multi-family residential development to be located in Lake County, Florida were performed in accordance with applicable design standards and engineering best practices.



Elizabeth Fernandez

Name / PE No.: Elizabeth Fernandez PE / FL PE#
91091

Date: April 11, 2022

MEMORANDUM

Date: April 19, 2022

Project #: 24449.21

To: Mr. John Kruse
City of Clermont
685 W. Montrose St.
Clermont, FL 34711

From: Stephanie Shealey, PE, PTOE, PTP

Project: Clermont Yacht Club Traffic Impact Analysis

Subject: TIS Review

This memorandum has been prepared to document the review of the Clermont Yacht Club Traffic Impact Study. The TIS was completed by Wey Engineering and is dated April 11, 2022. The project proposes to build a multifamily residential development with 109 housing units in Clermont, FL.

Clermont Yacht Club Traffic Impact Study Comments:

1. **Figure 5. Directional Distribution of Project Trips** – The methodology stated that the directional distribution of project trips would be based on existing conditions and estimated that distribution as 80% to/from the east. The study distribution drops the distribution to 50% to/from the east, which is a lower percentage than the existing traffic patterns. Based on the traffic counts, approximately 62% of existing traffic is westbound on Grand Highway during the PM peak period. Please update the trip distribution to have at least 60% of the project traffic to/from the east of the site, based on the existing traffic patterns.

John E. Kruse

From: Stephanie Shealey <sshealey@kittelson.com>
Sent: Tuesday, April 19, 2022 9:14 AM
To: John E. Kruse
Subject: RE: Clermont Yacht Club Traffic Study
Attachments: Clermont Yacht Club TIA Review.pdf

Hey John-

I just have one comment on the Clermont Yacht Club TIA. That being said, with the low trip volumes, the change to the distribution I am requesting is only going to shuffle a few trips around the network, and will have a negligible impact on the study results. Although the intersection of US 27/Grand Highway is operating at LOS E/F on many movements in the existing/no-build, the project is proposing to add trips to some of the least-delayed movements at the intersection, which is lowering the average delay at the intersection. (The southbound left and westbound right are the highest delayed movements, but the project is not adding trips to either).

Stephanie Shealey

Senior Engineer
(she/her)

[Kittelson & Associates, Inc.](#)

Transportation Engineering / Planning
407.373.1144 (direct)

From: John E. Kruse <jekruse@clermontfl.org>
Sent: Tuesday, April 12, 2022 9:07 AM
To: Stephanie Shealey <sshealey@kittelson.com>
Cc: 'Teresa Wilde' <teresa.mca@att.net>; 'mirolegal@gmail.com' <mirolegal@gmail.com>
Subject: Clermont Yacht Club Traffic Study

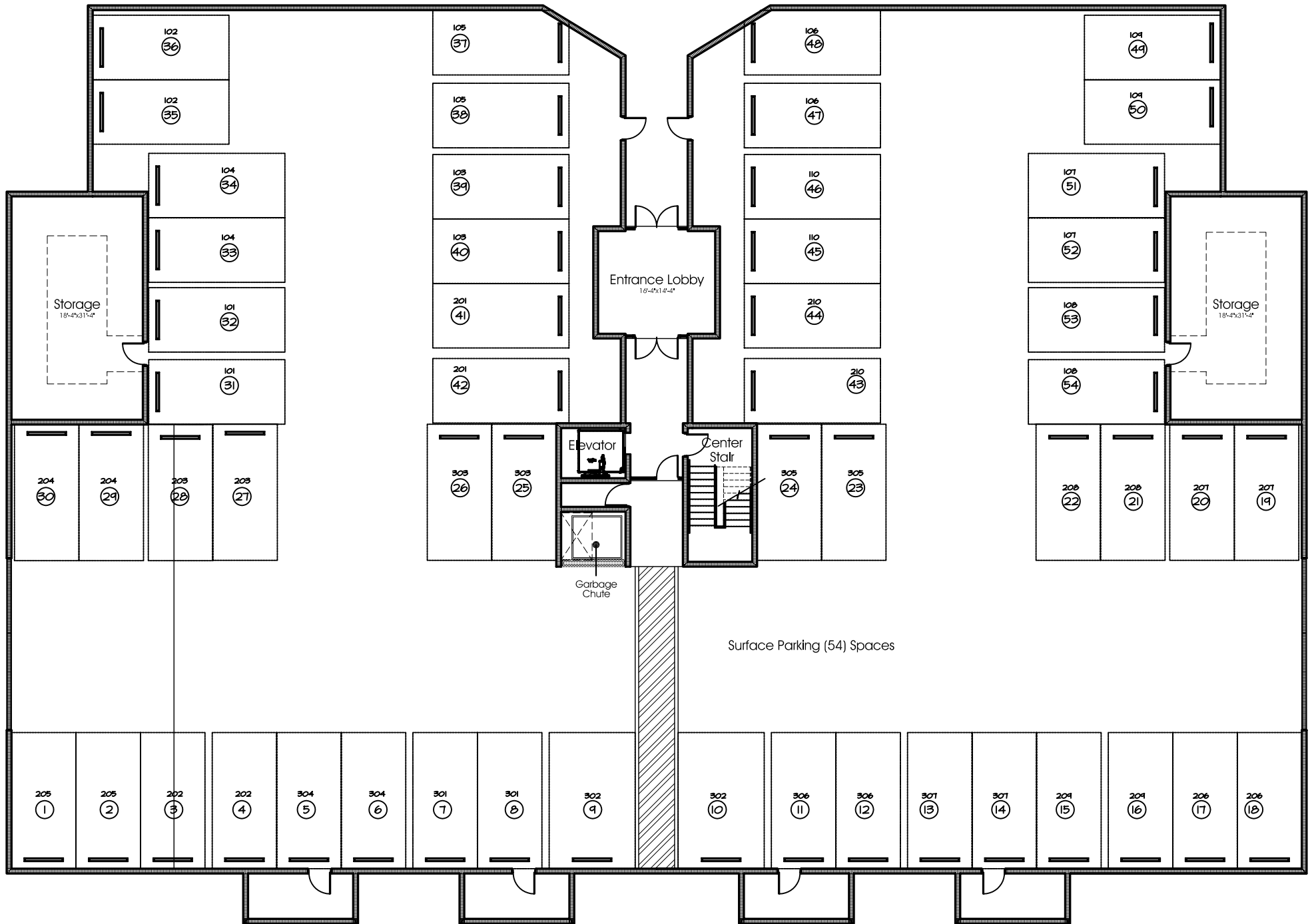
Good morning Stephanie,

Attached is the TIA for the Clermont Yacht Club. Please initiate the review and let me know if you have any questions.

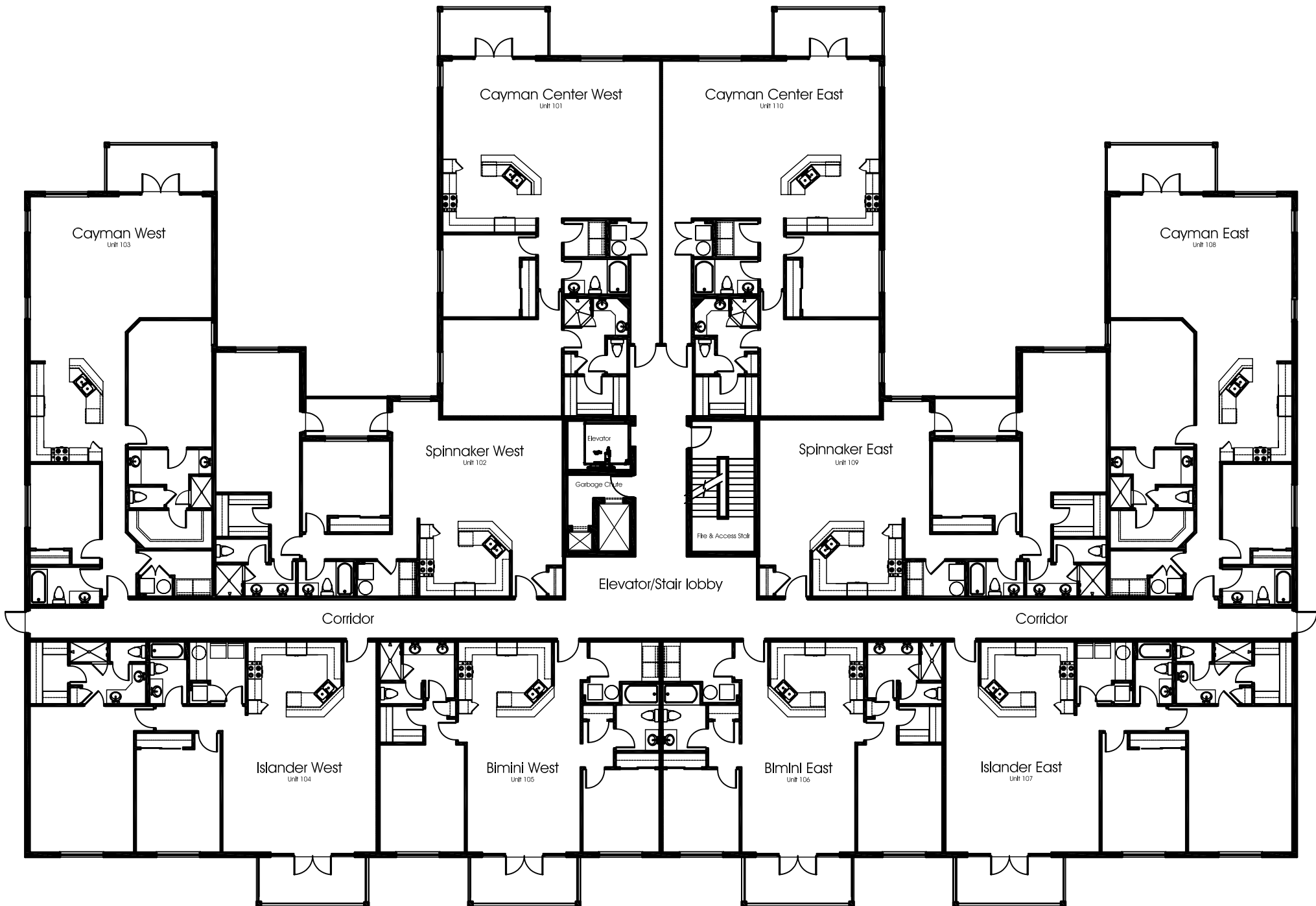
Thank you,
John

Website: <https://www.clermontfl.gov/>

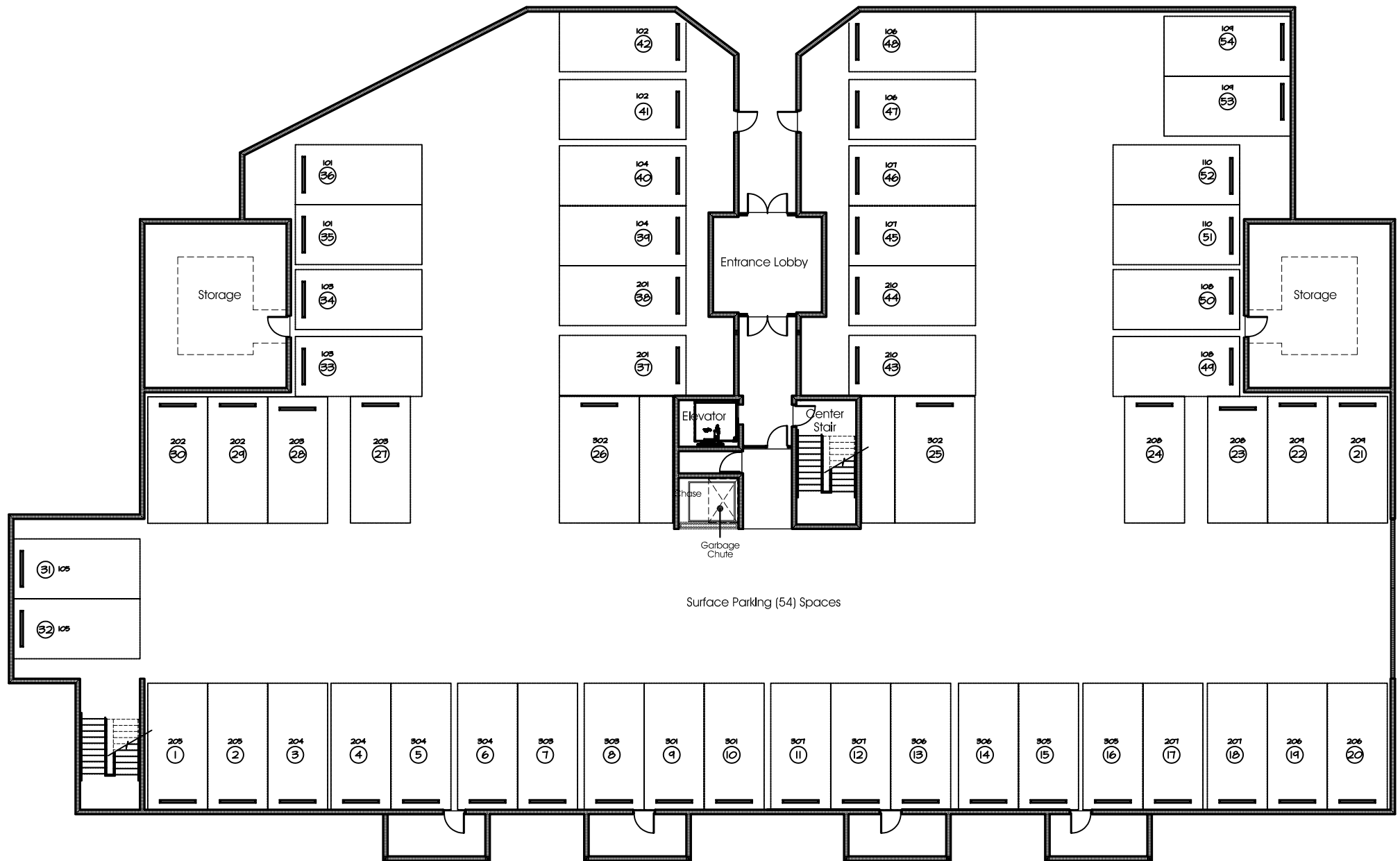
PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



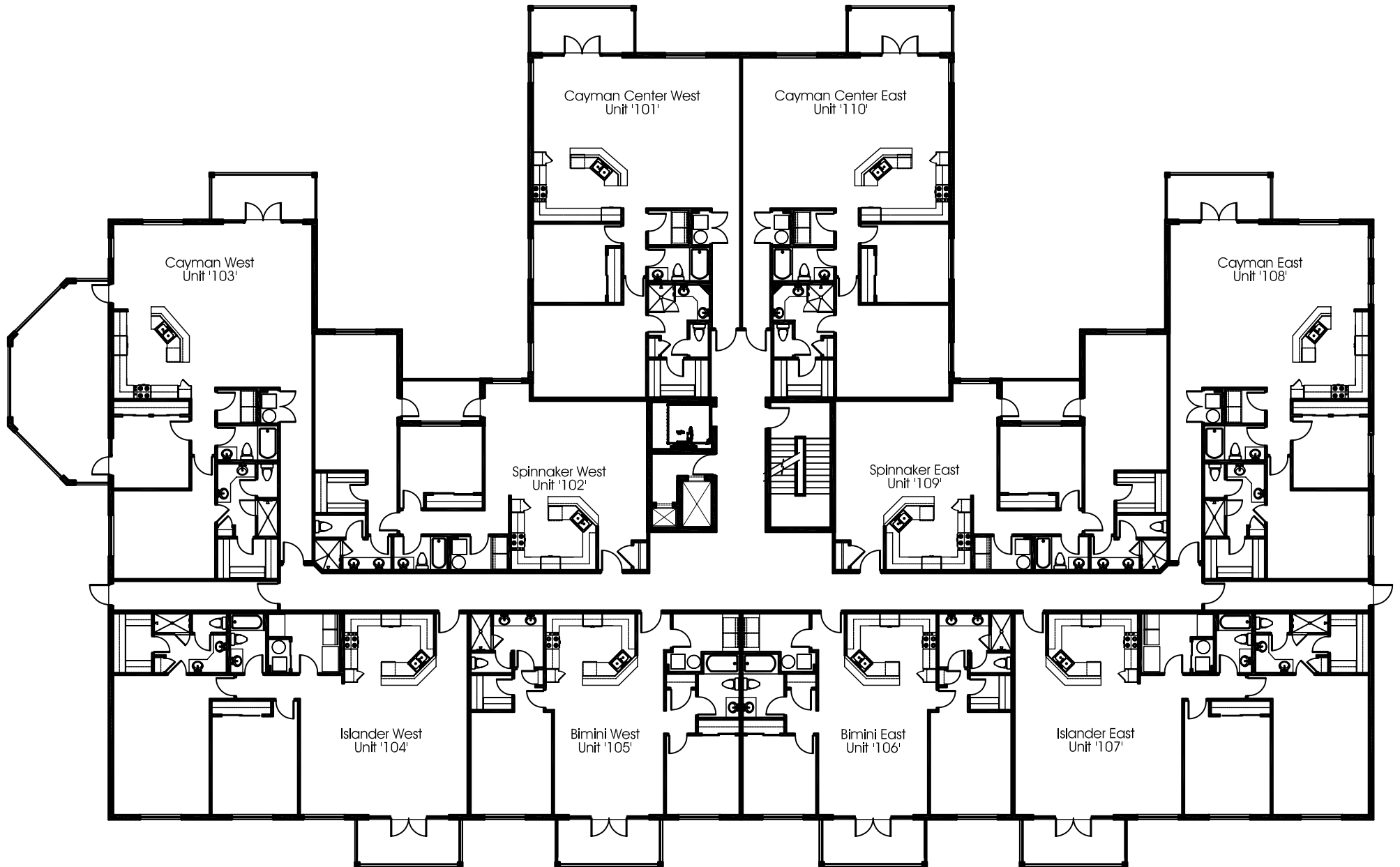
KINGFISHER GARAGE OVERALL PLAN



KINGFISHER FIRST FLOOR OVERALL PLAN



OSPREY GARAGE PLAN



OSPREY FIRST FLOOR OVERALL PLAN



CITY OF CLERMONT CONDITIONAL USE PERMIT FILING INSTRUCTIONS

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

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



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

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

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

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

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



CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date January 25, 2022		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) Clermont Yacht Club			
Applicant Masthead, LLC			
Contact Person Naushik Hooda, Manager			
Address 535 Julie Lane	City Winter Springs	State FL	Zip 32708
Telephone (407) 715-8695	Fax		
Email Mirolegal@gmail.com			
OWNER INFORMATION ☒ (Check box if owner information is same as applicant)			
Owner's Name			
Owner Address	City	State	Zip
Telephone	Fax		
PROPERTY INFORMATION			
Address of Subject Property Masthead Boulevard	City Clermont	State FL	Zip 34711
General Location Between Masthead Boulevard and East Grand Highway, Clermont, FL			
Legal Description & Alternate Key (include copy of survey) Alternate Key # 3798475 Clermont Yacht Club Subdivision, Tract E, PB 44, PGS 44-46, ORB 2904, PG 49, City of Clermont, Lake Co., FL			
Land Use (City verification required) Medium Density Residential			
Zoning (City verification required) PUD / R-1			



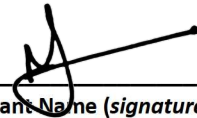
CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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

As per direction from City of Clermont Planning Department, this request is for reinstatement of original Conditional Us Permit as granted in R-98-1029 to complete construction of the allowable 108 multi-family units.

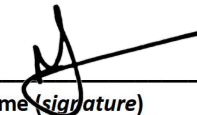
Naushik Hooda, Manager

Applicant Name (print)

x 
Applicant Name (signature)

Naushik Hooda, Manager

Owner Name (print)

x 
Owner Name (signature)

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

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

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

5/26/2020



The Gainesville Sun | The Ledger | News Chief
Daily Commercial | Ocala StarBanner
Herald-Tribune | The Palm Beach Post
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:	City Clerk
Contact Phone:	(352) 708-5997
Contact Email:	
PO Number:	

Date:	04/20/2022
Order Number:	7201400
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	51.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/26/2022 - 05/17/2022	Govt Public Notices
LEE dailycommercial.com	2	04/26/2022 - 05/17/2022	Govt Public Notices

Total Order Confirmation	\$158.92
---------------------------------	-----------------

Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for a Conditional Use Permit (CUP) to allow for an increase to the number of multi-family development housing units permitted for the Planned Unit Development (PUD) requirements for the Land Development Code, Section 122-315, at the following location:

LOCATION:

Vacant parcel located at adjacent to
East Grand Highway
Clermont Yacht Club
(Alternate Key #3798475)

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

The Planning and Zoning Commission will consider this request at a public meeting on Tuesday, May 3, 2022 at 6:30 PM.

The Clermont City Council will consider this request at a public meeting to be held on May 24, 2022 at 6:30 PM.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

L7201400 4/26 5/17 2022 2t



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Resolution No. 2022-014R <i>Iglesia Betesda Church Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No. 2022-014R		
Staff Report		
The applicant is requesting a Conditional Use Permit to allow for a church to be located in the existing Sunnyside Plaza commercial building located at 305 State Road 50. The current zoning is C-2 General Commercial and the Future Land Use is Commercial. The Land Development Code, Section 122-204, requires a Conditional Use Permit for a church use in the C-2 General Commercial zoning district. The church proposes to utilize the existing building for services on Tuesday and Thursday, 7:00 pm to 9:00 pm and Sunday, 10:00 am to 12 pm for worship services. The applicant indicates the maximum seating capacity will not exceed 70 seats and the church operation will not be in conflict with the other businesses located in the Plaza. When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land Development Code requires that specific development standards and provisions are met. Staff has reviewed the application as submitted and finds the proposed use does meet the general criteria for granting a Conditional Use Permit. Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2022-014R.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Iglesia Betesd Church CUP -Staff Analysis Report	Iglesia Betesd Church CUP -Staff Analysis Report.pdf	
2. 2022-014R - Iglesia Betesda Church CUP(04.27.2022)	2022-014R - Iglesia Betesda Church CUP(04.27.2022).pdf	
3. LOCATION MAP	LOCATION MAP.pdf	
4. Site Plan	Site Plan.pdf	
5. Letter from Pastor	Letter from Pastor.pdf	
6. Application	Application.pdf	
7. Iglesia Church CUP 7198184 Legal ad	Iglesia Church CUP 7198184 Legal ad.pdf	



CITY OF CLERMONT Staff Analysis Report

OWNER: Laykran Mohan

APPLICANT: Eliezer Serrano Ramos

PROJECT NAME: Iglesias Bethesda Church - CUP

REQUESTED ACTION: A Conditional Use Permit (CUP) to for a church use in the C-2 General Commercial zoning district.

SIZE OF PARCEL: Alternate Key 1070422 & 2702184

LOCATION: 305 State Road 50 aka Sunnyside Plaza

EXISTING ZONING: "C-2" General Commercial

EXISTING LAND USE: Commercial Business

FUTURE LAND USE CATEGORY: Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting a Conditional Use Permit to allow a church use to be located in the existing Sunnyside Plaza commercial building located at 305 State Road 50. The current zoning is C-2 General Commercial and the Future Land Use is Commercial. The Land Development Code, Section 122-204, requires a Conditional Use Permit for a church use in the C-2 General Commercial zoning district.

The church proposes to utilize the existing building for services on Tuesday, and Thursday 7:00pm to 9:00pm and Sunday 10:00am to 12pm for worship services. The applicant indicates the maximum seating capacity will not exceed 70 seats and the church operation will not be conflict with the other businesses located in the Commercial Center Plaza.

STAFF RECOMMENDATION:

When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land Development Code requires specific development standards and provisions are met; Staff has reviewed the application and supporting documents and finds the proposed use does meet the general criteria for granting a Conditional Use Permit.

Therefore, Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2022-014R.



CITY OF CLERMONT
RESOLUTION NO. 2022-014R

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2022 recommended approval of this Conditional Use Permit to allow for a church use in the C-2 General Commercial zoning district; at the following location:

LOCATION:
Sunnyside Plaza
305 State Road 50
(Alternate Key# 1626773)

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

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

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

This application for a Conditional Use Permit to allow for a church use in the C-2 General Commercial zoning district; be granted subject to the following conditions:

SECTION 1. GENERAL CONDITIONS:

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
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



CITY OF CLERMONT
RESOLUTION NO. 2022-014R

of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution or require further conditions as deemed appropriate.
5. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
6. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
8. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Clermont Development Services Department.
9. Should approved uses cease operation for more than one year, a new Conditional Use Permit shall be required for the same or similar operations.
10. In the event that parking at this site proves inadequate the City reserves the right to open the Conditional Use Permit for further review and additional conditions which may include additional parking requirements or revocation of the Conditional Use Permit.
11. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
12. Should the church use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.
13. Should a new business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the church, the church would not contest said use within 500 feet of the church.



CITY OF CLERMONT
RESOLUTION NO. 2022-014R

SECTION 2. LAND USE

1. This Conditional Use Permit shall grant approval for a church use and any other permitted use in the C-2 General Commercial zoning district.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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

SECTION 5: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION AND EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2022-014R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2022.

CITY OF CLERMONT

Tim Murry, Mayor

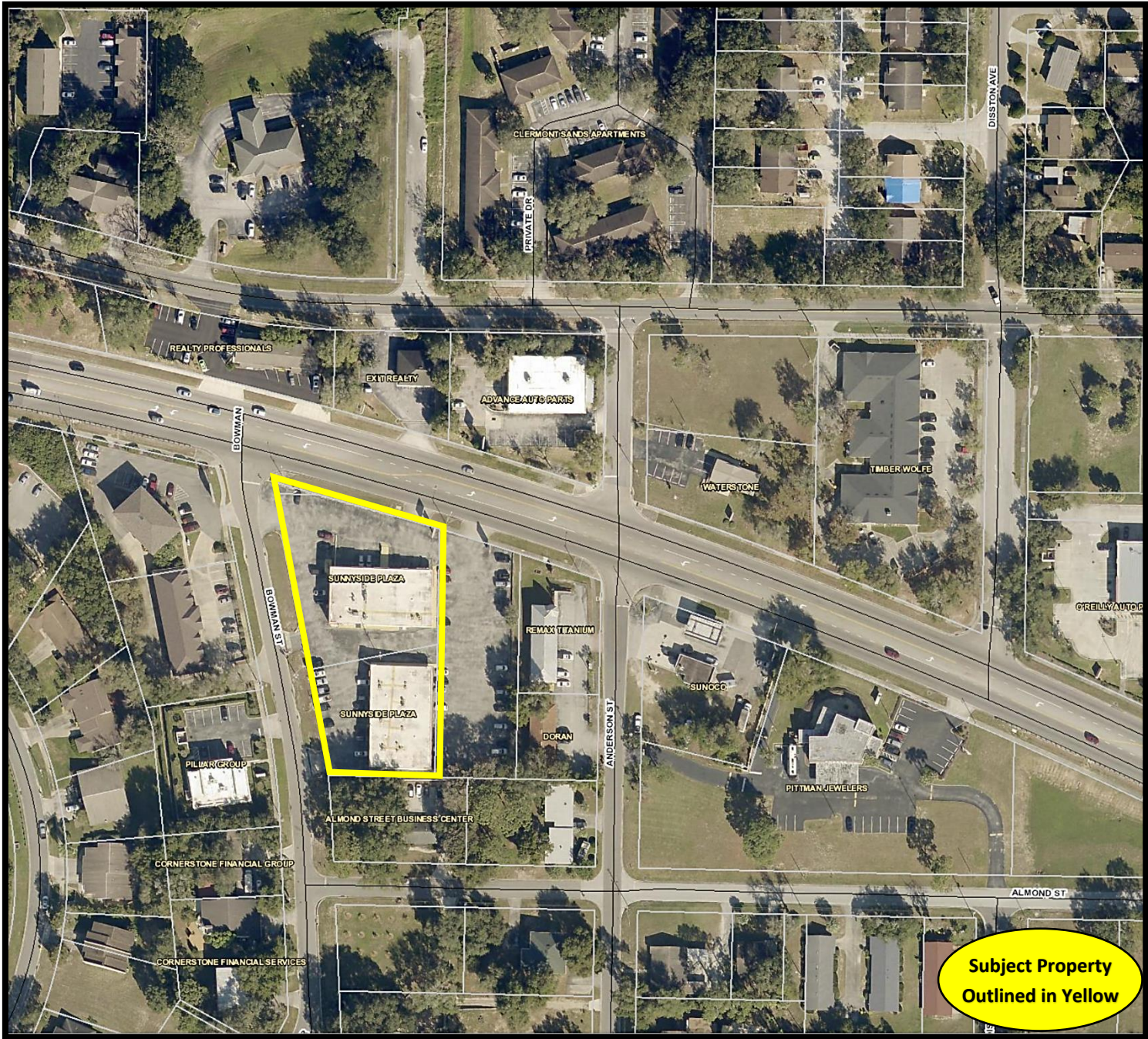
ATTEST:

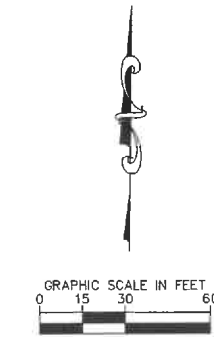
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





SITE DATA:
PARCEL ID: 25-22-25-1000-002-00-101
 25-22-25-1000-002-00-500
 30-22-26-0400-000-09-400
SITE AREA: 0.67 AC
ZONING: COMMERCIAL

NEW CHURCH SPACES 305
 73 SEATS

REQUIRED PARKING:
 1 SPACES PER FOUR PERMANENT SEATS IN
 THE SANCTUARY OR ASSEMBLY ROOMS.
 73 SEATS / 4 = 18 SPACES

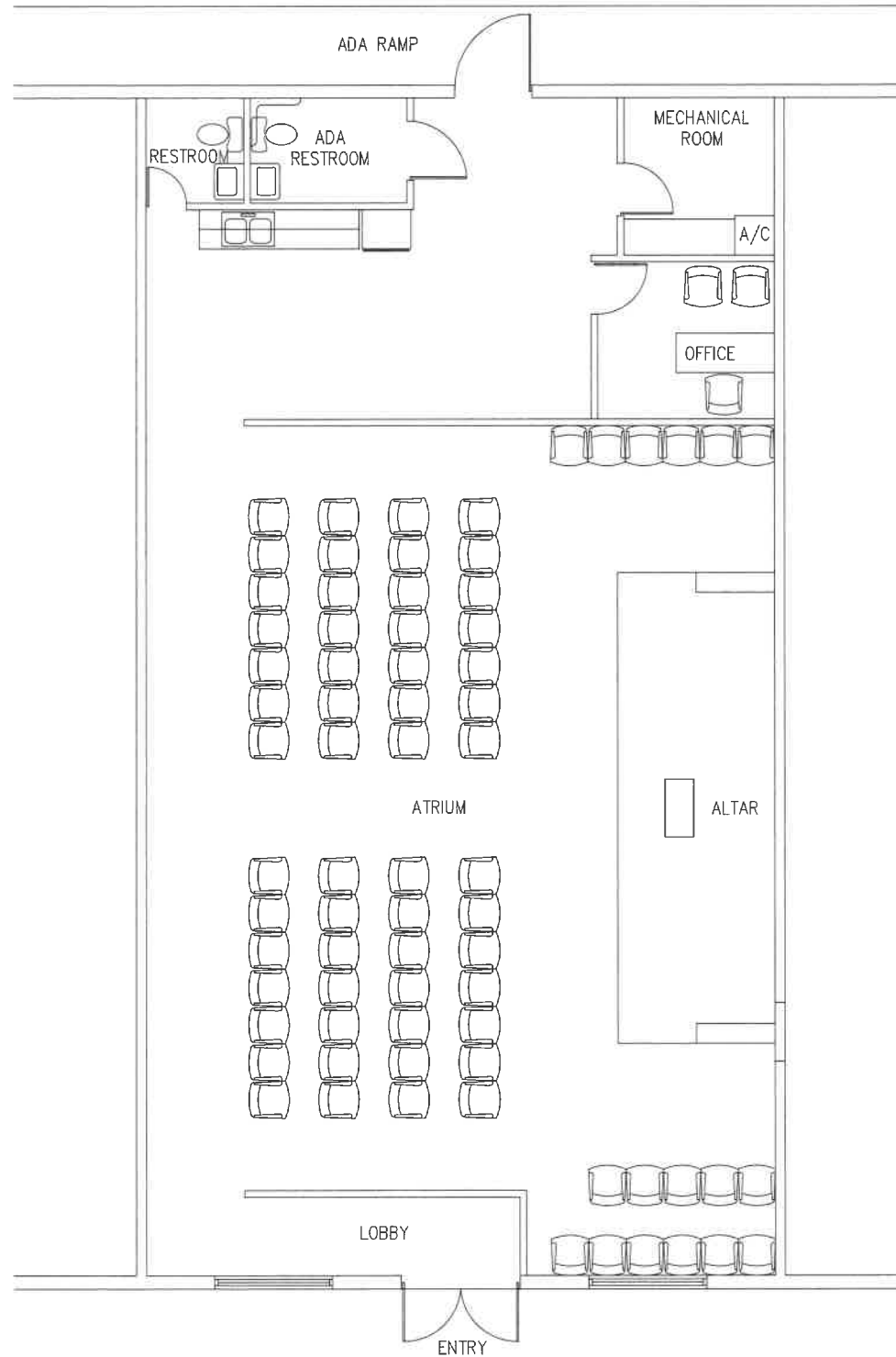
PROPOSED PARKING:
 EXISTING 104 SPACES

SITE PLAN

CLERMONT, FLORIDA

IGLESIA BETESTA

305 E HIGHWAY 50 CLERMONT FL 34711

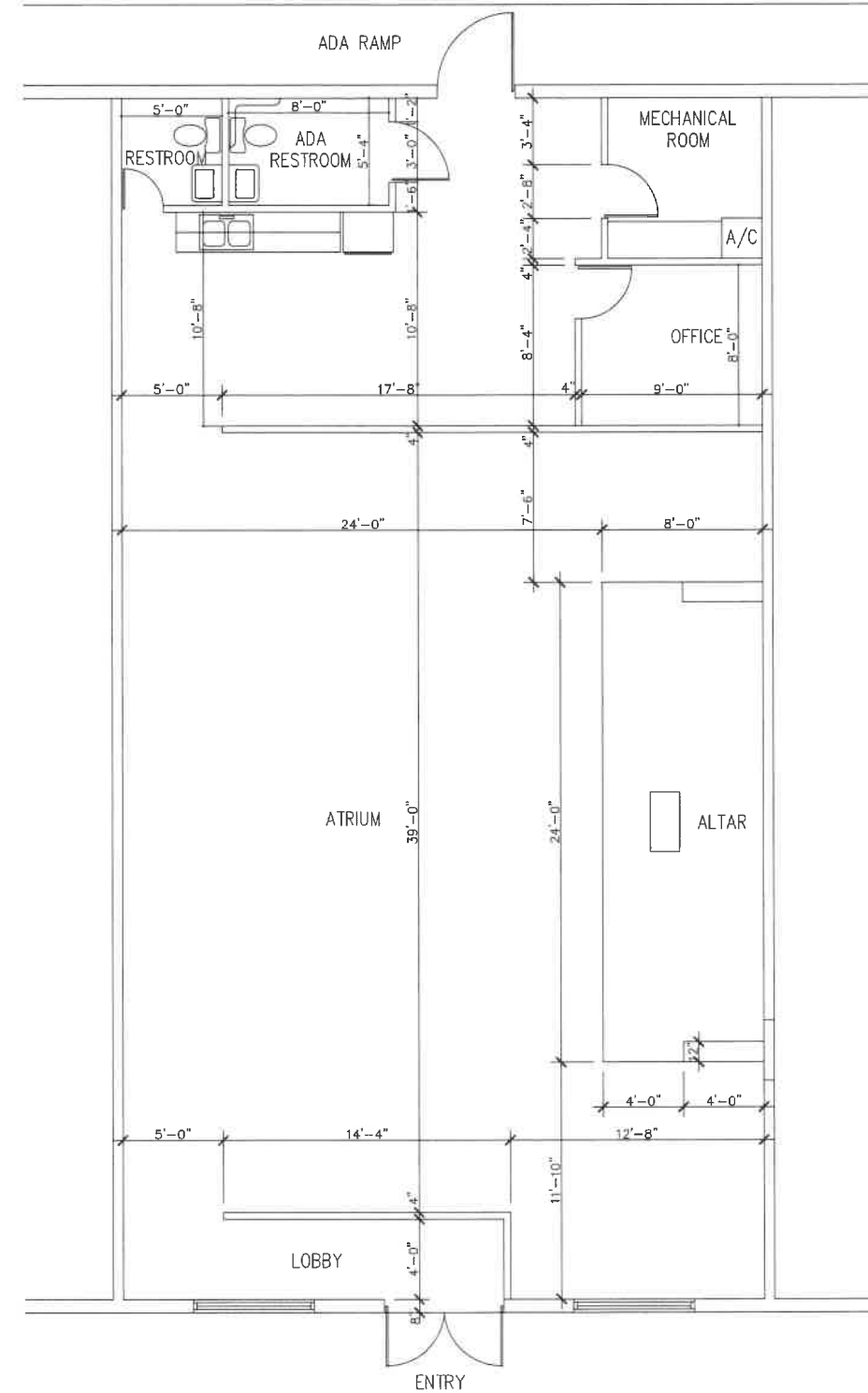


FLOOR PLAN NOTE

SCALE: 11X17(1/8" = 1'-0") 24X36(1/4" = 1'-0")

IGLESIA BETESTA

305 E HIGHWAY 50 CLERMONT FL 34711



FLOOR PLAN DIM

SCALE: 11X17(1/8" = 1'-0") 24X36(1/4" = 1'-0")

FROM THE DESK OF

IGLESIA BETESDA

CASA DE MISERICORDIA

March 28

PASTOR: Eliezer Serrano
1011 Marathon Key Way
Groveland Fl 34736

To Whom it may concern :

We at Iglesia Betesda are requesting authorization for a change of occupancy and conditional use permit At the Following Address ; 305 Sr 50 Clermont fl.34711 (sunny side Plaza)

Previous to us the establishment was a clothing store (bodies in motion) it was an open area with central air and two bathroom facility, we currently have floor plans to as to change to a church and are adding this to this letter, we currently have 24 members and as per floor plans will be placing seating for a maximum Of 72 persons. We are situated in the middle of the plaza area, east of us is a thrift store (mission thrift shop) and west of us is a pizza store (green mountain pizza) there is parking available for up to 104 vehicles, the plaza is located on SR 50 between bowman st. and Anderson St.and has several entrance and exits to elevate traffic on SR 50.

Our Service hours will be Tuesday 7:30 pm till 9:00 pm for prayer service , Thursday 7:30 pm till 9:00 pm for Bible study and Sunday from 10:00 am till Noon for Sunday worship. On these hours of operation all other businesses in the plaza are closed with the exception of the pizza place being open till 9:00 pm Tuesday thru Saturday and all businesses are closed all day Sunday allowing us to have full access to parking and office hours will be by appointment in a person to person office atmosphere which will require minimal parking use.

We are Christian Church hopeful that we can come into this facility and are able to work and grow with the community in Clermont. If there is anything we can do to assist in making this possible please do not hesitate to contact us.

IGLESIABETESDA21@GMAIL.COM 407 487-6848

Sincerely yours,

Pastor : Eliezer Serrano 407-487-6848

Iglesia Betesda Casa De Misericordia

Assistant to Pastor : Angel Mendez 352- 217-2206



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 3-30-22

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Iglesia Betesda

APPLICANT: Eliezer Serrano Ramos

CONTACT PERSON: Eliezer Serrano

Address: 1011 Marathon Key Way

City: Groveland State: Fl. Zip: 34736

Phone: 407-487-6848 Fax: _____

E-Mail: eliezerserranramos@gmail.com

OWNER: Laykram Mohan

Address: 1307 Plover Ct. Groveland, Fl. 34787

City: Groveland State: Fl. Zip: 34787

Phone: 407-414-7449 Fax: _____

Address of Subject Property: 305 SR 50, Clermont, Fl. 34711

General Location: Block 2 of Sunnyside Plaza, lying
South of State road 50.

Legal Description (include copy of survey): _____

Land Use (City verification required): _____

Zoning (City verification required): _____



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 3-30-22

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Iglesia Betesda

APPLICANT: Eliezer Serrano Ramos

CONTACT PERSON: Eliezer Serrano

Address: 1011 Marathon Key Way

City: Groveland State: FL Zip: 34736

Phone: 407-487-6848 Fax: _____

E-Mail: eliezerserranoramos@gmail.com

OWNER: Laykram Mohan

Address: 1307 Plover Ct. Groveland, FL 34787

City: Groveland State: FL Zip: 34787

Phone: 407-414-7449 Fax: _____

Address of Subject Property: 305 SR 50, Clermont, FL 34711

General Location: Block 2 of Sunnyside Plaza, lying
South of State road 50.

Legal Description (include copy of survey): _____

Land Use (City verification required): _____

Zoning (City verification required): _____



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

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

into an additional page.

Eliezer Serrano Ramos x Elie Serrano
Applicant Name (print) Applicant Name (signature)

Laykram Mohan x Laykram Mohan
Owner Name (print) Owner Name (signature)

***** NOTICE *****

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

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



The Gainesville Sun | The Ledger | News Chief
Daily Commercial | Ocala StarBanner
Herald-Tribune | The Palm Beach Post
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:	City Clerk
Contact Phone:	(352) 708-5997
Contact Email:	
PO Number:	

Date:	04/20/2022
Order Number:	7198184
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	47.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/26/2022 - 05/17/2022	Govt Public Notices
LEE dailycommercial.com	2	04/26/2022 - 05/17/2022	Govt Public Notices

Total Order Confirmation	\$147.24
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Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for a Conditional Use Permit to allow a church use in the C-2 General Commercial Zoning District, at the following location:

LOCATION

Sunnyside Plaza CUP
305 State Road 50, Clermont, FL
(AK 1626773)

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

The Planning and Zoning Commission will consider the request at a public meeting on Tuesday, May 3, 2022 at 6:30 PM.

The Clermont City Council will consider this request at a public meeting on Tuesday, May 24, 2022 at 6:30 PM.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

April 26 and May 17, 2022

L7198184 4/26 5/17 2022 2†



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, May 3, 2022	
Agenda Item Name	
Resolution No. 2022-015R <i>Kinetic Veterinary Specialists Conditional Use Permit</i>	
Requested Action	
Recommend approval of Resolution 2022-015R.	
Staff Report	
The applicant, Dr. Eric Herman, is requesting a Conditional Use Permit for a specialty veterinary hospital to be established at 1600 S. Grand Highway, in the former Staples building. The property is zoned C-2 General Commercial and this proposed use is required to obtain a Conditional Use Permit, as required by section 122-224 of the Land Development Code. The building is approximately 19,833 square feet and the applicant is planning to renovate the building and the site to accompany the proposed veterinary hospital. The hospital's purpose is to provide a state-of-the-art specialty hospital that will be open from 7 am – 7pm, Monday through Friday that will exclusively serve dogs and cats. No boarding will be allowed at the facility and on extreme occasions, overnight stays with the patients may be necessary. If this occurs, onsite personnel will be present. There will be no outside runs at the facility and will only consist of one outdoor relief/exercise area for the animals to be taken out to for some limited exercise and relief. Most of the animals seen at this facility will have mobility disorders, therefore any outdoor activity will be minimal. This area is located at the rear of the building adjacent to the loading dock and next to US highway 27. The location of this area would minimize any potential for noise and smell coming from the site. A management and operation plan will be required for care and removal of the waste. Exterior alterations include updating with new paint at the tops of the parapets as well as adding some new doors and windows where it benefits the interior functioning of the space. The interior alterations include the creation of consultation rooms, surgical and treatment space, animal holding areas and interior runs, and specialized medical equipment rooms for diagnostic and imaging purposes. The materials used in this renovation process include using higher STC (Sound Transmission Class) walls and NRC (Noise Reduction Coefficient) acoustical ceiling tiles. This helps in minimizing sound transfer from one room to another as well as managing the amount of sound that can be heard from outside the building. A good portion of the animal holding locations within the building also occur in rooms that aren't directly on an exterior wall, which will help minimize sound. See the staff's analysis report for more detailed information. Staff has reviewed the application and proposed project in regards to Section 86-144, Review Criteria for a Conditional Use Permit. The proposed use is consistent with the existing and previous development patterns and character of the surrounding areas. The surrounding areas are zoned C-2 General Commercial, with no adjacent residential uses. The property is in close proximity of two major arterial roadways, SR 50 and US 27, which offers accessibility to the site and secondary, minimizes sound due to the background roadway noise associated with these roadways. The proposed uses will not be detrimental to the health, safety and general welfare of the community. The applicant is performing renovations and alterations to the site and building that would ensure the operation would not have a negative impact on the community. The proposed use would provide a service to the community that appears to be lacking. The Conditional Use Permit will not be in conflict to the Clermont Comprehensive Plan for the Commercial Future Land Use. Therefore, staff recommends approval of Resolution 2022-015R.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2022-015R - Kinetic Vet (04.25.2022)	2022-015R - Kinetic Vet (04.25.2022).pdf
2.	Kinetic Vet Maps	Kinetic Vet Maps.pdf
3.	Kinetic Vet -Staff Analysis Report	Kinetic Vet -Staff Analysis Report.pdf
4.	22-02-020 Kinetic VS PPA SET	22-02-020 Kinetic VS PPA SET.pdf
5.	CUP Application Signed	CUP Application Signed.pdf
6.	CUP Narrative 4-19-22	CUP Narrative 4-19-22.pdf
7.	Kinetic legal ad	Kinetic legal ad.pdf



CITY OF CLERMONT
RESOLUTION NO. 2022-015R

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2022 recommended approval of this Conditional Use Permit to allow for a veterinary clinic in the C-2 General Commercial zoning district; at the following location:

LOCATION:

1600 S. Grand Highway
Former Staples Building
Alternate Key 3869407

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

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

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

This application for a Conditional Use Permit (CUP) to allow for a veterinary clinic in the C-2 General Commercial zoning district; be granted subject to the following conditions:

SECTION 1: GENERAL CONDITIONS

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.



CITY OF CLERMONT
RESOLUTION NO. 2022-015R

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The Fire Inspector shall provide building inspections for life safety requirements and all fire code regulations must be in compliance prior to the issuance of any Building Certificate of Occupancy.
5. The Building Inspector shall inspect all structures and building for compliance and any building code violations shall be corrected before the issuance of the Certificate of Occupancy.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Clermont Development Services Department.
10. Should approved uses cease operation for more than 180 days, a new Conditional Use Permit shall be required for the same or similar operations.
11. The property shall be developed in substantial accordance with the Presentation Site Plan (Exhibit A) prepared by Terwisscha Construction, Inc., dated 04/15/22. All new development and/or changes to the subject property must submit for site plan approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The presentation site plan submitted with the Conditional Use Permit application is not the approved and final construction plan. The presentation site plan does not grant any development entitlements.



CITY OF CLERMONT
RESOLUTION NO. 2022-015R

SECTION 2: LAND USE

1. This Conditional Use Permit shall grant approval to allow for a veterinary clinic/hospital with a range of services including, but not limited to: specialty surgical care, chemotherapy treatment, neurology and neurosurgery, hydrotherapy, rehab/physical therapy, and sports medicine.
2. The hospital will be limited to small animals only, consisting of canine and feline species. No large animals shall be allowed, such as horses, cows, swine, or other livestock species.
3. The facility may not offer boarding of animals. Only patients that are medically necessary for overnight observation and monitoring shall be allowed onsite overnight. A staff member shall be required to be onsite if there are any patients onsite overnight.
4. The hours of operation for the hospital will be 7 am to 7 pm, Monday through Friday.
5. The outside relief/exercise area behind the building for the animals shall be constantly monitored, leashed and not left unattended.
6. A waste management and operation plan shall be developed to properly deal with the animal waste in an effort to minimize smells and unpleasant odors emitting from the site. In the event that odors create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.
7. The renovations of the building shall include a higher STC rated wall and NRC acoustical ceiling tiles to minimize sound transfer from the building. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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



CITY OF CLERMONT
RESOLUTION NO. 2022-015R

SECTION 5: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION AND EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2022-015R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May 2022.

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
RESOLUTION NO. 2022-015R

Exhibit A
Presentation Site Plan



Exhibit - Location Map – Kinetic Pets Hospital

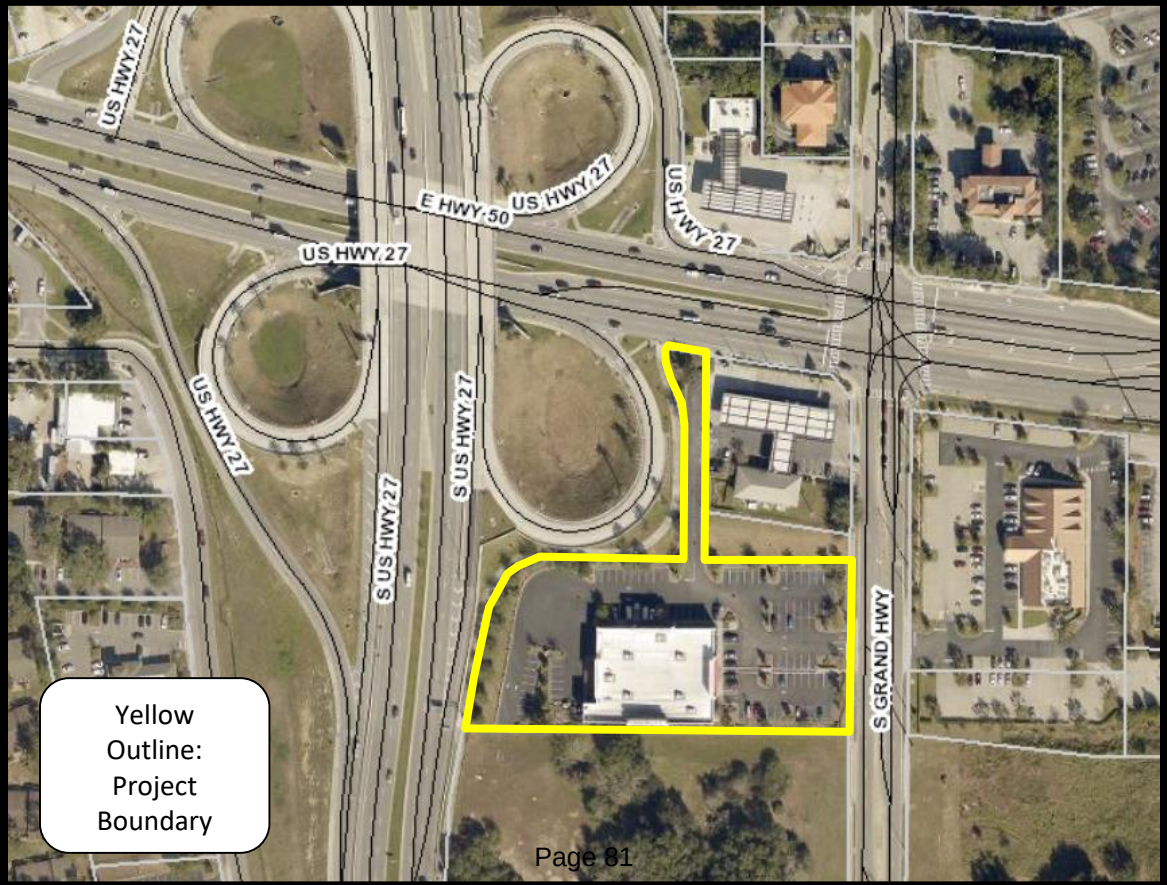
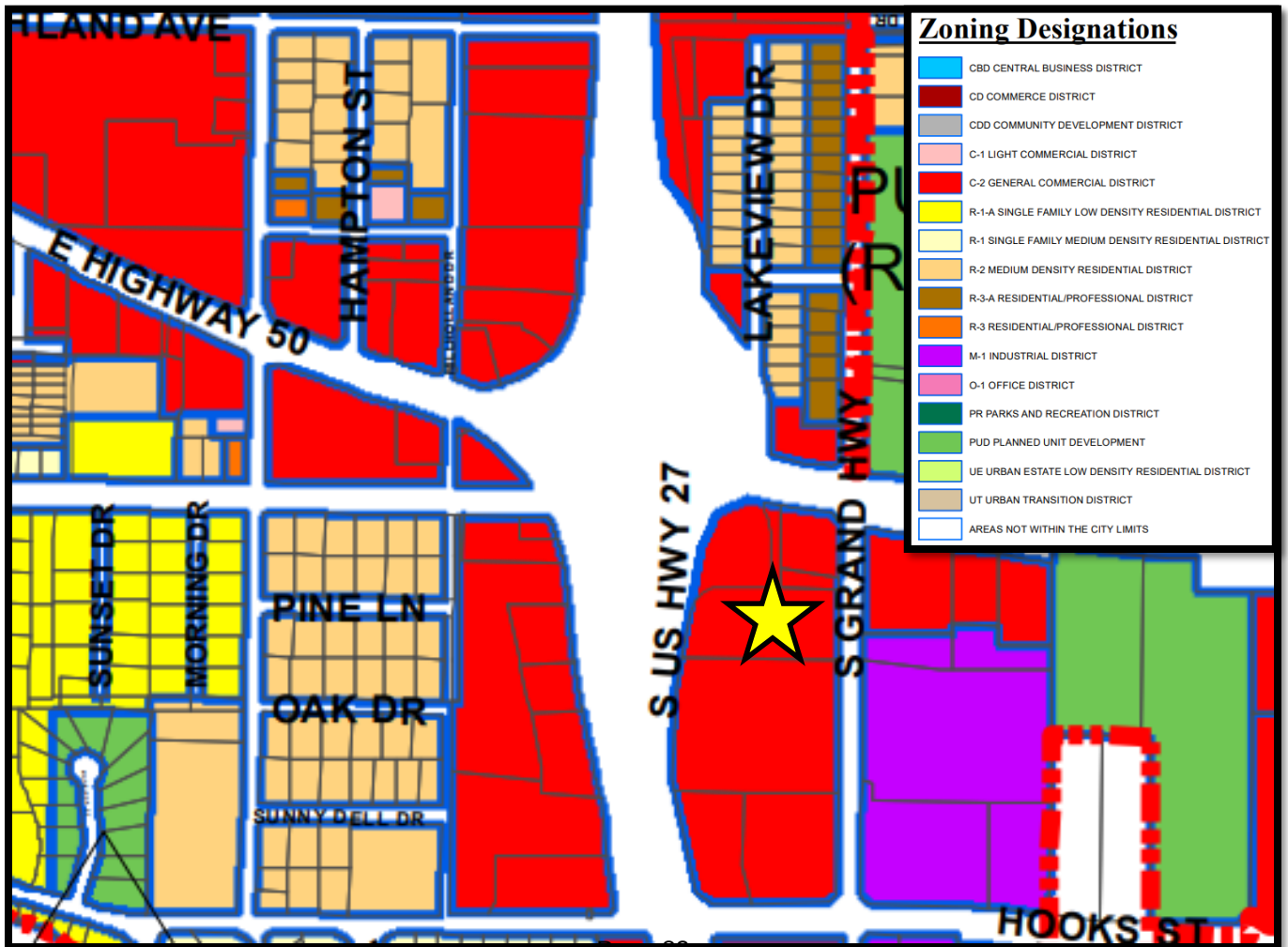


Exhibit - Zoning Map – Kinetic Pets Hospital



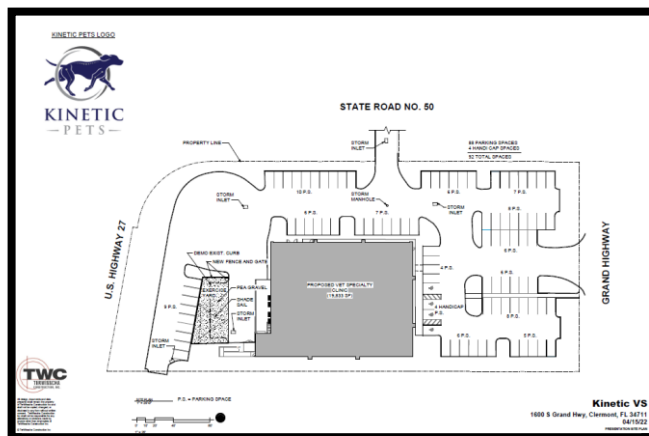
CITY OF CLERMONT

Staff Analysis Report

OWNER:	AEI Income & Growth Fund XXLL LP
APPLICANT:	Matthew Lovett/Eric Herman
PROJECT NAME:	Kinetic Veterinary Specialists
REQUESTED ACTION:	A Conditional Use Permit (CUP) to allow a veterinary clinic/hospital in the C-2 General Commercial zoning district.
SIZE OF PARCEL:	Alternate Key 3869407
LOCATION:	1600 S. Grand Highway – Former Staples Building
EXISTING ZONING:	C-2 General Commercial
EXISTING LAND USE:	19,833 square foot building with associated parking
FUTURE LAND USE CATEGORY:	Commercial
SITE UTILITIES:	City of Clermont Water and Sewer

ANALYSIS:

The applicant, Dr. Eric Herman, is requesting a Conditional Use Permit for a specialty veterinary hospital to be established at 1600 S. Grand Highway, in the former Staples building. The property is zoned C-2 General Commercial and this proposed use is required to obtain a Conditional Use Permit, as required by section 122-224 of the Land Development Code. The building is approximately 19,833 square feet and the applicant is planning to renovate the building and the site to accompany the proposed veterinary hospital.



The hospital's purpose is to provide a state-of-the-art specialty hospital that will be open from 7 am – 7pm, Monday through Friday. The hospital will service exclusively small animals, approximately 90% canine and 10% feline. The facility will provide specialty surgical care, chemotherapy treatment, neurology and neurosurgery, hydrotherapy, rehab/ physical therapy, and sports medicine. The hospital anticipates creating at least 35-40 new jobs in the area for veterinarians, veterinary technicians, veterinary assistants, and other miscellaneous staff members. There will be no outside runs or boarding at this facility. The maximum number of patients expected during the day will be 30-40. Most patients are expected to go home each night. However, there are times when an animal will need to stay overnight for additional monitoring and the maximum number of those patients would be 3-5. In these extreme cases, limited staff would be on-site after hours performing this service but would not be open to the public.

The exterior alterations of the site include converting some landscape islands close to the front doors into animal relief areas for the clients to take their pets prior to coming into the building. Plans include adding one outdoor relief/exercise area for the animals to be taken out to for some limited exercise and to relieve themselves. Most of the animals seen at this facility will have mobility disorders, therefore any outdoor activity will be minimal. The animals would be constantly monitored when in the fenced location, leashed and not be left unattended. They will be taken outside individually and there will not be dogs barking at other dogs while outside. This area will be constantly maintained and cleaned up to minimize any smells. The fenced area is intended to be covered to some degree for protection during inclement weather and for shade. This area will be located at the rear of the building adjacent to the loading dock and next to US highway 27. The location of this area would minimize any potential for noise and smell coming from the site.

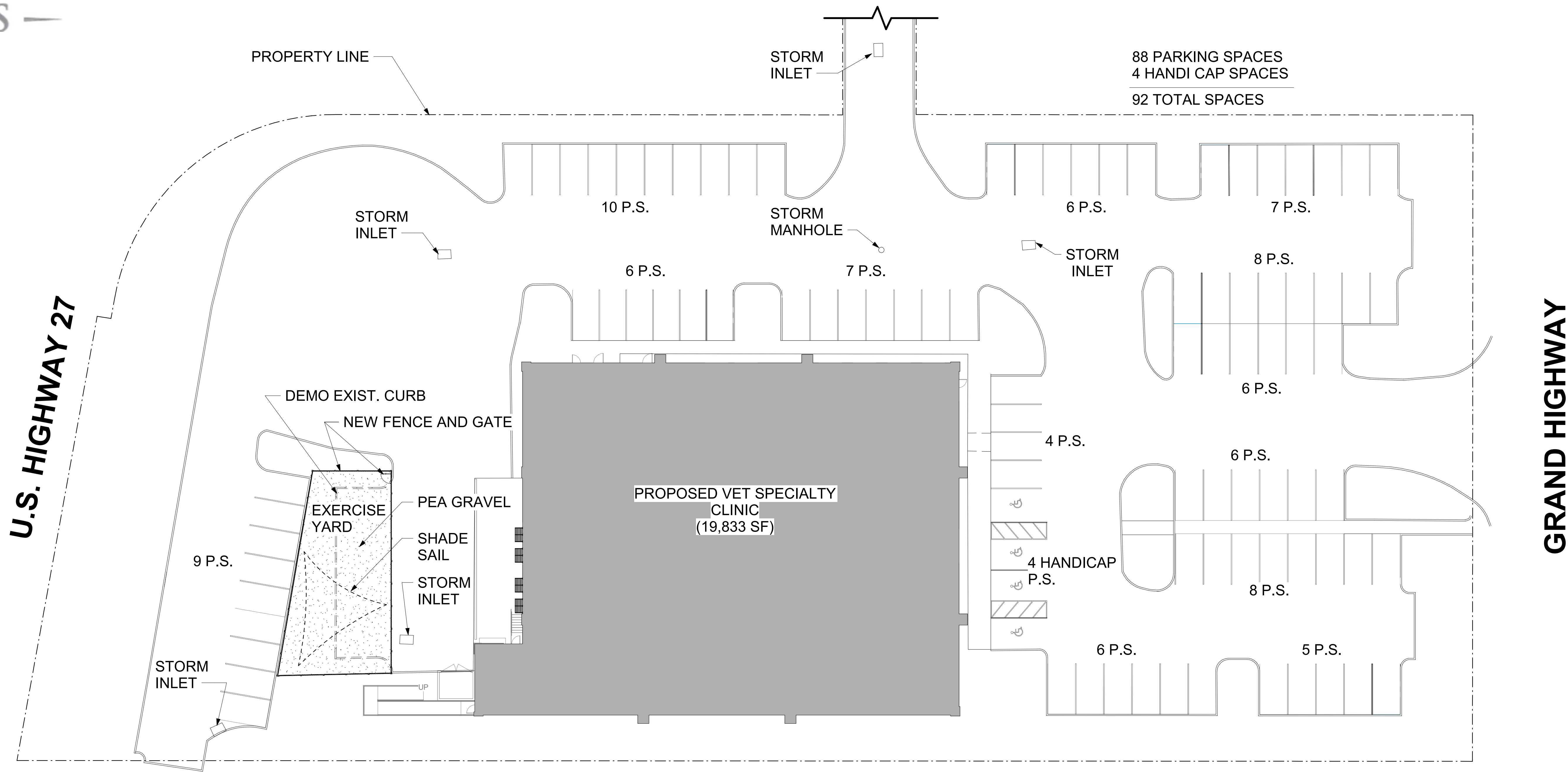
The proposed alterations to the building exterior include updating with new paint at the tops of the parapets as well as adding some new doors and windows where it benefits the interior functioning of the space, along with some new architectural features like sunshades. The interior alterations include the creation of consultation rooms, surgical and treatment space, animal holding areas and interior runs, and specialized medical equipment rooms for diagnostic and imaging purposes. The materials used in this renovation process include using higher STC (Sound Transmission Class) walls and NRC (Noise Reduction Coefficient) acoustical ceiling tiles. This helps in minimizing sound transfer from one room to another as well as managing the amount of sound that can be heard from outside the building. A good portion of the animal holding locations within the building also occur in rooms that aren't directly on an exterior wall, which will help minimize sound.

Staff has reviewed the application and proposed project in regards to Section 86-144, Review Criteria for a Conditional Use Permit. The proposed use is consistent with the existing and previous development patterns and character of the surrounding areas. The surrounding areas are zoned C-2 General Commercial, with no adjacent residential uses. The property is in close proximity of two major arterial roadways, SR 50 and US 27, which offers accessibility to the site and secondary, minimizes sound due to the background roadway noise associated with these roadways. The proposed uses will not be detrimental to the health, safety and general welfare of the community. The applicant is performing renovations and alterations to the site and building that would ensure the operation would not have a negative impact on the community. The proposed use would provide a service to the community that appears to be lacking. The Conditional Use Permit will not be in conflict to the Clermont Comprehensive Plan for the Commercial Future Land Use. Therefore, staff recommends approval of Resolution 2022-015R.

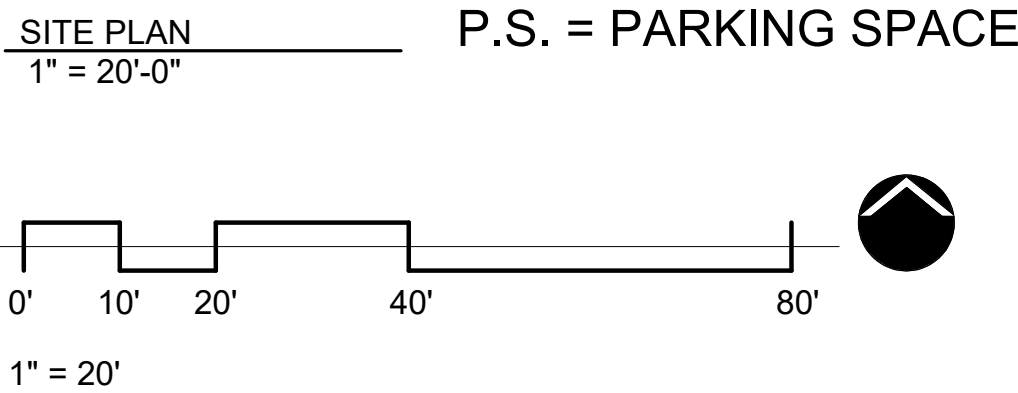
KINETIC PETS LOGO



STATE ROAD NO. 50



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Kinetic VS
1600 S Grand Hwy, Clermont, FL 34711
04/15/22
PRESENTATION SITE PLAN

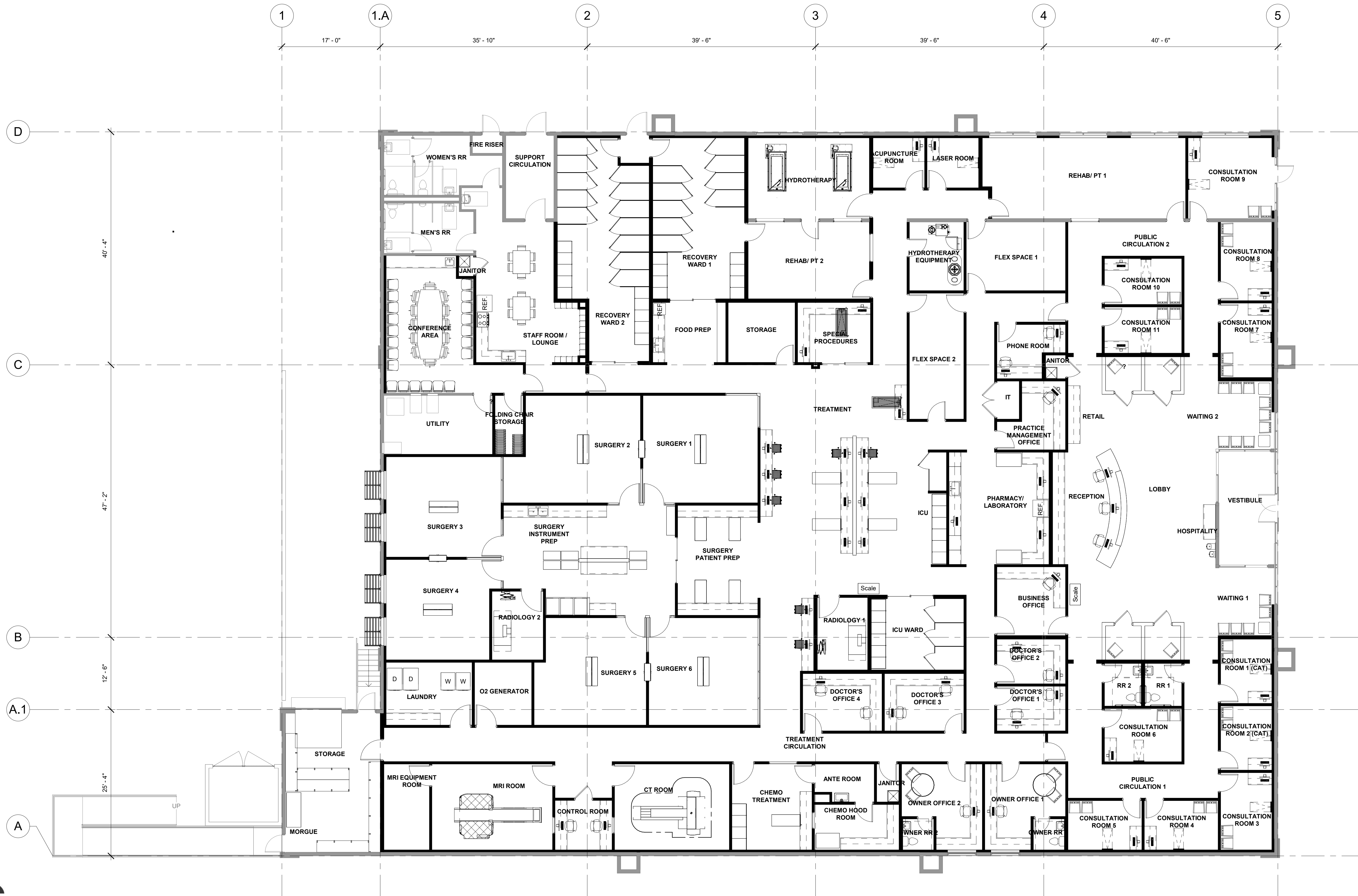
C:\Users\sselle\Documents\22-02-020 Kinetic VS CENTRAL_sselle.rvt

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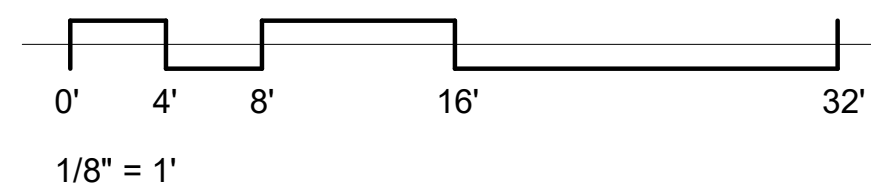


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FIRST LEVEL FLOOR PLAN
1/8" = 1'-0"



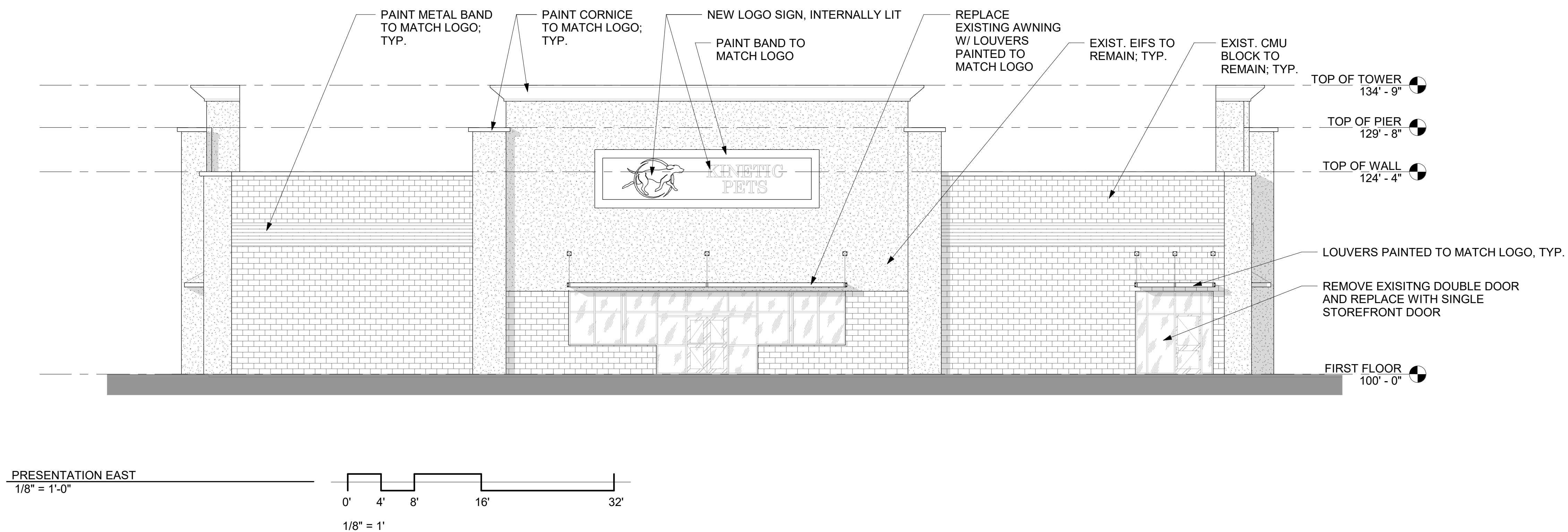
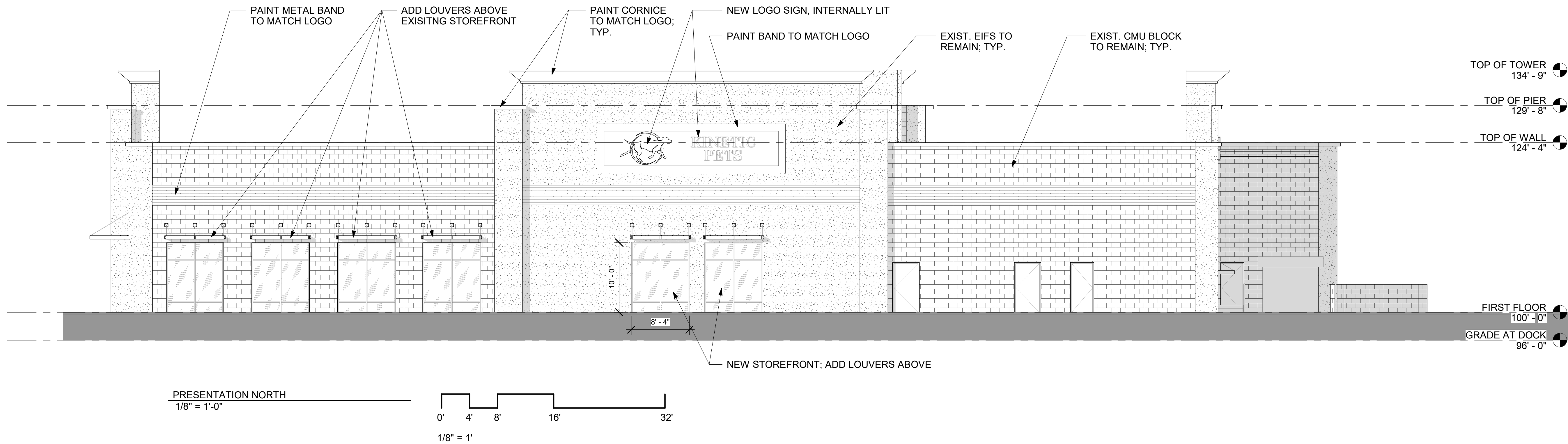
AREA SCHEDULE (GROSS...)	
NAME	AREA
EMERGENCY HOSPITAL AREA	19899.11 SF
	19899.11 SF

Kinetic VS

1600 S Grand Hwy, Clermont, FL 34711

04/15/22

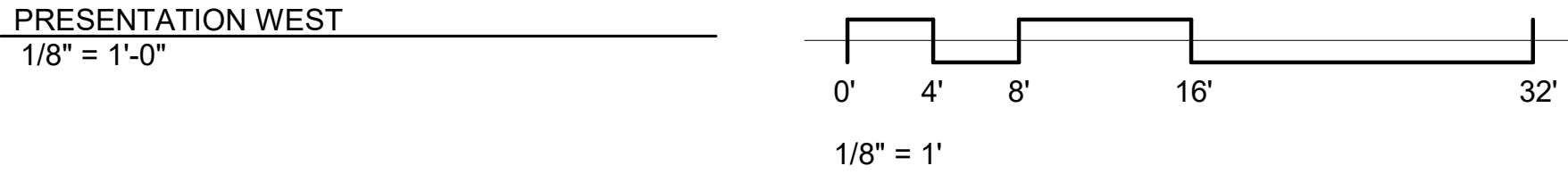
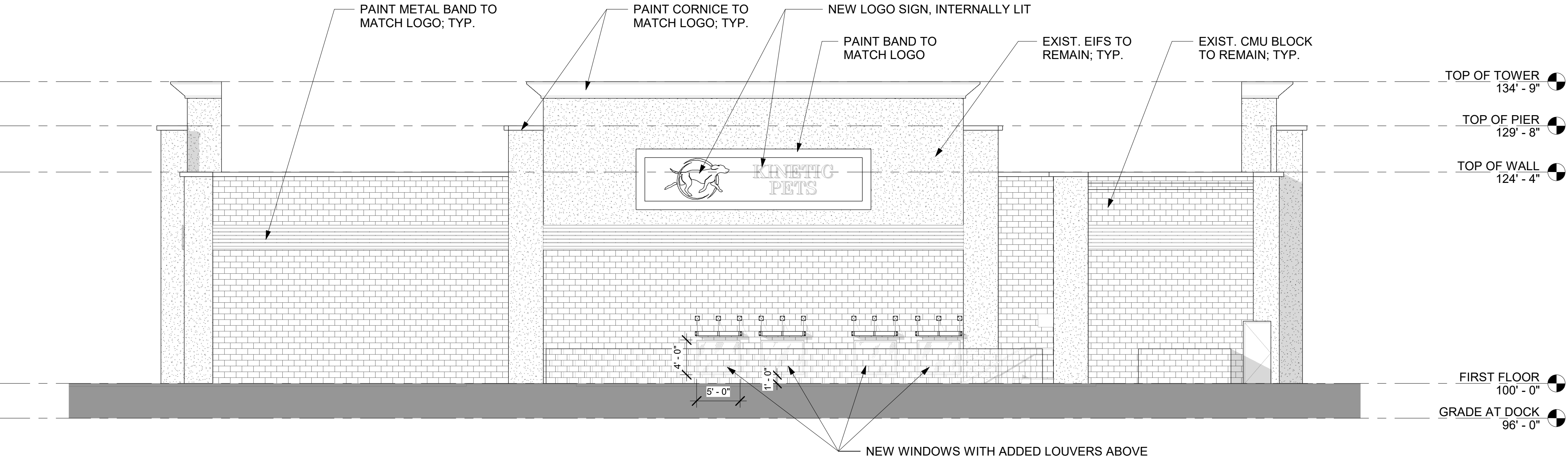
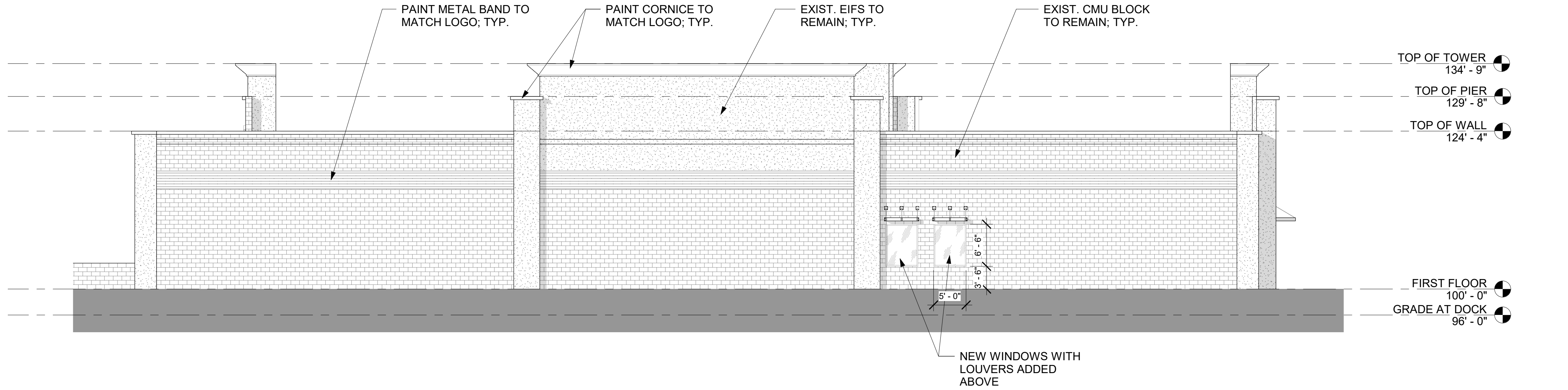
PRESENTATION FLOOR PLAN



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Kinetic VS
1600 S Grand Hwy, Clermont, FL 34711
04/15/22
PRESENTATION ELEVATIONS



SEE SITE PLAN FOR LOGO



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Kinetic VS
1600 S Grand Hwy, Clermont, FL 34711
04/15/22
PRESENTATION ELEVATIONS



PERSPECTIVE VIEW
N.T.S.



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Kinetic VS
1600 S Grand Hwy, Clermont, FL 34711
04/15/22
PRESENTATION PERSPECTIVES



CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date		FEE: \$845 + cost of advertisement	
Project Name (if applicable) Kinetic Veterinary Specialists			
Applicant MATTHEW LOVETT / ERIC HERMAN			
Contact Person: MATTHEW LOVETT			
Address 47 W. 4TH AVE.	City COLUMBUS	State OH	Zip 43201
Telephone 614-477-8122	Fax		
Email MATTHEW LOVETT@GMAIL.COM			
OWNER INFORMATION			
Owner's Name KYLE HAGEN			
Owner Address 1300 WELLS FARGO PLACE	City ST. PAUL	State MN	Zip 55101
Telephone 651-227-7333	Fax		
PROPERTY INFORMATION			
Address of Subject Property 1600 S. Grand Hwy.	City Clermont	State FL	Zip 34711
General Location 300 feet south of the corner of Grand Highway and State Road 50.			
Legal Description (include copy of survey) A portion of the northeast 1/4 of section 30, township 22 south, range 26 east, Lake County Florida.			
Land Use (City verification required) Commercial			
Zoning (City verification required) C2 Commercial			



CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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

See attached narrative.

Mathew Lovett

Applicant Name (print)

AEI Income & Growth Fund XXII Limited Partnership (28%)
AEI Income & Growth Fund 25 LLC (72%)

Owner Name (print)

x [Signature]

Applicant Name (signature)

DocuSigned by:
x [Signature: Kyle Hagen]
619EBD7AB407412

Owner Name (signature)

Chief Investment Officer

3/22/2022

*****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

03/03/2020



**1550 Willmar Ave SE
Willmar, MN 56201**

**Phone: 320.235.1664
Fax: 320.235.3137
Toll Free: 800.478.4892
www.twcinc.com**

April 19, 2022

Page 1 of 2

John Kruse
City of Clermont
Development Services Department
685 W. Montrose Street
P.O. Box 120219
Clermont, FL 34712
352.394.4083 fax 352.394.3542

RE: KINETIC VETERINARY SPECIALISTS
1600 S. Grand Highway
Clermont, FL 34711
CUP Application

Dear Mr. Kruse:

We are requesting a CUP at the address above for a new veterinary specialty hospital to go into the existing Staples building that is currently closed. It is our client's intent to provide a state-of-the-art specialty hospital that will be open from 7 am – 7pm 5 days a week. This hospital will service small animals approximately 90% canine and 10% feline.

Our clients will provide specialty surgical care, chemotherapy treatment, neurology and neurosurgery, hydrotherapy, rehab/ physical therapy, and sports medicine. There will be no boarding occurring at this hospital. They anticipate creating at least 35-40 new jobs in the area for veterinarians, veterinary technicians, veterinary assistants, and other miscellaneous staff members.

Regarding the site, at the front of the building we would like to convert some landscape islands close to the front doors into animal relief areas for the clients to take their pets prior to coming into the building. We also plan on adding one outdoor relief/exercise area for the animals to be taken out to for some limited exercise and to relieve themselves. Most of the animals seen at this facility will have mobility disorders, therefore any outdoor activity will be minimal. The animals would be constantly monitored when in the fenced location, leashed and not be left unattended. They will be taken outside individually. There will not be dogs barking at other dogs while outside. There will be no outside runs or boarding at this facility. This area will be constantly maintained and cleaned up to minimize any smells. The fenced area is intended to be covered to some degree for protection during inclement weather and for shade. As you can see from the site plan, it will be located at the rear of the building adjacent to the loading dock and next to US highway 27. The existing loading area, ramp, egress points, and dumpster enclosure are all intended to stay as is.

The new fenced location will be going over some of the existing parking stalls. The current parking lot count is 94 parking stalls and 4 H.C. stalls. The new parking count would be 88 parking stalls and 4 H.C. stalls. I have done nothing but design animal hospitals for the last 6 years while employed with TWC. I have projects all over the country and most jurisdictions that I have worked with have parking requirements of 1 space per 250 s.f. and upwards of 3 spaces per 1,000 s.f. We would only require 60-80 parking stalls. This is also not your typical vet facility since it is

primarily a specialty animal hospital. There won't be such a high demand for parking since clients will typically come in and have a consult and then leave their pet to be treated and picked back up when the procedure is finished. With the potential for 40 employees and we would expect no more than 20 patients at a time the building with 88 parking stalls and 4 H.C. stalls will be way more than will ever be required.

For the existing building our intent is to update the exterior with new paint at the tops of the parapets as well as add some new doors and windows where it benefits the interior functioning of the space. We would also anticipate adding some new architectural features like sunshades.

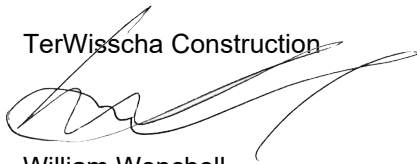
The interior of the clinic will have a large waiting area for clients as well as 11 consultation rooms where clients can wait in while their pet is examined in the treatment space. The treatment space will have 5 treatment tables as well as 6 surgery suites. There will be animal holding areas throughout the facility for patients before surgery as well as recovering patients. The total runs and cages currently planned is 25 runs and 52 cages. The maximum number of patients expected during the day will be 30-40. Most patients are expected to go home each night. However, there are times when an animal will need to stay overnight for additional monitoring and the maximum number of those patients would be 3-5. There will be a small portion of the hospital dedicated to chemo treatment and another portion dedicated to rehab/physical therapy. There will also be a CT scanner and an MRI machine along with two radiology suites. At the rear of the building there will be a chest freezer for any animals that needed to be humanely euthanized. These animals would be removed and disposed of on a regular basis. This is typical in all vet facilities.

Terwisscha Construction is a design build company that specializes in animal hospital design and construction. We have clients all over the country and pride ourselves on being the best in the business. We know that working with animals there are a couple main concerns that are always a concern for local jurisdictions as well as our clients. Those are sound and smells. We design our buildings with these concerns in mind. We call out higher STC rated wall construction around any areas that are housing animals. We also call for higher NRC acoustical ceiling tiles in those areas as well to absorb some of that barking that will occur. This also helps in minimizing sound transfer from one room to another as well as managing the amount of sound that can be heard from outside the building. A good portion of the animal holding locations within this building also occur in rooms that aren't directly on an exterior wall which will also help.

Thank you for your time in reviewing this request, and if you have any questions or comments concerning this request, please feel free to contact me at 720.470.2681.

Sincerely,

TerWisscha Construction

A handwritten signature in black ink, appearing to read 'William Wenchell', written over the company name.

William Wenchell
Architect



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:	City Clerk
Contact Phone:	(352) 708-5997
Contact Email:	
PO Number:	

Date:	04/13/2022
Order Number:	7175765
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	49.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/26/2022 - 05/17/2022	Govt Public Notices
LEE dailycommercial.com	2	04/26/2022 - 05/17/2022	Govt Public Notices

Total Order Confirmation

\$153.08

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit (CUP) to allow for a veterinary clinic to be located in the C-2 General Commercial zoning district, as required in Section 122-224 Conditional Uses.

LOCATION

1600 S. Grand Highway

Former Staples Building

Alternate Key 3869407

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

The Clermont Planning and Zoning Commission will consider the request at a public meeting to be held on Tuesday, May 3, 2022 at 6:30 P.M.

A public meeting will be held before the Clermont City Council to consider this request on Tuesday, May 24, 2022 at 6:30 P.M.

All public meetings are held in the Clermont City Hall, 1st Floor Council Chambers, located at 685 West Montrose Street.

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

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

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

Tracy Ackroyd Howe, MMC

City Clerk

Daily Commercial

April 26 and May 17, 2022

7175765



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Resolution No. 2022-016R <i>APC Roofing Conditional Use Permit</i>		
Requested Action		
Recommend denial of Resolution No 2022-016R.		
Staff Report		
The applicant is requesting a Conditional Use Permit to allow for the development and construction of a roofing and warehouse building to be located in the C-1 Light Commercial zoning district. The vacant parcel is approximately 0.51 acres and is located on West Broome Street, between Second Street and West Avenue. The Land Development Regulations, Section 122-204 requires a Conditional Use Permit for warehouse use. The applicant would like to develop the site and construct an 8,000 square foot warehouse building with a small office. The C-1 Light Commercial zoning district intent and purpose is to provide light retail and office uses that are compatible and less intrusive to the adjacent neighborhood's character. The proposed roof warehouse business, which will include the delivery of large quantities of roofing products and materials via semi-trucks and large vehicles, is inconsistent with the intent of the C-1 Light Commercial zoning district. The City's Public Works Department has reviewed the access points identified in the conceptual plan and made the determination that West Broome Street, a local street, cannot handle constant heavy truck traffic. Staff has reviewed the Conditional Use Permit application and finds the proposed warehouse use located in the C-1 Light Commercial zoning district is out of character and not consistent with the existing development patterns. The proposed use does not meet the general intent and purpose of the C-1 zoning district. Staff recommends denial of the requested Conditional Use Permit to allow for the development of a warehouse building and use in the C-1 Light Commercial zoning district.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. APC Roofing CUP-Staff Analysis	APC Roofing CUP-Staff Analysis.pdf	
2. 2022-016R - APC Roofing CUP	2022-016R - APC Roofing CUP.pdf	
3. LOCATION MAP	LOCATION MAP.pdf	
4. Clermont ACP Prel Site Plan SS 3-31-2022	Clermont ACP Prel Site Plan SS 3-31-2022.pdf	
5. CUP Application - Signed 3-31-22	CUP Application - Signed 3-31-22.pdf	
6. APC Roofing CUP legal ad	APC Roofing CUP legal ad.pdf	



CITY OF CLERMONT Staff Analysis Report

OWNER: Alberto Contreras, MGR

APPLICANT: Alberto Contreras

PROJECT NAME: APC Roofing LLC. - CUP

REQUESTED ACTION: A Conditional Use Permit (CUP) to allow for the construction and development of a warehouse building in the C-1 Light Commercial zoning district.

SIZE OF PARCEL: Alternate Key 1611288 & 1611296

LOCATION: Vacant parcels located on the south side of Broome Street, between Second Avenue and East Avenue

EXISTING ZONING: "C-1" Light Commercial

EXISTING LAND USE: Vacant Property

FUTURE LAND USE CATEGORY: Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant; is requesting a Conditional Use Permit (CUP) to allow for the development and construction of a roofing and warehouse building to be located in the C-1 Light Commercial zoning district. The vacant parcel is approximately 0.51 acres and is located on West Broome Street, between Second Street and West Avenue. The Land Development Regulations, Section 122-204 requires a Conditional Use Permit for the warehouse use. The applicant would like to develop the site and construct an 8,000 square foot warehouse building with a small office.

The C-1 Light Commercial zoning district intent and purpose is to provide light retail and office uses that are compatible and less intrusive to the adjacent neighborhood character. The proposed roof warehouse business, which will include the delivery of large quantities of roofing products and materials via semi-trucks and large vehicles are inconsistent with the intent of the C-1 Light Commercial zoning district. The City's Public Works Department has reviewed the access points identified on the Conceptual Plan and made the determination that West Broome Street, a Local Street cannot handle constant heavy truck traffic.

STAFF RECOMMENDATION:

Staff has reviewed the CUP application and finds the proposed warehouse use located in the C-1 Light Commercial zoning district is out of character and not consistent with the existing development patterns. The proposed use does not meet the general intent and purpose of the C-1 zoning district.

Staff recommends **denial** of the requested Conditional Use Permit to allow for the development of a warehouse building and use in the C-1 Light Commercial zoning district.



CITY OF CLERMONT
RESOLUTION NO. 2022-016R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A COMMERCIAL BUILDING GREATER THAN 5,000 SQUARE FEET IN THE C-1 LIGHT COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held May 3, 2022 recommended denial of this Conditional Use Permit to allow for a commercial building greater than 5,000 square feet in the C-1 Light Commercial zoning district; at the following location:

LOCATION:

Vacant parcels located south of W. Broome Street between Second Street and East Avenue
(Alternate Key 1611288 and 1611296)

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

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

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

This application for a Conditional Use Permit to allow for a commercial building greater than 5,000 square feet in the C-1 Light Commercial zoning district; be granted subject to the following conditions:

SECTION 1: GENERAL CONDITIONS

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
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



CITY OF CLERMONT
RESOLUTION NO. 2022-016R

manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. The Fire Inspector shall provide building inspections for life safety requirements and all fire code regulations must be in compliance prior to the issuance of any Building Certificate of Occupancy.
5. The Building Inspector shall inspect all structures and building for compliance and any building code violations shall be corrected before the issuance of the Certificate of Occupancy.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may open the Conditional Use Permit for further conditions or revoke this Conditional Use Permit by Resolution.
9. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Clermont Development Services Department.
10. Should approved uses cease operation for more than 180 days, a new Conditional Use Permit shall be required for the same or similar operations.
11. The property shall be developed in substantial accordance with the Land Development Codes and Regulations for C-1 Light Commercial zoning. All new development and/or changes to the subject property must submit for site plan approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The presentation site plan submitted with the Conditional Use Permit application is not the approved and final construction plan. The presentation site plan does not grant any development entitlements.



CITY OF CLERMONT
RESOLUTION NO. 2022-016R

SECTION 2: LAND USE

1. This Conditional Use Permit shall grant approval to allow for a commercial building greater than 5,000 square foot in the C-1 Light Commercial zoning district. The site may also be used and developed for any other C-1 Light Commercial permitted uses.
2. The site shall be designed and developed to comply with the Clermont Land Development Regulations and all building must be in compliance to Clermont Architectural Design Standards.
3. The building shall be designed and constructed with compliance to the Clermont Architectural Design Standards.
4. No outside storage or display of any materials or products will be permitted onsite. All uses shall be contained and enclosed within the buildings.
5. Large commercial trucks and semi- trucks shall be prohibited on West Broome Street and other local streets in Clermont. The local street and road system has been designed to have lower volumes of traffic at lower speeds and does not have the ability to accommodate the use of large commercial trucks and heavy machine equipment on this type of roadway network.
6. The property zoning is C-1 Light Commercial, which allows office use and other similar type light commercial uses that are consistent with the general character of the adjacent residential uses. The zoning category is not design for heavy commercial, manufacturing and industrial uses.
7. In the event that the noise levels create a nuisance to the surrounding property owners, the City reserves the right to open the Conditional Use Permit for further review and additional conditions.

SECTION 3: CONFLICT

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

SECTION 4: SEVERABILITY

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



CITY OF CLERMONT
RESOLUTION NO. 2022-016R

SECTION 5: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION AND EFFECTIVE DATE

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2022-016R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May 2022.

CITY OF CLERMONT

Tim Murry, Mayor

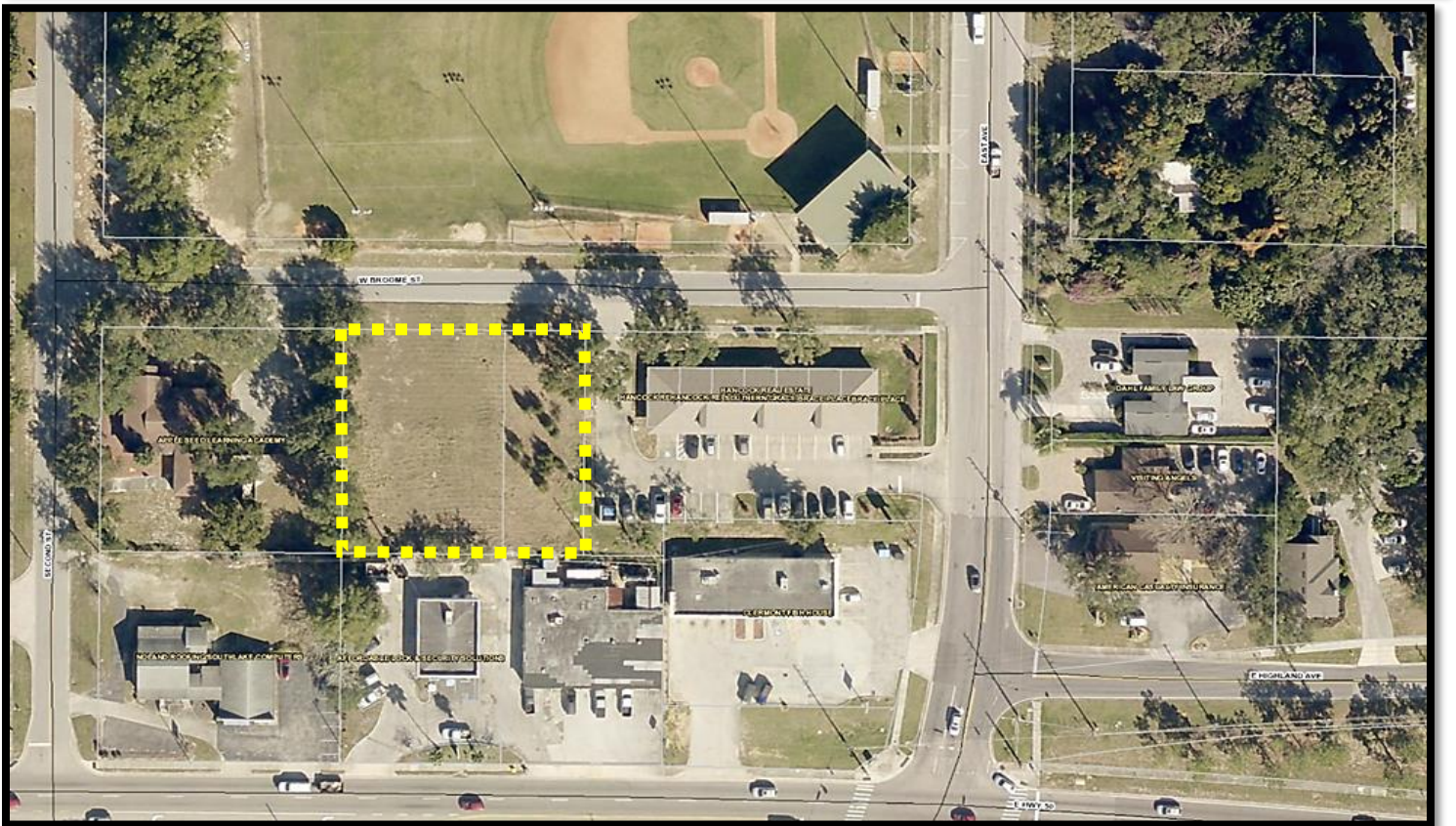
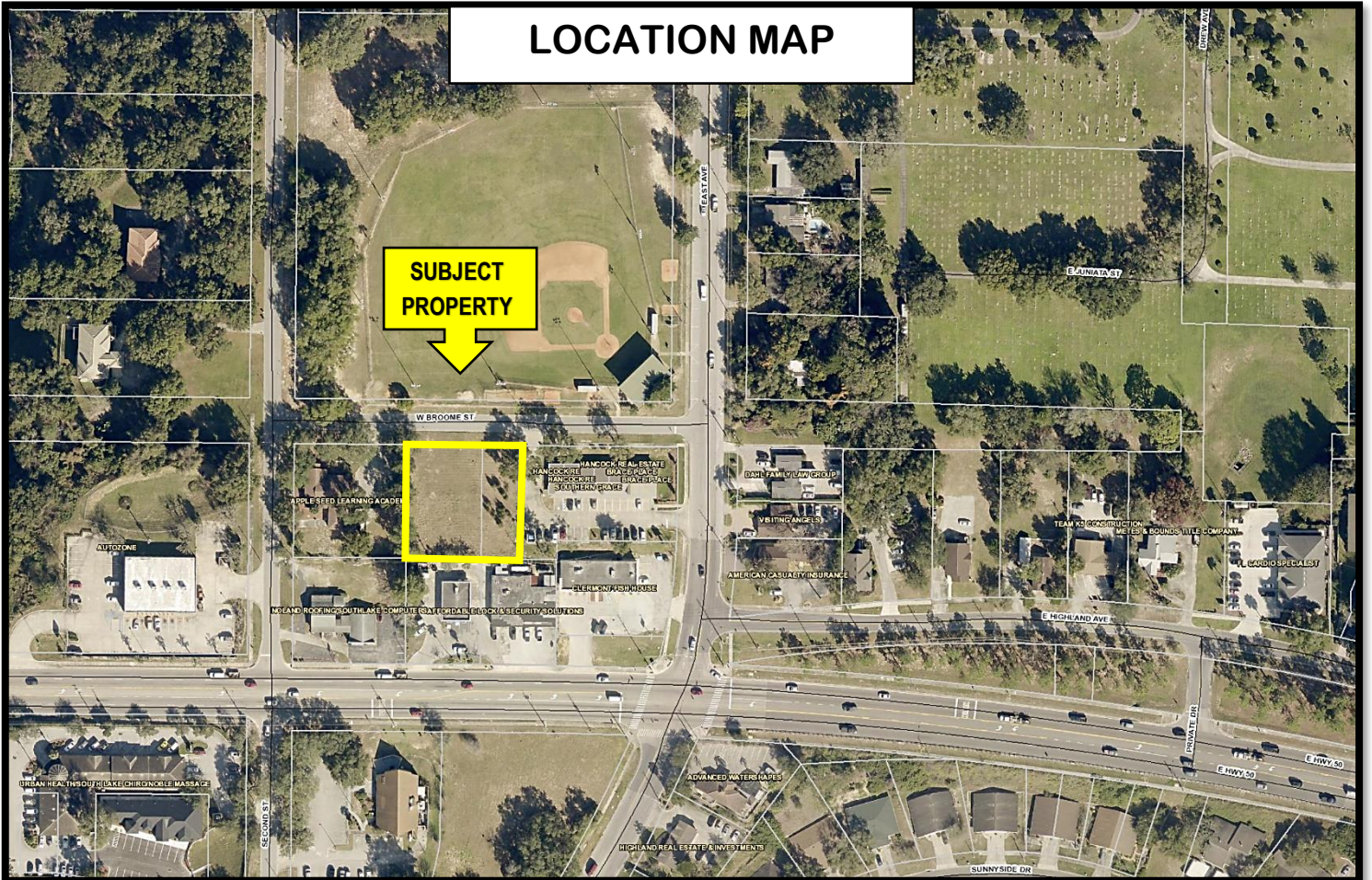
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



West Broome Street

(60' Right-of-Way)

DESCRIPTION:

LOTS 8, 9 AND 10, BLOCK 7, THE CITY OF CLERMONT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PROJECT CHARACTERISTICS

[illegible]

PROPOSED SERVICES:

DRINKING WATER.....	CITY OF CLERMONT
SEWAGE DISPOSAL.....	CITY OF CLERMONT
ELECTRIC.....	DUKE ENERGY
NATURAL GAS.....	LAKE APOPKA NATURAL GAS DISTRICT
TELEPHONE.....	CENTURYLINK
GARBAGE DISPOSAL.....	PRIVATE
FIRE PROTECTION.....	CITY OF CLERMONT
POLICE PROTECTION.....	CITY OF CLERMONT

MINIMUM BUILDING SETBACK REQUIREMENTS:

FROM RIGHTS-OF-WAY.....	25'
FROM REAR PROPERTY LINES.....	25'
FROM SIDE PROPERTY LINES.....	12'

PARKING SPACES REQUIRED:

- OFFICE AREA = 1,000 sf MAX.;
 (1) Parking Space per 200 sf: $[1,000/200] = (5)$ Spaces Req'd.
 - STORAGE AREA = 5,940 sf + 1,060 SF 2nd FLOOR MAX.
 (1) Parking Space per 1000 sf: $[7,000/1000] = (7)$ Spaces Req'd.
TOTAL SPACES REQUIRED = (12) SPACES

REQUIRED HANDICAPPED SPACES:

(1) Space per 25 Regular Spaces = (1) Space Req'd

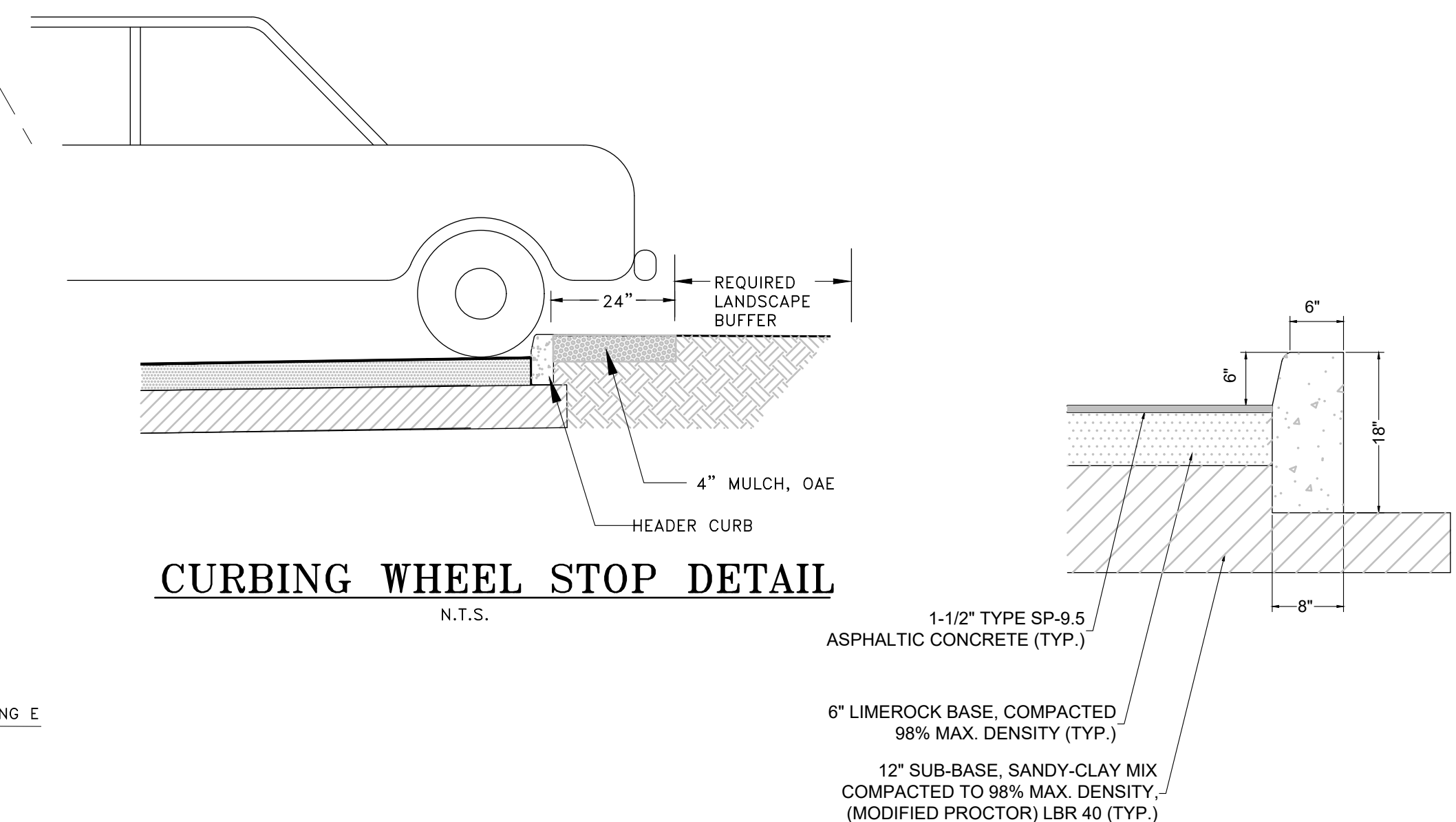
OFFICE / STORAGE PARKING SPACES PROVIDED:

(11) REGULAR SPACES (10'x20')

(1) HANDICAPPED (12'x20')

(12) SPACES PROVIDED TOTAL

NOTE: STORMWATER RETENTION TO BE PROVIDED IN UNDERGROUND STORAGE CHAMBERS INSTALLED UNDER THE PARKING AREA.



CURBING WHEEL STOP DETAIL

N.T.S

TYPE 'D' HEADER CURB
ASPHALT PAVING DETAIL

N.T.S.

LEGEND

 PROPERTY BOUNDARY LINE
 ROADWAY CENTERLINE
 RIGHT-OF-WAY LINE
 PROPOSED LOT LINE
 BUILDING SETBACK LINE
 DRAINAGE/UTILITY EASEMENTS

Digitally signed by
Rick McCoy, PE
38725 State of Florida
Date: 2022.03.31 15:
40:52-04'00'

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RICK McCOY, PE No. 38725,
ON THE DATE INDICATED HEREON.
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED.
THE DIGITAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

RICK McCOY, P.E.
FLORIDA
L. ENGINEER



0.38725

Rick McCoey, PE 38725 State of Florida

NOT VALID WITHOUT SIGNATURE AND
EMBOSSED SEAL OR DIGITAL SEAL

PRELIMINARY SITE PLAN
ENGINE OFFICE / STORAGE

APC ROOFING OFFICE / STORAGE BLDG
Sect. 24; Twp. 22 S; Rge 25 E, City of Clermont, Lake County, FL.
OWNER: ALBERTO PONCE CONTRERAS

10435 Phoenix Lane, Howey-in-the-Hills, Fl. 34737

MC MCCOY & ASSOCIATES

ENGINEERS & LAND PLANNERS
106 S. PALM AVE, HOWEY-IN-THE-HILLS, FL. 34737
(352) 324-1136 RMCCoyPE@att.net
C.A.#. 8374

[illegible]Rhoden Land
Surveying, Inc.

420 East Minnehaha Ave.
Clermont, Florida 34711
(352) 394-6255

REVISIONS



CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date March 28, 2022		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) APC Roofing, LLC			
Applicant Alberto Ponce Contreras, MGR			
Contact Person Richard Mulvaney, R & S Contracting, LLC			
Address 13024 W. Colonial Drive	City Winter Garden	State FL	Zip 34787
Telephone 352.267.1108	Fax		
Email Randscontracting@gmail.com			
OWNER INFORMATION ☒ (Check box if owner information is same as applicant)			
Owner's Name Alberto Contreras			
Owner Address 150 W. Hwy 50	City Clermont	State FL	Zip 34711
Telephone 407-271-0209	Fax —		
PROPERTY INFORMATION			
Address of Subject Property Lots 8, 9 & 10, Block 7, West Broome Street	City Clermont	State FL	Zip 34711
General Location Lots 8, 9 & 10, south side of West Broome Street, between Second Street & East Avenue, Clermont			
Legal Description & Alternate Key (include copy of survey) AK #1611288: Lot 8, Block 7, Plat Book 8, Page 17, ORB 5539, Page 745 Public Records of Lake Co., FL; & AK #1611296: Lots 9, 10, Block 7, Plat Book 8, Page 17, ORB 5539, Page 747, Public Records of Lake Co, FL			
Land Use (City verification required) Commercial			
Zoning (City verification required) C-1, Light Commercial			



CITY OF CLERMONT CONDITIONAL USE PERMIT APPLICATION

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

The property is located in a neighborhood that is zoned C-1, Light Commercial, and is surrounded by existing businesses. The new APC Roofing will be a 6,940 square foot building with professional offices located in the front and storage area in the rear. Section 122-204(a)(1) defines any retail businesses greater than 5,000 square feet in the C-1, Light Commercial district as a conditional use; therefore we are requesting a conditional use permit for this project.

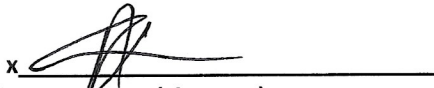
Alberto Ponce Contreras, MGR

Applicant Name (print)

x 
Applicant Name (signature)

Alberto Ponce Contreras, MGR

Owner Name (print)

x 
Owner Name (signature)

*****NOTICE*****

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

City of Clermont

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

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

5/26/2020



The Gainesville Sun | The Ledger | News Chief
Daily Commercial | Ocala StarBanner
Herald-Tribune | The Palm Beach Post
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:	City Clerk
Contact Phone:	(352) 708-5997
Contact Email:	
PO Number:	

Date:	04/20/2022
Order Number:	7197828
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	51.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	04/26/2022 - 05/17/2022	Public Notices
LEE dailycommercial.com	2	04/26/2022 - 05/17/2022	Public Notices

Total Order Confirmation

\$158.92

Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for a Conditional Use Permit to allow a commercial building to be greater than 5,000 square feet in the C-1 Light Commercial Zoning District, at the following location:

LOCATION

Vacant parcels located on the south side of West Broome Street, between Second Street and East Avenue

(AK 1611288 and 1611296)

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

The Planning and Zoning Commission will consider this request at a public meeting on Tuesday, May 3, 2022 at 6:30 P.M.

The Clermont City Council will consider this request at a public meeting to be held on May 24, 2022 at 6:30 P.M.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

April 26 and May 17, 2022

#7197828 4/26, 5/17/2022 2X



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Ordinance No. 2022-021 <i>Kia Small-scale Comprehensive Plan Amendment</i>		
Requested Action		
Recommend approval of Ordinance No. 2022-021.		
Staff Report		
The City is requesting approval of a small-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the Clermont Commercial designation. The annexation request of the subject property is authorized by the signed Utility Agreement with the property owner. The Notice of Encumbrance to allow for annexation was executed on October 14, 2020. The property is located south of State Road 50 and east of Magnolia Pointe Boulevard. The property is approximately 19.62 +/- Acres. The parcel is located within the Clermont (JPA) Joint Planning Area and the Utility Service Agreement boundaries. The project has received site plan approval within Lake County's jurisdiction and is currently under construction for a new KIA automobile sales and service dealership. The project is receiving water and sewer services from the City, which has sufficient capacity to provide services for the development. The City will annex the property with the existing site conditions and development entitlements approved by Lake County. Any future development changes or additions will require compliance with Clermont Codes and Land Development Regulations. The subject property will be annexed into Clermont's jurisdiction with a Future Land Use change from Lake County Regional Commercial to Clermont Commercial designation. The rezoning of the property will change the current zoning classification from Lake County "CP" Commercial Planned to Clermont "C-2" General Commercial. Staff recommends approval of the Future Land Use change from Lake County Regional Commercial to Clermont Commercial designation with the provisions of Ordinance No. 2022-021.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2022-021 CPA (04.27.2022)	Ord. 2022-021 CPA (04.27.2022).pdf	
2. Kia Location map	Kia Location map.pdf	
3. CPA legal ad - CORRECTED	CPA legal ad - CORRECTED.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-021

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 on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

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

SECTION 1.

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

LEGAL DESCRIPTION:

Alt Key 3798103

FROM W LINE OF GOV LOT 1 & S R/W LINE OF SR 50 RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE 312.37 FT FOR POB, CONT S 89DEG 45MIN 41SEC E 278.32 FT, S 02DEG 21MIN 18SEC W 116.05 FT, S 07DEG 40MIN 26SEC W 223.86 FT, N 89DEG 35MIN 28SEC N 246.07 FT, N 00DEG 24MIN 32SEC E 337.19 FT TO POB ORB 4989 PG 1370

Alt key 1592356

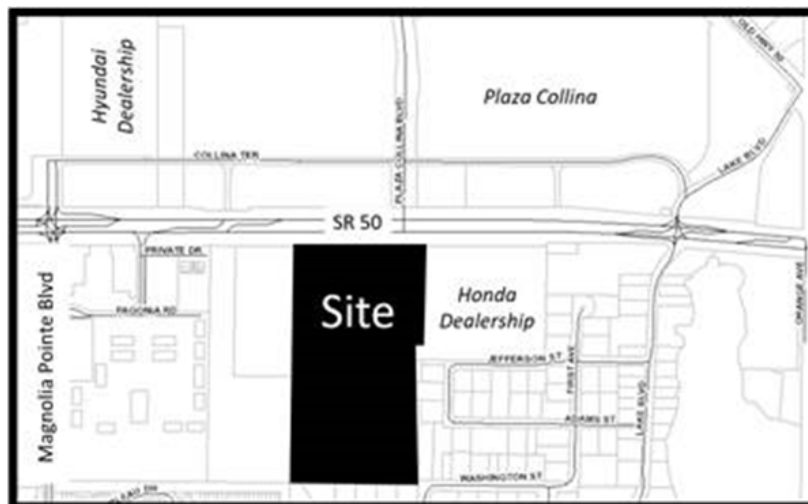
FROM W LINE OF GOV LOT 1 WITH S R/W LINE OF SR 50 RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE 590.69 FT FOR POB, CONT ALONG SAID R/W LINES S 89DEG 45MIN 41SEC E 69.36 FT TO E LINE OF W 660 FT OF GOV LOT 1, S 01DEG 00MIN 01SEC W 1153.82 FT, N 89DEG 35MIN 28SEC W 310.67 FT, N 00DEG 24MIN 32SEC E 825.53 FT, S 89DEG 35MIN 28SEC E 221.07 FT, N 07DEG 40MIN 26SEC E 223.86 FT, N 02DEG 21MIN 18SEC E 116.05 FT TO POB, BEG AT INTERSECTION OF S R/W LINE OF SR 50 & E LINE OF W 660 FT OF GOV LOT 1, RUN S 01DEG 00MIN 01SEC E 518.83 FT, S 89DEG 33MIN 14SEC E 33.83 FT, N 00DEG 51MIN 20SEC E TO S R/W LINE OF SR 50, N 89DEG 45MIN 41SEC W 32.53 TO POB ORB 4989 PG 1375

Alt key 3309324

BEG AT INTERSECTION OF W LINE OF GOV LOT 1 WITH S R/W LINE OF SR 50, RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE OF 312.37 FT, S 00DEG 24MIN 32SEC W 337.19 FT, S 89DEG 35MIN 28SEC E 25 FT, S 00DEG 24MIN 32SEC W 825.53 FT, S 89DEG 35MIN 28SEC E 310.67 FT TO E LINE OF W 660 FT OF GOV LOT 1, S ALONG SAID E LINE OF W 660 FT OF GOV LOT 1 TO S LINE OF GOV LOT 1, W ALONG SAID S LINE OF GOV LOT 1 TO W LINE OF GOV LOT 1, N ALONG SAID W LINE OF GOV LOT 1 TO POB ORB 4989 PG 1370

LOCATION:

Vacant parcel located on the south of State Road 50, and
East of Magnolia Pointe Boulevard
(Alternate Key 3309324, 3798103 and 1592356)





CITY OF CLERMONT
ORDINANCE NO. 2022-021

CHANGE IN FUTURE LAND USE CLASSIFICATION:

**FROM: LAKE COUNTY REGIONAL COMMERCIAL
TO: CITY OF CLERMONT COMMERCIAL**

SECTION 2: CONFLICT

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

SECTION 3: SEVERABILITY

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 OF SCRIVENERS ERROR

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. 2022-021

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of May, 2022.

CITY OF CLERMONT

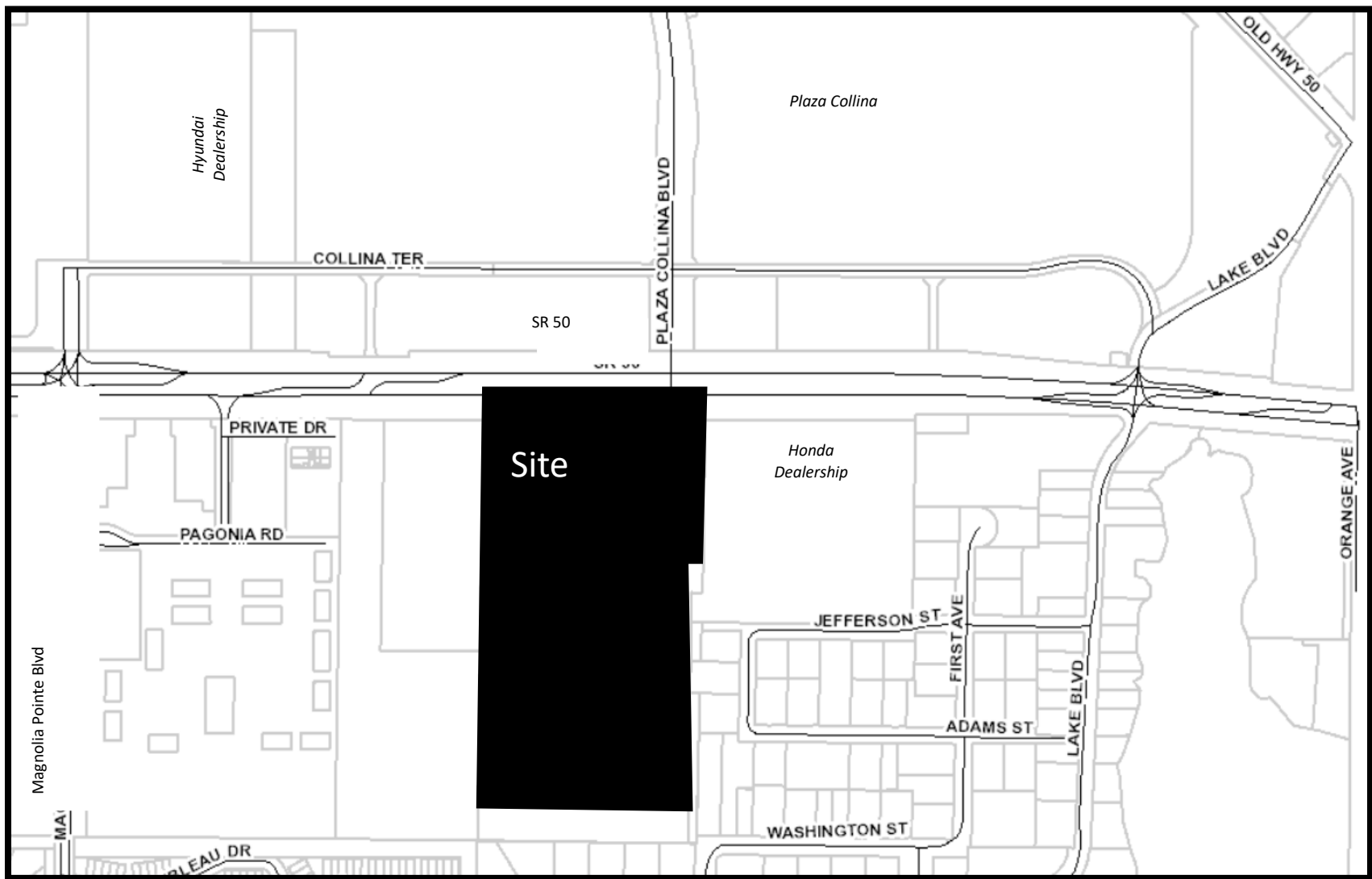
Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

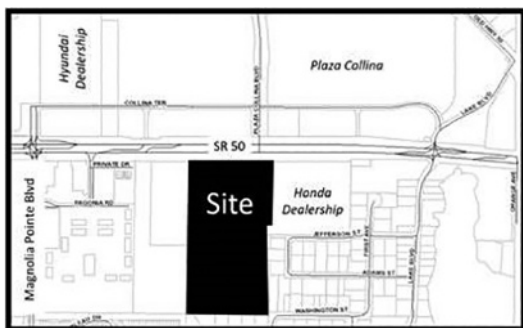


CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE Comprehensive Plan Amendment

ORDINANCE NO. 2022-021

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, May 3, 2022 at 6:30 PM, and the Clermont City Council will hold a public meeting on Tuesday, May 24, 2022 at 6:30 PM for the (final reading and ordinance adoption) 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 parcel below from Lake County Regional Commercial to Clermont Commercial Land Use Designation.



LOCATION:

Vacant parcel located on State Road 50,
and east of Magnolia Pointe Boulevard
(Alternate Key 3309324, 3798103 and 1592356)

ORDINANCE NO. 2022-021

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 COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, Clermont, FL 34711 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 AM and 5 PM Monday to 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 3, 2022		
Agenda Item Name		
Ordinance No. 2022-022 <i>Kia Auto Rezoning</i>		
Requested Action		
Recommend approval of Ordinance No. 2022-022		
Staff Report		
The City is requesting approval of a small-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the Clermont Commercial designation. The annexation request of the subject property is authorized by the signed Utility Agreement with the property owner. The Notice of Encumbrance to allow for annexation was executed on October 14, 2020. The property is located south of State Road 50 and east of Magnolia Pointe Boulevard. The property is approximately 19.62 +/- Acres. The parcel is located within the Clermont (JPA) Joint Planning Area and the Utility Service Agreement boundaries. The project has received site plan approval within Lake County's jurisdiction and is currently under construction for a new KIA automobile sales and service dealership. The project is receiving water and sewer services from the City. The City has sufficient capacity to provide services for the development. The City will annex the property with the existing site conditions and development entitlements approved by Lake County. Any future development changes or additions will require compliance with Clermont Codes and Land Development Regulations. The subject property will be annexed into the City of Clermont boundaries with a Future Land Use change from Lake County Regional Commercial to Clermont Commercial designation. The rezoning of the property will change the current zoning classification from Lake County "CP" Commercial Planned to Clermont "C-2" General Commercial zoning. Staff recommends approval of the subject parcel rezoning change from Lake County "CP" Commercial Planned to Clermont C-2 Commercial zoning with the provisions of Ordinance No. 2022-022.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORD 2022-022 Rezoning (04.27.2022)	ORD 2022-022 Rezoning (04.27.2022).pdf	
2. Kia Location map	Kia Location map.pdf	
3. ZONING MAP	ZONING MAP.pdf	
4. Rezoning legal ad	Rezoning legal ad.PDF	



CITY OF CLERMONT
ORDINANCE NO. 2022-022

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, PUBLICATION AND AN EFFECTIVE DATE.

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

SECTION 1.

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

LEGAL DESCRIPTION

FROM W LINE OF GOV LOT 1 & S R/W LINE OF SR 50 RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE 312.37 FT FOR POB, CONT S 89DEG 45MIN 41SEC E 278.32 FT, S 02DEG 21MIN 18SEC W 116.05 FT, S 07DEG 40MIN 26SEC W 223.86 FT, N 89DEG 35MIN 28SEC W 246.07 FT, N 00DEG 24MIN 32SEC E 337.19 FT TO POB ORB 4989 PG 1370

FROM W LINE OF GOV LOT 1 WITH S R/W LINE OF SR 50 RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE 590.69 FT FOR POB, CONT ALONG SAID R/W LINES S 89DEG 45MIN 41SEC E 69.36 FT TO E LINE OF W 660 FT OF GOV LOT 1, S 01DEG 00MIN 01SEC W 1153.82 FT, N 89DEG 35MIN 28SEC W 310.67 FT, N 00DEG 24MIN 32SEC E 825.53 FT, S 89DEG 35MIN 28SEC E 221.07 FT, N 07DEG 40MIN 26SEC E 223.86 FT, N 02DEG 21MIN 18SEC E 116.05 FT TO POB, BEG AT INTERSECTION OF S R/W LINE OF SR 50 & E LINE OF W 660 FT OF GOV LOT 1, RUN S 01DEG 00MIN 01SEC E 518.83 FT, S 89DEG 33MIN 14SEC E 33.83 FT, N 00DEG 51MIN 20SEC E TO S R/W LINE OF SR 50, N 89DEG 45MIN 41SEC W 32.53 TO POB ORB 4989 PG 1375

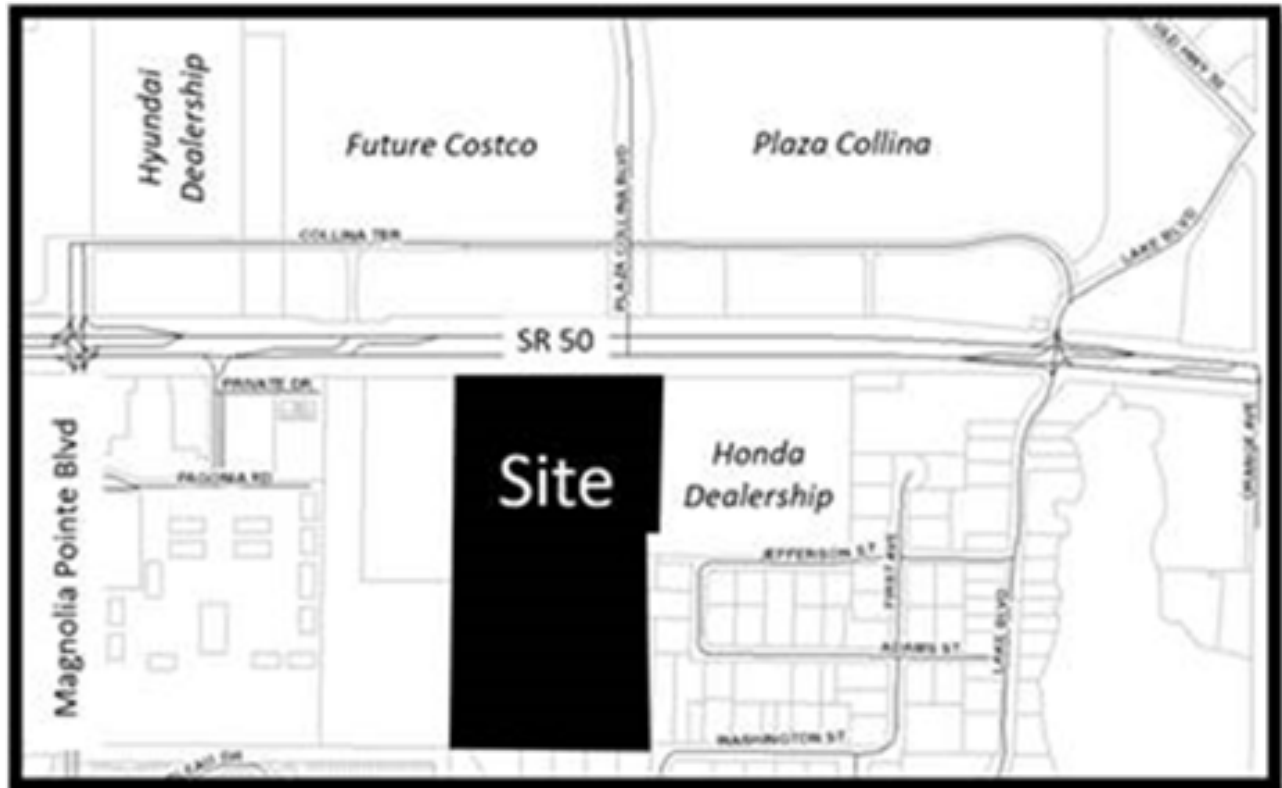
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Site contains 19.62 +/- acres.

CITY OF CLERMONT
ORDINANCE NO. 2022-022

LOCATION:

Vacant parcel located south of State Road 50
And east of Magnolia Pointe Boulevard
Alternate Key 3309324, 3798103 and 1592356



PROPERTY REZONING

**FROM: Lake County “CP” Commercial Planned
TO: City of Clermont “C-2” General Commercial**

SECTION 2: CONFLICT

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

SECTION 3: SEVERABILITY

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



CITY OF CLERMONT
ORDINANCE NO. 2022-022

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: RECORDING

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

SECTION 6: 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. 2022-022

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 24th day of May 2022.

CITY OF CLERMONT

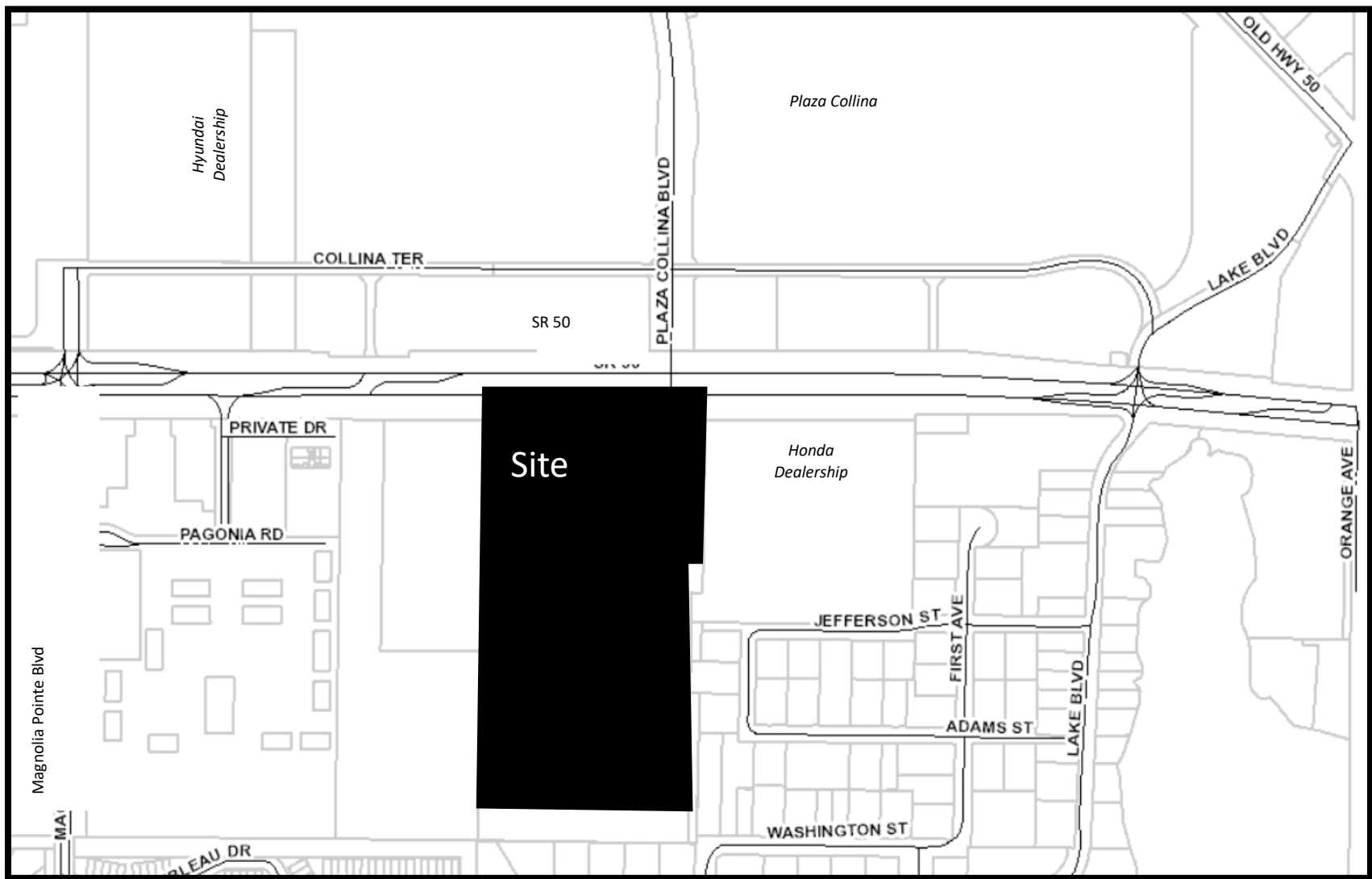
Tim Murry, Mayor

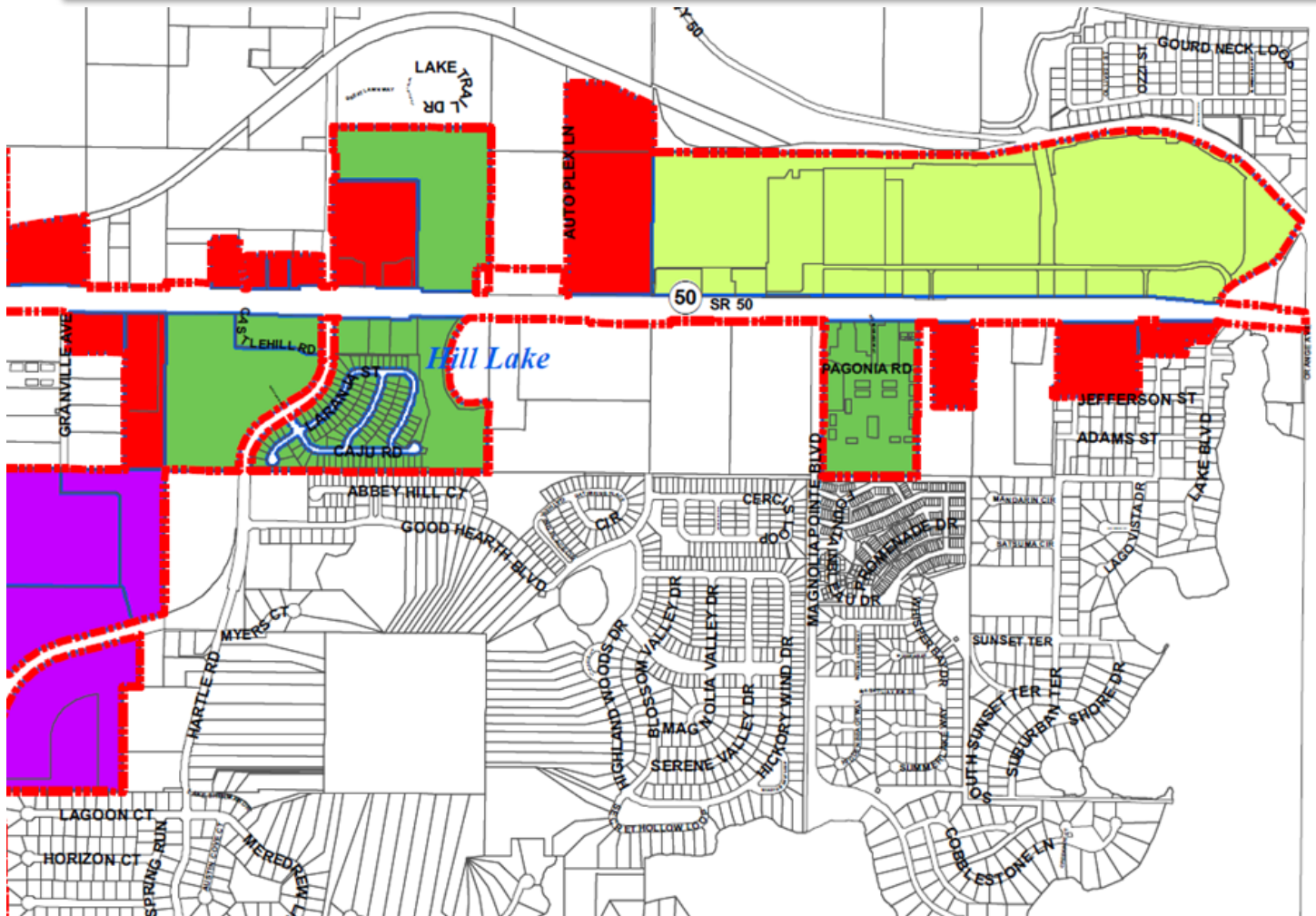
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney





LEGAL NOTICE

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

ORDINANCE NO. 2022-022

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.

LOCATION:

Vacant parcel located on the south side of State Road 50
and east of Magnolia Pointe Boulevard
Alternate Key 3309324, 3798103 and 1592356



LEGAL DESCRIPTION

Beg at intersection of w line of gov lot 1 with s r/w line of sr 50, run s 89deg 45min 41sec e along said s r/w line of 312.37 ft, s 00deg 24min 32sec w 337.19 ft, s 89deg 35min 28sec e 25 ft, s 00deg 24min 32sec w 825.53 ft, s 89deg 35min 28sec e 310.67 ft to e line of w 660 ft of gov lot 1, s along said e line of w 660 ft of gov lot 1 to s line of gov lot 1, w along said s line of gov lot 1 to w line of gov lot 1, n along said w line of gov lot 1 to pob orb 4989 pg 1370

From w line of gov lot 1 & s r/w line of sr 50 run s 89deg 45min 41sec e along said s r/w line 312.37 ft for pob, cont s 89deg 45min 41sec e 278.32 ft, s 02deg 21min 18sec w 116.05 ft, s 07deg 40min 26sec w 223.86 ft, n 89deg 35min 28sec w 246.07 ft, n 00deg 24min 32sec e 337.19 ft to pob orb 4989 pg 1370

From w line of gov lot 1 with s r/w line of sr 50 run s 89deg 45min 41sec e along said s r/w line 590.69 ft for pob, cont along said r/w lines s 89deg 45min 41sec e 69.36 ft to e line of w 660 ft of gov lot 1, s 01deg 00min 01sec w 1153.82 ft, n 89deg 35min 28sec w 310.67 ft, n 00deg 24min 32sec e 825.53 ft, s 89deg 35min 28sec e 221.07 ft, n 07deg 40min 26sec e 223.86 ft, n 02deg 21min 18sec e 116.05 ft to pob, beg at intersection of s r/w line of sr 50 & e line of w 660 ft of gov lot 1, run s 01deg 00min 01sec e 518.83 ft, s 89deg 33min 14sec e 33.83 ft, n 00deg 51min 20sec e to s r/w line of sr 50, n 89deg 45min 41sec w 32.53 to pob orb 4989 pg 1375

PROPERTY REZONING

From: Lake County "CP" Commercial Planned

To: City of Clermont "C-2" General Commercial

The Planning & Zoning Commission will consider the request on Tuesday, May 3, 2022 at 6:30 PM and the Clermont City Council will hold a public meeting to consider the request on Tuesday, May 24, 2022 at 6:30 PM for the final enactment.

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

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