



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, May 24, 2022**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. We request everyone to be respectful of each other even when we disagree. All public comments should be directed to the Council, and the issue at hand. Everyone should avoid personal attacks and derogatory statements. These time limits may be extended by the Mayor or by majority vote of the Council. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

Fire Department Recognition

PROCLAMATION

Motorcycle Safety Awareness

Election

PUBLIC COMMENT

REPORTS

Chairman Parks, Lake County Board of County Commissioners, District 2

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes

Consider approval of the May 10, 2022 Council meeting minutes.

Item No. 2 - Plat Approval
The Vue

Commercial plat consisting of 30 acres, platted into 6 lots and stormwater tract.

Item No. 3 - Surplus Request

Consider declaring surplus from the Parks and Recreation Department, Fire Department, Public Services and City Manager and dispose of in accordance with the Purchasing Policy.

Item No. 4 - Lake County Public Schools Easement

Consider Utility Easement agreement with Lake County Public Schools.

Item No. 5 - Piggyback OMNIA Partners Contract

Consider piggybacking the OMNIA Partners contract no. R211101 with FleetCor Technologies Operating Company, LLC to provide fuel card services.

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UNFINISHED BUSINESS

Item No. 6 - Variance Request
2481 Linkwood Avenue

Consider variance to allow a rear yard setback that is less than the minimum setback requirement for the property located at 2481 Linkwood Avenue.

Item No. 7 - Variance Request
Reyes

Consider reduction in side yard and rear yard setbacks to a lot located at the corner of Rosewood Dr. and Minnehaha Ave.

Item No. 8 - Resolution No. 2022-009R *Table Johnson CUP*

Consider tabling the Conditional Use Permit to July 12, 2022.

Item No. 9 - Ordinance No. 2022-010 *Table Chicone Large-scale CPA*

Consider tabling the adoption to August 23, 2022.

Item No. 10 - Ordinance No. 2022-020 *Final Kia Annex*

Consider annexation of the vacant parcels located south of S. R. 50 and east of Magnolia Pointe Blvd.

Item No. 11 - Ordinance No. 2022-021 *Final Kia Small-scale Comprehensive Plan Amendment*

Consider future land use change from Lake County Regional Commercial to Clermont Commercial for a vacant parcel.

Item No. 12 - Ordinance No. 2022-022 *Final Kia Auto Rezoning*

Consider zoning change from Lake County Commercial Planned to Clermont C-2 General Commercial.

Item No. 13 - Ordinance No. 2022-023 *Final Special Events*

Consider amending Chapter 54, Street, Sidewalk and Other Public Places, Article IV Special Events.

NEW BUSINESS

Item No. 14 - Resolution No. 2022-014R
Iglesia Betesda Church CUP

Consider Conditional Use Permit to allow a church facility as a permitted use in the C-2 General Commercial zoning district located at 305 S.R. 50.

Item No. 15 - Resolution No. 2022-015R
Kinetic Veterinary Specialists CUP

Consider 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 No. 16 - Resolution No. 2022-016R *Table APC Roofing CUP*

Consider tabling the Conditional Use Permit until June 28, 2022.

**CITY OF CLERMONT
CITY COUNCIL MEETING
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Item No. 17 - Resolution No. 2022-010R
Clermont Yacht Club CUP

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

Item No. 18 - Administrative Appeal
Clermont Oncology

Consider Administrative Appeal for Resolution No. 2020-33.

CLOSED SESSION

AT THIS TIME THE REGULAR COUNCIL MEETING SHALL BE IN RECESS SO THE
COUNCIL CAN MEET IN A CLOSED LITIGATION SESSION.

ADJOURN

Public Notice

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

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

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

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

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

PROCLAMATION

Whereas, Central Florida's mild climate and scenic roadways make motorcycle riding an enjoyable experience throughout the year; and

Whereas, Florida's growing population makes motorcycle safety an important issue for all drivers; and

Whereas, More than a million drivers in Florida have a motorcycle endorsement on their driver's license; and

Whereas, Motorcycles can easily be hidden in traffic; therefore, it is important for motorists to search the traffic around them and always expect to see motorcycles; and

Whereas, To prevent injuries and deaths on Florida's roadways, motorcyclists and motorists must be vigilant in their efforts to share the road and ensure the safety of everyone.

Now, Therefore, I, Tim Murry, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the month of May, Two Thousand and Twenty Two as:

MOTORCYCLE SAFETY AWARENESS MONTH

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 24th Day of May in the year Two Thousand and Twenty Two.

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
Mayor's Proclamation

The General Election of the City of Clermont shall be held on the 8th day of November, 2022, between the hours of 7:00 a.m. and 7:00 p.m. Eastern Standard Time at such precinct locations as determined and noticed by the Lake County Supervisor of Elections. The purpose of this election is to elect:

City Council Member Seat 1	(Two Year Term)
City Council Member Seat 3	(Two Year Term)
City Council Member Seat 5	(Two Year Term)

A primary election will be held on the 23rd day of August 2022, if there are more than two candidates who qualify for any one of the above seats.

Election Qualifying begins on Monday, June 13, 2022 at 12:00 p.m.
and closes on Friday, June 17, 2022 at 12:00 p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed on this 24th day of May 2022.

Mayor Tim Murry

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, May 10, 2022 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Pines, Bates, and Purvis.

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

Mayor Murry stated that Council Member Entsuaeh would not be present at the meeting and had an official absence.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by John Lawton from Clermont Seventh-Day Adventist Church followed by the Pledge of Allegiance.

PRESENTATIONS

DROP SAVER PROGRAM AWARDS

Water Conservation Coordinator Jeffrey Burke presented the awards for the 2022 Drop Saver Poster contest. Mr. Burke spoke about the Drop Saver Program and introduced the winners of the contest. The three winners were Peyton Franklin, 4th grade at Cypress Ridge Elementary School; Ashlynn Franklin, 5th grade at Cypress Ridge Elementary School; and the overall winner was Alicia Brown, 8th grade at East Ridge Middle School.

POLICE DEPARTMENT AWARDS

Chief Broadway presented the Police Department Awards. The Chief stated that the Clermont Police Department is comprised of the finest and most professional and dedicated officers and support staff.

The first recognition is the retirement of K9 Pike. K9 Pike has been with the Clermont Police Department since 2015, during his seven years with the agency he has partnered with his handler Corporal Gustafson. Chief Broadway went over K9 Pike's career, together with his handler they responded to over 4,000 calls.

City Manager Bulthuis asked what the plans are since K9 Pike is retiring. Chief Broadway stated that they have purchased K9 Mack who is in training right now.

Chief Broadway recognized Diane Carter as Civilian of the Year and presented Corporal Kris Kruse with the Chief's Award.

Deputy Chief Gracyzk promoted Officer Brian Rebando to Corporal and presented him with the award for Officer of the Year.

Lieutenant Grassi presented Sargent Melissa France with the award for Supervisor of the Year and presented the Lifesaving awards to Sargent Marc Thompson, Officer Kayla Morales and Officer Kam-Wing Chan.

Captain Joyner presented Lifesaving awards to Officer LeSean Biggs and Officer Billy Lawless.

City Manager Bulthuis expressed his appreciation to both Police and Fire.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

Mr. Bulthuis announced an event on Friday August 19, 2022 at the Chamber breakfast. Chief Broadway stated that the South Lake Chamber is dedicating one breakfast to recognize first responders from south lake cities. It will be held at the Arts and Recreation Center.

Council Member Bates inquired about the golf tournament for Officer Buckley.

Deputy Chief Gracyzk remarked the golf tournament will be held at Legends Golf Club on May 27, 2022. There are openings for hole sponsorships.

PROCLAMATION

City Clerk Howe read the Emergency Medical Services Week proclamation aloud. Mayor Murry presented the proclamation to EMS Captain Sacco.

City Clerk Howe read the Lawn Enforcement Month proclamation aloud. Mayor Murry presented the proclamation to Chief Broadway.

OPENING COMMENTS

Mayor Murry informed the Council of changes to the agenda.

Item No. 9 – Ordinance No. 2022-014 Final Cityside Townhomes

City Manager Bulthuis informed Council the applicant is requesting this item be tabled to June 14, 2022.

Ordinance No. 2022-014, Final Cityside Townhomes

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

City Clerk Howe read the ordinance into the record by legal title only

Council Member Bates moved to table Ordinance No. 2022-014 to June 14, 2022;
Seconded by Council Member Pines. Passed unanimously 4-0 with all members present
voicing aye.

Item No. 14 – Ordinance No. 2022-010 Chicone Large-Scale CPA

City Manager Bulthuis informed Council the applicant is asking for this item to be tabled to June 14, 2022.

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

ORDINANCE NO. 2022-010 *Chicone Large-Scale CPA*

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

Council Member Bates moved to table Ordinance No. 2022-010 to June 14, 2022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

Item No. 15 – Variance Request Reyes

City Manager Bulthuis informed Council the applicant requested this item be tabled to May 24, 2022.

Council Member Bates moved to table Item No. 15 to May 24, 2022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

PUBLIC COMMENTS

Toni Bell, 1139 West Lakeshore Drive – Spoke about the new Aurelia Cole Academy and the school mascot. There is a signed petition to have the mascot be the Highlander in remembrance of the High School that was located where the new school is being built. Rebecca Stokes and Ms. Bell would like to have the mascots face be the Highland Terrier. Ms. Bell asked Council to write a letter to the Lake County Schools Superintendent in support of the mascot.

Council Member Purvis said that the council should direct staff to send a letter in support of this concept.

Banks Alfred, 9100 Sams Lake Road – Stated that May is National Mental Health Awareness month and spoke on mental health in our country.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- The May 17 City Council Workshop has been canceled; there will be a Planning and Zoning Commission Workshop that night at 6:30 pm and Council is invited to attend.
- The Ray Goodgame Parkway dedication is May 16 at 10:00am.
- May 16 is also the Public Works Groundbreaking at 11:30am.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

- Gave an update on the Wellness Way area. The city is working with Lennar Homes; they are responsible to get water and sewer from our plant on Hancock to the Wellness Way area. The goal is for that water and sewer project to begin the day after school gets out and down Hancock before school begins in August since it will be in front of the middle school. There is a lot of action in the development; the water and sewer lines are going in, roads are going in and things are moving along.
- Commissioner Smith contacted the city requesting a letter of support regarding an ordinance he is proposing on the dangerous use of public right of way.

Council Member Purvis had a meeting with Commissioner Smith and they discussed the ordinance. Commissioner Smith explained there is a sudden influx of panhandlers in the Tavares/ Leesburg area and they are aggressive with the automobile drivers. It is not a problem in our area at this time however it can become an issue. Mr. Purvis stated this is a worthwhile request and supports it.

City Manager Bulthuis let Council know that staff is looking for direction, if Council is in concurrence of sending a letter in support to the County. Council Member Bates asked who would monitor this. Mr. Bulthuis explained that our Police Officers could write a ticket based on the County Ordinance. Council Member Pines stated she is in support.

Mayor Murry asked City Manager Bulthuis to draft a letter in support of the request.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Bates – No report.

Council Member Purvis –

- Attended the Celebration of Education event along with Council Member Bates, Council Member Pines, Council Member Entsuaah and City Manager Bulthuis.

Council Member Pines – No report.

Mayor Murry –

- Thanked City Manager Bulthuis for stepping in and becoming acquainted with the Wellness Way project since he has been here. Mr. Bulthuis has helped him understand it more.
- Mayor's luncheon last week was well attended. Will be changing the day from Monday's to Tuesday's.
- Apologized for not attending the event Saturday night.
- Read a letter from a resident acknowledging the outstanding employees in the Utility Department.
- Mayor thanked all City employees and stated he enjoyed seeing everyone at the employee semiannual breakfast on Thursday.

CONSENT AGENDA

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

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| Item No. 1 – Meeting Minutes | Consider approval of April 26, 2022 Council Meeting Minutes |
| Item No. 2 – Replat Approval | Consider replat approval of Hunter’s Run Lot 282 to construct an in ground swimming pool. |
| Item No. 3 – Easement Approval | Consider approval of Stormwater Pond and Drainage Easement for the construction of a fire station. |
| Item No. 4 – Piggyback Contract and Budget Amendment | Consider piggyback term contract with Ace Surfaces North America Inc. to build pickleball courts. Consider approval of task order #1 and budget amendment from Recreation Impact Fees to build six (6) new pickleball courts at the Arts and Recreation Center in the amount of \$87,666. |
| Item No. 5 – Piggyback Volusia County Contract | Consider piggybacking contract with Advanced Environmental Labs for laboratory analysis and sampling water. |
| Item No. 6 – Event and Road Closure Request
<i>Mega Food Truck</i> | Consider event request with road closures on June 25, 2022 from 1:00 PM to 11:00 PM. |
| Item No. 7 – Event and Road Closure Request
<i>Harvest Festival</i> | Consider event request with road closures on Oct. 8, 2022 from 10:00 AM to 4:00 PM. |
| Item No. 8 – Event and Road Closure Request
<i>Candy Cane Lane</i> | Consider event request with road closures on Nov. 12, 2022 from 7:00 AM to 6:00 PM. |

City Manager Bulthuis asked the new Parks and Recreation Director Brian Foreman to discuss Item 4. Mr. Foreman stated we are adding six pickleball courts by the Arts and Recreation Center. It should be built in approximately four months.

Council Member Bates moved to approve the Consent Agenda as presented for May 10, 2022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 9 – *This item was addressed earlier in the meeting and tabled to the June 14, 2022 meeting.*

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

Item No. 10 – Ordinance No. 2022-018, Final Wellness Ridge

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS WELLNESS RIDGE AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF FLORIDA, CHAPTER 190, FLORIDA STATUTES (2001 AND HEREFTER); ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN SECTIONS 190.006-190.041, FLORIDA STATUTES, AND AS REFERENCED AND PROVIDED BY SECTION 190.004(4), FLORIDA STATUTES, AND CONFIRMED BY SECTION 189.4031(2), FLORIDA STATUTES; ESTABLISHING THE WELLNESS RIDGE COMMUNITY DEVELOPMENT DISTRICT (ON THE PROPERTY PROPOSED IN THIS PETITION) AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

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

City Planner Kruse presented the ordinance. The City received a petition to establish a Community Development District (CDD) from Lennar Homes. The property is located within the City of Clermont and consists of approximately 574 acres of land for the residential portion. The utilities will be running down Hancock Road to this property. The project, South Lake Crossings, received Council approval for annexation, comprehensive plan amendment and a Planned Unit Development (PUD) rezoning in November 2019. The project will consist of up to 1,850 residential dwelling units. Lennar is moving forward with getting the infrastructure in place to support the development, such as water, sewer, roads, stormwater, and roadway lighting. In order to assist with these costs, the developer is seeking a Community Development District designation over the project area. The developer has proposed to establish the Wellness Ridge Community Development District (CDD) to plan, finance, acquire, construct, operate and maintain infrastructure, community facilities, and road operation and maintenance, which may be authorized by such districts under Florida law including but not limited to Chapter 190, Florida Statutes.

Some changes have come up regarding clarification on roadway maintenance. On page 183 of the packet, it specifically states who is responsible for the roadway area and the designations; for example, the City will own the roadways and will maintain the roadways from curb to curb and the CDD or Homeowners Association will maintain the parkways and sidewalk. On page 190 in the packet, it further clarifies as well. Staff recommends approval with these changes establishing Wellness Way Community Development District.

The applicant was present, Jan Carpenter on behalf of Lennar Homes, LLC. Ms. Carpenter provided background on CDD's and stated she is available for questions.

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

Council Member Bates asked if there is any type of time frame on this proposal if it is approved, does it sunset. Ms. Carpenter stated there is no sunset on this.

City Manager Bulthuis explained the issue is Lennar cannot build homes until the water, sewer and necessary roads are built. They are motivated to get the water and sewer lines in this fall in order to start building homes. Staff has been working with them and we should see construction early next year.

Council Member Bates moved to approve Ordinance No. 2022-018 with recommended changes that were presented by staff. Seconded by Council Member Purvis. The motion passed by roll call vote 4-0.

Item No. 11 – Ordinance No. 2022-003, Final Capital Improvements Element

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING A TEXT AMENDMENT TO THE GOALS, OBJECTIVES AND POLICIES OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

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

City Planner Kruse presented the item. This adoption hearing is for the Comprehensive Plan Text Amendment. The Capital Improvements Element is being updated to reflect the changes to the Potable Water Element and to update Appendix B - the Five-year schedule of Capital Improvements. The City Council approve the transmittal of this element in February and tabled the final hearing until May. The proposed amendment was sent to the state reviewing agencies for review. The City received responses from the reviewing agencies that indicated no adverse impacts were anticipated from the adoption of this element and no recommended changes were suggested. Therefore, staff recommends approval of Ordinance No. 2022-003, the Capital Improvements Element. Mr. James Kinzler is available for any technical questions.

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

Council Member Bates moved to approve Ordinance No. 2022-003; Seconded by Council Member Pines. The motion passed by roll call vote 4-0.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

Item No. 12 – Ordinance No. 2022-004, Final Potable Water Element Amendment

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING A TEXT AMENDMENT TO THE GOALS, OBJECTIVES AND POLICIES OF THE POTABLE WATER ELEMENT OF THE COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

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

City Planner Kruse presented the item. This adoption hearing is for the Comprehensive Plan Text Amendment for the updated Potable Water Element. The Potable Water Element is being updated to reflect changes revolving around the regional water supply plan. The City Council approved the transmittal of this element in February and tabled the final hearing until tonight. The proposed amendment was sent to the state reviewing agencies for review. The City received responses from the reviewing agencies that indicated no adverse impacts were anticipated from the adoption of this element and no recommended changes were suggested. Therefore, staff recommends approval of Ordinance No. 2022-004, the Potable Water Element. Again, Mr. James Kinzler is present to address any questions you may have.

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

Council Member Purvis thanked staff and Mr. Kinzler for their efforts.

Council Member Bates moved to approve Ordinance No. 2022-004; Seconded by Council Member Purvis. The motion passed by roll call vote 4-0.

Item No. 13 – Ordinance No. 2022-005, Final Intergovernmental Coordination Element

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING A TEXT AMENDMENT TO THE GOALS, OBJECTIVES AND POLICIES OF THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

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

City Planner Kruse presented the ordinance. This adoption hearing is for the Comprehensive Plan Text Amendment for the updated Intergovernmental Coordination Element (ICE). The ICE is being updated to reflect changes in references to the regional water supply plan. The City Council approved the transmittal of this element in February and tabled the final hearing to tonight. The proposed amendment was sent to the State reviewing agencies for review. The City received responses from the reviewing agencies that indicated no adverse impacts were anticipated from the adoption of this element and no recommended changes were suggested. Therefore, staff recommends approval of Ordinance No. 2022-005, the Intergovernmental Coordination Element. Again, Mr. James Kinzler is available for questions.

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

Council Member Bates moved to approve Ordinance No. 2022-005; Seconded by Council Member Pines. The motion passed by roll call vote 4-0.

Item No. 14 – *This item was addressed earlier in the meeting and tabled to the June 14, 2022 meeting.*

NEW BUSINESS

Item No. 15 – *This item was addressed earlier in the meeting and tabled to the June 14, 2022 meeting.*

Item No. 16 – Ordinance No. 2022-020, Introduction Kia Annexation

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

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

Council Member Bates moved to introduce Ordinance No. 2022-020; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 10, 2022

Item No. 17 – Ordinance No. 2022-021, Introduction Kia Small-Scale Comp Plan Amendment

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.

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

Council Member Bates moved to introduce Ordinance No. 2022-021; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

Item No. 18 – Ordinance No. 2022-022, Introduction Kia Auto Rezoning

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

City Clerk Howe read the ordinance into the record by legal title only

Council Member Bates moved to introduce Ordinance No. 2022-022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

Mayor Murry asked City Attorney Mantzaris about the closed session scheduled for the next Council meeting. Mr. Mantzaris stated that the closed session is at the end of the agenda. The Retreat will be held the day after that Council meeting.

ADJOURN: With no further comments, this meeting adjourned at 8:00 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

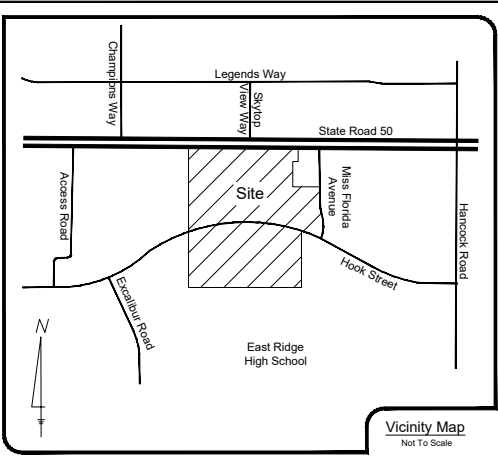


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Plat Approval <i>The Vue</i>		
Requested Action		
The applicant, Jonathan Moore, is requesting the plat of The Vue into 6 commercial lots with a stormwater tract. The property consists of 30 +/- acres and is located south of SR 50 and north of East Ridge High School. The plat indicates 4 smaller commercial tracts along SR 50 that will be used for commercial use, along with lot 5 and lot 6 fronting along Hook Street for future development use. The City's surveyor and engineer have reviewed the plat and the plat appears to be in compliance with Chapter 177 of the Florida Statutes. Staff recommends approval of the plat.		
Staff Report		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Vue at Clermont Plat - 11x17 - FINAL 5-24-22	Vue at Clermont Plat - 11x17 - FINAL 5-24-22.pdf	



VUE AT CLERMONT - PHASE 1

BEING A REPLAT OF A PORTION OF TRACTS 19, 20, 29, AND 30, LAKE HIGHLANDS COMPANY MAP OF SECTION 28, PLAT BOOK 2, PAGE 28, AND THE EAST 1/2 OF VACATED UNNAMED RIGHT-OF-WAY PER CITY ORDINANCE 2016-21, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA

LYING IN

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA,

LEGAL DESCRIPTION:

A REPLAT OF A PORTION OF TRACTS 19, 20, 29, AND 30, LAKE HIGHLANDS COMPANY MAP OF SECTION 28, PLAT BOOK 2, PAGE 28, AND THE EAST 1/2 OF UNNAMED RIGHT-OF-WAY VACATED PER CITY ORDINANCE 2016-21 PER OFFICAL RECORDS BOOK 4816, PAGE 188, NOT INCLUSIVE OF HOOK STREET, A 100.00 FOOT WIDE RIGHT-OF-WAY, PER OFFICIAL RECORDS BOOK 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01°07'11" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1377.52 FEET TO A POINT; THENCE NORTH 88°52'49" WEST, A DISTANCE OF 1322.32 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50 (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070-2505, RIGHT-OF-WAY MAP BOOK 3, PAGE 26), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; THENCE RUN NORTH 89°05'17" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89°51'58" WEST, A DISTANCE OF 42.24 FEET TO A POINT ON AFORESAID SOUTH RIGHT-OF-WAY LINE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 00°47'42" WEST, A DISTANCE OF 138.92 FEET; THENCE RUN NORTH 89°14'36" WEST, A DISTANCE OF 64.36 FEET; THENCE RUN SOUTH 00°54'49" WEST, A DISTANCE OF 230.22 FEET; THENCE RUN SOUTH 89°06'23" EAST, A DISTANCE OF 291.51 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE, SAID LINE ALSO BEING THE WEST LINE OF THE EAST 60.00 FEET OF AFORESAID TRACT 19; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE RUN SOUTH 00°52'41" WEST, A DISTANCE OF 75.91 FEET TO A POINT OF CURVATURE, CONCAVE EASTERLY, HAVING A RADIUS OF 280.00 FEET, TOGETHER WITH A CHORD BEARING OF SOUTH 07°00'12" EAST AND DISTANCE OF 76.79 FEET, AND A CENTRAL ANGLE OF 15°45'47"; THENCE ALONG SAID CURVE RUN SOUTHERLY A DISTANCE OF 77.03 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 14°53'06" EAST, A DISTANCE OF 105.46 FEET TO A POINT OF CURVATURE CONCAVE WESTERLY, HAVING A RADIUS OF 270.00 FEET, TOGETHER WITH A CHORD BEARING OF SOUTH 00°37'24" EAST AND DISTANCE OF 133.03 FEET, AND A CENTRAL ANGLE OF 28°31'24"; THENCE ALONG SAID CURVE RUN SOUTHERLY A DISTANCE OF 134.41 FEET TO A POINT OF COMPOUND CURVATURE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, TOGETHER WITH A CHORD BEARING OF SOUTH 63°33'16" WEST AND DISTANCE OF 38.26 FEET, TOGETHER WITH A CENTRAL ANGLE OF 99°49'55"; THENCE ALONG SAID CURVE RUN SOUTHWESTERLY A DISTANCE OF 43.56 FEET TO A POINT OF REVERSE CURVATURE, SAID POINT ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HOOK STREET, AS RECORDED IN O.R.B. 2010, PAGE 316, OF THE OFFICIAL RECORDS OF LAKE COUNTY, FLORIDA, CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 87°46'23" WEST AND DISTANCE OF 1268.15 FEET, AND A CENTRAL ANGLE OF 42°29'12"; THENCE ALONG SAID CURVE RUN WESTERLY A DISTANCE OF 1297.68 FEET TO A POINT ON AFORESAID CURVE, SAID POINT ALSO BEING A POINT ON THE CENTERLINE OF A UNNAMED RIGHT-OF-WAY VACATED PER CITY ORDINANCE 2016-21 AS RECORDED IN OFFICIAL RECORDS BOOK 4816, PAGE 188, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN NORTH 00°36'41" EAST, A DISTANCE OF 723.70 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50 (AS IT CURRENTLY EXISTS PER RIGHT-OF-WAY MAP BOOK 3, PAGE 26); THENCE DEPARTING AFORESAID CENTERLINE OF VACATED UNNAMED RIGHT-OF-WAY RUN NORTH 89°46'53" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50 (AS IT CURRENTLY EXISTS) , A DISTANCE OF 1035.47 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING

AND

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01°07'11" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1377.52 FEET TO A POINT; THENCE NORTH 88°52'49" WEST, A DISTANCE OF 1322.32 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50 (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070-2505, RIGHT-OF-WAY MAP BOOK 3, PAGE 26), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; THENCE RUN NORTH 89°05'17" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89°46'53" WEST, A DISTANCE OF 1077.61 FEET TO A POINT ON AFORESAID SOUTH RIGHT-OF-WAY LINE SAID POINT BEING A POINT ON THE CENTERLINE OF A UNNAMED RIGHT-OF-WAY VACATED PER CITY ORDINANCE NO. 2016-21 AS RECORDED IN OFFICIAL RECORDS BOOK 4816, PAGE 188, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF STATE RIGHT-OF-WAY NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 00°36'41" WEST ALONG SAID CENTERLINE OF THE AFORESAID VACATED UNNAMED RIGHT-OF-WAY, A DISTANCE OF 830.28 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, A 100.00 RIGHT-OF-WAY, PER OFFICIAL RECORDS BOOK 2010, PAGE 316, SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE DEPARTING AFORESAID CENTERLINE OF UNNAMED RIGHT-OF-WAY VACATED PER CITY ORDINANCE NO. 2016-21 ALONG SAID CURVE HAVING A RADIUS OF 1650.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 88°43'12" EAST AND DISTANCE OF 1073.30 FEET, AND THROUGH A CENTRAL ANGLE OF 37°57'39", RUN EASTERLY A DISTANCE OF 1093.19 FEET ALONG THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET TO A POINT ON AFORESAID SOUTH RIGHT-OF-WAY LINE, SAID POINT BEING THE NORTHWEST CORNER OF SOUTH RIDGE, PLAT BOOK 52, PAGES 28 - 29, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING AFORESAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SOUTH RIDGE, RUN SOUTH 00°09'52" WEST, A DISTANCE OF 488.84 FEET TO A POINT , SAID POINT BEING THE POINT OF INTERSECTION OF THE WEST LINE OF SOUTH RIDGE AND ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF A 30.00 FOOT WIDE UNNAMED, UNIMPROVED RIGHT-OF-WAY, LAKE HIGHLANDS COMPANY MAP OF SECTION 28, PLAT BOOK 2, PAGE 28, OF THE OFFICIAL RECORDS OF LAKE COUNTY; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°50'08" WEST ALONG THE AFORESAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1079.44 FEET TO A POINT ON THE AFORESAID CENTERLINE OF A UNNAMED RIGHT-OF-WAY VACATED PER CITY ORDINANCE 2016-21 AS RECORDED IN OFFICIAL RECORDS BOOK 4816, PAGE 188; THENCE ALONG SAID CENTERLINE RUN NORTH 00°36'41" EAST, A DISTANCE OF 468.00 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING.

CONTAINING 1,334,989.95 SQ FT ± OR 30.65 ACRES ±.

NOTES:

1.) PER CHAPTER 177.091(28) FLORIDA STATUTES:

ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

2.) ALL LOT CORNERS SHOWN HEREON ARE TO BE SET IN ACCORDANCE WITH CHAPTER 177.091(9) FLORIDA STATUTES.

3.) BEARINGS SHOWN HEREON ARE BASED EAST LINE OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST; MORE PARTICULARLY AS THE LINE BETWEEN CCR# 85261 & CCR# 81370, BEING NORTH 01°07'11" EAST, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83.

4.) JOINDER & CONSENT TO BE RECORDED BY A SEPARATE INSTRUMENT IN THE OFFICIAL RECORDS OF LAKE COUNTY, FLORIDA.

5.) THE RIGHT OF WAY IN FAVOR OF FLORIDA PUBLIC SERVICE COMPANY RECORDED IN MISCELLANEOUS BOOK 7, PAGE 583, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; FALLS WITHIN THAT EXPANDED PORTION OF STATE ROAD No. 50, PER RIGHT-OF-WAY MAP SECTION 11070-2505, SHEET 6, AND IS NOT DEPICTED UPON THE FACE OF THIS PLAT.

6.) COVENANTS, CONDITIONS, EASEMENTS, AND OTHER MATTERS CONTAINED IN EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED IN O.R. BOOK 419, PAGE 633, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AFFECTS LOTS 4 AND 5, AND ARE DEPICTED UPON THE FACE OF THIS PLAT.

7.) COVENANTS, CONDITIONS, EASEMENTS, AND OTHER MATTERS CONTAINED IN GRANT OF RIGHT-OF-WAY EASEMENT RECORDED IN O.R. BOOK 1117, PAGE 805, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LANDS BEING REPLATTED BY THIS PLAT ARE BENEFITED BY SAID EASEMENT; HOWEVER LOCATION OF SAID EASEMENT APPEARS TO FALL WITHIN THE EXPANDED RIGHT-OF-WAY OF HANCOCK ROAD AS IT CURRENTLY IT EXISTS.

8.) MISCELLANEOUS ORDINANCE NO. 271-M RECORDED IN O.R. BOOK 1326, PAGE 969, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LANDS DESCRIBED IN SAID O.R. BOOK ARE SHOWN UPON THE FACE OF THIS PLAT.

9.) COVENANTS, CONDITIONS, EASEMENTS, AND OTHER MATTERS CONTAINED IN RECIPROCAL EASEMENT AGREEMENT RECORDED IN O.R. BOOK 4613, PAGE 948, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AFFECTS LOT 5, AND IS DEPICTED UPON THE FACE OF THIS PLAT.

10.) COVENANTS, CONDITIONS, EASEMENTS, AND OTHER MATTERS CONTAINED IN UTILITY AND DRAINAGE EASEMENT RECORDED IN O.R. BOOK 4613, PAGE 961, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AFFECTS LOT 5, AND IS DEPICTED UPON THE FACE OF THIS PLAT.

11.) SHORT FORM CONDITIONAL USE PERMIT RECORDED IN O.R. BOOK 4842, PAGE 1513, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LANDS TO BE PLATTED ARE AFFECTED BY SAID O.R. BOOK HOWEVER THERE IS NOTHING TO PLOT.

12.) TERMS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS AND POSSIBLE LIENS CREATED BY AND SET FORTH IN DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR VUE AT CLERMONT PHASE 1 RECORDED IN O.R. BOOK 5741, PAGE 1785, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AS AMENDED, INCLUDING, BUT NOT LIMITED TO ONE OR MORE OF THE FOLLOWING:

PROVISIONS FOR PRIVATE CHARGES OR ASSESSMENTS; LIENS FOR LIQUIDATED DAMAGES; AND/OR OPTION, RIGHT OF FIRST REFUSAL OR PRIOR APPROVAL OF A FUTURE PURCHASER OR OCCUPANT; BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

13.) TRACT A (STORMWATER MANAGEMENT) IS TO BE OWNED AND MAINTAINED BY VUE AT CLERMONT PHASE I PROPERTY OWNERS ASSOCIATION, INC.

SHEET 1 OF 2

PLAT BOOK:

PAGE:

VUE AT CLERMONT - PHASE 1

DEDICATION

KNOW ALL BY THESE PRESENTS, That HIGHWAY 50 CLERMONT, LLC, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates nothing to the public; Tract A (Stormwater Management) is to be owned and Maintained by Vue at Clermont Phase I Property Owners Association, Inc. Regardless of the preceding provisions, the lawful owner reserves the unrestricted and absolute right to deny the right of ingress to any person who, in the opinion of the lawful owner may create or participate in a disturbance or nuisance on any part of the land shown on this plat.

IN WITNESS THEREOF, has caused these presents to be signed and attested to or witnessed this _____ day of _____, 2022.

By: _____
Printed Name

Attest: _____
Printed Name

Signed in the presence of:

By: _____
Printed Name

By: _____
Printed Name

STATE OF FLORIDA COUNTY OF LAKE

The foregoing Instrument was acknowledged by means of:

(____) Physical Presence or (____) Online notarization,

This _____ day of _____, 2022, by _____

who is/are personally known to me or have produced the following identification _____ respectively and who executed the foregoing dedication and severally acknowledged the execution thereof to be their free act and deed as such officers thereto duly authorized.

In Witness Whereof, I have hereunto set my hand and seal on the above date.

Signature _____ Notary Public

Print Name _____ Notary Public

Commission No. _____

My Commision Expires: _____

CERTIFICATE OF CLERK

I HEREBY CERTIFY, that I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes and was filed for record on _____, 2022, at _____ File No. _____.

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

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATION

KNOW ALL BY THESE PRESENTS, That AC COMMERCIAL PROPERTIES I, LLC, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates nothing to the public; Tract A (Stormwater Management) is to be owned and Maintained by Vue at Clermont Phase I Property Owners Association, Inc. Regardless of the preceding provisions, the lawful owner reserves the unrestricted and absolute right to deny the right of ingress to any person who, in the opinion of the lawful owner may create or participate in a disturbance or nuisance on any part of the land shown on this plat.

IN WITNESS THEREOF, has caused these presents to be signed and attested to or witnessed this _____ day of _____, 2022.

By: _____
Printed Name

Attest: _____
Printed Name

Signed in the presence of:

By: _____
Printed Name

By: _____
Printed Name

STATE OF FLORIDA COUNTY OF LAKE

The foregoing Instrument was acknowledged by means of:

(____) Physical Presence or (____) Online notarization,

This _____ day of _____, 2022, by _____

who is/are personally known to me or have produced the following identification _____ respectively and who executed the foregoing dedication and severally acknowledged the execution thereof to be their free act and deed as such officers thereto duly authorized.

In Witness Whereof, I have hereunto set my hand and seal on the above date.

Signature _____ Notary Public

Print Name _____ Notary Public

Commission No. _____

My Commision Expires: _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that this plat was reviewed in accordance with section 177.081, Florida statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said CITY COUNCIL of Clermont for record on this the _____ day of _____, 2022, provided that this plat is recorded in the office of the Clerk of the Circuit Court of Lake County, Florida within _____ days from the date of approval by said City of Clermont, Florida

Attest: _____ City of Clermont

Signature _____ City Clerk

Signature _____ Mayor

Print _____ City Clerk

Print _____ Mayor

REVIEWER STATEMENT

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part 1, Platting, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Jennings E. Griffin HALFF, INC.
PLS# 4486 902 N. Sinclair Avenue
Tavares, FL 32778

Signature _____

Date _____

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL BY THESE PRESENTS, That undersigned, being a professional surveyor and mapper that has prepared the foregoing plat and was made under my direction and supervision and that the plat complies with all of the survey requirements of Chapter 177, Part 1, Platting, Florida Statutes; and that said land is located in the City of Clermont, Lake County, Florida.

Dated: _____ Signed: _____

PSM 6637
Surveyor's Registration Number
L.B. 7623
Legal Entity's Certificate of
Authorization Number

Patrick K. Ireland
Ireland & Associates Surveying
800 Currency Circle Suite 1020
Lake Mary, Florida 32746

IS-23822_PLAT

-Legend-

U.E. - Utility Easement

Sq. Ft. - Square Feet

ID - Identification

ORB - Official Record Book

C.M. - Concrete Monument

☉ - Centerline

N.T.S. - Not to Scale

D.E. - Drainage Easement

P.R.M. - Permanent Reference Monument

N.R. - Non-Radial

P.I. - Point of Intersection

RW - Right-of-Way

R.P. - Radius Point

ORB - Official Record Book

M.B. - Minute Book

CCR - Certified Corner Record

Fnd. - Found

● - Set Iron Rod & Cap LB# 7623

■ - Set 4"x4" Concrete Monument & Stamped Disk LB# 7623

■ - P.R.M.-Permanent Reference Monument Found 4"x4" CM (No Identification)

● - Set Nail and Disk LB# 7623

Ireland & Associates
Surveying, Inc.

Patrick K. Ireland, PSM 6637/LB 7623
800 Currency Circle, Suite 1020

Lake Mary, Florida 32746
www.irelandsurveying.com

Office-407.678.3366

Fax-407.320.8165

East 1/4 Corner of
Section 28-22-26
CCR# 85261
N: 1530740.5122
E: 429164.9126

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



AGENDA ITEM

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Surplus Request		
Requested Action		
Recommend approval and declare end of life inventory as surplus from the Parks and Recreation Department, Fire Department, Public Services, and City Manager and dispose of in accordance with the Purchasing Policy.		
Staff Report		
The Procurement Services Department, on behalf of the Parks and Recreation Department, Fire Department, Public Services and City Manager, recommends approval of the above action. The following inventory has reached its end of life service and approval to surplus these items is being requested. <u>Parks and Recreation Department</u> Qty. Property Description (1) Forest River Denali 10 Person Restroom Trailer <u>Fire Department</u> Qty. Property Description (10) Broken Conference Chairs <u>City Manager Department</u> Qty. Property Description (1) Broken Office Chair <u>Public Services- Santation</u> Qty. Property Description (350) Broken trash and recycling cans Salvageable surplus property will be sold through GovDeals.com, an electronic auction website for government property. Non-salvageable property will be disposed of appropriately.		
Additional Analysis		
Fiscal Impact Summary		
Surplus property is anticipated to be sold for approximately \$20,000.00.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Restroom Trailer Disposal	Restroom Trailer Disposal.pdf	
2. Fire Department Disposal Form	Fire Department Disposal Form.pdf	
3. City Manager Disposal Form	City Manager Disposal Form.pdf	
4. Public Services Disposal Form	Public Services Disposal Form.pdf	



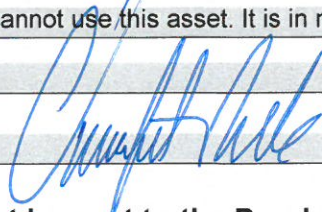
PROPERTY DISPOSAL FORM

Dept. / Division: P&R/EVENTS Property Tag #:
Contact Person: Chris Dudeck Phone: 352-708-5997
Year / Make / Model: '20 Forest River Denali Vehicle No.
Miles / Hours: 0 Serial / VIN: VIN 5NHUCNZ27MN106266
Description of Property 10 RESTROOM TRAILER - SILVER, 24' LONG-

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☐ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☒ **OTHER:** The City cannot use this asset. It is in new condition

Director Signature: 

Date: Mar 21, 2022

*****This form must be sent to the Purchasing Department to dispose of property*****

Date Approved by City Council:

Agenda Item:

Method of Disposal:

Date Disposed:

Purchasing Director:

Date:

Munis Asset Number:

Revised 4/12/2017

2421
W

CITY OF CLERMONT
CHECK REQUEST ^a

Requestor: Barbara Hollerand

Date: Nov. 30, 2020

Department: City Manager's Office

Date Needed: ASAP

Purpose of request: Payment of balance due invoice #19413 for 2020 Forest River

Denali 10-station restroom trailer for business support events in support of economic recovery

assistance program Rise Clermont

Amount: \$53,999.00 *NW*

Account Number: 10512-66401-99003 *NW*

Payable to: Right Trailers, Inc.

7220 US Hwy 98 N

Lakeland FL 33809



Inv# 19413-RI
RIGHT TRAILERS INC
11/30/2020 # Pages 9

\$ 53,999.00

FP9 DOC171S31010

Received
NOV 3 2020
Finance Department

Department Head Signature: *Barbara Hollerand*

*** PLEASE ATTACH ALL BACKUP INFORMATION!!!!!! *****

Please check one:

☒ Please mail check – extra copy of correspondence attached.

☐ Please return check to _____



7220 US Hwy 98 N
Lakeland, FL 33809

Invoice

Date	Invoice #
11/30/2020	19413

Bill To
CITY OF CLERMONT 685 W. MONTROSE ST. CLERMONT, FL 34711

Ship To
CITY OF CLERMONT 685 W. MONTROSE ST. CLERMONT, FL 34711

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	MHS	11/30/2020			
Quantity	Item Code	Description			Price Each	Amount
1	06266	2020 FOREST RIVER DENALI 10 RESTROOM TRAILER VIN#5NHUCNZ27MN106266 Condition: New Vehicle Type: Cargo Trailer Color: Silver Length: 24 feet Width: 8 feet/6 inches GVWR: 12000 pounds Axle Capacity: 2 pounds Hitch Type: Bumper Pull All Steel Frame All DOT Approved Lighting 10 Station Restroom Trailer 2 5/16" Ball Coupler Tubular Steel Frame Safety Chains Electric Breakaway Kit Chrome Side Paneling Aluminum Tread Plate Stone Guard Men's and Women's Restroom Anti-slip Aluminum Steps Tandem Axles 16" Tires and Wheels Bubble Levels Above Fenders A/C Unit 2 110-125 Volt Power Supply Plugin Maintenance Closet A/C Control Breaker Box Radio with MP3, Bluetooth, USB, SD and Compact Disc Two Power Cords User Manual Men's Restroom 3 Urinals			54,999.00	54,999.00T
					Total	



7220 US Hwy 98 N
Lakeland, FL 33809

Invoice

Date	Invoice #
11/30/2020	19413

Bill To
CITY OF CLERMONT 685 W. MONTROSE ST. CLERMONT, FL 34711

Ship To
CITY OF CLERMONT 685 W. MONTROSE ST. CLERMONT, FL 34711

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt	MHS	11/30/2020			
Quantity	Item Code	Description			Price Each	Amount
	Deposit	Two Sinks Countertop With Trash Disposal Soap Dispenser Paper Towel Dispenser Speakers A/C Vents 3 Stalls Over Head Interior Lighting Toilet Paper Dispenser Women's Restroom 4 Stalls Two Sinks Countertop With Trash Disposal Sap Dispenser Paper Towel Dispenser Speakers A/C Vents Over Head Interior Lighting Toilet Paper Dispenser Sanitary Napkin Disposal Less Deposit BID- 2111-005 Sales Tax-NON PROFIT			-1,000.00 0.00%	-1,000.00 0.00
Total					\$53,999.00	

Paul Hwy. P. 19413

BidSync
powered by Periscope
 (https://www.periscopeholdings.com/)

Bid #21-004 - Portable Restroom Trailer

City of Clermont, FL Time left: Bid has ended

Bid started: Nov 10, 2020 8:26:13 AM EST

Bid ended: Bid Closed On Nov 24, 2020 2:00:00 PM EST



Register now for free!

Register for free to access Bid information and place offers on Bids released by our agency clients.

Add to My bids

Details Documents Line items Vendor ads

Bid #21-004 - Portable Restroom Trailer RFB

Bid contact: [Please log in to view Bid contact information](#)

Issuing agency: City of Clermont, FL [See other Bids by this agency](#)

Bid Comments: The purpose of this solicitation is to receive responses from qualified respondents for the purchase of one (1) portable restroom trailer in accordance with the terms, conditions, and specifications contained in the RFB.

Deadline for written questions is November 18, 2020 at 3:00 P.M. and must be submitted electronically through S2G. Responses to questions will be provided online.

Description: Trailer Specifications:

Condition: New
 Vehicle Type: Cargo Trailer
 Color: Silver
 Length: 24 feet
 Width: 8 feet 6 inches
 GVWR: 12000 pounds
 Axle Capacity: 2 pounds
 Hitch Type: Bumper Pull
 All Steel Frame
 All DOT Approved Lighting
 10 Station Restroom Trailer
 2 5/16" Ball Coupler
 Tubular Steel Frame
 Safety Chains
 Electric Breakaway Kit
 Chrome Side Paneling
 Aluminum Tread Plate Stone Guard
 Men's and Women's Restroom
 Antislip Aluminum Steps
 Tandem Axles
 16" Tires And Wheels
 Bubble Levels Above Fenders
 A/C Unit
 2 110-125 Volt Power Supply Plugin
 Maintenance Closet
 A/C Control
 Breaker Box
 Radio With MP3, Bluetooth, USB, SD, and Compact Disc
 Two Power Cords
 User Manual
 Men's Restroom:
 3 Urinals
 Two Sinks
 Countertop With Trash Disposal
 Soap Dispenser
 Paper towel Dispenser
 Speakers
 A/C Vents
 3 Stalls
 Over Head Interior Lighting
 Toilet Paper Dispenser
 Women's Restroom:
 4 Stalls
 Two Sinks
 Countertop With Trash Disposal
 Soap Dispenser

Paper towel Dispenser
Speakers
A/C Vents
Over Head Interior Lighting
Toilet Paper Dispenser
Sanitary Napkin Disposal

Delivery location: [Please log in to see the delivery location](#)
Classification codes: [View classification codes](#)
Contract duration: One Time Purchase
Contract renewal: Not Applicable
Prices good for: 90 days
Regions: [View regions](#)

Please log in to see Bid details or to add this to My Bids. If you are not registered, [please register](#) for free.

Login

[Register now!](#)

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<https://twitter.com/PeriscopeHldgs>

<https://www.linkedin.com/company/periscope-holdings>

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Fax: 863-223-1589
7220 US HWY 98 N
Lakeland, FL 33809
www.RightTrailers.com

Order Contract

Date: 11 / 5 / 2020

Customer Name: CITY OF CLERMONT

Address: 685 W. MONTROSE ST. CLERMONT, FL 34711

Phone Number: 352-241-7355

Trailer Manufacturer: FOREST RIVER

Trailer Model: DENALI 10 STATION

Description:

Price: 54,999.00

IF WE NEED TO DO TAG WORK FOR CITY WILL BE ADDITIONAL FEE

RIGHT TRAILERS WILL HAVE THIS UNIT BE DEADLINE 12/30/2020

Total: 54,999.00

Handling Fee: 0

Sales Tax (7%): EXEMPT

Tag, Title Fee (Temp Tag only): 0

Grand Total: 54,999.00

Deposit: -1,000.00

Total Due at Delivery: 53,999.00

*Balance Due may not include applicable taxes, tag and title fees. Customer shall bear this responsibility in their permanent state of residence. Balance must be paid with a wire transfer or cashier's check as described below.

All materials are exclusive property of Right Trailers, Inc. and are copyright protected. Use of this order form or its contents for any purpose other than that authorized in writing by Right Trailers, Inc. is strictly prohibited. Any violators of this copyright will be prosecuted to the full extent of applicable laws.

This unit requires a \$ 1,000.00 non-refundable deposit. The purchaser agrees that this deposit will be forfeited if for any reason the trailer is not paid for in full within 5 calendar days of notifications of trailer completion or at least 3 days prior to purchaser pickup of trailer whichever is sooner. This notification may be provided to the purchaser by way of email, voice mail, or verbally. The date of contact through one of these methods shall serve as the date of notification.

This order is a binding agreement between Right Trailers, Inc. and the purchaser. The deposit is non-refundable. If 100% financing is being applied to the above unit, the purchaser understands that he is responsible for maintaining his credit such that the financing will still be available upon trailer completion. If the purchaser is denied the financing at the time of completion, he understands that he is still responsible for paying in full for the above unit. If the purchaser neglects to pay for the above unit in full, he shall be held liable for the outstanding balance as well as any litigation costs including but not limited to court cost, filing fees, document stamps, attorney's fees, and the maximum daily interest rate allowed by the state of Florida for the remaining balance.

Florida law shall prevail in any legal proceedings and all legal activities shall take place in Polk County, Florida. The purchaser agrees to pay for the unit in full as described above. Right Trailers, Inc. cannot be held liable for substitutions made by the manufacturer due to product availability. Modifications to the order specifications may be requested by cannot be guaranteed. Such request shall be in writing and approved by both Right Trailers and the purchaser. Right Trailers does not express or imply an exact date of completion due to many manufacturing activities that are beyond the control of Right Trailers. The estimated completion date is exactly that, an estimate. If the actual completion date occurs after the estimated date, the purchaser agrees to still accept the trailer and fulfill this contract. The purchaser shall hold Right Trailers, Inc. harmless in any legal proceedings.

Acknowledgements:

Purchaser

Date

DL#

Dealer Authorized Agent

Date



City of Clermont
685 West Montrose Street
Clermont FL 34711

PURCHASE ORDER NO: 2021-0101
THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND CORRESPONDENCE.

SUPPLIER: Right Trailers
7220 US HWY 98 N
LAKELAND FL 33809

CONTACT: Ramsey Gross
Phone: 352-241-7353
Email: rgross@clermontfl.org

BILL TO: 685 West Montrose Street
Clermont FL 34711

Order Date: Dec 1, 2020

Req No: R20210095

SHIP TO: Clermont City Hall
685 West Montrose Street
Clermont, FL 34711

Delivery Date: Dec 15, 2020

Line	Item Code	Description	Qty	Unit	Unit Price	Total Price
1		Portable Restroom Trailer Trailer Specifications: Condition: New Vehicle Type: Cargo Trailer Color: Silver Length: 24 feet Width: 8 feet 6 inches GVWR: 12000 pounds Axle Capacity: 2 pounds Hitch Type: Bumper Pull All Steel Frame All DOT Approved Lighting 10 Station Restroom Trailer 2 5/16" Ball Coupler Tubular Steel Frame Safety Chains Electric Breakaway Kit Chrome Side Paneling Aluminum Tread Plate Stone Guard Men's and Women's Restroom Antislip Aluminum Steps Tandem Axles 16" Tires And Wheels Bubble Levels Above Fenders A/C Unit 2 110-125 Volt Power Supply Plugin Maintenance Closet A/C Control Breaker Box Radio With MP3, Bluetooth, USB, SD, and Compact Disc Two Power Cords User Manual Men's Restroom: 3 Urinals Two Sinks Countertop With Trash Disposal Soap Dispenser Paper towel Dispenser Speakers A/C Vents 3 Stalls Over Head Interior Lighting Toilet Paper Dispenser Women's Restroom: 4 Stalls Two Sinks Countertop With Trash Disposal Soap Dispenser Paper towel Dispenser Speakers A/C Vents Over Head Interior Lighting Toilet Paper Dispenser Sanitary Napkin Disposal	1	each	\$54,999.00	\$54,999.00

Total PO Price

\$54,999.00

Special Instructions:

This purchase order is being issued as per all terms and conditions contained in bid number 21-004 to acquire Restroom Trailer as provided there in. Please contact Barbara Hollerand at bhollerand@clermontfl.org to schedule a delivery date.

Attachments

Please review the following PO documents online:

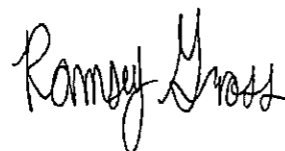
- [RFB 21-004 Award Recommendation.pdf](#)
- [RFB 21-004 Response Tabulation.pdf](#)

PURCHASE ORDER TERMS AND CONDITIONS

This Purchase Order is being issued as per previously approved requisition and complies with the City of Clermont Purchasing Policy

Vendors providing goods or services to the City of Clermont acknowledge that by delivering such goods or services agree to the following terms and conditions. Should a formal contract be executed between the City of Clermont and the vendor (whether as a result of a formal bid or not), the terms and conditions defined in that contract shall prevail over those listed here in any case of conflict.

1. Acceptance of this Purchase Order, including the terms and conditions set forth herein, shall constitute the formation of a binding and enforceable contract between City and vendor. Buyer hereby objects to and will not be bound by any different or additional terms and conditions contained in the acceptance unless each such different or additional term is expressly agreed to in writing by the City. Vendor's action in (a) accepting this order, (b) delivering materials, or (c) performing services called for hereunder shall constitute an acceptance of terms and conditions below on this order.
2. All insurance requirements applicable shall be fulfilled prior to the issuance of this Purchase Order. Vendor is responsible for keeping required insurance current until service is complete.
3. Upon delivery of goods and/or services as described on the purchase order the vendor shall submit a "proper invoice" to the Department stated on the front of the purchase order. The invoice shall contain the following minimum information to be processed for payment:
 - a) Name of vendor and remittance address of vendor;
 - b) Date of invoice;
 - c) Purchase Order number;
 - d) Quantity of items delivered, item description, unit price, extended price for each item;
 - e) Total amount of invoice.
4. No modifications and/or changes shall be binding upon the City unless approved in writing by the City through a revised purchase order. Quantities specified in the purchase order cannot be changed without writing approval by the City which will be provided through a new modified/revised purchase order.
5. City is tax exempt from Federal and State taxes for tangible personal property. Invoices shall not include sales tax.
6. Vendor warrants that all goods or services supplied hereunder shall conform to the proposed specifications and be free from all defects in material, workmanship and title.
7. All prices must be F.O.B. destination. No boxing or packing charges will be allowed by City unless specifically authorized on the face of this order. Delivery shall not be made to any place other than the destination indicated on the Purchase Order.
8. The vendor agrees to indemnify, defend and hold harmless the City of Clermont, including, but not limited to its public officials, City employees, and City Departments, against all damages, claims, liabilities and expenses of any nature whatsoever, including, but not limited to personal injury, death and property damage, arising out of or in connection with any actions by the vendor including, but not limited to its owners, officers, employees, subcontractor and agents during the performance of this order. Additionally, the vendor will indemnify the City, including, but not limited to its public officials, City employees, and City departments, based on a claim that the supplies or services furnished infringes a United States Patent or Copyright or constitutes misuse or misappropriation of a trade secret.
9. Public Records: CONTRACTOR expressly understands records associated with this project are public records and agrees to comply with Florida's Public Records law, to include to:
 - (a) Keep and maintain public records that ordinarily and necessarily would be required by the CITY in order to perform the services contemplated herein.
 - (b) Provide the public with access to public records on the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided in this Florida's Public Records law or as otherwise provided by law.
 - (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
 - (d) Meet all requirements for retaining public records and transfer, at no cost, to the CITY all public records in possession of CONTRACTOR upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the CITY in a format that is compatible with the information technology systems of the CITY.
 - (e) If Contractor has questions regarding the application of Chapter 119, Florida Statutes, to the Contractor's duty to provide public records relating to this Contract, Contractor shall contact the City's custodian of public records at City Clerk's Office, (352) 241-7331.



Authorized Signature

Print Page

Close

RIGHT TRACERS, INC.
7220 US HWY 98N
LAKELAND, FL 33809

11/05/2020 09:04:06
FTD: XXXXXXXXXX029 TTD: XXXXX188

CREDIT CARD
MC SALE

Card # Token XXXXXXXXXXXXX5509
Network: MASTERCARD
SEQ #: 1
Batch #: 1239
INVOICE
Approval Code: 082109
Entry Method: Manual
Mode: Online
Tax Amount: \$0.00
Cust Code: 829

allers
Lakeland, FL Inc.
56-Right

S Hwy 98 N
Lakeland, FL 33809

PAID
11/05/2020

Barbara P. Clark

Invoice

Date	Invoice #
11/5/2020	19227

Ship To
CITY OF CLERMONT 685 W. MONTROSE ST. CLERMONT, FL 34711
check # 152956 = 53,999

SALE AMOUNT \$1000.00

I agree to pay above total amount
according to card issuer agreement.
(Merchant agreement if Credit Voucher)

X

MERCHANT COPY

Rep	F.O.B.	Project

Less Deposit 10 ST
7% Polk County Sales Tax

Barbara to
submit PO
to include as
back-up

Price Each	Amount
1,000.00 7.00%	1,000.00 0.00

Deposit on restroom trailer (\$54,999 total purchase price)
For business support events
For Rise Clermont
(Balance due is \$53,999)

Inv# 18227-RT \$ 1,000.00
FIFTH THIRD BANK
11/05/2020 9 Pages 3 FP3 DOC174S3143

X SPD

Barbara Clark 66401 10512 - 8008007 - 99003 (BH Peard) emailed Barbara - need PO to be attached.	1,000
Total \$1,000.00	



7220 US Hwy 98 N, Lakeland, FL 33809

863-667-4448

www.RightTrailers.com

Credit Card Authorization Form

You may cancel this authorization at any time by contacting Jessica Watson at Right Trailers, Inc. The authorization will remain effective until you choose to cancel. This form must be completed in full to be considered valid.

Credit Card Information	
Card Type:	MasterCard ☒ VISA ☐ Discover ☐ Forrest River ☐
Cardholder Name (as shown on card)	Barbara Hollerand City of Clermont
Card Number:	XXXX XXXX XXXX 5509
Expiration Date (mm/yy):	11/24
Billing Zip Code:	34711

I, Barbara Hollerand, authorize **RIGHT TRAILERS, INC.** to charge the credit card above for the agreed upon purchases. I understand that this information will be saved on file for future transactions, however email and/or phone confirmation will be needed before a transaction can be processed.

Barbara Hollerand
Print Name

11/05/2020 Barbara Hollerand
Date Signature

Jessica Watson
Phone: 813-400-9864
Email: jwatson@righttrailers.com



Fax: 863-223-1589
7220 US HWY 98 N
Lakeland, FL 33809
www.RightTrailers.com

Order Contract

Date: 11 / 5 / 2020 Customer Name: CITY OF CLERMONT
Address: 685 W. MONTROSE ST. CLERMONT, FL 34711
Phone Number: 352-241-7355
Trailer Manufacturer: FOREST RIVER
Trailer Model: DENALI 10 STATION
Description: _____ Price: 54,999.00

IF WE NEED TO DO TAG WORK FOR CITY WILL BE ADITIONAL FEE

RIGHT TRAILERS WILL HAVE THIS UNIT BE DEADLINE 12/30/2020

Total: 54,999.00
Handling Fee: 0
Sales Tax (7%): EXEMPT
Tag, Title Fee (Temp Tag only): 0
Grand Total: 54,999.00
Deposit: -1,000.00
Total Due at Delivery: 53,999.00

*Balance Due may not include applicable taxes, tag and title fees. Customer shall bear this responsibility in their permanent state of residence. Balance must be paid with a wire transfer or cashier's check as described below.

All materials are exclusive property of Right Trailers, Inc. and are copyright protected. Use of this order form or its contents for any purpose other than that authorized in writing by Right Trailers, Inc. is strictly prohibited. Any violators of this copyright will be prosecuted to the full extent of applicable laws.

This unit requires a \$ 1,000.00 non-refundable deposit. The purchaser agrees that this deposit will be forfeited if for any reason the trailer is not paid for in full within 5 calendar days of notifications of trailer completion or at least 3 days prior to purchaser pickup of trailer whichever is sooner. This notification may be provided to the purchaser by way of email, voice mail, or verbally. The date of contact through one of these methods shall serve as the date of notification.

This order is a binding agreement between Right Trailers, Inc. and the purchaser. The deposit is non-refundable. If 100% financing is being applied to the above unit, the purchaser understands that he is responsible for maintaining his credit such that the financing will still be available upon trailer completion. If the purchaser is denied the financing at the time of completion, he understands that he is still responsible for paying in full for the above unit. If the purchaser neglects to pay for the above unit in full, he shall be held liable for the outstanding balance as well as any litigation costs including but not limited to court cost, filing fees, document stamps, attorney's fees, and the maximum daily interest rate allowed by the state of Florida for the remaining balance.

Florida law shall prevail in any legal proceedings and all legal activities shall take place in Polk County, Florida. The purchaser agrees to pay for the unit in full as described above. Right Trailers, Inc. cannot be held liable for substitutions made by the manufacturer due to product availability. Modifications to the order specifications may be requested by cannot be guaranteed. Such request shall be in writing and approved by both Right Trailers and the purchaser. Right Trailers does not express or imply an exact date of completion due to many manufacturing activities that are beyond the control of Right Trailers. The estimated completion date is exactly that, an estimate. If the actual completion date occurs after the estimated date, the purchaser agrees to still accept the trailer and fulfill this contract. The purchaser shall hold Right Trailers, Inc. harmless in any legal proceedings.

Acknowledgements:

_____	_____	_____
Purchaser	Date	DL#
_____	_____	
Dealer Authorized Agent	Date	

12/1/2020

Periscope Source: View Order



City of Clermont
685 West Montrose Street
Clermont, FL 34711

SUPPLIER: Right Trailers
7220 US HWY 98 N
LAKELAND FL 33809
CONTACT: Ramsey Gross
Phone: 352-241-7259
Email: rgross@clermontfl.org

SHIP TO: Clermont City Hall
685 West Montrose Street
Clermont, FL 34711

PURCHASE ORDER NO: 2020-0107
THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKAGES AND CORRESPONDENCE.

BILL TO: 685 West Montrose Street
Clermont, FL 34711
Order Date: Dec 1, 2020
Req No: E20210025

Delivery Date: Dec 15, 2020

Line	Item Code	Description	Qty	Unit	Unit Price	Total Price
1		Portable Restroom Trailer Trailer Specifications: Condition: New Vehicle Type: Cargo Trailer Color: Silver Length: 24 feet Width: 6 feet 6 inches GVWR: 12000 pounds Ash Capacity: 2 pounds Hitch Type: Bumper Pull All Steel Frame All DOT Approved Lighting 10 Station Restroom Trailer 2.5/16" Ball Coupler Tubular Steel Frame Safety Chains Electric Breakaway Kit Chrome Side Paneling Aluminum Thread Plate Safety Guard Men's and Women's Restroom Anti-Slip Aluminum Steps Tandem Axles 16" Tires And Wheels Bubble Levels Above Fenders A/C Unit 2 110-125 Volt Power Supply Plug-in Maintenance Closet A/C Control Breaker Box Radio With MP3, Bluetooth, USB, SD, and Compact Disc Two Power Cords User Manual Men's Restroom: 3 Urinals Two Sinks Countertop With Trash Disposal Soap Dispenser Paper towel Dispenser Speakers A/C Vents 3 Stalls Over Head Interior Lighting Toilet Paper Dispenser Women's Restroom: 4 Stalls Two Sinks Countertop With Trash Disposal Soap Dispenser Paper towel Dispenser Speakers A/C Vents Over Head Interior Lighting Toilet Paper Dispenser Sanitary Napkin Disposal	1	each	\$54,999.00	\$54,999.00

Total PO Price \$54,999.00

Special Instructions:

This purchase order is being issued as per all terms and conditions contained in bid number 21-004 to acquire Restroom Trailer as provided therein. Please contact Barbara Hollander at bhollander@clermontfl.org to schedule a delivery date.

Attachments:

Please follow the following PO documents online:

- RFB 21-004 Award Recommendation.pdf
- RFB 21-004 Response Tabulation.pdf

<https://www.bidsync.com/DPXOrder?ac=orderview&print=yes&orderId=2788725>

1/2

Periscope Source: View Order

12/17/2020

PURCHASE ORDER TERMS AND CONDITIONS

This Purchase Order is being issued as per previously approved request and complies with the City of Clermont Purchasing Policy

Vendors providing goods or services to the City of Clermont acknowledge that by delivering such goods or services, they agree to the following terms and conditions. Should a formal contract be executed between the City of Clermont and the vendor (whether or not a result of a formal bid or not), the terms and conditions defined in that contract shall prevail over those listed here in any case of conflict.

1. Acceptance of this Purchase Order, including the terms and conditions set forth herein, shall constitute the formation of a binding and enforceable contract between the City and vendor. Buyer hereby agrees to and will not be bound by any difference of additional terms and conditions contained in the acceptance unless each such difference or additional term is expressly agreed to in writing by the City. Vendor's action in (a) accepting this order, (b) delivering materials, or (c) performing services called for hereunder shall constitute an acceptance of terms and conditions below on this order.

2. All purchase requirements applicable shall be added prior to the issuance of this Purchase Order. Vendor is responsible for keeping required insurance current until service is completed.

3. Upon delivery of goods and/or services as described on this purchase order, the vendor shall submit a "proper invoice" to the Department on the front of the purchase order. The invoice shall contain the following information to be processed for payment:

(a) Name of vendor and vendor's address of vendor

(b) Date of invoice

(c) Purchase Order number

(d) Quantity of items delivered, item description, unit price, extended price for each item

(e) Total amount of invoice

4. No modifications and/or charges shall be binding upon the City unless approved in writing by the City through a revised purchase order. Quantities specified in the purchase order cannot be changed without approval by the City which will be provided through a new modified/revised purchase order.

5. City is not exempt from Federal and State taxes for tangible personal property, intangible taxes, and other taxes.

6. Vendor warrants that all goods or services supplied hereunder shall conform to the proposed specifications and be free from all defects in material, workmanship and design.

7. All prices must be F.O.B. destination. No loading or padding charges will be allowed by City unless specifically authorized on the face of this order. Delivery shall not be made to any place other than the destination indicated on the Purchase Order.

8. The vendor agrees to indemnify, defend and hold harmless the City of Clermont, including but not limited to its public officials, City employees, and City Department, against all damages, claims, liabilities and expenses of any nature whatsoever, including, but not limited to personal injury, death, and property damage, arising out of or in connection with any actions by the vendor including but not limited to its own, its employees, subcontractors, and agents during the performance of this order. Additionally, the vendor will indemnify the City, including but not limited to its public officials, City employees, and City Department, against all damages, claims, liabilities and expenses of any nature whatsoever, including, but not limited to personal injury, death, and property damage, arising out of or in connection with any actions by the vendor including but not limited to its own, its employees, subcontractors, and agents during the performance of this order.

9. Public Records: CONSENT TO DISCLOSE: Vendor agrees to provide public records associated with this project and agrees to comply with Florida's Public Records Law, to include the Copyright Act or other laws or regulations in the state of Florida.

10. Keep and maintain public records that are necessary and reasonably required by the City in order to perform the services contemplated herein.

(a) Provide the public with access to public records on the same terms and conditions that the City would provide the records and at a cost that does not exceed the cost provided in this Florida's Public Records Law or as otherwise provided by law.

(b) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(d) Meet all requirements for retaining public records and ensure, at no cost to the City, all public records in possession of CONSENT TO DISCLOSE upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City in a format that is compatible with the information technology systems of the City.

(e) If Contractor has questions regarding the application of Chapter 119, Florida Statutes, to the Contractor's duty to provide public records relating to this contract, Contractor shall consult the City's coordinator of public records at City Clerk's Office, (352) 241-7331.

Authorized Signature

Print Name

Case

https://www.bidsync.com/DPOOrderView.aspx?print=yes&cardid=2788725

2/2

Pamela Brosonski

From: Barbara Hollerand
Sent: Wednesday, December 9, 2020 5:08 PM
To: Pamela Brosonski
Cc: Terri Dumond
Subject: Check for Right Trailers for restroom trailer
Importance: High

Hi, Pam,
They just called to say the restroom trailer was in and that they can deliver it to us tomorrow or Friday.
May I get the check for that one, please? It is the approximately \$53k one.
Thanks!
Barbara



Barbara B. Hollerand
Business Liaison

685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7355 | Fax 352-394-3542
bhollerand@clermontfl.org
www.clermontfl.gov

*Our mission: To preserve and enhance the quality of life for the
Clermont community by providing exceptional services.*



PROPERTY DISPOSAL FORM

Dept. / Division: FIRE/FIRE Property Tag #: NONE
 Contact Person: BETH CARTER Phone: 352-241-2214
 Year / Make / Model: _____ Vehicle No. n/a
 Miles / Hours: _____ Serial / VIN: _____
 Description of Property 10 CONFERENCE ROOM CHAIRS, UNSERVICEABLE

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.

☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).

☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.

☒ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.

☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.

☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.

☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).

☐ **OTHER:** _____

Director Signature: 

Date: 4/8/2022

*****This form must be sent to the Purchasing Department to dispose of property*****

Date Approved by City Council: _____

Agenda Item: _____

Method of Disposal: _____

Date Disposed: _____

Purchasing Director: _____

Date: _____

Munis Asset Number: _____

Revised 4/12/2017



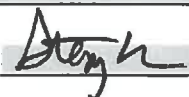
PROPERTY DISPOSAL FORM

Dept. / Division: ENV. SVCS. / SANITATION Property Tag #: NONE
Contact Person: BRIAN CAMP Phone: 352-267-2558
Year / Make / Model: NONE Vehicle No. NONE
Miles / Hours: NONE Serial / VIN: NONE
Description of Property 350 BROKEN/DAMAGED TRASH & RECYCLING CARTS

☐ See attached form with multiple items listed. All items must include above information.

*****MUST CHECK ACTION BELOW (One Action Per Form)*****

- ☐ **CANNIBALIZED:** The equipment is in non-repairable condition but components parts of the equipment may be used to repair or replace parts on other pieces of equipment.
- ☐ **LOST / STOLEN:** Accidental loss or damage - disposition is unknown (Police report must be attached to this form).
- ☐ **TRADE-IN:** Returned to vendor. Submit any other information as to the asset(s) description, trade-in value, etc.
- ☒ **NON-REPAIRABLE:** A piece of equipment that is not repairable or not cost effective to repair.
- ☐ **OBSOLETE:** Refers to any item, material and software, which is of no use to the City or has expired its useful life.
- ☐ **SCRAP:** Any metallic material that can be dissolved to produce new metals.
- ☐ **ABANDONED:** Property which has been left behind by owner or unclaimed and recovered by the Police Department (abandoned property does not require City Council approval).
- ☐ **OTHER:** _____

Director Signature: 

Date: 5-4-22

*****This form must be sent to the Purchasing Department to dispose of property*****

Date Approved by City Council: _____

Agenda Item: _____

Method of Disposal: _____

Date Disposed: _____

Purchasing Director: _____

Date: _____

Munis Asset Number: _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Lake County Public Schools Easement		
Requested Action		
Request approval of Public Utility Easement agreement with Lake County Public Schools		
Staff Report		
Approval of this easement will allow the installation and maintenance of the required utilities to serve the Wellness Way area.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Final_Clermont Utility Easement_WHMS_2022_LCS Approved	Final_Clermont Utility Easement_WHMS_2022_LCS Approved.pdf

PUBLIC UTILITY EASEMENT

THIS EASEMENT made April 25,, 2022,

Between the School Board of Lake County, Florida
whose interest is fee simple or if other than fee simple is:

None
(if none other, write none)

For recording use only

herein referred to as GRANTOR, and the CITY OF CLERMONT, a Florida Municipal Corporation, 685 W. Montrose St., Clermont, Florida, herein referred to as GRANTEE;

GRANTOR, in consideration of TEN DOLLARS (\$10.00), and other valuable consideration to GRANTOR paid by GRANTEE, receipt of which is acknowledged, does hereby grant a non-exclusive EASEMENT IN GROSS to GRANTEE forever, to have and to hold for all public uses traditionally made of a PUBLIC UNDERGROUND UTILITY EASEMENT, including for the right of ingress and egress on behalf of itself, its' employees, contractors or agents, to construct, maintain, repair and replace, inspect and view pipes, sanitary force mains, water mains, meters and other underground utility infrastructure for said purpose;, under, and through the following described lands in Lake County, Florida, to-wit:

See Exhibit "A"

Consisting of approximately .65 acres more or less.

GRANTEE shall promptly restore any landscaping, concrete walkways, curbs, pavement, or any other disturbance to the easement area which may be damaged or disturbed as a result of GRANTEE'S activities.

Reserving to the GRANTOR all rights not inconsistent with said easement, including reversion upon release, and the right to use, and grant rights to others to use, the easement area in any manner that does not unreasonably interfere with the rights granted to GRANTEE herein.

IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR'S hands and seal the day and year first above written.

signed, sealed and delivered
in the presence of:

By: Stephanie Luke
(Grantor's Name)

Patricia Jo Painter
(Print Name) PATRICIA Jo Painter
Cynthia Y. Monteith
(Print Name) Cynthia Y. Monteith

Print Name/Title: Stephanie Luke, Chairman
Address: 201 W. Burleigh Blvd
Tavares, Florida 32778

(CORPORATE SEAL)

Attest: [Signature]

Patricia Jo Painter
(Print Name) PATRICIA Jo Painter
Cynthia Y. Monteith
(Print Name) Cynthia Y. Monteith

Print Name/Title: Diane Kornegay, Superintendent
Address: 201 W. Burleigh Blvd.
Tavares, Florida 32778

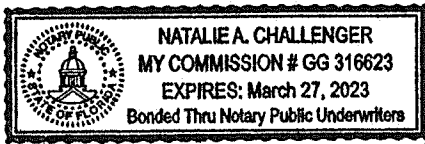
ACKNOWLEDGEMENT ON PAGE 2

For recording use only

STATE OF FLORIDA

COUNTY OF LAKE

On April 25th, 2022, the foregoing instrument was acknowledged before me by
Stephanie Luke, Chairman, and Diane Kornegay, Superintendent
and who are personally known to me or who have produced _____
and _____ as identification and who (did) (did not) take an oath.



Natalie A. Challenger
Notary Public (Signature)

Natalie A. Challenger
Notary Public (Typed, Printed, or Stamped)

ACCEPTED BY the City of Clermont by action of the City Council at its meeting of:

Mayor,

ATTEST:

City Clerk

Pursuant to Section 695.26 (3) (f), this instrument exempt from Chapter 695, F.S.: Prepared by and return to a Public Official: City Clerk, City of Clermont, 685 W. Montrose Street; Clermont, Florida 34711



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Piggyback OMNIA Partners Contract		
Requested Action		
Recommend to approve piggybacking contract number R211101 between OMNIA Partners and FleetCor Technologies Operating Company, LLC to provide fuel card services for the City of Clermont.		
Staff Report		
The Procurement Services Department recommends approval of the above action. The Procurement Services Department sought a contract between OMNIA Partners, number R211101 and FleetCor Technologies Operating Company, LLC. to provide fuel card services for the City of Clermont. In accordance with the direction of City Council, the Procurement Services Department issued a Request for Interest (RFI) number 2205-002 to notify local vendors of the City's intent to utilize another governmental agency's contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Procurement Services Department received no interest. The OMNIA Partners contract was obtained through a fully competitive solicitation and complies with the City of Clermont Procurement Services Policy. The award includes an initial 2-year agreement with two (2) one (1) year renewal terms. Based on this, staff recommends that Council approve the piggyback of the OMNIA Partners contract number R211101. The OMNIA contract provides a more aggressive fuel discount program than the Florida State contract. The fuel discount under the State of Florida is 1.70% off the total gallons purchased on a quarterly basis. The OMNIA contract provides a 2.85% discount at the transaction level and it is tabulated on a monthly basis and will provide additional savings to the city. The estimated annual amount of this contract is \$620,000. The use of piggyback contracts is allowed under the Purchasing Policy, Section E.9 and is a procurement best practice that takes advantage of competitive pricing from a contract formerly bid by another government agency. The Procurement Services Department has determined that the use of piggyback contracts is advantageous and in the best interest of the City to reduce administrative time and expense while providing favorable pricing. Approval of this contract does not commit the City to purchases or require that the contract must be utilized. Purchases associated with piggyback contracts are budgeted by each department. The estimated annual usage does not represent the budgeted amount by a department.		
Additional Analysis		
Fiscal Impact Summary		
Funding will be determined by the respective department and included in their fiscal year budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI 2205-002	RFI 2205-002.pdf	
2. Tabulation	Tabulation.pdf	
3. Contract R211101.docx	Contract R211101.docx.pdf	



REQUEST FOR INFORMATION

Intent to Utilize Omnia Contract for Fuel Card Services

CONTACT INFORMATION:	RFI No. 2205-002	ISSUED DATE: May 5, 2022
Ramsey Jimenez, MPA Senior Procurement Agent EMAIL: rjimenez@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO PIGGYBACK A CONTRACT NOTICE END DATE: <u>May 11, 2022 at 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

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

Responses may be submitted electronically to the Procurement Services Director by email.

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

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Procurement Services Department will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for five (5) business days.

1 – PIGGYBACK CONTRACT INFORMATION

(a) Department: City Wide

(b) Company Information: FleetCor

(c) Contract Number and Title: R211101

(d) Length of Contract: January 1, 2022 to December 31, 2024 option to renew two (2) years

(e) Product or Service Provided: Fuel card services for the City of Clermont

2 – ACTION TO BE TAKEN

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

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



Bid Tab Summary

RFP # 21-11 Fuel Card Services and Related Products

Description	Total Weighted Value	<i>FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc.</i>
Products/Pricing	40	35
Performance Capability	25	28
Qualification & Experience	25	18
Value Add	10	6
Total	100	87

It is recommended that the following contract award be made:

Contract

Fuel Card Services and Related Products

Award

FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc.

Fuel Card Services and Related Products

COMMITTEE MEMBER INDIVIDUAL VENDOR SCORING CHART

Each committee member will independently score
each vendor listed as specified in the bid documents.
Email to: cwallace@esc4.net when complete.

VENDOR NAME Fleetcor

	Rating Factors	Score %	Rationale for Score
1	Products/Pricing (40 Points)	35%	
2	Performance Capability (30 Points)	28%	
3	Qualification and Experience (20 Points)	18%	
4	Value Add (10 Points)	6%	
	Totals = 100%	87%	Notes:

Evaluation Committee Combined Scores 9/16/2021
Evaluator's Name Date



Fuel Card Services and Related Products Executive Summary

Lead Agency: REGION 4 ESC

Solicitation: RFP 21-11

RFP Issued: July 7, 2021

Pre-Proposal Date: July 20, 2021

Response Due Date: August 24, 2021

Proposals Received: #1

Awarded to: FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc. – Contract #R211101

The Board of Directors of Region 4 Education Service Center (ESC) issued RFP 21-11 on July 7, 2021, to establish a national cooperative contract for Fuel Card Services and Related Products.

The solicitation included cooperative purchasing language in Sections I. Scope of Work:

NATIONAL CONTRACT:

Region 4 ESC, as the Principal Procurement Agency, defined in APPENDIX D, has partnered with OMNIA Partners, Public Sector (“OMNIA Partners”) to make the resultant contract (also known as the “Master Agreement” in materials distributed by OMNIA Partners) from this solicitation available to other public agencies nationally, including state and local governmental entities, public and private primary, secondary and higher education entities, non-profit entities, and agencies for the public benefit (“Public Agencies”), through OMNIA Partners’ cooperative purchasing program. Region 4 ESC is acting as the contracting agency for any other Public Agency that elects to utilize the resulting Master Agreement. Use of the Master Agreement by any Public Agency is preceded by their registration with OMNIA Partners (a “Participating Public Agency”) and by using the Master Agreement, any such Participating Public Agency agrees that it is registered with OMNIA Partners, whether pursuant to the terms of a Master Intergovernmental Cooperative Purchasing Agreement, a form of which is attached hereto on APPENDIX D, or as otherwise agreed to. APPENDIX D contains additional information about OMNIA Partners and the cooperative purchasing program.

Notice of the solicitation was sent to potential offerors, as well as advertised in the following:

- Region 4 ESC website
- OMNIA Partners website
- USA Today, nationwide
- Arizona Business Gazette, AZ
- San Bernardino Sun, CA
- Honolulu Star-Advertiser, HI
- The Advocate – New Orleans, LA
- New Jersey Herald, NJ
- Times Union, NY
- Daily Journal of Commerce, OR
- The State, SC
- Houston Community Newspapers, Cy Creek Mirror, TX
- Deseret News, UT

- Richmond Times, VA
- Seattle Daily Journal of Commerce, WA
- Helena Independent Record, MT
- Kennebec ME Journal
- The Herald-News, IL
- Las Vegas Sun, NV

On August 24, 2021 proposals were received from the following offeror:

- FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc.

The proposals were evaluated by an evaluation committee. Using the evaluation criteria established in the RFP, the committee elected to enter into negotiations with FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc. and proceeding with contract award upon successful completion of negotiations.

Region 4 ESC, OMNIA Partners and FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc. successfully negotiated a contract, and Region 4 ESC executed the agreement with a contract effective date of January 1, 2022.

Contract includes:

- Fuelman Fleet Card Program
 - Flexible Pricing Plans
 - Online web-based account management
 - Customizable Billing Frequency
 - Track and Monitor Fleet Fuel Expenses
- MasterCard Program
 - Comdata MasterCard – FleetCor through its subsidiary company Comdata, Inc.
 - Pricing based on the card accepting merchant's retail price

Term:

Initial three (3) year agreement effective January 1, 2022 through December 31, 2024 with the option to renew for two (2) additional one-year periods through December 31, 2026.

Pricing/Discount: OPIS based pricing, contact OMNIA Partners/FleetCor dba Fuelman for more details.

OMNIA Partners Web Landing Page: [FLEETCOR Technologies dba Fuelman Cooperative Contract | Contract Documentation \(omniapartners.com\)](#)



November 9, 2021

Mr. Randy Morgan
rmorgan@comdata.com
Chief Operating Officer
FleetCor Technologies, Inc. through its subsidiaries:
FleetCor Technologies Operating Company, LLC and Comdata, Inc.
3280 Peachtree Road, Suite 2400
Atlanta, GA 30305

Re: Award of Contract #R211101

Dear Mr. Morgan:

Per official action taken by the Board of Directors of Region 4 Education Service Center on October 26, 2021, we are pleased to announce that FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc. has been awarded an annual contract for the following, based on the sealed proposal (RFP #21-11) submitted on August 24, 2021:

Commodity/Service

Supplier

Fuel Card Services and Related Products

FleetCor Technologies, Inc. through its subsidiaries:
FleetCor Technologies Operating Company, LLC and
Comdata, Inc.

This contract is effective January 1, 2022 and will expire on December 31, 2024. As indicated above, your contract # is R211101. This contract may be renewed annually for an additional two (2) years if mutually agreed upon by Region 4 ESC/OMNIA Partners, Public Sector and FleetCor Technologies, Inc. through its subsidiaries: FleetCor Technologies Operating Company, LLC and Comdata, Inc.

Your participation in the proposal process is appreciated and we look forward to a successful partnership. Please feel free to provide copies of this letter to your sales representative(s) to assist in their daily course of business.

If you have any questions, please contact Christine Dorantes, the Contract Manager assigned to your contract, at (615) 431-8182 or christine.dorantes@omniapartners.com.

Sincerely,

DocuSigned by:

30EE15BFEF1C4C6...

Robert Zingelmann
Chief Financial Officer, Finance and Operations Services



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Variance Request 2481 Linkwood Avenue		
Requested Action		
Recommend denial of requested variance.		
Staff Report		
The applicant is requesting a variance for a rear yard setback to be less than the minimum 25 feet requirement for property located at 2481 Linkwood Avenue. The requested variance would allow for the construction of a 17' x 22' screen porch with a solid roof in the existing rear yard of the single family home. The proposed porch addition would encroach into the required 25 foot rear yard setback by 17.5 feet, which will leave approximately 7.5 foot rear yard setback from the property line. The required rear yard setback in this subdivision is 25 feet from the rear property line. The existing single-family residence is approximately 30 feet from the rear property line and consists of an existing pool and deck in the rear yard. The proposed screen porch is over an existing deck adjacent to the swimming pool. The impervious surface ratio is not being increased since the deck is existing. The construction of the insulated solid roof screen porch encroachment of 17.5 feet into the required 25 feet rear yard property setback may be considered intrusive to the surrounding property owners. This is an increase of 70% into the rear yard setback with the solid roof addition. The City received an objection email from the Lost Lake Residential Property Owners Association as well for the proposed improvement. Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on all of the five review criteria. Therefore, staff recommends denial of the requested variance.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis 2481 Linkwood Avenue	Staff Analysis 2481 Linkwood Avenue.pdf	
2. New 86-174 Review Criteria- 2481 Linkwood Avenue-VAR	New 86-174 Review Criteria- 2481 Linkwood Avenue-VAR.pdf	
3. POA email	POA email.pdf	
4. LOCATION MAP	LOCATION MAP.pdf	
5. Site plan	Site plan.pdf	
6. POA Denial Letter-2481 Linkwood - CM84000A003220220510145109	POA Denial Letter-2481 Linkwood - CM84000A003220220510145109.pdf	
7. Application	Application.pdf	
8. 2481 Linkwood Ave-Legal AD	2481 Linkwood Ave-Legal AD.pdf	



CITY OF CLERMONT Staff Analysis Report

OWNER: Thomas & Kylan Moore

APPLICANT: Thomas & Kylan Moore

PROJECT NAME: 2481 Linkwood Avenue Setback Variance

REQUESTED ACTION: Consider a request for the following variance: (1) to allow for a rear yard setback of approximately 7.5 feet instead of 25 feet as required in the Lost Lake Reserve PUD Master Plan

SIZE OF PARCEL: 90' x 125' SF lot

LOCATION: 2481 Linkwood Avenue – Lost Lake Reserve
Tract A - Subdivision

EXISTING ZONING: Planned Unit Development

EXISTING LAND USE: Single Family Residence

FUTURE LAND USE CATEGORY: Master Planned Development

ANALYSIS:

The applicant is requesting a variance for (1) rear yard setback variance to be less than the minimum 25 feet requirement for property located at 2481 Linkwood Avenue. The requested variance would allow for the construction of a 17' x 22' screen porch addition to the existing rear yard of the single family home. The proposed porch addition would allow a 22 foot encroach into the required 25 foot rear yard setback, which will provide the residential lot setback of approximately 7.5 feet from the rear property line. The current Land Development Codes, Section 122-342, requires any solid roof structures or buildings must be able to meet the setbacks for the primary residence. The required rear yard setback in this subdivision is 25 feet from the rear property line for the primary residence.

The existing single-family residence provides a rear yard setback of approximately 30 foot from the rear property line, and there is an existing pool and deck in the rear yard. The proposed screen porch addition would increase the existing impervious surface ratio for lot coverage and may interfere with sufficient water runoff and drainage requirements for the lot.

Staff finds, although the applicant is seeking reasonable use of the property. However, the proposed screen porch would provide a significant increase to the maximum impervious surface lot coverage for residential development. The construction of the insulated solid roof screen porch encroachment into the rear property setback maybe considered as intrusive to the surrounding property owners because the structure will be located approximately 7.5 feet from the rear property line.

STAFF RECOMMENDATION:

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

2481 Linkwood Avenue Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
Applicant response: *No it will not affect the adjacent or nearby owners and there is an underground water drainage system in place for the roof water runoff.*

Staff comments: *The variance request to allow the rear-yard setback less than the minimum 25-foot required setback for the construction of a solid-roof porch addition to the existing single family home. The Planned Unit Development (PUD) development standards requires a minimum 25-foot rear yard setback for any accessory structures or buildings. The screen porch would have the most impact on adjacent property owners due to it encroaching into the rear yard setback. In addition, the impervious surface is being increased, which may impact the adjacent owners with additional stormwater runoff if not conveyed properly.*

Negative Finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: *Yes, it will create covered seating area to enjoy the pool deck away from the weather elements.*

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

Positive Finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: *N/A*

Staff comments: *The screen porch addition with an insulated solid roof would be located very close to the adjacent neighbors and may negatively affect the reasonable use of the adjacent properties.*

Negative Finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan;
Applicant response: *N/A.*

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

Positive Finding

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

Applicant response: The variance requested will give sufficient roof coverage and propionate to the existing pool deck size.

Staff comments: The applicant is requesting a variance to allow the construction of a screen porch addition to the home that already has an existing in-ground pool; the proposed screen porch addition will be approximately 7.5 feet from the rear property line. The maximum impervious surface lot coverage is close to the maximum 55 percent allowed for residential development.

Negative Finding

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

John E. Kruse

From: Marion Ringwood <maribelmouse@gmail.com>
Sent: Thursday, April 21, 2022 7:18 PM
To: Tim Murry; Michele Pines; Ebo Entsuah; Jim Purvis; Timothy Bates; Brian Bulthuis
Cc: Curt Henschel; John E. Kruse; Kemal Rahaman; Janna Laine; jocal keller; Kimberly Hausler
Subject: 04/26/2022 City Council Meeting

Good afternoon! I would like to bring to your attention some additional information regarding an item that is on the upcoming 04/26/2022 City Council Meeting -- Item # 13 - 2481 Linkwood Avenue Variance Request.

2481 Linkwood Avenue is located in Tuscany Ridge which is part of the Lost Lake Residential Property Owners Association ("POA"). It was brought to the POA Board of Directors' attention that the homeowner is requesting a variance through the City to construct an enclosure around an existing pool in their backyard and requesting an aluminum roof on the enclosure. We understand that the homeowner submitted a permit in February 2022 and it was rejected; they are now requesting a variance from the City Council.

As part of our Property Owners Association Declaration of Covenants, homeowners are required to submit an Architectural Review Board (ARB) form to the Architectural Control Committee for any alterations to the exterior of the home. No construction is to take place until approved in writing by the Committee.

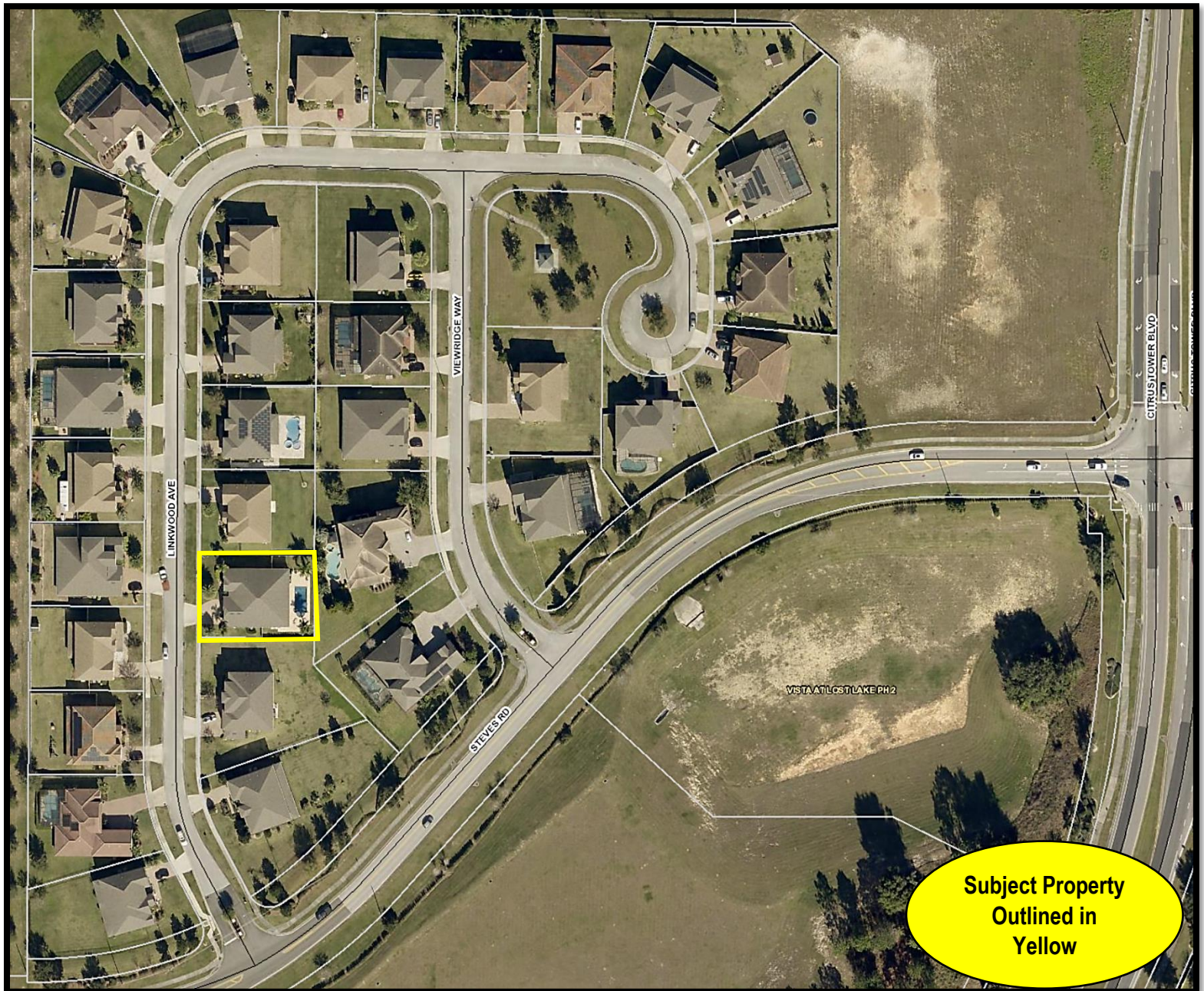
We have confirmed with our property management company, Sentry Management, that the homeowner has not submitted an ARB Form for this proposed construction and we have also confirmed with our ACC members that if an ARB Form were submitted, the ACC members would not approve a pool enclosure with an aluminum roof.

We respectfully request that you accept this information from the Board of Directors of the Lost Lake Residential Property Owners Association and concur with the recommendation from City Staff to not approve this Variance request. Thank you for your service to the City of Clermont.

Respectfully,

Marion Ringwood
POA Board Member
Reserve at Lost Lake
maribelmouse@gmail.com * 973-219-7056

LOCATION MAP



Proposed
 Aluminum Raft
 17' x 22'
 on existing Deck
 with new concrete footer
 CITY OF CLERMONT
 Pool + Deck
 04-24-17
 50%
 Impervious

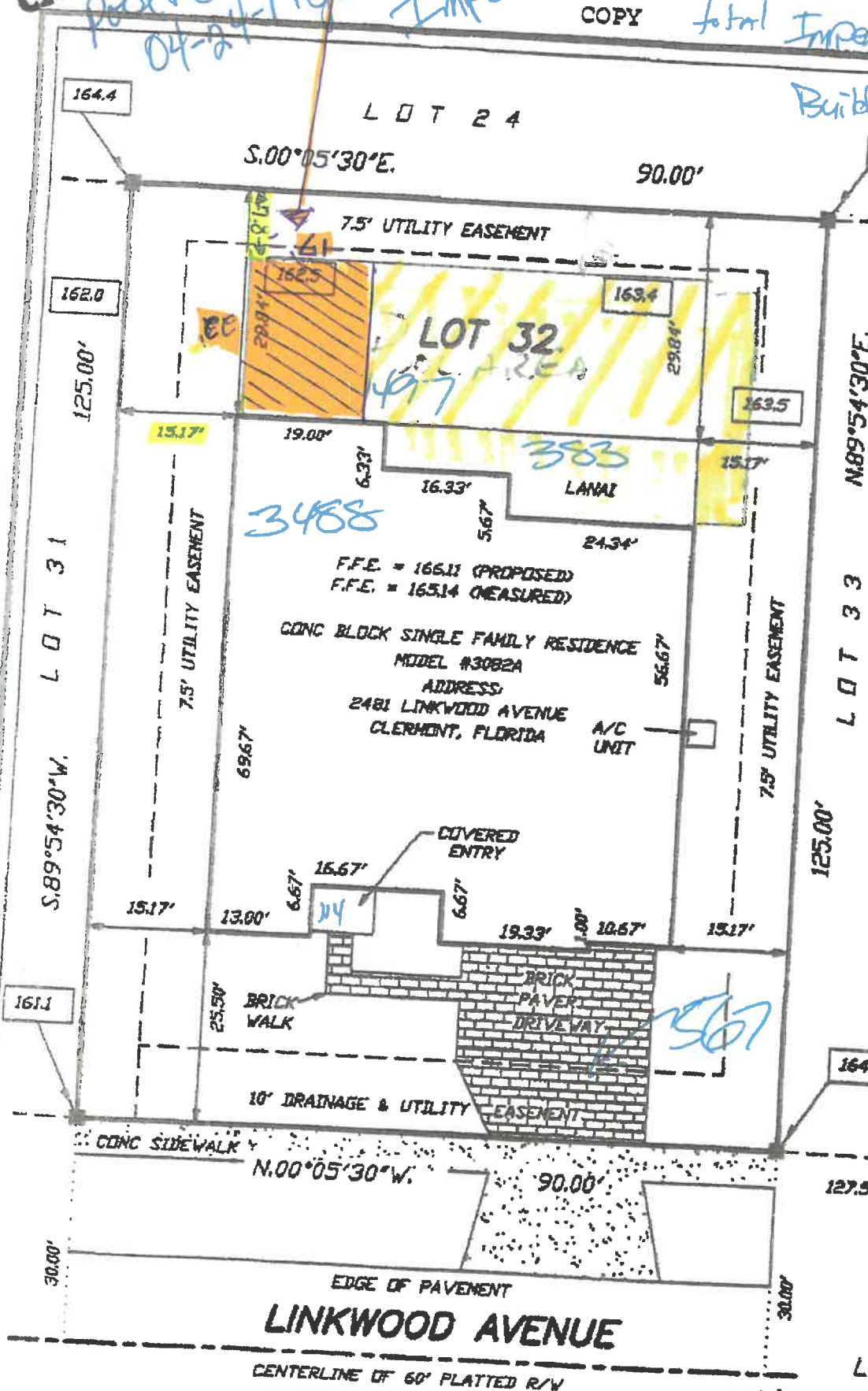
5666 ÷ 11250
 Impervious
 Lot Area
 Total Impervious = 506

COPY

Building Footprint 3488

164.2 Drive 567
 Walk 114
 Pool Area 1497
 total 5666
 7383
 5949
 NOTES

1. BEARINGS BASED ON THE W. LINE OF LOT 32 BEING S.00°05'30"E.
2. UNDERGROUND IMPROVEMENTS NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. SUBJECT PROPERTY LIES IN ZONE "X", PER FLOOD INSURANCE RATE MAP PANEL #12069C0585D, DATED 7/3/2002, AND LIES OUTSIDE THE 500-YEAR FLOOD PLAIN.
5. DATE OF FIELD SURVEY: 11/14/13.
6. ELEVATIONS BASED ON SITE BENCHMARK PER CONSTRUCTION PLANS.



LEGEND

- A/C FFE = AIR CONDITIONER FINISHED FLOOR ELEVATION
- CONC = CONCRETE

FINAL SURVEY /

BOUNDARY SURVEY



May 10, 2022

CM8400 0A0032
Thomas & Kyla Moore
2481 Linkwood Ave
Clermont, FL 34711

RE: ARB Application: 2481 Linkwood Ave

Dear Homeowners:

This letter is being written on behalf of and at the direction of the Board of Directors for the Lost Lake Residential Property Owner's Association, Inc.

The Board of Directors has **Denied** your request, **with comments**, for the installation of aluminum insulated roof panels on the existing pool deck and future addition to structure with windows.

Comments: Reviewed per Residential Declaration VII Architectural control, Denied as not in compliance with Design Review Guidelines 3.11.1, 3.11.2 & 3.10(c).

If you have any questions at all, please feel free in contacting me at the Lost Lake Residential Property Owner's Association, Inc. c/o Sentry Management 1645 E. Hwy. 50, Suite 201, Clermont, FL 34711.

Sincerely,

Janna Laine, CAM
Community Association Manager

LOST LAKE RESIDENTIAL PROPERTY OWNER'S ASSOCIATION, INC.
APPLICATION TO THE ARCHITECTURAL REVIEW BOARD (amended 10/18/2021)

This form is to be completed by the homeowner and submitted to the Architectural Review Board (ARB) for approval **BEFORE** any work commences. Please refer to your Declaration of Covenants and Restrictions for a description of the ARB and its purpose.

Forward Requests to: **Janna Laine** Email: **cmreception@sentrymgt.com**
Sentry Management, Inc. Phone: **352-243-4595 (0 for Receptionist)**
1645 E Highway 50 Suite 201 Fax: **352-243-4597**
Clermont, FL 34711

Note: Incomplete or improperly submitted requests will be returned without action to the owner for correction and resubmission. All applications are reviewed within 30 days of receipt by Sentry.

THIS SECTION TO BE COMPLETED BY HOMEOWNER

OWNER NAME: Thomas + Kyla Moore DATE: 4-25-2022

ADDRESS: 2481 Linkwood Ave Email (REQUIRED): th.moore@hotmail.com

PHONE (Home/Cell): 321-230-7576 (Work): _____

DESCRIBE THE CHANGE/ADDITION INSTALLATION: (i.e., Fence, screen enclosure, pool, shed, widen driveway, etc.)

For Replacement shingles, provide Color: see attached - Aluminum Insulated Roof
Panels on existing Pool Deck & future addition to structure w/windows

EXTERIOR PAINTING (repaint exterior): LIST SCHEME # _____ (see link below to HOA approved schemes)

Main Body color/ #: _____ Accent stucco color/ #: _____ Front Door color/ #: _____

Garage Door color/ #: _____ Shutter color/ #: _____ Color(s): **ATTACH COLOR CHIPS OR PRINT SCHEME FROM WEBSITE**

<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/hoa/clermont/fl/the-reserve-at-lost-lake/>

SPECIFICATIONS: (Attach copies of plans, estimate or pictures. Fence requests include style, size and finish. Additionally, fence posts must face inward on fence installations with the smooth side facing outward.)

Dimensions: 23x14 Aluminum Insulated Roof

Material(s): Bronze Aluminum Framing

Note: All requests and alterations must conform to all local Zoning and Building Regulations, and you must obtain all necessary permits if your request is approved by the Architectural Review Board. A copy of your permit is to be sent to Sentry for your file.

THIS SECTION TO BE COMPLETED BY ARCHITECTURAL REVIEW BOARD

Mgmt. Rec'd Date: _____ Forwarded to: _____ on _____ Sent to Owner: _____

ARB Comments: _____

☐ **APPROVED:** Board Member Signature: _____ Date: _____

☒ **DENIED:** Board Member Signature: 5-5-22 Date: _____

Board Comments or Conditions: Reviewed per Residential Declaration VII Architectural Control, denied as not in compliance with Design Review Guidelines 3.11.1

NOTE: Work must be completed no later than 90 days after date the approved form is sent to the Owner for normal requests. In situations where the request is major in nature, such as a pool, work must be started within 90 days of the date the approved form is sent to the Owner and completion must not be unnecessarily delayed by the Owner. Failure to comply with the above deadlines will automatically revoke approval of this form and the Owner will be required to resubmit this form again for approval.

3.11.2
+
3.10(c)

Residence:
2481 Linkwood Ave
Clermont, FL 34711

Currently working to Permit:

- Main Structure- 14x23 Aluminum Insulated Roof on existing Paver Pool deck as shown in drawings with proper gutter and downspouts incorporated into existing underground drainage
→BRONZE Aluminum framing, roof Trim and Gutter and Downspouts with the standard 3" Composite foam Roof panels with White Aluminum Skins

Near Future Addition to Main Structure"

→Add to existing Aluminum Structure- 4ft tall Knee wall from pavers to bottom of window frame, Acrylic Horizontal Sliding windows on east side of residence, south side screen Wall, West side facing pool motorized roll up screens and 1 Walk through Full Glass Door on East Side of structure with Acrylic windows.

***NOTES: We kindly request that if you have any reason for denial of this addition/alteration please give us an explanation of why so we can alter the structure and design to meet the Community Guidelines.

Attached to this application is a Sketch of the structure as well as the products to be installed- Please also let us know if there is any stipulation to the materials to be installed so we can adjust to meet community guidelines

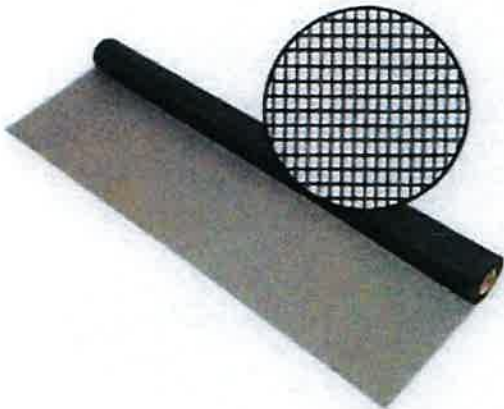
Customer Contact:
Thomas & Kyla Moore
2481 Linkwood Ave
Clermont, FL 34711

Contractor Information:
Silver Star Construction, Inc.
8922 Bogaert Dr.
Groveland, FL 34736

Current Permit In Progress Material to be Installed



→ Bronze Aluminum Framing



→ Phifer Standard 18/14 Charcoal Screen

Future Alteration Material to be Installed

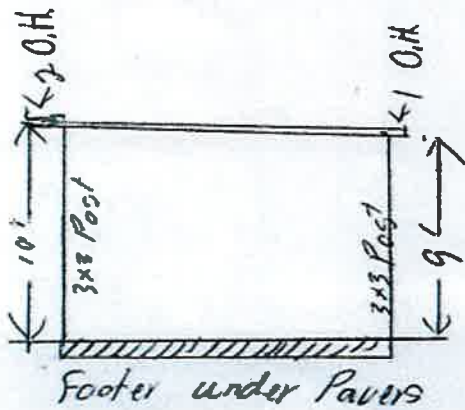


→ Bronze Horizontal sliding Acrylic Windows



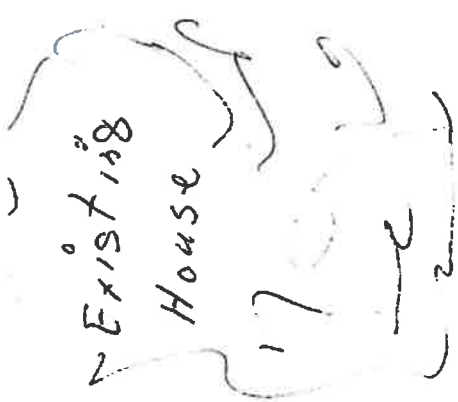
→ Bronze Full Glass Storm Door

Permit and Variance In Progress



14'

2' O.H.
3x3 Post
3" Insulated roof
with 2 Fan Beams
3x3 Post
6" Galled
DS
PS



2481 Linkwood Av

Clarmont Fl 34711

321-230-7576

23'

Room Additions • Remodels • New Construction
Screen Enclosures, Soffit & Fascia and Siding & More



Silver Star
Construction, Inc.
LICENSE # 0601331305

BONDED • INSURED
FREE ESTIMATES

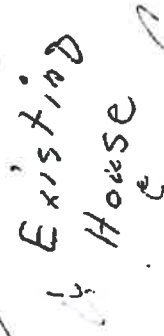
MIA

352-516-3761

PAUL

352-516-6118

SilverStarConstructionCompany.com



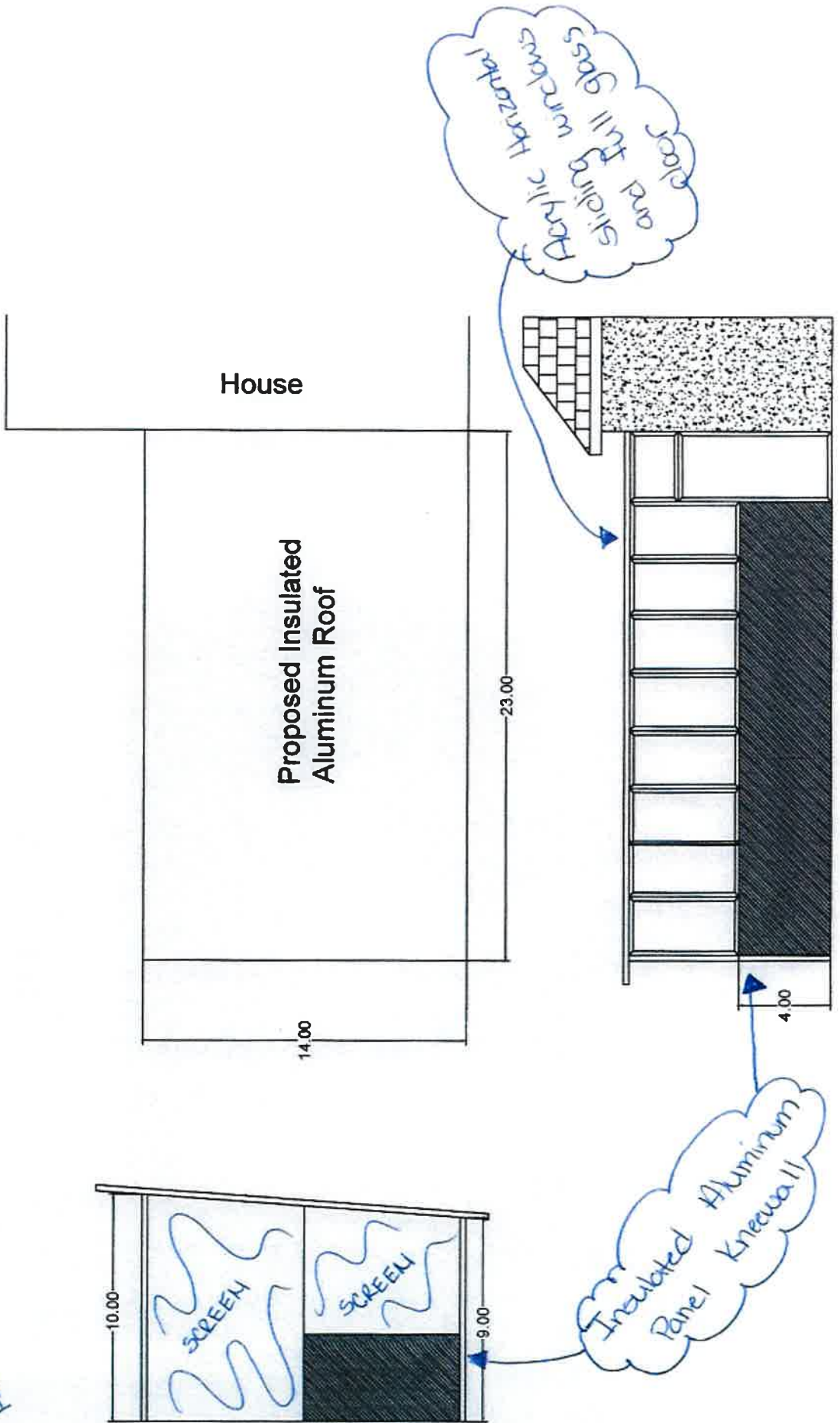
9'

Footer under Pavers

Contractor:
Silver Star Construction, Inc.
License: CRC1331305
(352)516-3761

Residence:
2481 Linkwood Ave
Clermont, FL 34711

* Future proposed
alteration to Insulated
Aluminum Roof



PROPERTY RECORD CARD

General Information

Name:	MOORE THOMAS & KYLA N	Alternate Key:	3846866
Mailing Address:	2481 LINKWOOD AVE CLERMONT, FL 34711 Update Mailing Address	Parcel Number: ●	29-22-26-1200-000-03200
		Millage Group and City:	000C CLERMONT
		2021 Total Certified Millage Rate:	16.9475
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	2481 LINKWOOD AVE CLERMONT Update Property Location ●	Property Name:	— Submit Property Name ●
		School Information:	School Locator & Bus Stop Map ● School Boundary Maps ●
Property Description:	LOST LAKE RESERVE TRACT A PB 57 PG 23-24 LOT 32 ORB 4908 PG 2180		

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

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	SINGLE FAMILY (0100)	0	0		1.000	Lot	\$0.00		\$60,200.00

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

Residential Building(s)

Building 1

Residential	Building Value: \$249,903.00							
Summary								
Year Built: 2013	Total Living Area: 3031 ●	Central A/C: Yes	Attached Garage: Yes					
Bedrooms: 4	Full Bathrooms: 3	Half Bathrooms: 0	Fireplaces: 0					
Incorrect Bedroom, Bath, or other information? ●								
Section(s)								
Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Stucco/Brick (003)	1	3031	N	0%	0%	☐
2	GARAGE FINISHED STONE (GCF)	Stucco/Brick (003)	1	649	N	0%	0%	☐
3	OPEN PORCH FINISHED (OPF)	No Wall Type (000)	1	48	N	0%	0%	☐
4	SCREEN PORCH FINISHED (SPF)	No Wall Type (000)	1	390	N	0%	0%	☐

Proposed
Aluminum Roof
17' x 22'
on existing Deck
with new concrete footer

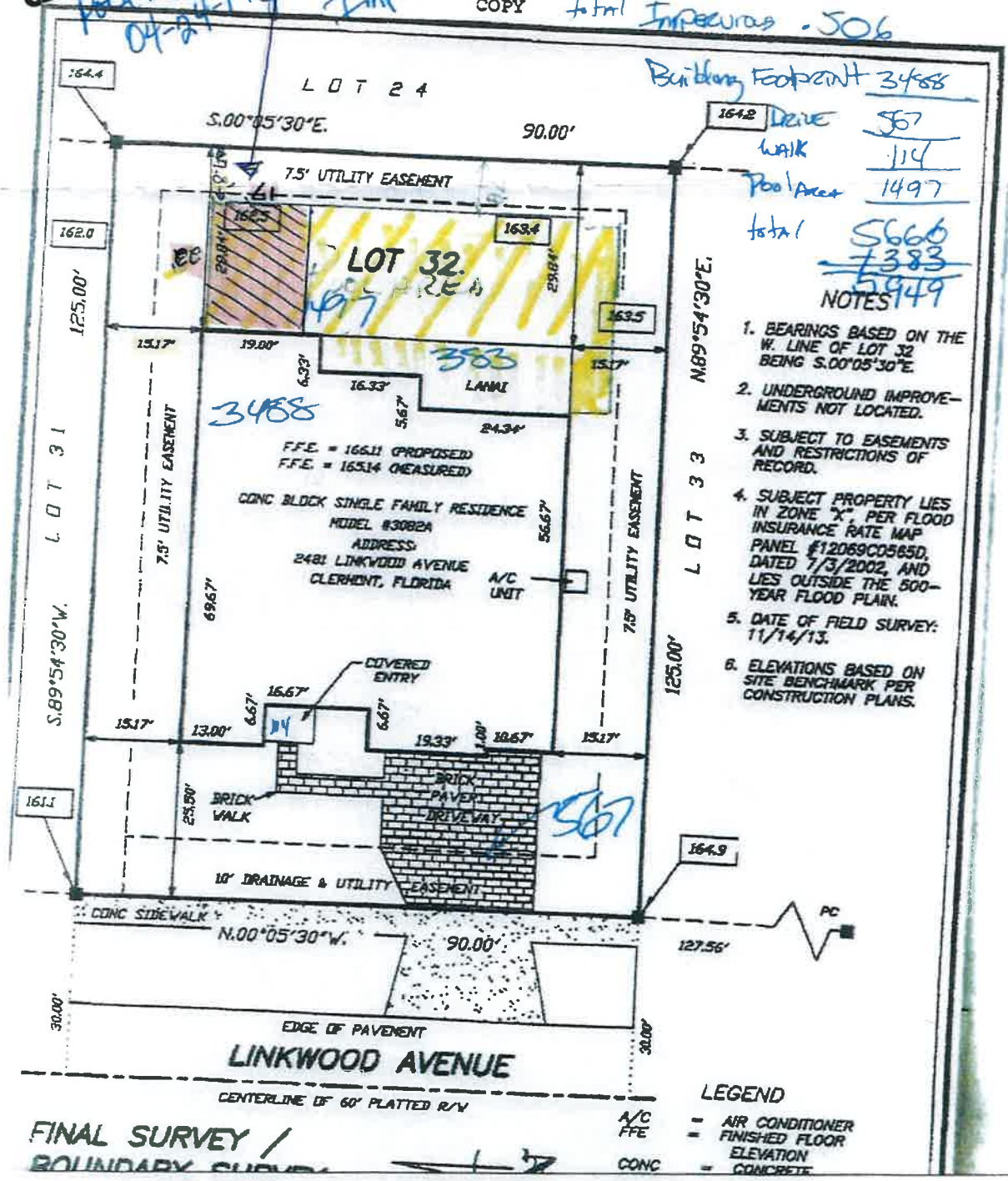
CITY OF CLERMONT

Pool + Deck
04-24-17

50%
Impervious

$$\frac{5666}{11250} = \text{Impervious Lot Area}$$

Total Impervious = 506





CITY OF CLERMONT
VARIANCE
APPLICATION



DATE		FEE:	
Project Name (if applicable)			
Applicant Thomas Moore			
Contact Person Thomas Moore			
Address 2481 Linkwood Ave		City Clermont	State FL Zip 34711
Telephone 321-230-7576		Fax	
Email silverstarconst-mia@yahoo.com			
OWNER INFORMATION ☐ (Check box if information is same as Applicant)			
Owner's Name Thomas + Kyla Moore			
Owner Address 2481 Linkwood Ave		City Clermont	State FL Zip 34711
Telephone 321-230-7576		Email	
PROPERTY INFORMATION			
Address of Subject Property 2481 Linkwood Ave		City Clermont	State FL Zip 34711
General Location Lost Lake Reserve			
Legal Description & Alternate Key (include copy of survey) Lost Lake Reserve Tract A PB57 PG 23-24 Lot 32 ORP 4908 PG 2180			
Land Use (City verification required)			
Zoning (City verification required)			



CITY OF CLERMONT VARIANCE APPLICATION

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

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

The Rear Setback of 25ft for solid Aluminum Roof Structure

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

23ft by 17ft Aluminum Roof over existing pool deck leaving a 7.8' distance between roof and rear property line

How does the Code create a hardship?

The code only allows a 4.8' solid aluminum roof on the existing pool deck due to the rear setback but a screen roof is allowed

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Sec. 86-174. Review criteria and findings.

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

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
no it will not affect the adjacent or nearby owners and there is an underground water drainage system in place for the roof water run off
- (2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
Yes it will create covered seating area to enjoy the pool deck away from weather elements
- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

N/A



CITY OF CLERMONT
VARIANCE
APPLICATION

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

N/A

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

The variance requested will give sufficient roof coverage and proportionate to the existing pool deck size

Thomas MOORE

Applicant Name (print)

x 

Applicant Name (signature)

THOMAS MOORE

Owner Name (print)

x 

Owner Name (signature)

NOTICE

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

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



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:	04/05/2022
Order Number:	7141352
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	1	04/19/2022 - 04/19/2022	Govt Public Notices
LEE dailycommercial.com	1	04/19/2022 - 04/19/2022	Govt Public Notices

Total Order Confirmation

\$84.26

Ad Preview

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow a rear yard setback to be less than the minimum requirements for the Planned Unit Development (PUD) Master Development Plan, at the following location:

LOCATION:

Lost Lake Reserve, Tract A
2481 Linkwood Avenue
Clermont, FL
(Alternate Key #3846866)

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

The Clermont City Council will consider this request at a public hearing on Tuesday, April 26, 2022 at 6:30 PM in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street.

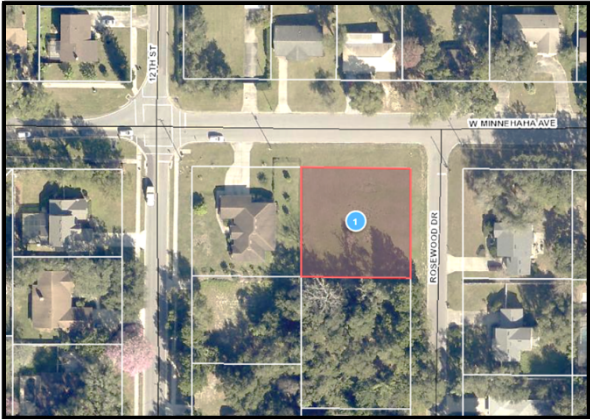
All interested parties will be given an opportunity to express their views on this matter.

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, MMC
City Clerk

Daily Commercial
April 19, 2022
7141352

AGENDA ITEM

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Variance Request Reyes		
Requested Action		
Recommend denial of the variance application.		
Staff Report		
The applicant, the Reyes family, is requesting two variances in order to construct a residential home on the property. The lot is on the southwest corner of W. Minnehaha Ave. and Rosewood Drive, and the dimensions of the lot are approximately 125 feet by 125 feet. With it being on the corner, the Land Development Code requires a thirty-five foot setback from the right-of-way line for each road in the R-1-A Single Family Low Density Residential zoning district. The rear yard setback is twenty-five feet and the interior side yard setback is nine feet. The applicant is requesting a variance to allow an interior side yard setback of 8 ½ feet and a rear yard setback of 8 ½ feet. The applicant desires to construct a new home that they intend to be their “forever” home. It is a single-story home and it appears the building plans have been drafted, ready for submittal. The proposed home is exceptionally large in comparison to homes in the area. With the proposed home and associated driveways, the impervious surface ratio is right at the 55% maximum for the R-1-A Single Family Low Density Residential zoning. With the proposed configuration of the home and it being single-story, it is encroaching into the rear and interior side yard setback. More details can be found in the Staff Analysis Report. 		
Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on four of the five criteria. Therefore, staff recommends denial of the variance request.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

1.	Reyes -Staff Analysis Report-Variance	Reyes -Staff Analysis Report-Variance.pdf
2.	New 86-174 Review Criteria-Reyes Variance	New 86-174 Review Criteria-Reyes Variance.pdf
3.	Reyes Map and Exhibits	Reyes Map and Exhibits.pdf
4.	Site plan	Site plan.pdf
5.	Elevation and Floor Plan - Reyes	Elevation and Floor Plan - Reyes.pdf
6.	Reyes Letter AK 3432839	Reyes Letter AK 3432839.pdf
7.	Application	Application.pdf
8.	Reyes VAR legal ad	Reyes VAR legal ad.pdf



CITY OF CLERMONT Staff Analysis Report

OWNER/APPLICANT: Alexis and Enmy Reyes

PROJECT NAME: Reyes Variance Request

REQUESTED ACTION: The applicant is requesting two variance requests. The variance requests are: (1) to allow for a side yard setback to be less than the minimum requirement of 9 feet, and (2) to allow for a rear yard setback to be less than the minimum requirement of 25 feet, Land Development Code, Section 122-105 for the R-1-A Single Family Low Density zoning district.

SIZE OF PARCEL: 15,625 +/- square foot lot (~125 feet by 125 feet).

LOCATION: Vacant lot on the southwest corner of W. Minnehaha Ave. and Rosewood Dr. intersection. AK 3732839

EXISTING ZONING: R-1-A Single Family Low Density Residential

EXISTING LAND USE: Vacant Property

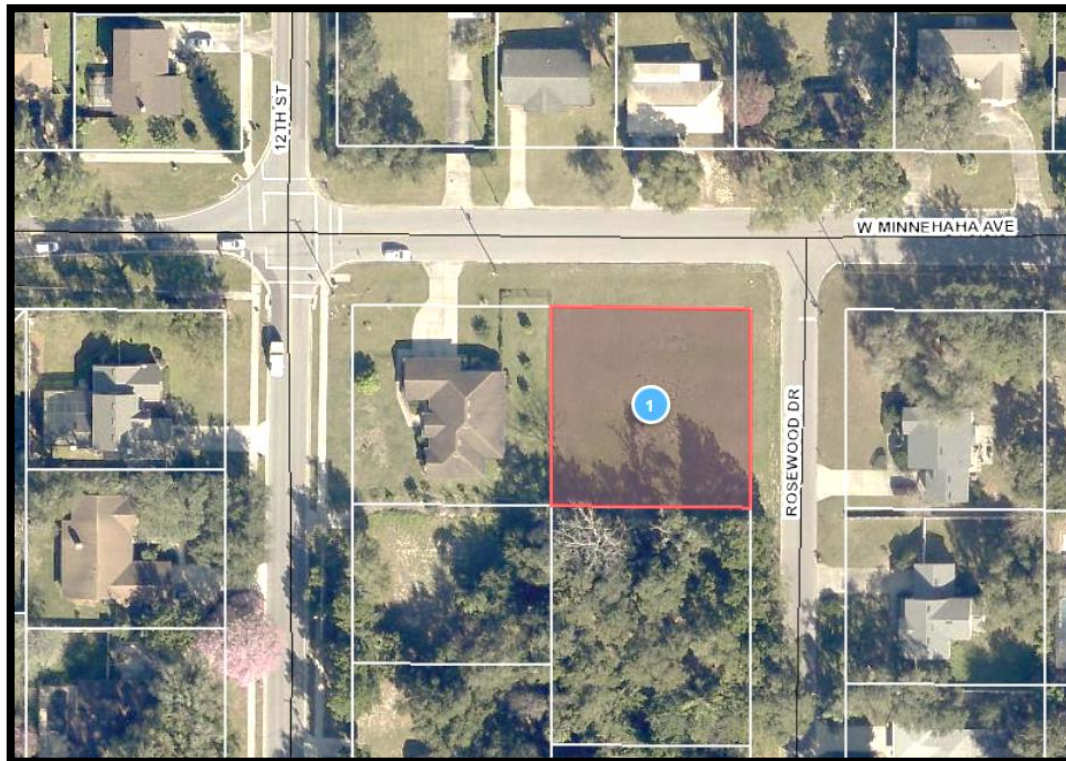
FUTURE LAND USE CATEGORY: Low Density Residential

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting two variances in order to construct a residential home on the property. The dimensions of the lot are approximately 125 feet by 125 feet and the lot is on the southwest corner of W. Minnehaha Ave. and Rosewood Drive. With it being on the corner, the Land Development Code requires a thirty-five foot setback from the right-of-way line for each road. The rear yard setback is twenty-five feet and the interior side yard setback is nine feet. The applicant is requesting a variance to allow an interior side setback of 8 ½ feet and a rear yard setback of 8 ½ feet. The applicant is proposing to construct a 5,171 square foot home on the property, which is covering approximately 33% of the lot. The living area is proposed at 3,556 square feet. With the proposed configuration of the home and it being single-story, it is encroaching into the rear and interior side yard setback.

A review of the area indicates a few vacant lots and residential homes constructed in the vicinity. The subject property is shaded below with the blue circle in the aerial photograph below. Directly west adjoining this lot is a residential home with an address of 1677 12th Street. A review of the City's files indicate that a variance was granted in 2007 to allow the home to be constructed 30 feet from the northern property line from W. Minnehaha Ave. All other lot setbacks are met. This home, which is 3,212 square feet, would be the most direct party affected by the granting of the variance. The adjoining lot to the south is vacant at this time. The other homes along Rosewood Drive appear to meet all the required setbacks.



The applicant desires to construct a new home that they intend to be their “forever” home. It is a single-story home and it appears the building plans have been drafted, ready for submittal. They purchased the lot in February 2019. The proposed home is exceptionally large in comparison to homes in the area. With the proposed home and associated driveways, the impervious surface ratio is right at the 55% maximum for the R-1-A Single Family Low Density Residential zoning. The applicant would not be able to add any more impervious surface to the lot, such as a pool and/or deck in the future without pursuing another variance. The home across the street, 1679 Rosewood Drive, is listed at 2,956 square feet of living area, but is constructed as a two-story home. This home meets all the setback requirements.

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

Reyes Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
Applicant response: *The granting of the property will have no effect on the any adjoining properties, on the contrary will bring more value to the community.*

Staff comments: *The applicant is requesting a rear yard setback from 25 feet to 8 ½ feet. This reduction in setback of 66% is substantial and may negatively impact the standard of living of the property owner at 1677 12th street.*

Negative finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: *Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district.*

Staff comments: *The requested variance is not consistent with other similar uses and will be out of character to other development in the same zoning designation. The rear yard setback reduction from 25 feet to 8 ½ feet would be out of character with properties in the same zoning category, particularly the ones in the area. However, the interior side yard setback of 8 ½ feet instead of 9 feet would be negligible.*

Negative finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: *The home will be in character with the surrounding beautiful homes and add incredible value to the community along Rosewood and Minnehaha Ave.*

Staff comments: *If the variance request is approved, the direct benefit would be the applicant. However, the adjoining property owner to the west would be subject to the reduced rear yard setback and this may not outweigh the benefits of granting the variance. The interior side yard setback reduction would be minimal to both the applicant and adjoining property owner.*

Negative finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan;
Applicant response: *No direct response.*

Staff comments: *The requested variance will not be in conflict with the Comprehensive Plans goals, objectives and policies for the designated Land Use.*

Positive finding

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

Applicant response: *The requested variance would allow the construction of our “forever” home and a place where our daughter can grow and have her own family one day.*

Staff comments: *The requested variance is seeking a substantial reduction in the rear yard setback to make reasonable use of the land, as a direct result of the floor plan of the desired house. The interior side yard setback reduction is the minimum variance that will make reasonable use of the land, however; the rear yard setback reduction is extreme. The building envelope of the lot meeting all the setbacks provide an area with the dimensions of 81 feet by 65 feet, or 5,265 square feet. The proposed style and floorplan does not fit within the limitations of the lot and required setbacks.*

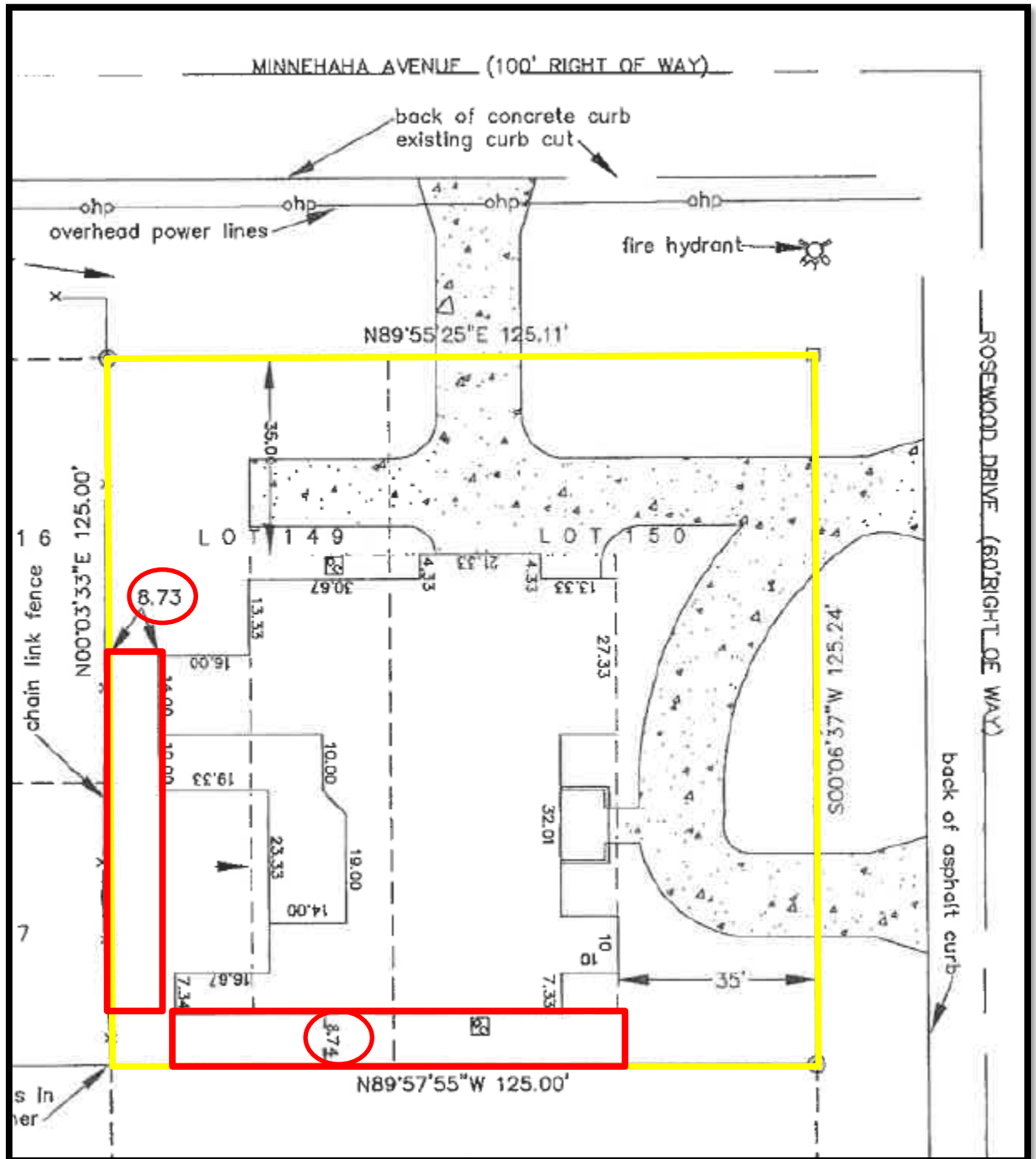
Negative finding

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

Exhibit - Location Map –Reyes Variance



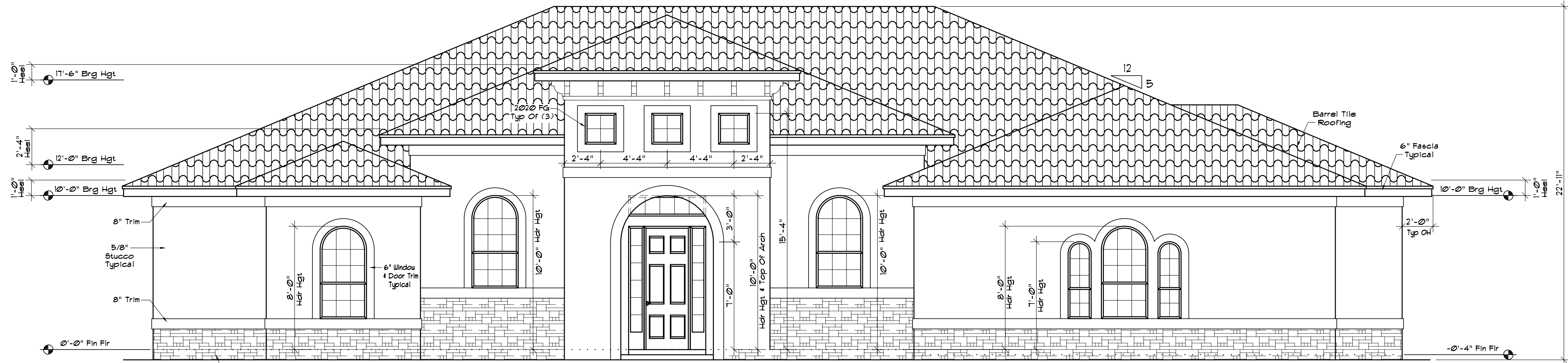
Exhibit - Reyes Variance



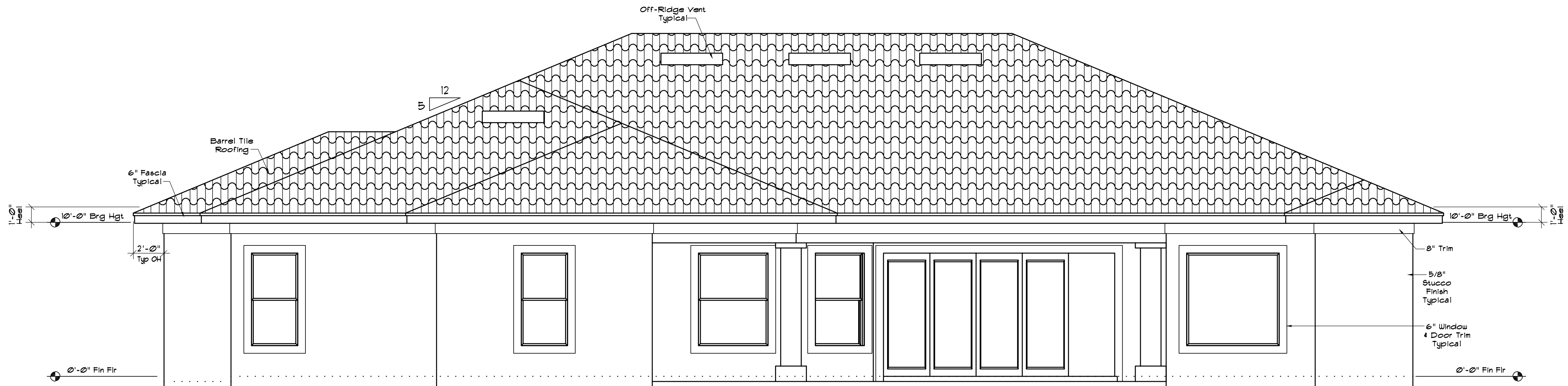
The applicant is requesting a reduced interior side yard setback (8.5 feet) and a rear yard setback (8.5 feet). The reduced setback areas are indicated in red above from the property line in yellow.

Exhibit - Reyes Variance





FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

PLAN REVIEW		DATE
REV.	DESCRIPTION	
1	PRELIMINARY	01/01/2024
2	DESIGN REVIEW CHANGES	01/01/2024
3	DESIGN REVIEW CHANGES	01/01/2024
4	DESIGN REVIEW CHANGES	01/01/2024
5	DESIGN REVIEW CHANGES	01/01/2024
6	DESIGN REVIEW CHANGES	01/01/2024

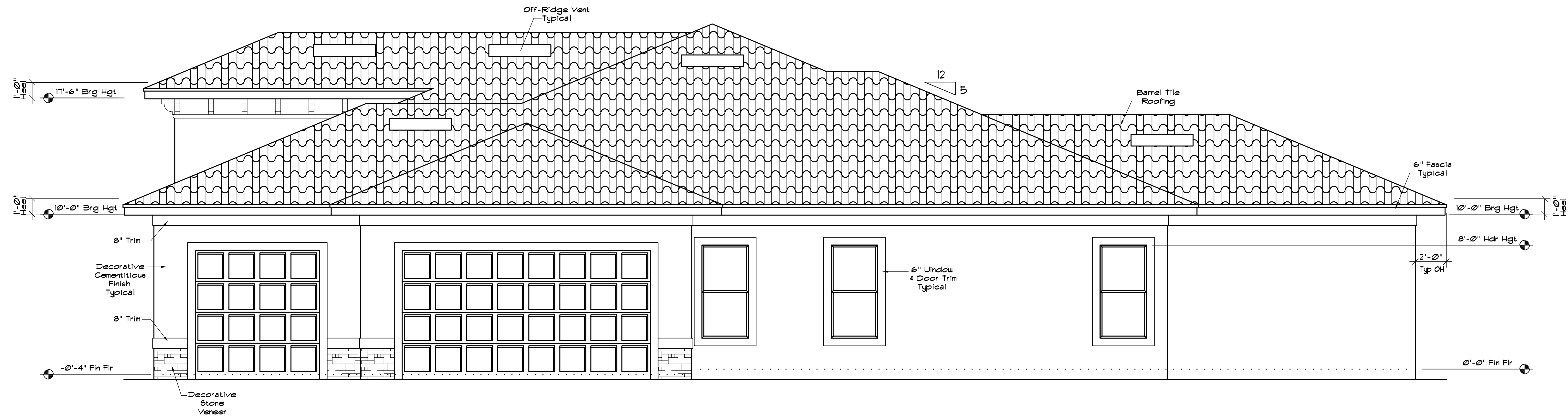
NEW RESIDENCE FOR
"Reyes"

SQUARE FOOTAGE	
LIVING	3,556
TTL A/C	3,556
ENTRY	116
GARAGE	891
LANAI	608

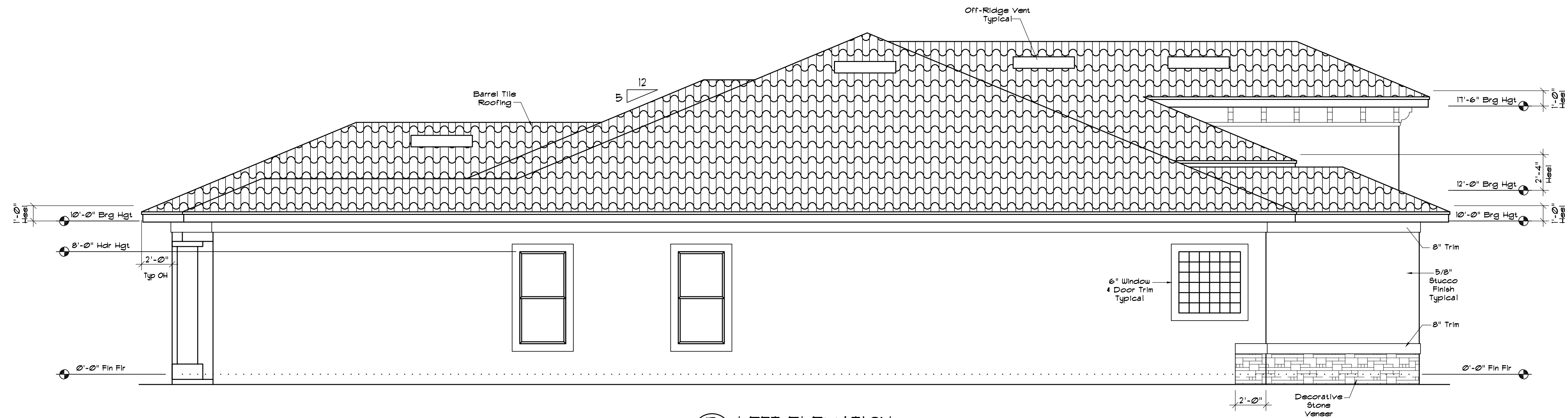
TTL UNDER ROOF 5,171

DATE: 7-12-19
DRAWN BY: dw
SCALE: AS NOTED
JOB # 2781

SHEET #
1



A RIGHT ELEVATION
2 SCALE: 1/4" = 1'-0"



B LEFT ELEVATION
2 SCALE: 1/4" = 1'-0"

REV.	DESCRIPTION	DATE
1	PRELIMINARY	01/05/06
2	DESIGN REVIEW CHANGES	01/05/06
3	DESIGN REVIEW CHANGES	01/05/06
4	DESIGN REVIEW CHANGES	04/05/06
5	DESIGN REVIEW CHANGES	05/05/06
6	DESIGN REVIEW CHANGES	05/05/06
7	DESIGN REVIEW CHANGES	07/05/06

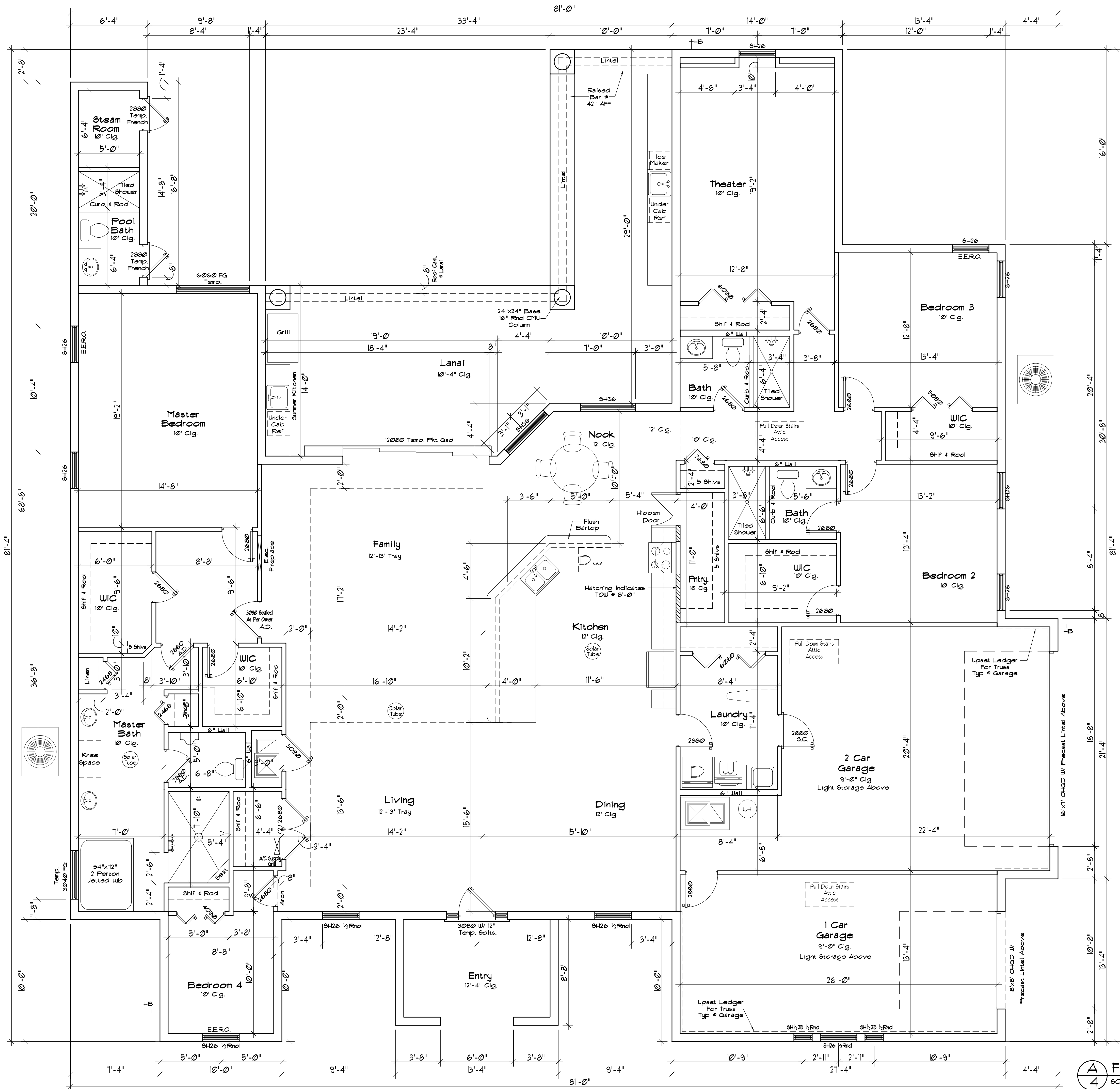
NEW RESIDENCE FOR
"Reyes"

SQUARE FOOTAGE	
LIVING	3,556
TTL A/C	3,556
ENTRY	116
GARAGE	891
LANAI	608

TTL UNDER ROOF 5,171

DATE: 7-12-19
DRAWN BY: dw
SCALE: AS NOTED
JOB # 2781

SHEET #
2



FLOOR PLAN
SCALE: 1/4" = 1'-0"

LAKE DRAFTING
AND GRAPHICS INC.
CLERMONT, FLORIDA 34711
PHONE (352) 994-1652

PLAN REVIEW	
REV.	DESCRIPTION
1	PRELIMINARY
2	DESIGN REVIEW CHANGES
3	DESIGN REVIEW CHANGES
4	DESIGN REVIEW CHANGES
5	DESIGN REVIEW CHANGES
6	DESIGN REVIEW CHANGES
7	DESIGN REVIEW CHANGES

NEW RESIDENCE FOR
"Reyes"

SQUARE FOOTAGE	
LIVING	3,556
TTL A/C	3,556
ENTRY	116
GARAGE	891
LANAI	608

TTL UNDER ROOF	5,171
DATE:	7-12-19
DRAWN BY:	dw
SCALE:	AS NOTED
JOB #	2781

SHEET #
4

City Of Clermont
Planning & Development
685 W. Montrose Street,
Clermont, FL 34711

Letter of Intent for Zoning Variance For
Alexis and Enmy Reyes
Lots 149 & 150, Rosewood and Minnehaha Ave,
Indian Hills Subdivision, Clermont, FL 34711

ZONING: R-1-A PARCEL ID: 26-22-25-0300000-14900
Letter of Intent for Zoning Variance/ Special Exception

Dear Planning & Zoning Members,

We are requesting a variance for the above parcels to seek relief of the required rear yard setback for the reasons detailed below, the actual rear yard setback will not allow us to build our forever home as get old we want to settle and give our daughter a place where she can grow and have her own family one day, this home will for sure be in character with the surrounding beautiful homes and add incredible value to the community along Rosewood and Minnehaha Ave.

1. Due to the shape, ubication of the lot in a corner and the stablished plot plans combined with the required setbacks, right rear and front of 35Ft, left rear of 9Ft which we are at about 8.74Ft that is barely a difference and the rear yard 25Ft and we are at 8.73Ft, this has created a hardship for us were the house will not fit in with the actual zoning requirements, therefor we kindly and respectfully ask for a reduction of the require rear setback of 25Ft to 8.73Ft.
2. Granting the variance will not be materially detrimental to the public welfare or injurious to the Property or improvements in the zoning district.
3. The granting of the property will have no effect on any adjoining properties on the contrary will bring more value to the community.

Thank you for your consideration,

Sincerely,
Alexis and Enmy Reyes
Property Owners



CITY OF CLERMONT
VARIANCE
APPLICATION



PAID EX 2266

DATE <u>04/06/2022</u>		FEE: <u>\$ 300.00</u>	
Project Name (if applicable) <u>ALEXIS REYES</u>			
Applicant <u>ALEXIS REYES, ENMY REYES</u>			
Contact Person			
Address <u>18644 TRIPLE E RD</u>		City <u>CLERMONT</u>	State <u>FL</u>
Telephone <u>407-864-1443 / 407-864-1538</u>		Fax	Zip <u>34715</u>
Email <u>ALEXISR91969@gmail.com</u>		<u>ENMY22@gmail.com</u>	
OWNER INFORMATION ☒ (Check box if information is same as Applicant)			
Owner's Name			
Owner Address		City	State
Telephone		Zip	
Email			
PROPERTY INFORMATION			
Address of Subject Property <u>LOTS 149, 150 INDIAN HILLS SUB</u>		City <u>CLERMONT</u>	State <u>FL</u>
General Location <u>ROSEWOOD DR SW MINNEAPOLIS NC</u>			Zip <u>34711</u>
		<u>0.36 ACRES</u>	
Legal Description & Alternate Key (include copy of survey) <u>PROPERTY ID # 26-22-25-0300000-14900</u> <u>ALTERNATE KEY # 3732839</u>			
Land Use (City verification required)			
Zoning (City verification required) <u>R-1-A</u>			



CITY OF CLERMONT VARIANCE APPLICATION

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

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

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

Single Family Residence.
WE WOULD LIKE TO HAVE BIGGER BACKYARD FOR THE KIDS
How does the Code create a hardship?

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Sec. 86-174. Review criteria and findings.

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

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



CITY OF CLERMONT
VARIANCE
APPLICATION

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

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

Alexis Reyes
ENNY REYES

Applicant Name (print)

Alexis Reyes
ENNY REYES

Owner Name (print)


x 

Applicant Name (signature)


x 

Owner Name (signature)

NOTICE

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

City of Clermont

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

(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:	7197319
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	55.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	05/03/2022 - 05/03/2022	Govt Public Notices
LEE dailycommercial.com	1	05/03/2022 - 05/03/2022	Govt Public Notices

Total Order Confirmation

\$96.90

Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for the following variances: (1) to allow for a side yard setback to be less than the minimum requirement of 9 feet, and (2) to allow for a rear yard setback to be less than the minimum requirement of 25 feet, Land Development Code, Section 122-105 Yards, at the following location:

LOCATION:

Vacant Lot
Southwest corner of the
W. Minnehaha Ave. and Rosewood
Dr. intersection
Alt. Key 3732839

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

The Clermont City Council will consider this request at a public hearing on Tuesday, May 10, 2022 at 6:30 PM 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

5/3



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, May 24, 2022	
Agenda Item Name	
Resolution No. 2022-009R <i>Table Johnson CUP</i>	
Requested Action	
Recommend <u>denial</u> of Resolution No. 2022-009R.	
Staff Report	
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, 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 principal structure. The existing primary residence is approximately 1,884 square feet of living space and the proposed garage structure would be 4,000 square feet and larger than the existing home, which would be in direct conflict with 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 were combined recently into one large lot through 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 on adjacent property owners and would be inconsistent and out of character with the existing 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, which is not permitted in the Land Development Regulations. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed 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. <i>The Planning and Zoning Commission at their meeting, voted 6-0 to recommend denial of Resolution No. 2022-009R.</i> Staff recommends <u>denial</u> of Resolution No. 2022-009R.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	1730 Nita Place-Staff Analysis Report	1730 Nita Place-Staff Analysis Report.pdf	
2.	2022-009R - 1730 Nita Place Garage - CUP (05.12.2022)	2022-009R - 1730 Nita Place Garage - CUP (05.12.2022).pdf	
3.	LOCATION MAP	LOCATION MAP.pdf	
4.	Survey	Survey.pdf	
5.	Garage	Garage.pdf	
6.	Applicant Justification	Applicant Justification.pdf	
7.	Neighbor approval - sign-off	Neighbor approval - sign-off.pdf	
8.	CUP Application	CUP Application.pdf	
9.	1730 Nita Place CUP-Legal AD	1730 Nita Place CUP-Legal AD.pdf	



CITY OF CLERMONT Staff Analysis Report

OWNER: Todd Johnson

APPLICANT: Todd Johnson

PROJECT NAME: 1730 Nita Place Garage - CUP

REQUESTED ACTION: A request to allow a 4,000 square foot garage accessory structure in the R-1A Low Density Single Family Residential

SIZE OF PARCEL: Alternate Key 1619611

LOCATION: 1730 Nita Place

EXISTING ZONING: "R-1A" Single Family Low Density Residential

EXISTING LAND USE: Single Family Residential Lot

FUTURE LAND USE CATEGORY: Low Density Residential

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

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 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 RECOMMENDATION:

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.

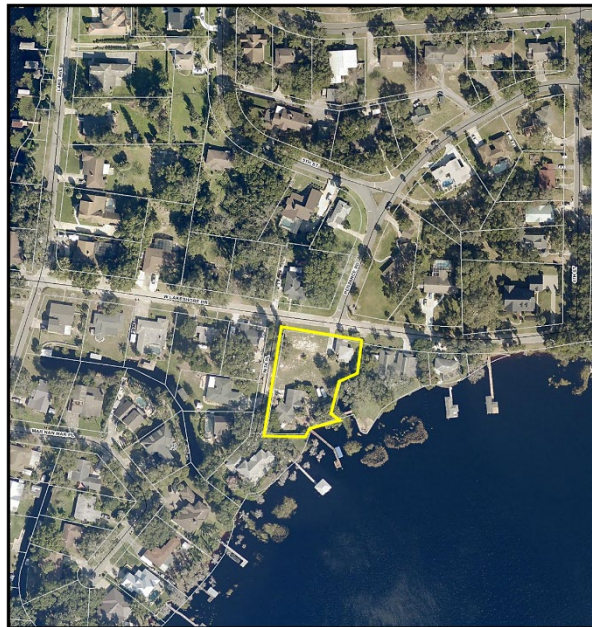
CITY OF CLERMONT
RESOLUTION NO. 2022-009R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A 4,000 SQUARE FOOT ACCESSORY GARAGE STRUCTURE IN THE R-1A SINGLE FAMILY LOW DENSITY RESIDENTIAL ZONING DISTRICT, AND PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held on April 5, 2022 recommended denial of this Conditional Use Permit to allow a 4,000 square foot garage accessory building be located in the R-1A Single Family Low Residential zoning district, at the following location:

LOCATION:

1730 Nita Place
(Alternate Key #1619611)



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



CITY OF CLERMONT
RESOLUTION NO. 2022-009R

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

WHEREAS, the property owner has requested this Conditional Use Permit (CUP) to allow for a 4,000 square foot accessory garage structure in the R-1A Single Family Low Density Residential zoning district; and

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

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

1. This application for a Conditional Use Permit to allow a 4,000 square foot accessory garage structure in the R-1A Single-Family Low Density Residential 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 person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
3. The Conditional Use Permit must be executed and processed through the Office of the City Clerk within 90 days of its date of approval by the City Council or the permit shall become null and void.
4. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
5. The Fire Marshal shall inspect all building and structures to ensure all life safety requirements and fire safety codes are in compliance to the code prior to the issuance of any Certificate of Occupancy.



CITY OF CLERMONT
RESOLUTION NO. 2022-009R

6. The City Building Inspector shall inspect all structures and buildings for compliance with the Florida Building Codes and all code violations must be corrected prior to the issuance of the Certificate of Occupancy.
7. Prior to the issuance of any permits, the applicant shall be required to submit Formal Site Plans for review and approval by the City of Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Permit application. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
8. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
9. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution after a public hearing.
10. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

SECTION 2: LAND USES AND SPECIFIC CONDITIONS

1. This Conditional Use Permit will allow a 4,000 square foot accessory garage structure in the R-1A Single Family Low Density Residential zoning district.
2. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the R-1A Single Family Low Density Residential zoning district in the Land Development Codes.
3. The applicant shall be required to provide an enhanced opaque landscape buffers around the property to ensure sufficient screening from adjacent residential properties and streets.

SECTION 3: CONFLICT

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



CITY OF CLERMONT
RESOLUTION NO. 2022-009R

SECTION 4: SEVERABILITY

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

SECTION 5: ADMINISTRATIVE CORRECTION

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

SECTION 6: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
RESOLUTION NO. 2022-009R

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

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

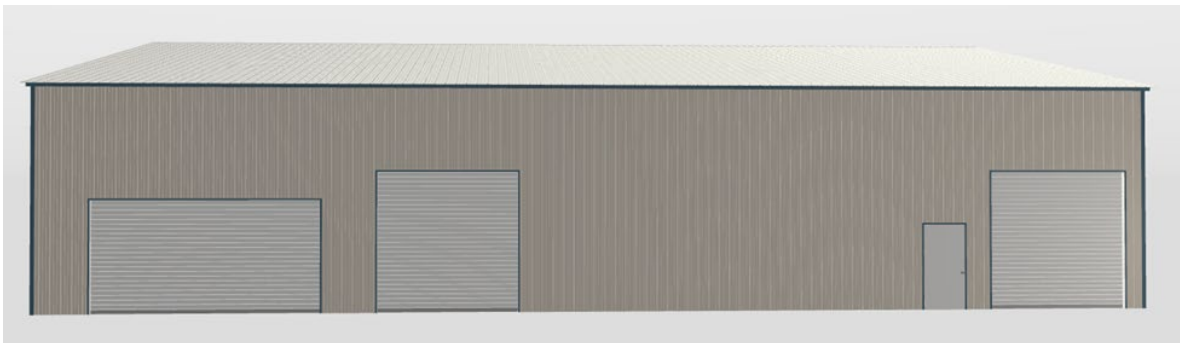
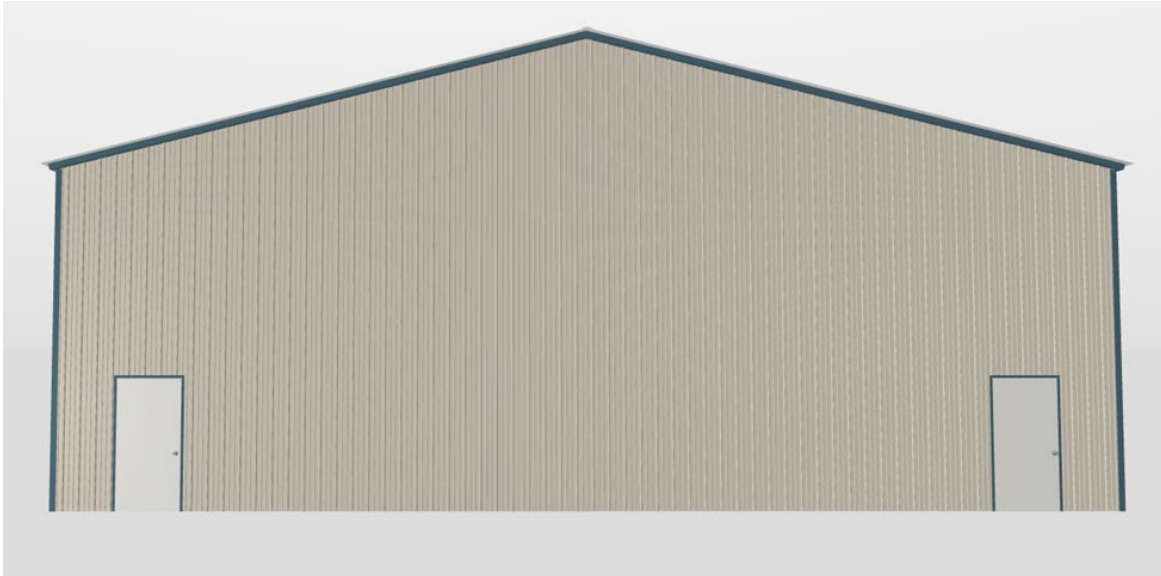
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to Form and Legality:

Daniel F. Mantzaris, City Attorney

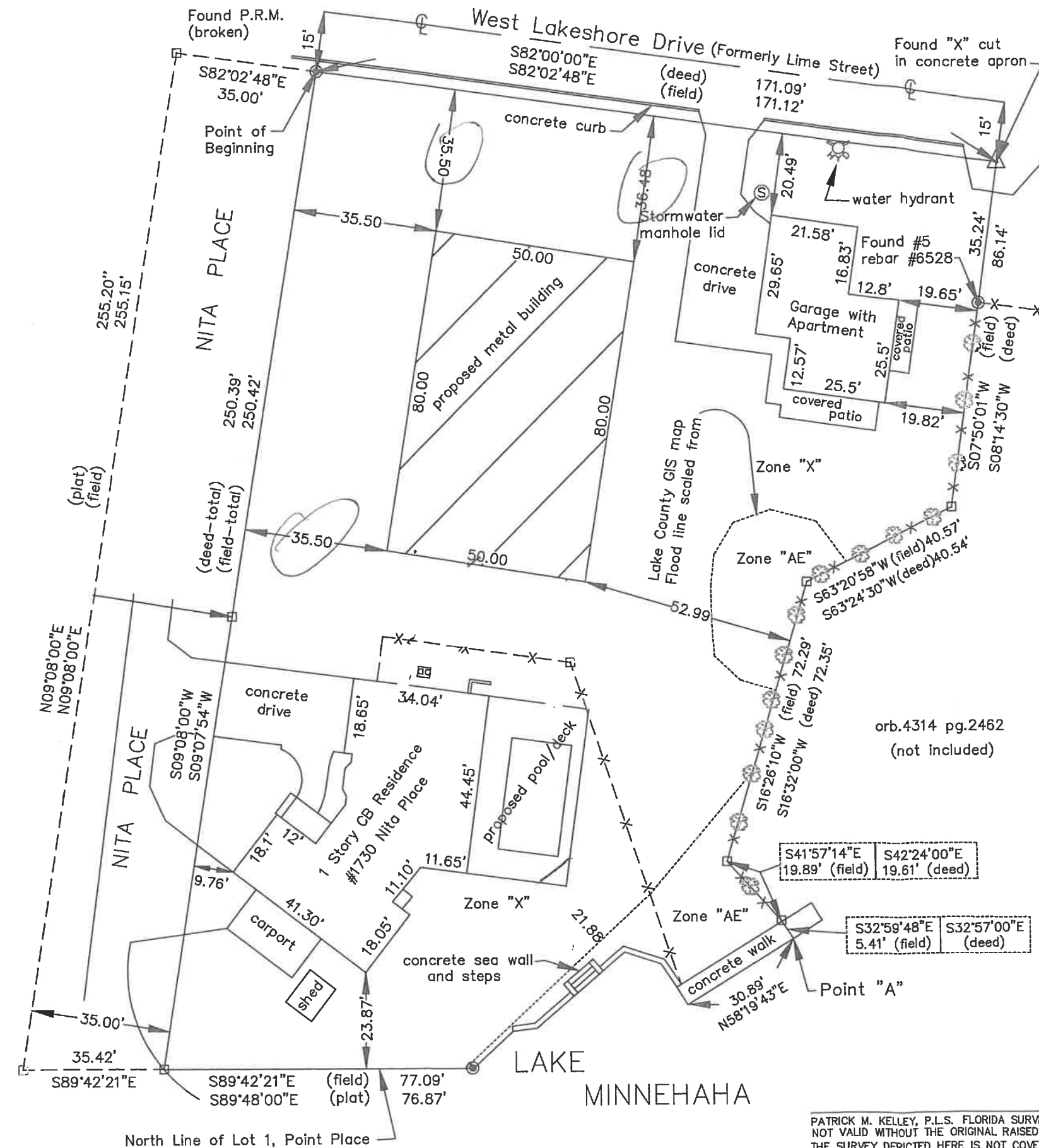
CITY OF CLERMONT
RESOLUTION NO. 2022-009R

Exhibit A:



LOCATION MAP





DESCRIPTION: FROM THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF LIME STREET AND THE EASTERLY RIGHT-OF-WAY LINE OF SETTLE STREET, AS SHOWN ON THE PLAT OF POINT PLACE, IN THE CITY OF CLERMONT, AND RECORDED IN PLAT BOOK 14, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 82 DEGREES 00' EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF LIME STREET 522.12 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NITA PLACE, SAID POINT BEING THE POINT OF BEGINNING; RUN THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LIME STREET SOUTH 82 DEGREES 00' EAST A DISTANCE OF 171.09 FEET; THENCE RUN SOUTH 8 DEGREES 14'30" WEST A DISTANCE OF 86.21 FEET; THENCE SOUTH 63 DEGREES 24'30" WEST, A DISTANCE OF 40.54 FEET; THENCE RUN SOUTH 16 DEGREES 32' WEST A DISTANCE OF 72.35 FEET THENCE RUN SOUTH 42 DEGREES 24' EAST A DISTANCE OF 19.61 FEET; THENCE RUN SOUTH 32 DEGREES 57' EAST TO THE WATERS OF LAKE MINNEHAHA; HEREIN DESIGNATED AS POINT "A". BEGIN AGAIN AT THE POINT OF BEGINNING AND RUN SOUTH 9 DEGREES 8' WEST A DISTANCE OF 250.39 FEET TO THE NORTH LINE OF LOT 1 OF POINT PLACE; THENCE RUN SOUTH 89 DEGREES 48' EAST ALONG SAID NORTH LINE OF LOT 1 OF POINT PLACE TO THE WATER OF LAKE MINNEHAHA; THENCE NORTHEASTERLY ALONG THE WATERS OF LAKE MINNEHAHA TO POINT "A" AND THE CLOSE OF THIS DESCRIPTION.

NOTES:

1. THE BEARINGS HEREON ARE BASED ON THE PLAT BEARING OF N.09°08'00"E., ALONG THE WEST R/W OF NITA PLACE.
2. THIS PROPERTY LIES WITHIN FLOOD ZONES "X" AND "AE" ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP. THE RESIDENCE LIES WITHIN FLOOD ZONE "X", AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN, ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP.
3. THIS PROPERTY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
4. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, SETBACKS OR RESTRICTIONS.
5. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED OR SHOWN.
6. APPARENT ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN OR NOTED.
7. ---X---X--- FENCE MEANERING ALONG A PORTION OF LINES, VARIES IN TYPE AND HEIGHT.
8. * = SHRUBBERY MEANDERING ALONG LINE.
9. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
10. □ = FOUND UNMARKED CONCRETE MONUMENT UNLESS OTHERWISE NOTED.
11. UTILITY LINES NOT LOCATED OR SHOWN.

REVISED 12/10/2018 TO SHOW (1) PARCEL

REVISED 12/29/2021 FOR PROPOSED METAL BUILDING & POOL/DECK AREA AND ADD IMPERVIOUS AREA CALCULATION

Lot area - 35,177 square feet
Impervious area = 10,869 square feet
% Impervious = 30.9

orb.4314 pg.2462
(not included)

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

BOUNDARY SURVEY FOR:
TODD JOHNSON

SCALE: 1" = 30'	APPROVED BY: PMK	DRAWN BY: TERRY PITT
DATE: 11/28/2018	FB/PAGE: 200-17-TP	

POINT PLACE
LAKE COUNTY, FLORIDA

PAGE NO. 1 DRAWING NO. NITABOTHZIP16

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.



Todd Johnson <toddjohnson.jcg@gmail.com>

todd johnson Here's Your Custom Design Quote (#1646162316475501)

1 message

Bubba D's Sheds & Barns <quotesbubbad@gmail.com>

To: toddjohnson.jcg@gmail.com

Tue, Mar 1, 2022 at 2:18 PM

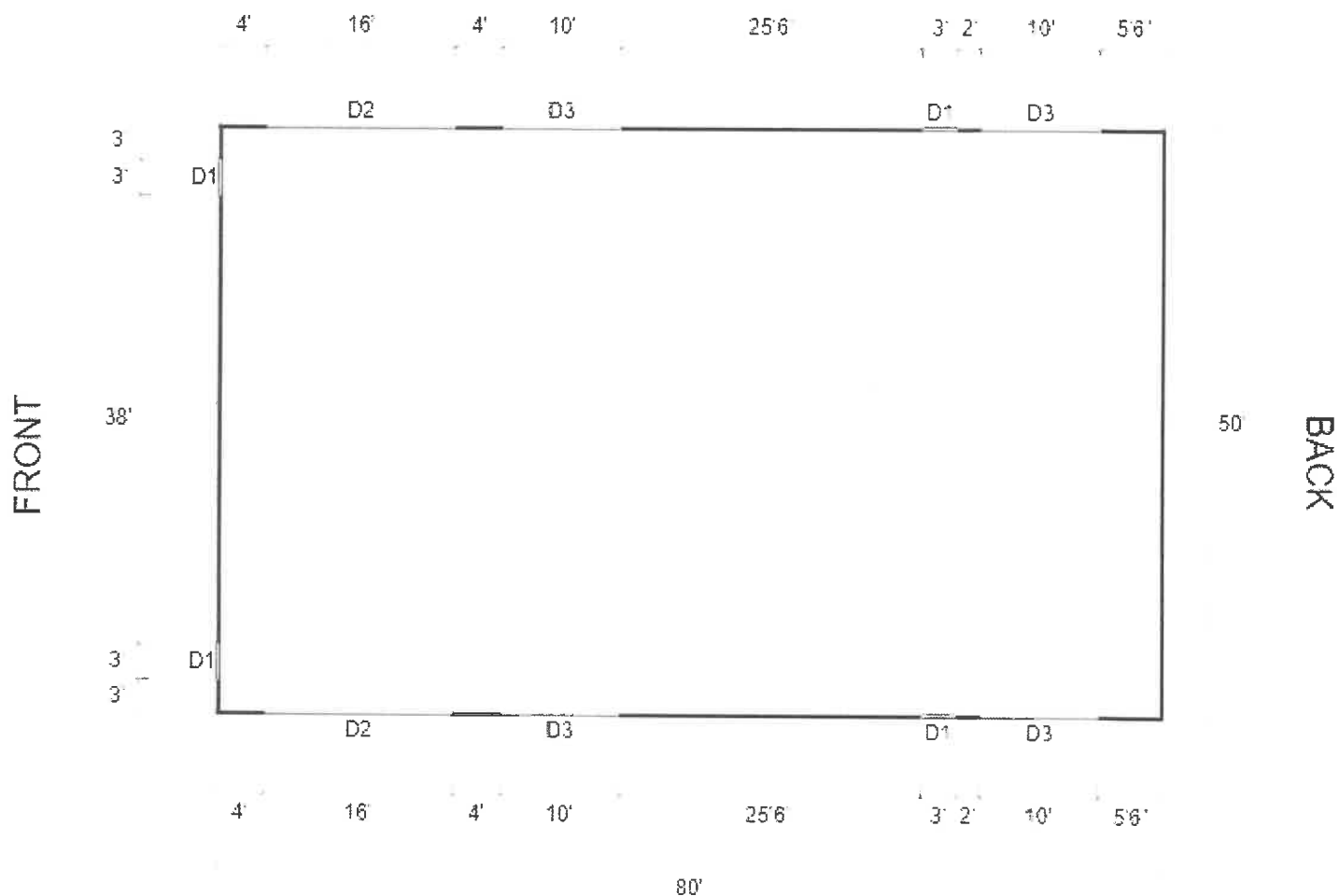


Congratulations on designing your building! Our goal is to exceed your expectations of our service and product. If you have immediate questions or concerns, please contact us.

All frame work is constructed with galvanized steel metal

*SOUTH**WEST**EAST**Lakeshore
Elev
NORTH*

LEFT SIDE



RIGHT SIDE

LEGEND	
D1	Walk-In Door (36x80)
D2	16'x10' Certified Garage Door
D3	10'x10' Certified Garage Door
	Closed Wall

[Open Your Custom Design](#)

Customer Contact Information

Name: todd johnson
 Email: toddjohnson.jcg@gmail.com
 Phone: 3212997218

Delivery Information

Delivery Location: Florida
 Delivery Address: [1730 Nita Pl](#)
 Delivery City: Clermont
 Delivery State: FL
 Delivery ZIP: 34711

Additional Comments

Contact me: I'm simply exploring building options right now.

Attachment A

Our Proposal is to build a 4,000 SF metal building resembling a barn with red walls, white trim, and a red or galvanized roof (rendering attached). The property previously encompassed a 2,015 sq ft non-conforming home and a detached garage/in-law suite. In 2018, we purchased the property, demolished the house, and merged the property with 1730 Nita Place. The lot where the original house was located, is currently vacant, except for the garage/in-law suite.

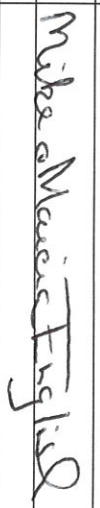
Our need for the new building has multiplied in recent months. First, we would like to clear out the in-law suite to allow my parents a place to live 6 months of the year when they travel down from up north (including sporadic stays throughout the remaining 6 months of the year). They would also utilize the attached garage for their vehicles/personal items. Second, my wife has inherited a number of vehicles from her father, as well as personal items from his 2,400 sq ft barn which she would like to keep and store under cover. I also have a race car which I drive and would like the ability to install a car lift to work on the vehicle, since the current garage does not afford me the space. Lastly, this building would be closer to our home which would allow us the ability to park our vehicles under cover (my dually truck will not fit in the carport or the existing garage).

Our plan is to provide a landscape buffer along Lakeshore Drive. We have spoken to our neighbors on Nita Place as well as neighbors on Lakeshore Drive and they have indicated their support of our plan. We believe the addition of this building will be a positive addition to the property and the aesthetics along Lakeshore Drive. Additionally, the 4,000 SF building can be placed on the property to meet the current required 35-foot corner lot setback and not exceed the maximum impervious surface coverage limitations.

Thank you for your consideration and if any additional information is required, please do not hesitate to ask.

Todd & Kathy Johnson Garage

Please see approval/sign-off from neighbors below in support of our variance request to build a 4000 SF metal building garage at 1730 Nita Place. Exterior wall colors to be a muted/earth tone color (beige, tan, cream, gray, blue, white, brown, green, maroon/burgundy, etc.). The trim may still be an accent in the same muted/earth tone color family (i.e., beige walls with blue trim, blue walls with brown trim, beige walls with maroon/burgundy trim, gray walls with blue trim, etc.). The roof will be white or galvanized. The doors will be white, match the trim color, or match the wall color. Contact numbers have been provided should additional follow-up be required. A map has also been provided to show where all approving neighbors reside.

Name	Alternate Key	Address	Phone Number	Signature	Date
Sharon Johnson	1619564	437 West Lakeshore Dr.	352-561-2141		3/10/2022
Cameron & Taylor Frosch	1626013	1721 Penzance Rd.	214-354-8606		3/17/2022
Tim & Tammy Heslin	1626081	458 West Lakeshore Dr.	352-636-0163		3/11/22
Louise Stockton	1815762	478 West Lakeshore Dr.	352-394-1453		3/16/2022
Steve & Melanie Storey	1619602	465 West Lakeshore Dr.	321-234-3894		3-19-2022
Mike & Marcia English	1803241	1728 Nita Pl.	352-636-0228		3/9/2022
Brian & Laurie Elliston	1625700	1732 Nita Pl.	321-231-6580		3/9/2022
Joyce Buttram	1625696	1734 Nita Pl.	352-242-1161		3-11-22



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 3/1/2022

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Garage

APPLICANT: Todd + Kathleen Johnson

CONTACT PERSON: Todd Johnson

Address: 1730 Nita Place

City: Clermont State: FL Zip: 34711

Phone: 321 299 7248 Fax: _____

E-Mail: Todd@johnsonconstructiongroup.net

OWNER: Todd + Kathleen Johnson

Address: 1730 Nita Place

City: Clermont State: FL Zip: 34711

Phone: 321-299-7218 Fax: _____

Address of Subject Property: 1730 Nita Place, Clermont FL 34711

General Location: Northwest area of property

Legal Description (include copy of survey): Alternate Key: 1619611

Land Use (City verification required): Low DENSITY RES

Zoning (City verification required): R1A

Attachment A

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Thank you for your consideration and if any additional information is required, please do not hesitate to ask.



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:	03/15/2022
Order Number:	7053483
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	54.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	03/29/2022 - 04/19/2022	Govt Public Notices
LEE dailycommercial.com	2	03/29/2022 - 04/19/2022	Govt Public Notices

Total Order Confirmation	\$167.68
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Ad Preview

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 4,000 square foot garage accessory building that is greater than the permitted square foot allowed for any accessory structures be located in the R-1A Single Family Low Density Residential zoning district, as required for Section 122-341 Accessory Uses and Structures.

LOCATION

1730 Nita Place, Clermont, FL
Alternate Key 1619611

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, April 5, 2022 at 6:30 P.M.

A public meeting will be held before the Clermont City Council to consider this request on Tuesday, April 26, 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
March 29, 2022 & April 19, 2022
7053483



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Ordinance No. 2022-010 <i>Table</i> <i>Chicone Large-scale CPA</i>		
Requested Action		
Recommend tabling to August 23rd.		
Staff Report		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2022-010 - Chicone CPA (02.16.2022 V1)	Ord. 2022-010 - Chicone CPA (02.16.2022 V1).pdf	
2. 2020-010 Before map	2020-010 Before map.pdf	
3. 2020-010 after map	2020-010 after map.pdf	
4. 2022-02-01 - Chicone Property - Conceptual Lotting Plan	2022-02-01 - Chicone Property - Conceptual Lotting Plan.pdf	
5. Chicone Justification Report 03192021	Chicone Justification Report 03192021.pdf	
6. Comp-Plan-Application-Pulte Chicone PUD	Comp-Plan-Application-Pulte Chicone PUD.pdf	
7. 2022-010 Chicone CPA DRAFT	2022-010 Chicone CPA DRAFT.docx	
8. CPA Legal Ad Chicone	CPA Legal Ad Chicone.pdf	



CITY OF CLERMONT
ORDINANCE NO. 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.

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

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

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

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

SECTION 1.

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

LEGAL DESCRIPTION

PARCEL 1:

The Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township 23 South, Range 26 East, Lake County, Florida, lying South of a right-of-way for a road which right-of-way is described as follows: Beginning 1348 feet South of the Northeast corner of Section 24, Township 23 South, Range 26 East; run thence Westerly 2590 feet to a point 1369 feet due South of the North line of Section 24; run thence Northwest to a point on the North and South center Section line of Section 24, 1325 feet South of the North 1/4 corner of said Section 24; run thence West to the East boundary of the West 1/2 of the Northwest 1/4 of said Section 24; thence South along said East line of the West 1/2 of the Northwest 1/4 of said Section 24, 20 feet; thence East to a point on the North and South center line of Section 24, 1345 feet South of the North 1/4 corner of said Section 24; thence Southeasterly to a point 1389 feet due South



CITY OF CLERMONT
ORDINANCE NO. 2022-010

of the North line of said Section 24; thence Easterly 2590 feet to a point on the East line of said Section 24, 1368 feet South of the Northeast corner of said Section 24; thence North 20 feet to the Point of Beginning. Also a perpetual easement and right-of-way for ingress and egress over and upon the land lying within aforesaid right-of-way.

PARCEL 2:

The Northwest 1/4 of the Northwest 1/4 of Section 24 and the East 15 feet of the Northeast 1/4 of the Northeast 1/4 of Section 23 all in Township 23 South, Range 26 East, Lake County, Florida.

and

The North 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 24, Township 23 South, Range 26 East, in Lake County, Florida.

and

The North 1/2 of the Northeast 1/4 of the Northwest 1/4, and the North 1/2 of the North 1/2 of the Northeast 1/4, all in Section 24, Township 23 South, Range 26 East, Lake County, Florida.

and

The South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 24, Township 23 South, Range 26 East, Lake County, Florida.

and

The South 1/2 of the Northeast 1/4 of the Northwest 1/4, and the South 1/2 of the North 1/2 of the Northeast 1/4, plus the strip of land lying North of the center line of the clay road, along the Northern line of the South 1/2 of the Northeast 1/4, all in Section 24, Township 23 South, Range 26 East, Lake County, Florida.

LESS AND EXCEPT: The Westerly 45.00 feet of the Southerly 35.00 feet of the Northerly 48.00 feet of the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 23 South, Range 26 East, Lake County, Florida.

Ross Parcels

The Southwest 1/4 of the Northwest 1/4 of Section 24, and the East 15 feet of the Southeast 1/4 of the Northeast 1/4 of Section 23, all in Township 23 South, Range 26 East, in Lake County, Florida.

Fabry Parcel 1

All that part of the SW 1/4 of the NE 1/4 of Section 24, Township 23 South, Range 26 East, lying South of a right of way for road which right of way is described as follows: Beginning 1348 feet South of the Northeast corner of Section 24, Township 23 South, Range 26 East, run thence Westerly 2590 feet to a point 1369 feet due South of the North line of Section 24, run thence Northwest to a point on the North and South center Section line of Section 24, 1325 feet South of the North 1/4 corner of said Section 24, run thence West to the East boundary of the West 1/2 of the NW 1/4 of said Section 24, thence South



CITY OF CLERMONT
ORDINANCE NO. 2022-010

along said East line of the West 1/2 of the NW 1/4 of said Section 24, 20 feet, thence East to a point on the North and South center line of said Section 24, 1345 feet South of the North 1/4 corner of said Section 24, thence Southeasterly to a point 1389 feet due South of the North line of said Section 24, thence Easterly 2590 feet to a point on the East line of said Section 24, 1368 feet South of the Northeast corner of said Section 24, thence North 20 feet to the Point of Beginning, said lands lying and being in Lake County, Florida. ALSO a perpetual easement and right of way for ingress and egress over and upon the lands lying within the aforesaid right of way, said land lying and being in Lake County, Florida.

Fabry Parcel 2

West 1/2 of North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township 23 South, Range 26 East, lying South of a right of way for road which right of way is described as follows: Beginning 1348 feet South of the Northeast corner of Section 24, Township 23 South, Range 26 East, run thence Westerly 2590 feet to a point 1369 feet due South of the North line of Section 24, run thence Northwest to a point on the North and South center Section line of Section 24, 1325 feet South of the North 1/4 corner of said Section 24, run thence West to the East boundary of the West 1/2 of the NW 1/4 of said Section 24, thence South along said East line of the West 1/2 of the NW 1/4 of said Section 24, 20 feet, thence East to a point on the North and South center line of said Section 24, 1345 feet South of the North 1/4 corner of said Section 24, thence Southeasterly to a point 1389 feet due South of the North line of said Section 24, thence Easterly 2590 feet to a point on the East line of said Section 24, 1368 feet South of the Northeast corner of said Section 24, thence North 20 feet to the Point of Beginning, said lands lying and being in Lake County, Florida. ALSO a perpetual easement and right of way for ingress and egress over and upon the lands lying within the aforesaid right of way, said land lying and being in Lake County, Florida.

Property as shown hereon contains: 13,220,321 square feet or 303.50 acres more or less

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

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY: WELLNESS WAY 3
TO CITY OF CLERMONT: MASTER PLANNED DEVELOPMENT

SECTION 2.

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

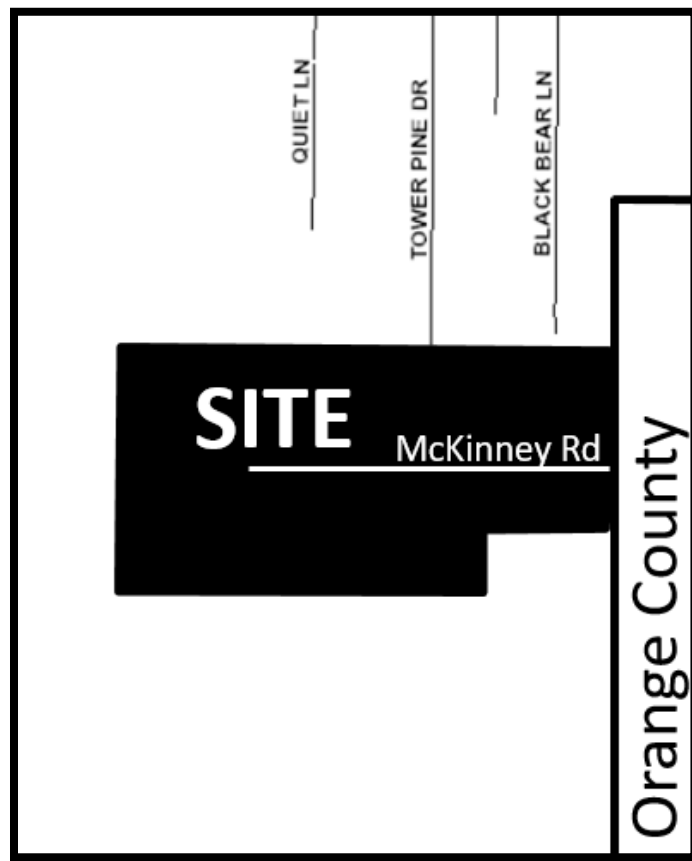
SECTION 3.

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

SECTION 4.

This Ordinance shall be published as provided by law and it shall become law and shall take effect after a period of thirty days plus one following its Second Reading and Final Passage.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2022-010

ORDAINED 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

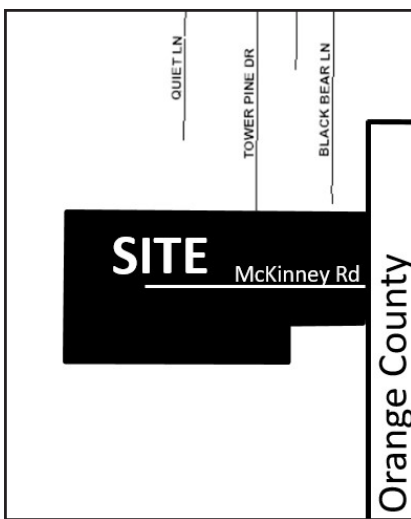
CITY OF CLERMONT

NOTICE OF PROPOSED 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 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Ordinance No. 2022-020 <i>Final</i> <i>Kia Annex</i>		
Requested Action		
Recommend approval of Ordinance No. 2022-020.		
Staff Report		
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. 2022-020.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORD 2022-020 Kia Annexation (05.13.2022)	ORD 2022-020 Kia Annexation (05.13.2022).pdf	
2. Kia Location map	Kia Location map.pdf	
3. Annex legal ad	Annex legal ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-020

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clermont, Lake County, Florida has received a Petition for Annexation of a parcel of land contiguous to the present corporate limits under Section 171.044, Florida Statutes; and

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

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

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

SECTION 1.

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

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

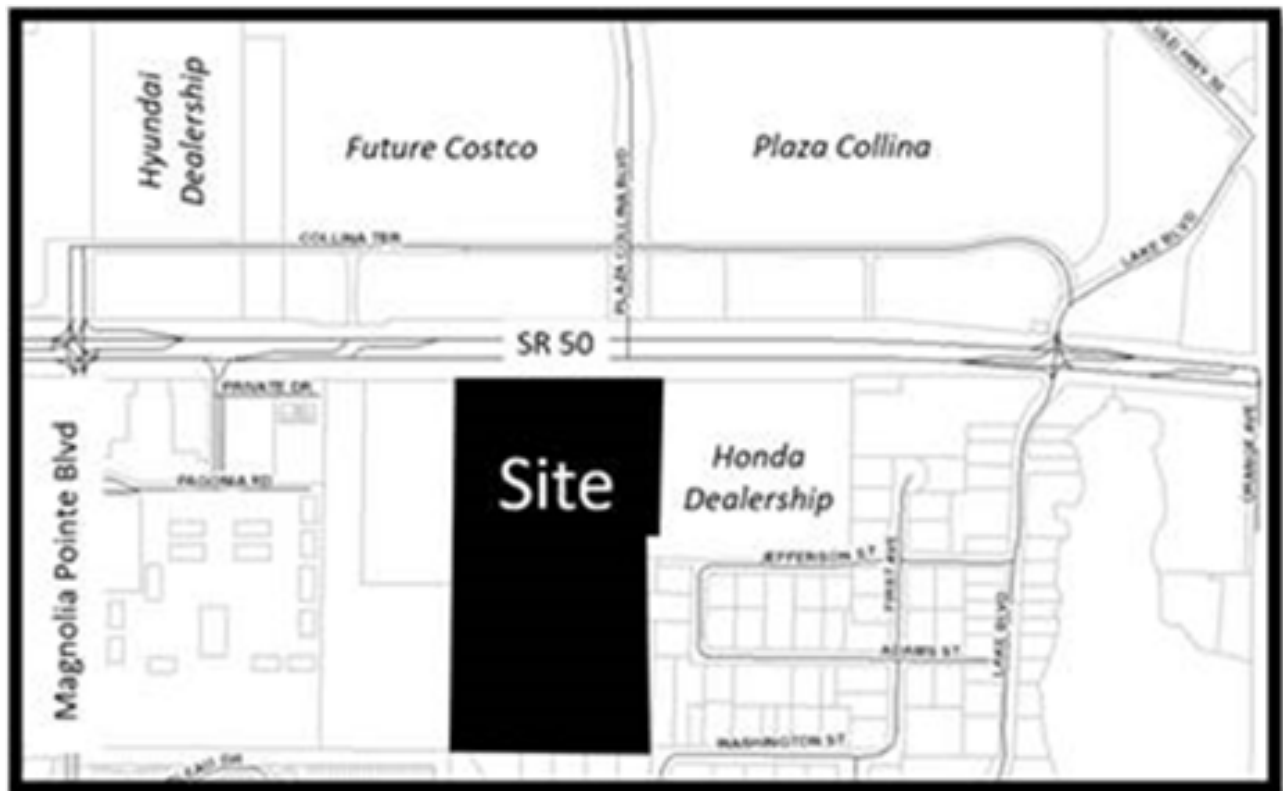
32.53 TO POB ORB 4989 PG 1375

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

Site contains 19.62 +/- acres.

LOCATION:

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



SECTION 2:

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



CITY OF CLERMONT
ORDINANCE NO. 2022-020

SECTION 3:

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

SECTION 4: CONFLICT

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

SECTION 5: SEVERABILITY

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

SECTION 6: 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 7: 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 on August 31, 2022.



CITY OF CLERMONT
ORDINANCE NO. 2022-020

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

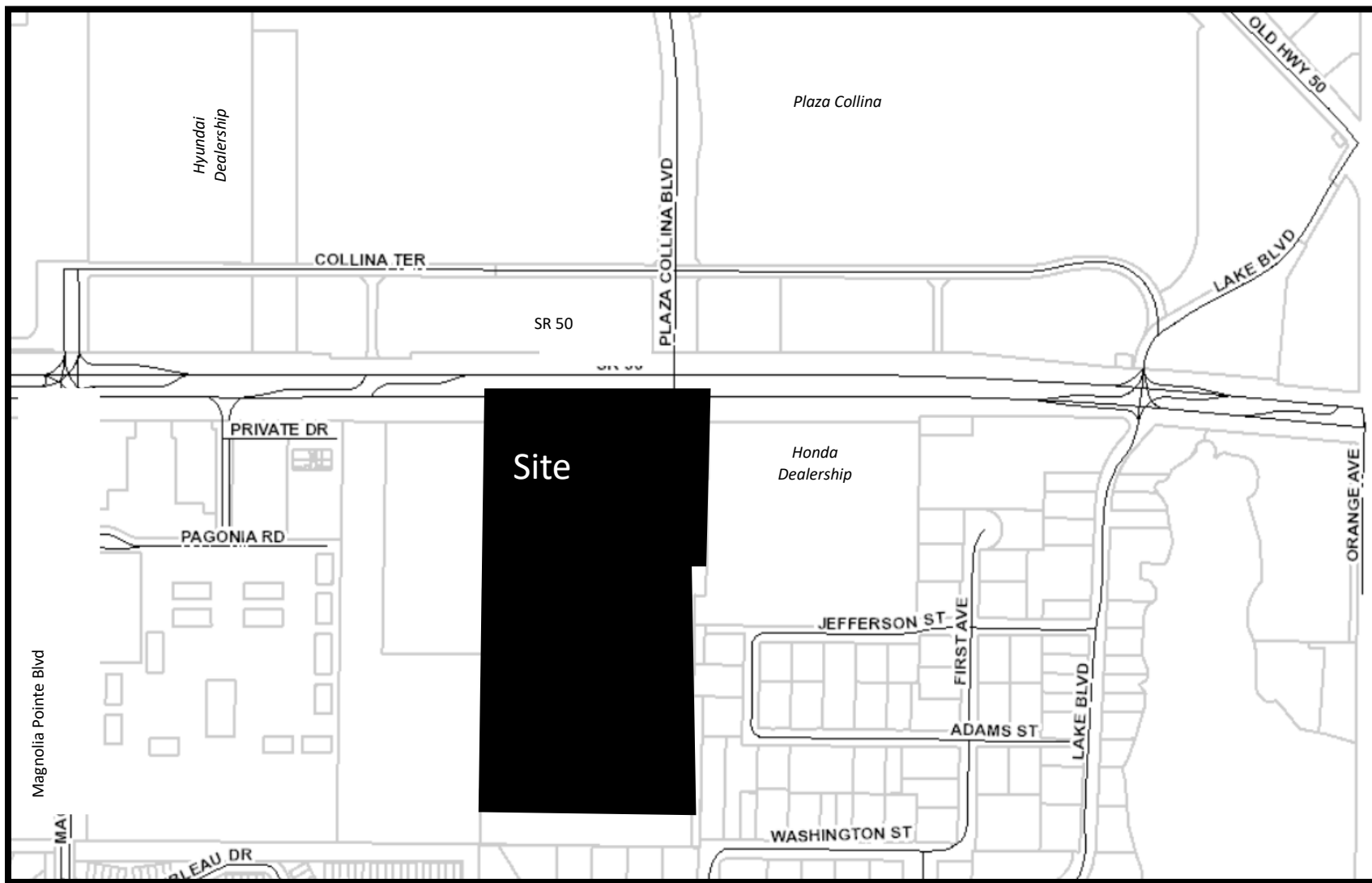
Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



LEGAL NOTICE

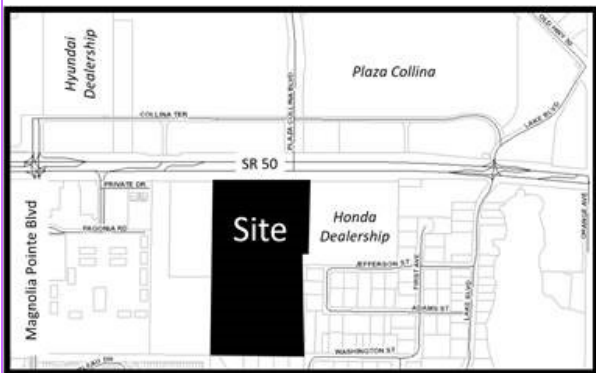
The Clermont City Council will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, May 24, 2022 at 6:30 PM. The public meetings are held at the Clermont City Hall, Council Chambers located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2022-020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR CONFLICT, SERVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, RECORDING, PUBLICATION AND EFFECTIVE DATE.

LOCATION:

Vacant parcel located on the south side of State Road 50 and east of Magnolia Pointe Boulevard, adjacent to Honda Dealership (Alternate Keys 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

The public meetings are held at the Clermont City Hall, Council Chambers, located at 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, ext. 3 if you have any questions.

The proposed ordinance may be inspected at the Clermont Development Services Department, located on the 1st Floor of the City Hall Building, 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 hearings.

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Ordinance No. 2022-021 <i>Final</i> <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 annexation will be presented concurrently with the future land use map amendment 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. <i>The Planning and Zoning Commission at their meeting, voted unanimously to recommend approval of Ordinance No. 2022-021.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2022-021 Kia CPA (05.13.2022)	Ord. 2022-021 Kia CPA (05.13.2022).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

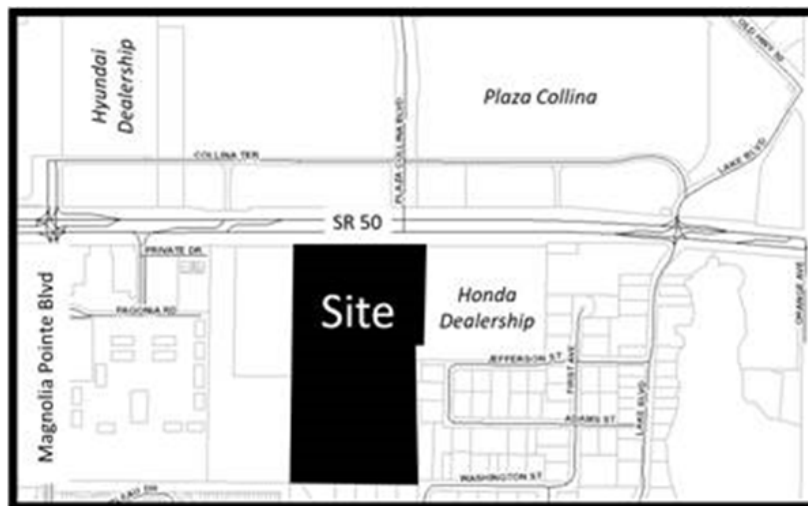
FROM W LINE OF GOV LOT 1 WITH S R/W LINE OF SR 50 RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE 590.69 FT FOR POB, CONT ALONG SAID R/W LINES S 89DEG 45MIN 41SEC E 69.36 FT TO E LINE OF W 660 FT OF GOV LOT 1, S 01DEG 00MIN 01SEC W 1153.82 FT, N 89DEG 35MIN 28SEC W 310.67 FT, N 00DEG 24MIN 32SEC E 825.53 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 on August 31, 2022.



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

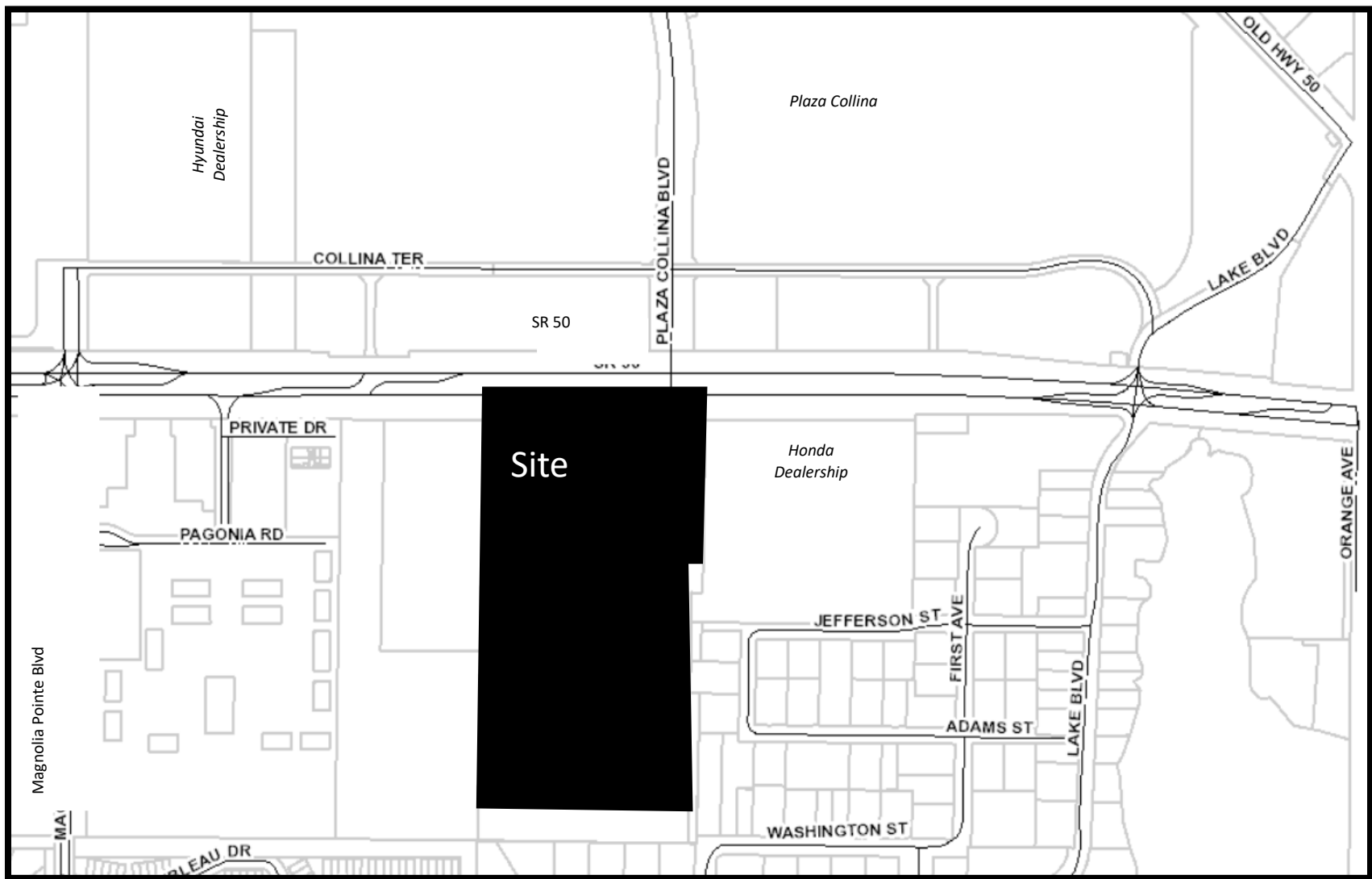
Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

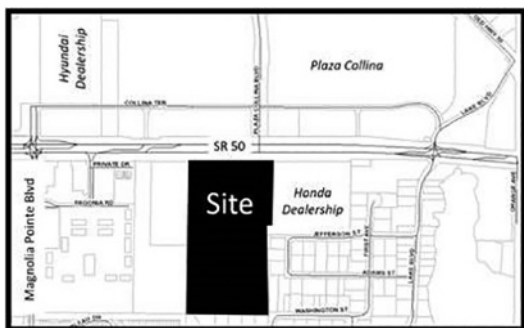


CITY OF CLERMONT

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 24, 2022		
Agenda Item Name		
Ordinance No. 2022-022 <i>Final</i> <i>Kia Auto Rezoning</i>		
Requested Action		
Recommend approval of Ordinance No. 2022-022		
Staff Report		
The City is requesting approval of a rezoning to change the zoning from Lake County "CP" Commercial Planned to Clermont C-2 Commercial zoning. 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 jurisdiction concurrently with a Future Land Use map amendment from Lake County Regional Commercial to Clermont Commercial. 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 from Lake County "CP" Commercial Planned to Clermont C-2 Commercial zoning with the provisions of Ordinance No. 2022-022. <i>The Planning and Zoning Commission at their meeting, voted unanimously to recommend approval of Ordinance No. 2022-022.</i>		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORD 2022-022 Kia Rezoning (05.13.2022)	ORD 2022-022 Kia Rezoning (05.13.2022).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

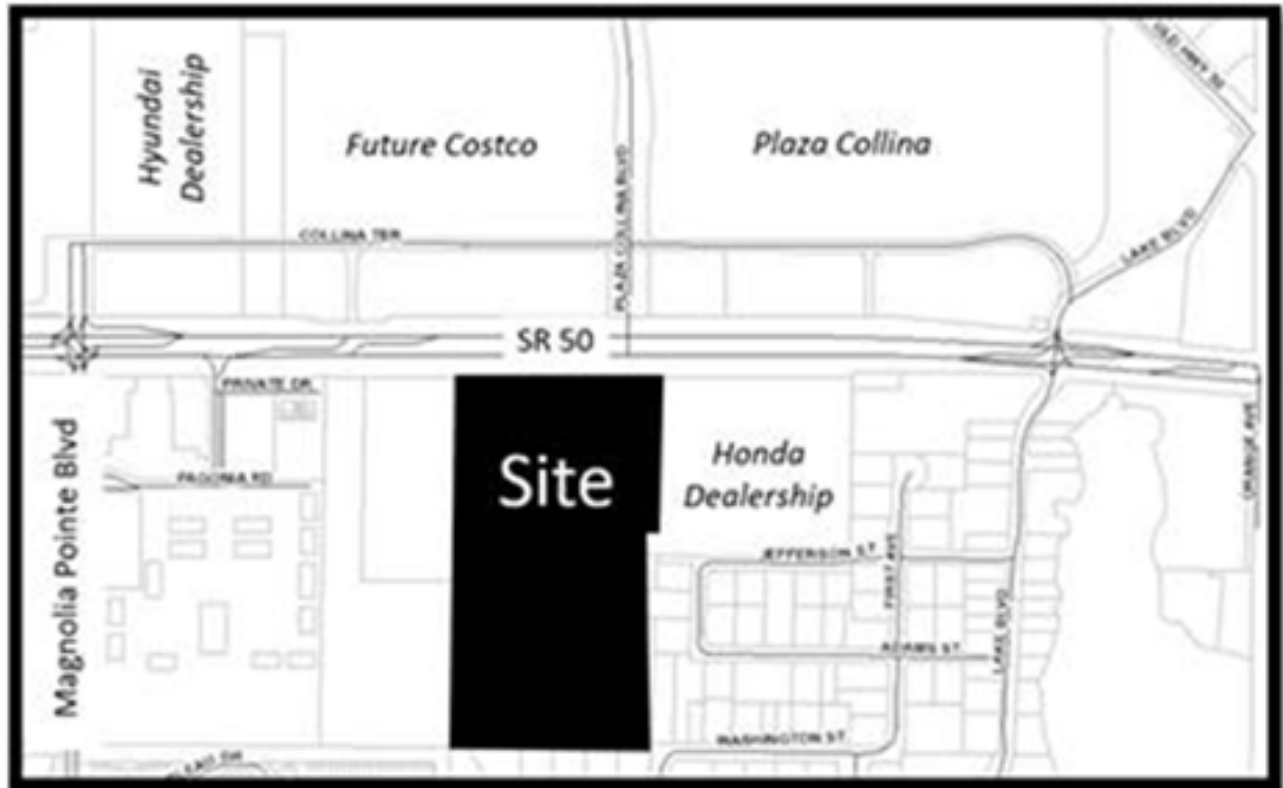
BEG AT INTERSECTION OF W LINE OF GOV LOT 1 WITH S R/W LINE OF SR 50, RUN S 89DEG 45MIN 41SEC E ALONG SAID S R/W LINE OF 312.37 FT, S 00DEG 24MIN 32SEC W 337.19 FT, S 89DEG 35MIN 28SEC E 25 FT, S 00DEG 24MIN 32SEC W 825.53 FT, S 89DEG 35MIN 28SEC E 310.67 FT TO E LINE OF W 660 FT OF GOV LOT 1, S ALONG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

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 on August 31, 2022.



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

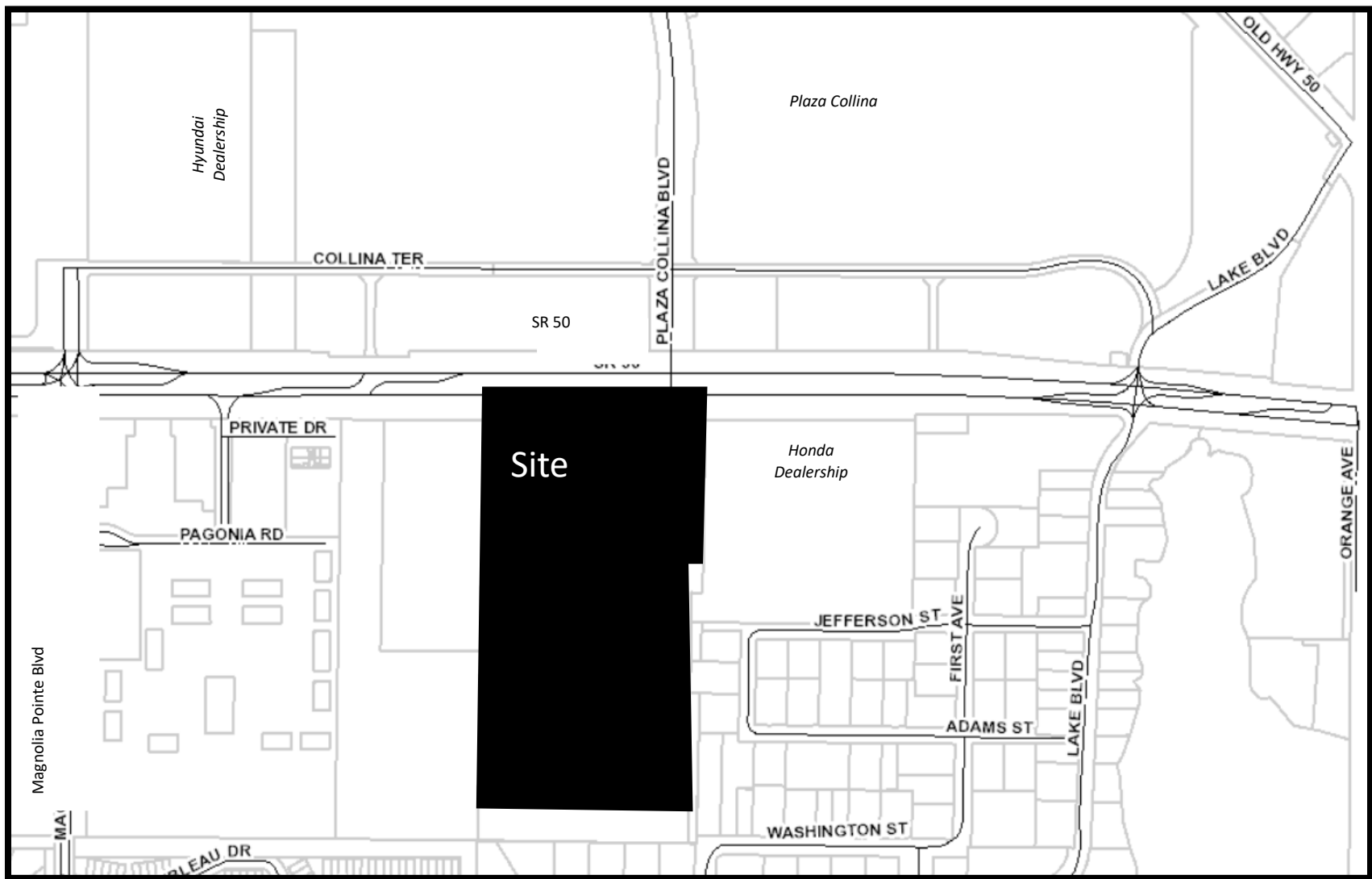
Tim Murry, Mayor

ATTEST:

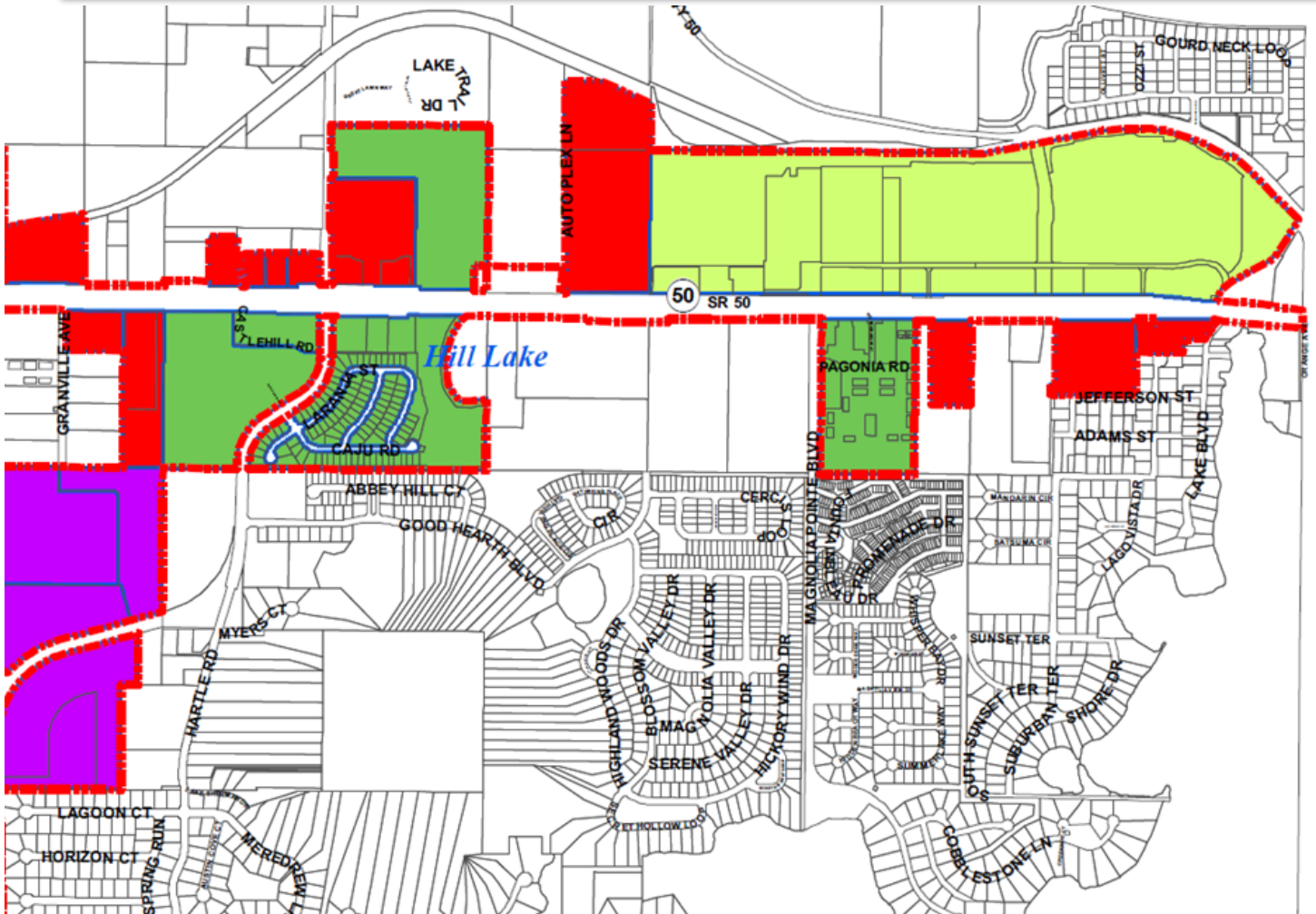
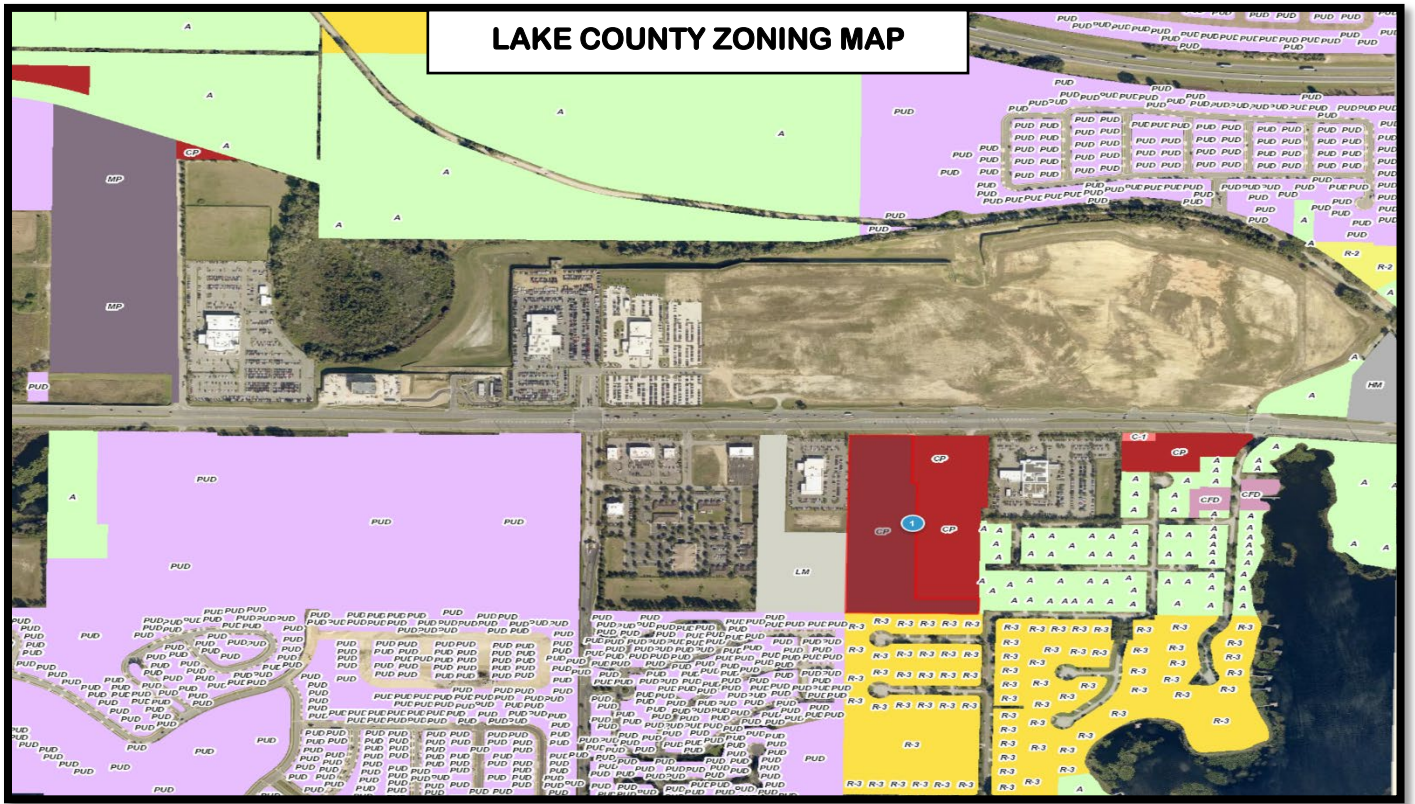
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



LAKE COUNTY ZONING MAP



LEGAL NOTICE

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

ORDINANCE NO. 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Ordinance No. 2022-023 <i>Final Special Events</i>		
Requested Action		
Recommend approval of Ordinance No. 2022-023		
Staff Report		
This proposed amendment to Chapter 54, Article IV Special Events addresses eliminating confusing language and processes as well as addressing new concerns since the creation of the Ordinance in 2015. City staff seeks to streamline the process for special events held on both private and city property. Currently, events held on private property with less than 250 people only require notification, while all events, regardless of attendance, held on public property, require a special event permit. City staff is requesting to require all events other than the normal day to day or seasonal operations of the licensed establishment or is not a use permitted at the location under the city code, be required to secure a special event permit. This will enable City staff including Police and Fire to review all events to verify they meet all safety requirements and code-related issues. Staff is also seeking to increase the time from 180 days to up to 365 days for applications to be submitted, which will allow applicants additional time to plan for their events.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord 2022-023 Special Events amendment (04.19.2022)	Ord 2022-023 Special Events amendment (04.19.2022).pdf	
2. Special Events Legal Ad	Special Events Legal Ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-023

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 54, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 54-102, "PERMIT REQUIRED; EXEMPTIONS"; SECTION 54-103, "APPLICATION OF PERMIT DEFINITIONS"; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City Council determined that it is in the public interest to amend Chapter 54, Streets, Sidewalks and other Places to update the section on Special Events.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, as follows:

SECTION 1:

Chapter 54, "Streets, Sidewalks and Other Public Places" is hereby amended to read as follows; (note strikethrough indicates removed words and underlined indicates added):

Section 54-102. Permit required; exemptions

(a) All special events held on regulated property within the City of Clermont require a special events permit in accordance with the provisions of this section, unless expressly exempted. No event organizer required by this section to obtain a special events permit shall advertise, engage in, participate in, aid, form, or start any special event prior to obtaining a special events permit from the City of Clermont.

(1) Special events requiring a permit shall be any event or activity; other than the normal day to day or seasonal operations of concerns licensed or established within the City of Clermont, ~~which is designed, advertised, or intended to attract the participation or attendance of more than 250 people.~~

~~(2) Special events requiring notification only shall be any events or activities, other than the normal day to day or seasonal operations of concerns licensed or established within the City of Clermont which is designed or intended to attract the participation of more than 100 but less than 250 people.~~

~~(3)~~ (2) Any organized activity, including but not limited to any ceremony, exhibition, show, concert, wedding, large gathering, pageant, rally, private entertainment events, seasonal holiday sales, professional performances, concerts, parades, street dances, sporting events, festivals, competitions, art shows, bonfires, runs/races/walks or assembly, and any event where fireworks shall be used, exploded or displayed that is held on city or private property shall be required to obtain a special events permit.



CITY OF CLERMONT
ORDINANCE NO. 2022-023

- (b) The city, including any and all departments within, is exempt from the special permitting process.
- (c) ~~Any event held on the water which expects a daily attendance of 250 persons or greater, or serves alcohol, or by nature of the event creates traffic control, crowd control, public safety, sanitation and other public health, safety and welfare issues requires a special events permit. Any event held on the water that utilizes City access such as public boat ramps, upland property, launches, or facilities may be required to obtain a special events permit.~~
- (d) Any existing business or establishment within the city that holds, sponsors, supports, or otherwise provides for an event at that establishment which is outside of or beyond the normal and customary use approved for the business or establishment scope of practices the intended business or is not a use permitted at the location under the city code, requires a special events permit if the nature, attendance, or activities occurring as part of the event creates traffic control, crowd control, public safety, or sanitation and other public health, safety and welfare issues as determined by City staff.
- (1) ~~The daily attendance of the event is greater than 250 persons;~~
- (2) ~~Alcohol is served at the event; or~~
- (3) ~~Because of the nature of the event creates traffic control, crowd control, public safety, or sanitation and other public health, safety and welfare issues.~~
- (e) The issue of a special events permit by the city shall not relieve any person from the duty to secure other permits or approvals as may be required by the City Code to include, but not be limited to, zoning and use approvals, a Business Tax Receipt, street closure authorization, or other permits/authorizations.
- (f) Applicant shall not advertise or promote any event prior to receiving an approved special events permit.

Section 54-103. Application of permit definitions

Any person or entity seeking the issuance of a special events permit shall file an application with the fire department fire prevention division as set forth herein if occurring on private property, and with the City Parks and Recreation Department if occurring on City property.

- (1) *Filing period.* All special events applications shall be for a single event, or reoccurring events, and shall not be valid for reoccurring future events. A special event application may be submitted for a maximum of 12 reoccurring special events in a calendar year if the event utilizes the same event space, event times, specific locations and logistical details. A complete application with all required documents for a special events permit shall be filed with the fire prevention division of the fire department for events held on private property or the parks and recreation department if held on city property not more than 180 365 days before, and not less than 60 calendar days before the date and time at which it is proposed to commence the event.
- (2) *Contents.* The application shall; at a minimum, state the following:
- a. The name of the event organizer, sponsor or responsible person or entity.

CITY OF CLERMONT
ORDINANCE NO. 2022-023

- b. The mailing address, email address, and telephone number of the event organizer, sponsor or responsible person or entity.
- c. If the event is to be conducted for, on behalf of, or by an organization; the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization.
- d. The specific location of the proposed special event.
- e. The date of the special event and the hours of operation.
- f. The approximate number of spectators and/or participants present or participating in the event.
- g. A designation of any public facilities or equipment proposed to be utilized.
- h. State permit if state roadway is to be used.
- i. A notification letter to be delivered by the applicant to residents and business owners impacted by road closures disclosing specific times and street closures. Notification must be sent prior to City Council reviewing the closures.
- j. If the event is a parade, the following additional information shall be required:
1. The exact location or any marshalling or staging areas for the parade;
 2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed from;
 3. The exact route to be traveled, including the starting point and termination point;
 4. The approximate number of persons who, and animals and vehicles which, will constitute the parade; the types of animals and description of the vehicles;
 5. A statement as to whether the parade will occupy all or only a portion of the width of the street, roadway, or sidewalks to be used;
 6. A ~~general~~ specific description of the activities to be conducted at the special event together with attendance estimates.
 7. A public notification letter by the applicant to be delivered to residents and business owners impacted by road closures disclosing specific times and street closures. Notification must be sent prior to City Council reviewing the closures.
- k. Proof of general liability insurance with the City of Clermont named as an additional insured, if the event is held on public or city owned property.
- l. A security plan with the name of the company providing staffing; including certified crowd managers if applicable, for the special event. A predetermined manpower allocation table shall be used as a guideline in order to determine how many officers with arrest powers will be assigned to the special event; if any. The chief of police or designee may adjust the requirement of officers with arrest powers as he or she determines necessary.
- m. A site plan, which shall show at a minimum the following:

CITY OF CLERMONT
ORDINANCE NO. 2022-023

1. The dimensions and locations of all permanent and proposed temporary structures to be located on the property. Should any temporary structures be required for the event, the applicants will be responsible for obtaining all necessary building permits and meeting all requirements of applicable building and fire codes;
 2. Ingress and egress locations. Access to the site must not impede normal traffic flow on adjacent roadways;
 3. The capacity and location of restroom facilities; either permanent or temporary, sufficient to meet the anticipated demand at the event;
 4. Adequate provision for solid waste collection and disposal;
 5. A parking plan with all on-site and overflow parking, if necessary, and proposed traffic flow; in addition to any necessary traffic control devices at the special event location.
- ~~M.n.~~ A list of all concessionaires and vendors in addition to the event organizer, if any.
- ~~N.o.~~ A certificate of good Standing certifying that the event organizer is authorized to do business in Florida, if the event organizer is a Corporation or Limited Liability Company or some other business entity required to be registered with the Department of State.
- ~~O.p.~~ Copies of all fliers, handbills, newspaper advertisements and other advertising that the event organizer anticipates using to promote or advertise the special event.
- ~~P.q.~~ Written proof of permission from the owner of the regulated property for the use of said property by the event organizer for the special event. The owner shall be required to sign the application and agree to any conditions placed on the special event by the city. If the owner of the property is the city or the property is public property, this term shall not be required.
- ~~q.r.~~ Copies of all required federal, state and local business or regulatory licenses required to be held by the event organizer.
- ~~r.s.~~ Any other documentation or information that City staff or the City Council; upon appeal, determines to be reasonably necessary to properly evaluate the application.
- (3) *Fees.* A non-refundable application fee as approved by Resolution of the city council shall be paid to the City of Clermont at the time the application is filed.
- (4) *Decision and appeal.* The city manager or his designee shall review the completed application. If the application for a permit is denied, the applicant may appeal the denial to the city council by submitting a written request for appeal to the city manager within 30 days of the date of denial. The city council shall review the matter at its next available regular meeting and shall review the application together with all supporting documentation and city departmental comments considered by the city manager or his designee in making his decision. The city council may uphold, overturn or revise the decision of the city manager or his designee and the city council's decision shall be final.



CITY OF CLERMONT
ORDINANCE NO. 2022-023

SECTION 2: CONFLICT

Any portion of the Code of Ordinances, City of Clermont, Florida or any ordinance or part thereof in conflict with this ordinance is hereby repealed to the extent of such conflict.

SECTION 3: SEVERABILITY

It is declared to be the intent of the City Council that, if any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4: CODIFICATION

The text of Section 1 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

SECTION 5: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 6 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6: PUBLICATION & EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2022-023

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



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:	ORDINANCE NO. 2022-0

Date:	05/02/2022
Order Number:	7246667
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	52.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	05/10/2022 - 05/10/2022	Govt Public Notices
LEE dailycommercial.com	1	05/10/2022 - 05/10/2022	Govt Public Notices

Total Order Confirmation

\$92.16

Ad Preview

LEGAL NOTICE

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

ORDINANCE NO. 2022-023

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 54, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 54-102, "PERMIT REQUIRED; EXEMPTIONS"; SECTION 54-103, "APPLICATION OF PERMIT DEFINITIONS"; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

A public meeting will be held before the Clermont City Council to consider this request on Tuesday, May 24, 2022 at 6:30 PM for the final reading and ordinance adoption.

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

May 10, 2022

7246667



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Resolution No. 2022-014R <i>Iglesia Betesda Church CUP</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. <i>The Planning and Zoning Commission at their meeting, voted unanimously to recommend approval of Resolution No. 2022-014R.</i>		
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

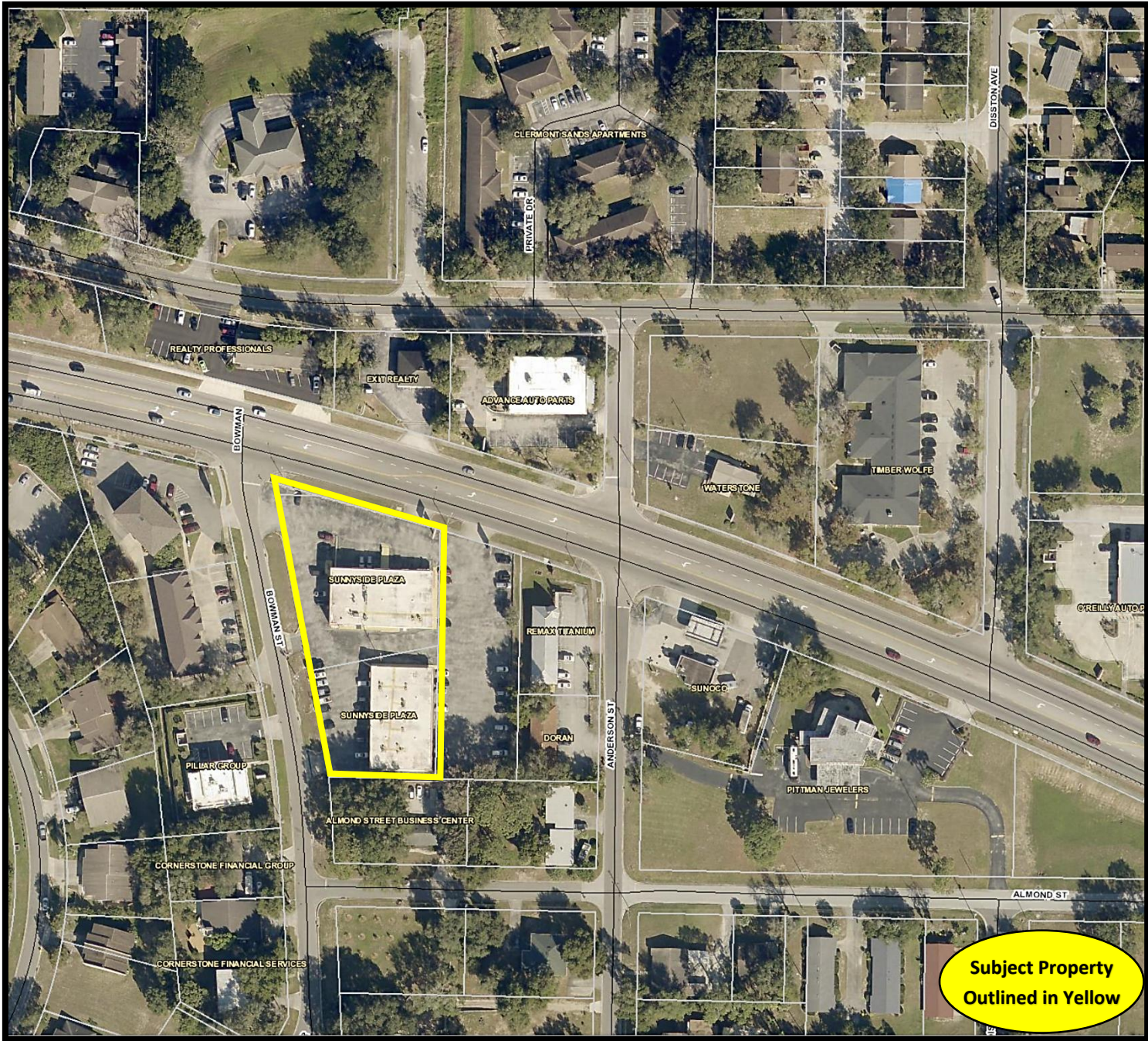
ATTEST:

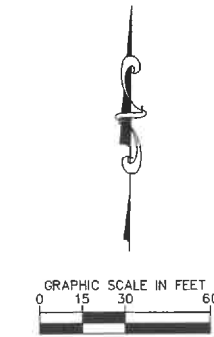
Tracy Ackroyd Howe, MMC
City Clerk

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

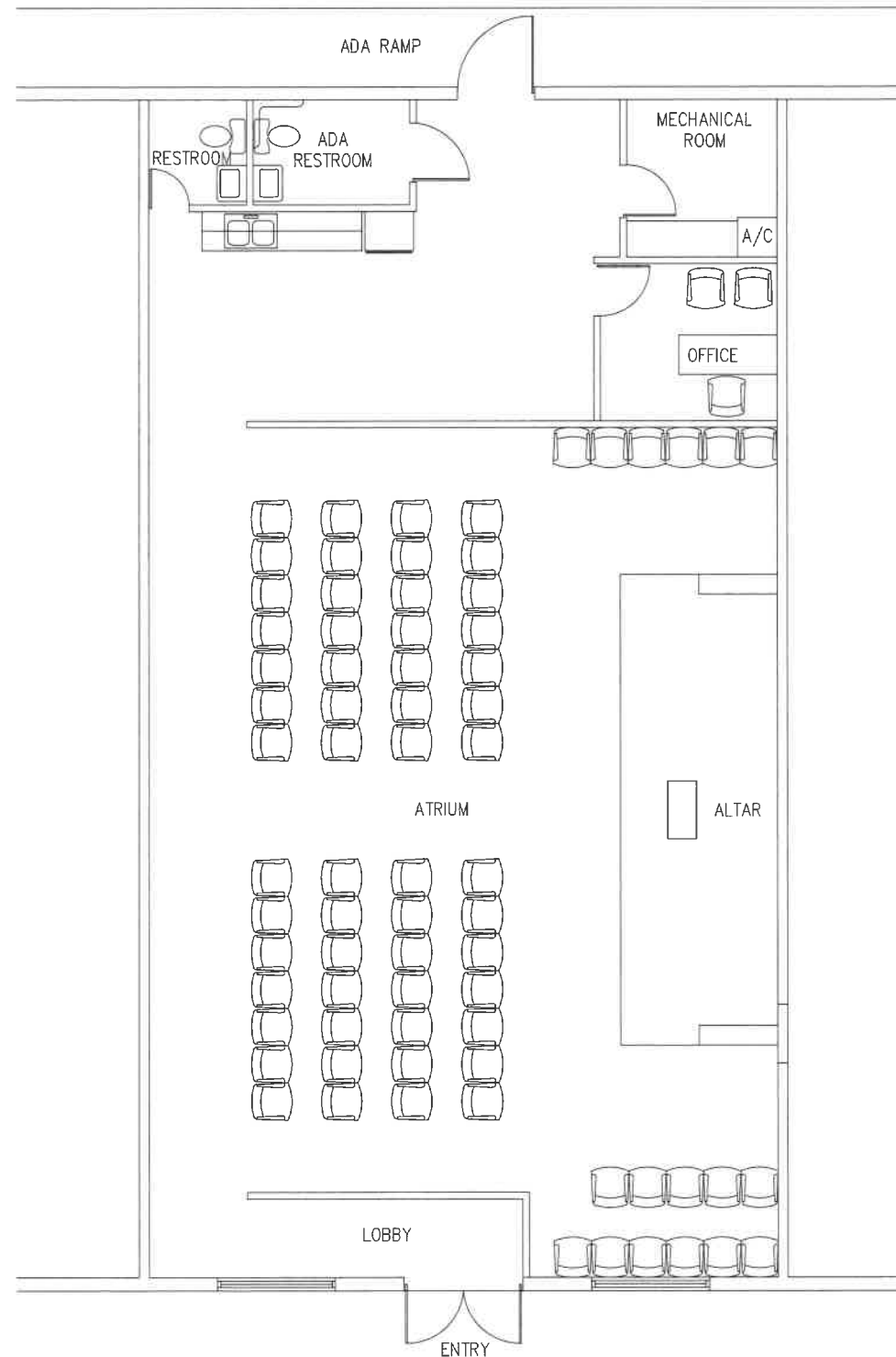
PROPOSED PARKING:
 EXISTING 104 SPACES

SITE PLAN

CLERMONT, FLORIDA

IGLESIA BETESTA

305 E HIGHWAY 50 CLERMONT FL 34711

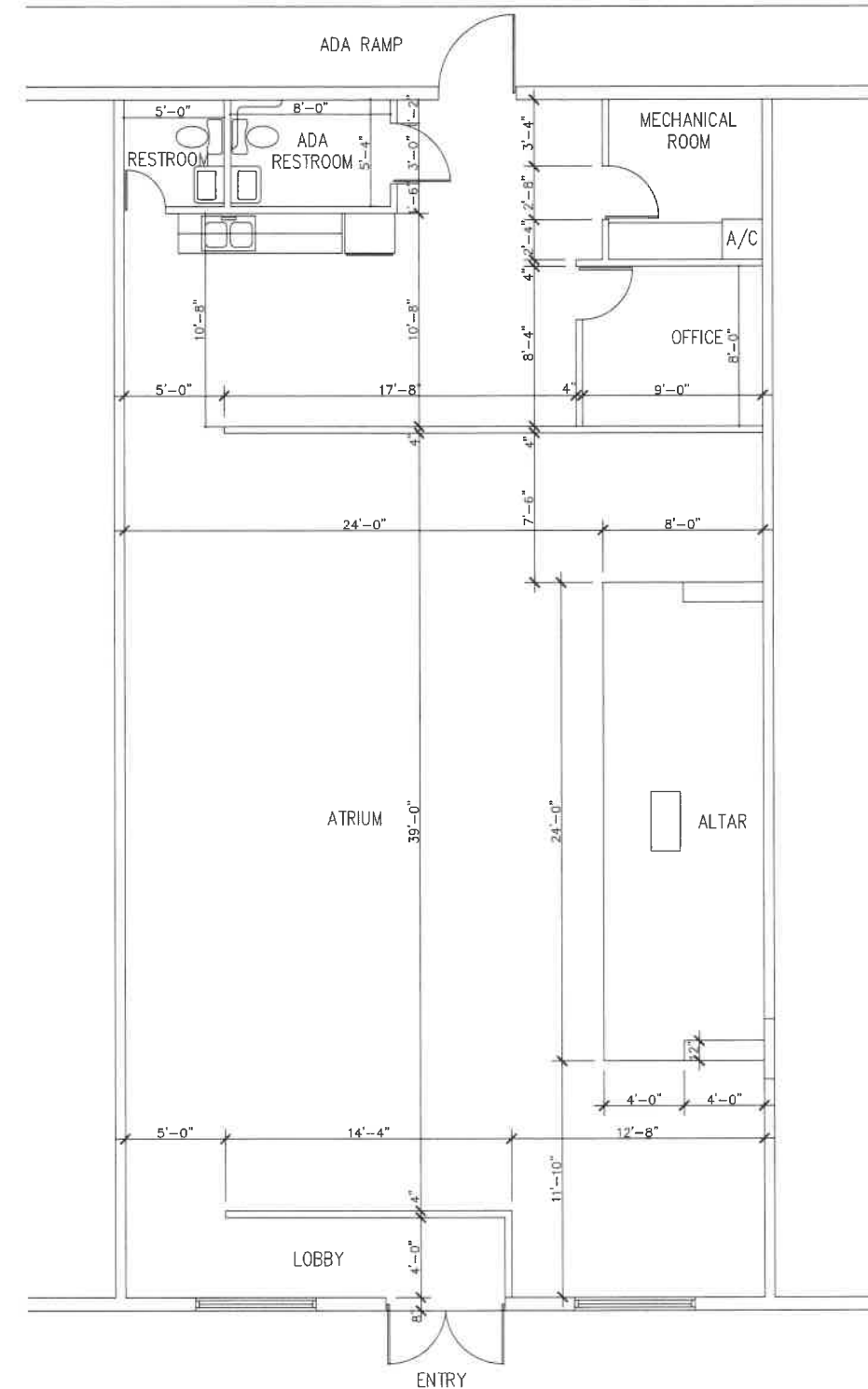


FLOOR PLAN NOTE

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
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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

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 24, 2022	
Agenda Item Name	
Resolution No. 2022-015R <i>Kinetic Veterinary Specialists CUP</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. <i>The Planning and Zoning Commission unanimously recommended approval, 7-0.</i>	
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

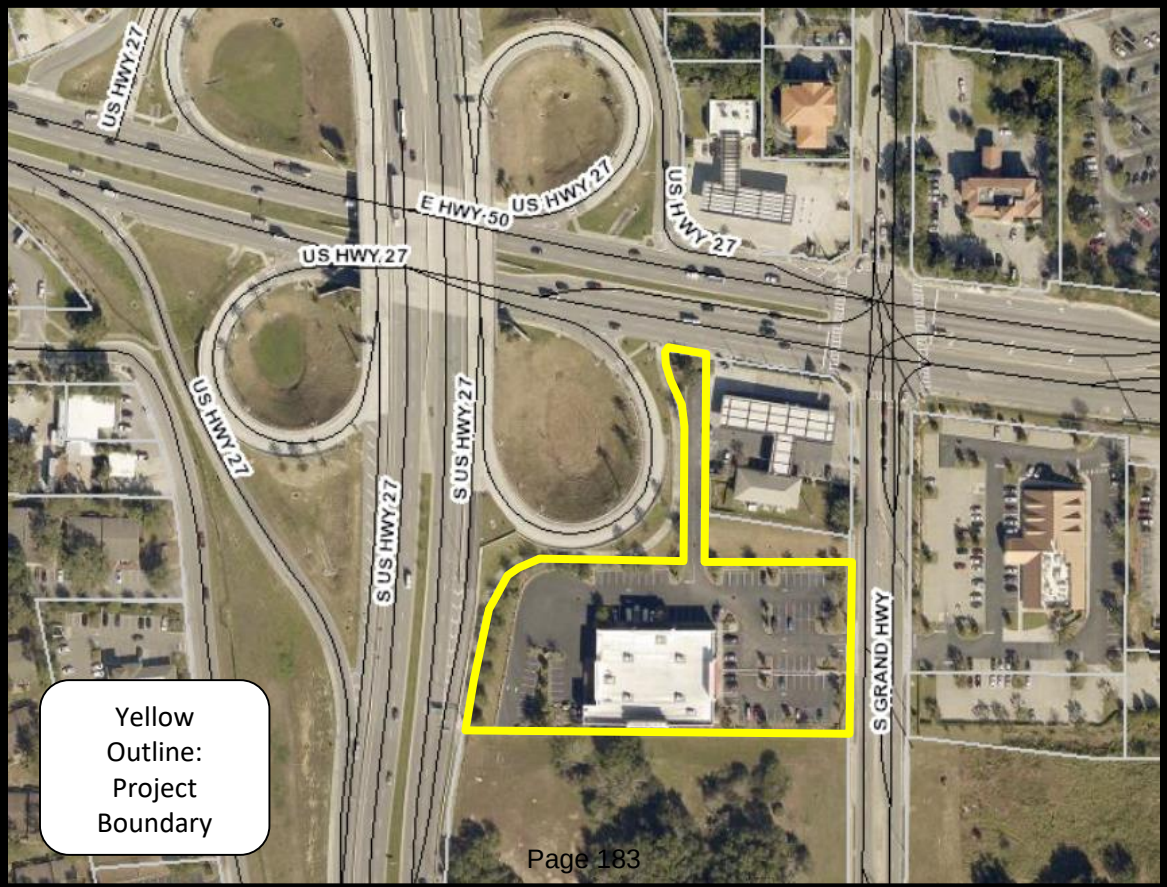
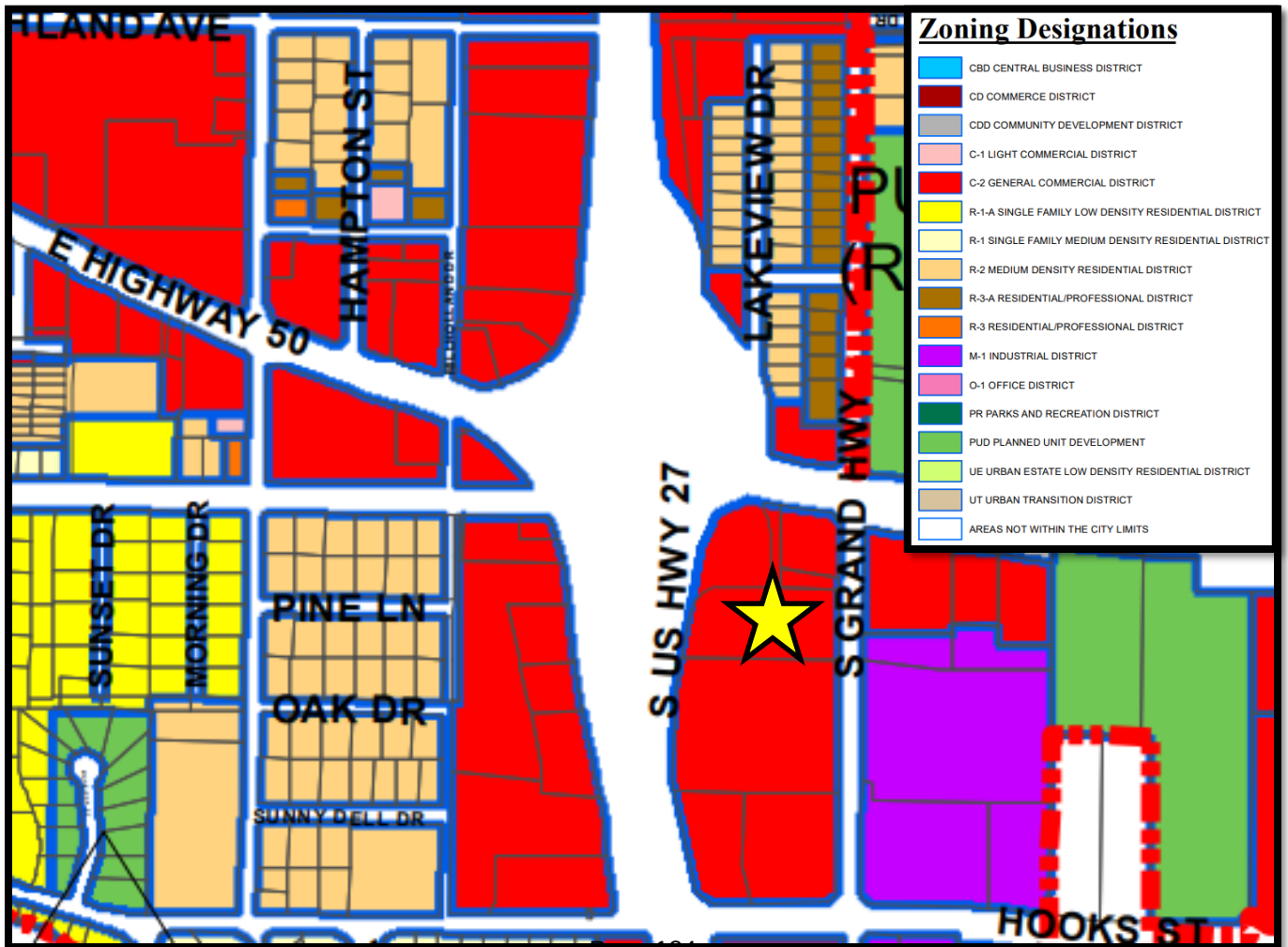


Exhibit - Zoning Map – Kinetic Pets Hospital



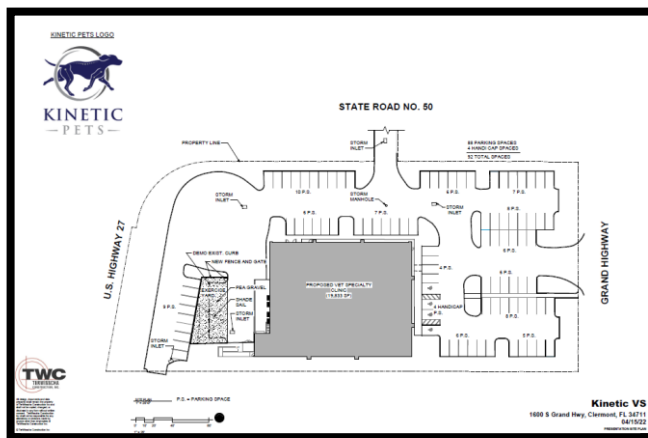
CITY OF CLERMONT

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.

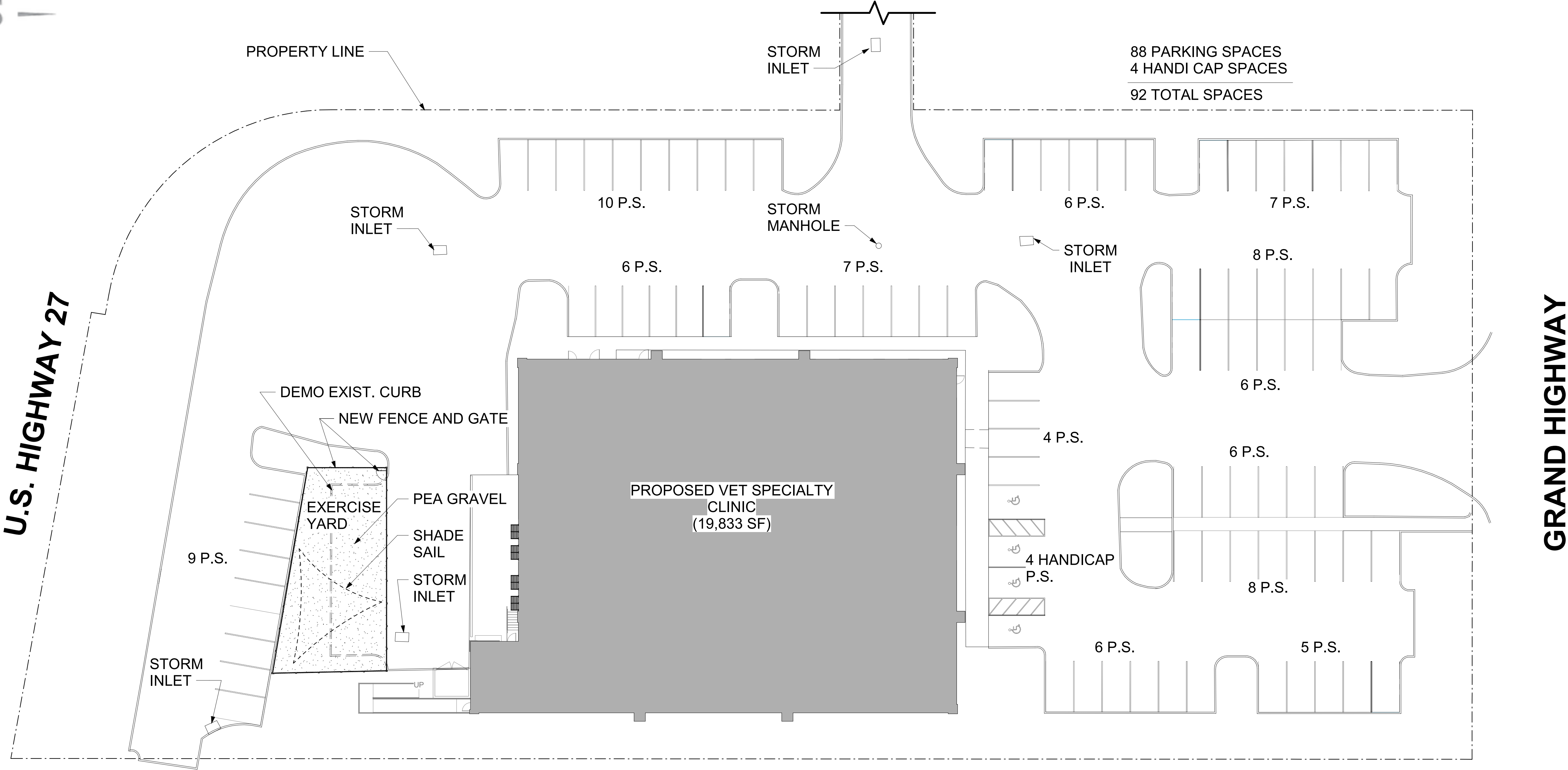
Staff has reviewed the application and proposed project in regards to Section 86-144, Review Criteria for a Conditional Use Permit. The proposed use is consistent with the existing and previous development patterns and character of the surrounding areas. The surrounding areas are zoned C-2 General Commercial, 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

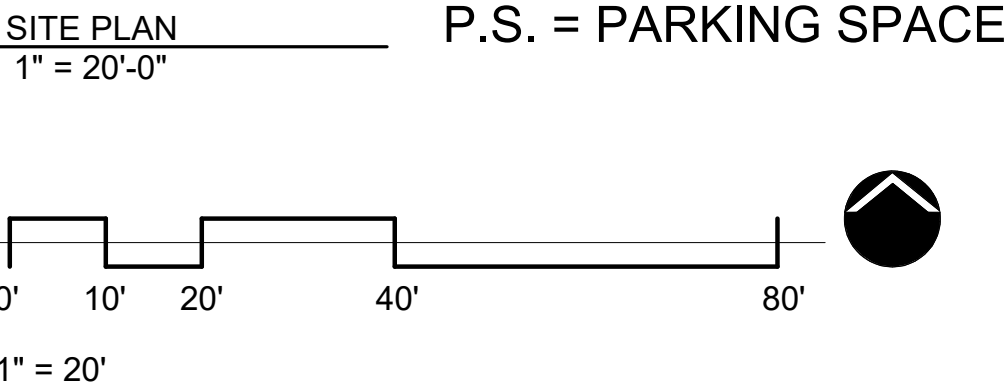


KINETIC
— P E T S —

STATE ROAD NO. 50



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

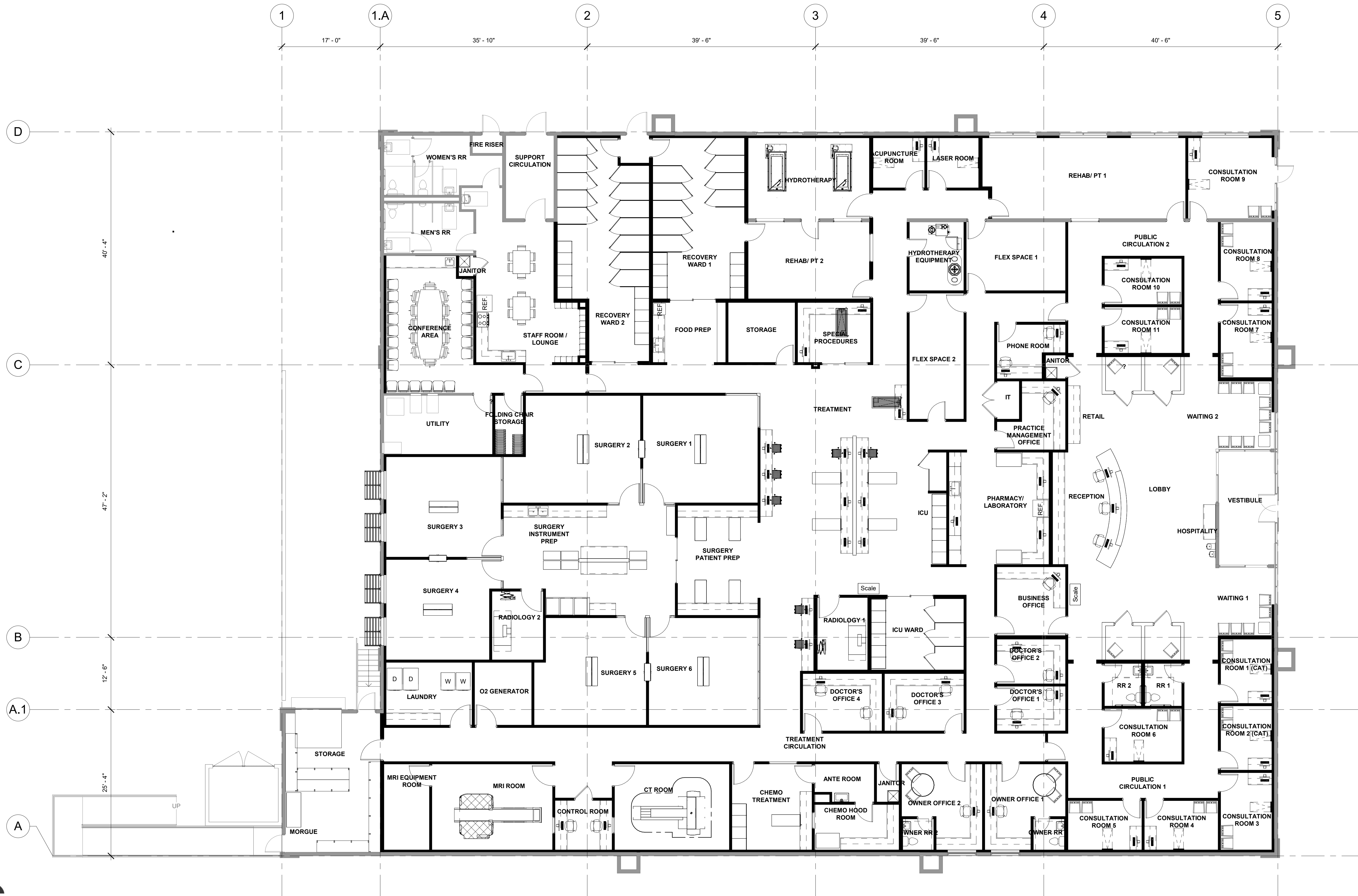
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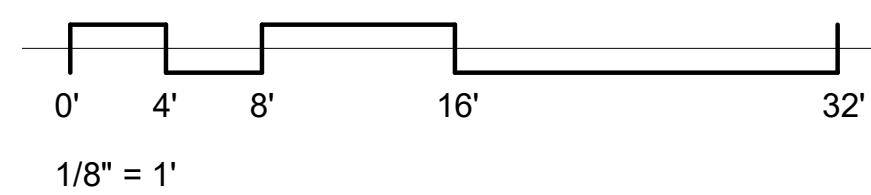


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FIRST LEVEL FLOOR PLAN
1/8" = 1'-0"



AREA SCHEDULE (GROSS...)

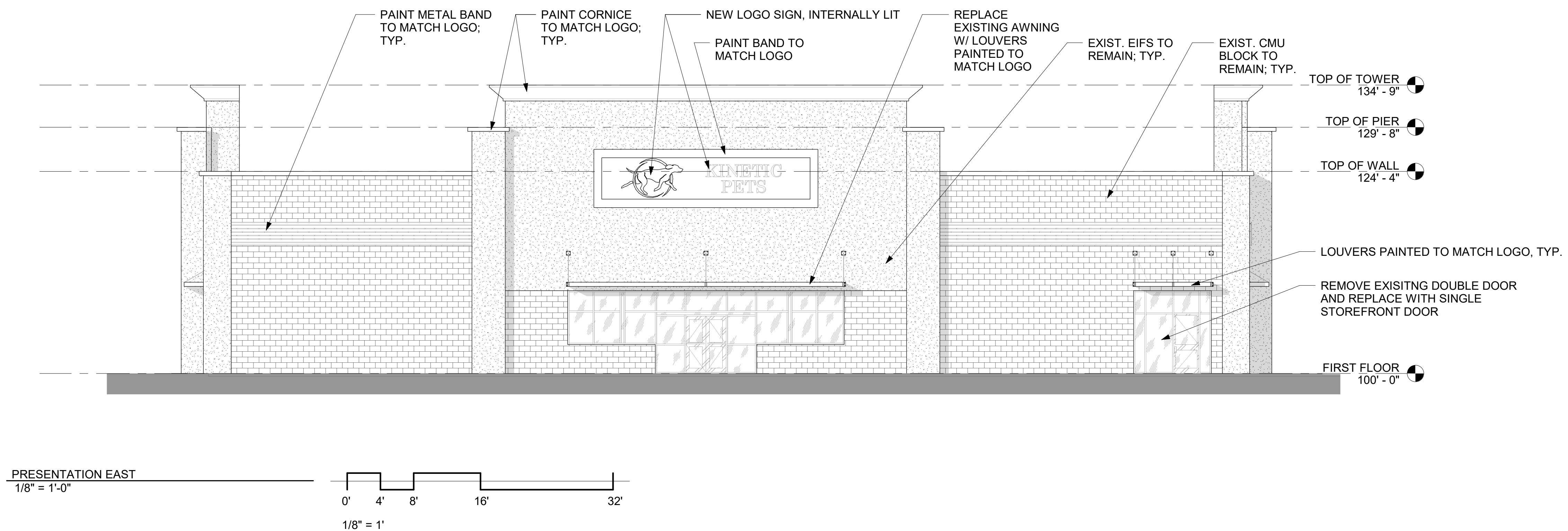
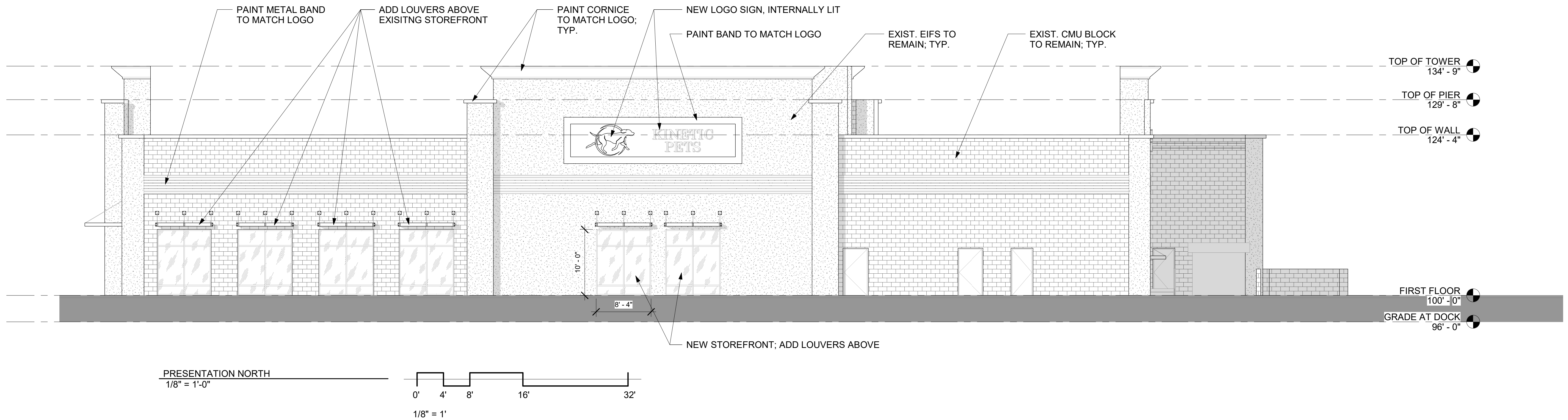
NAME	AREA
EMERGENCY HOSPITAL AREA	19899.11 SF
	19899.11 SF

Kinetic VS

1600 S Grand Hwy, Clermont, FL 34711

04/15/22

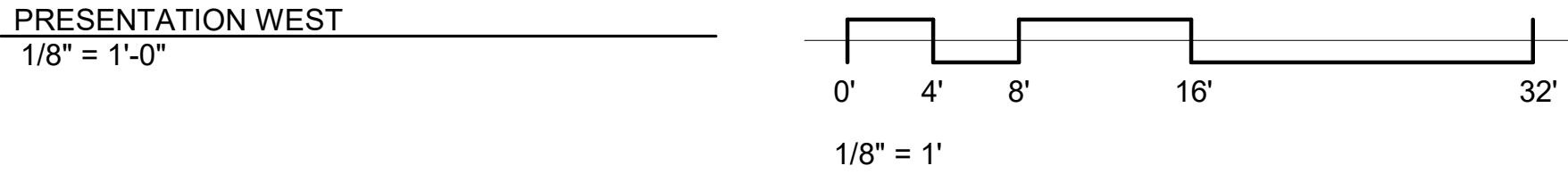
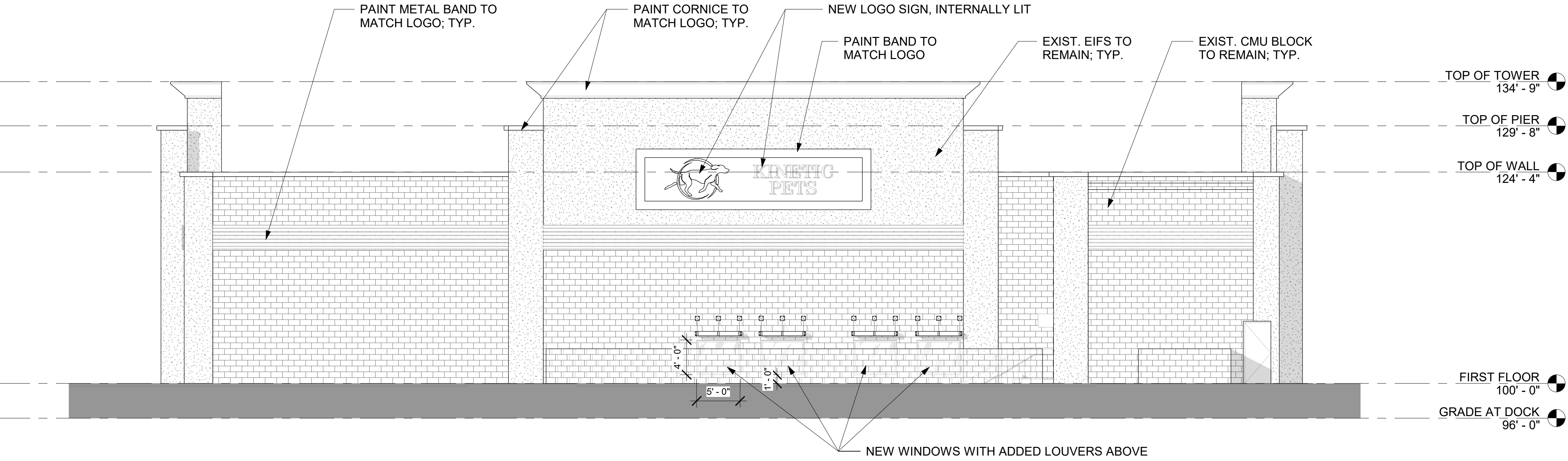
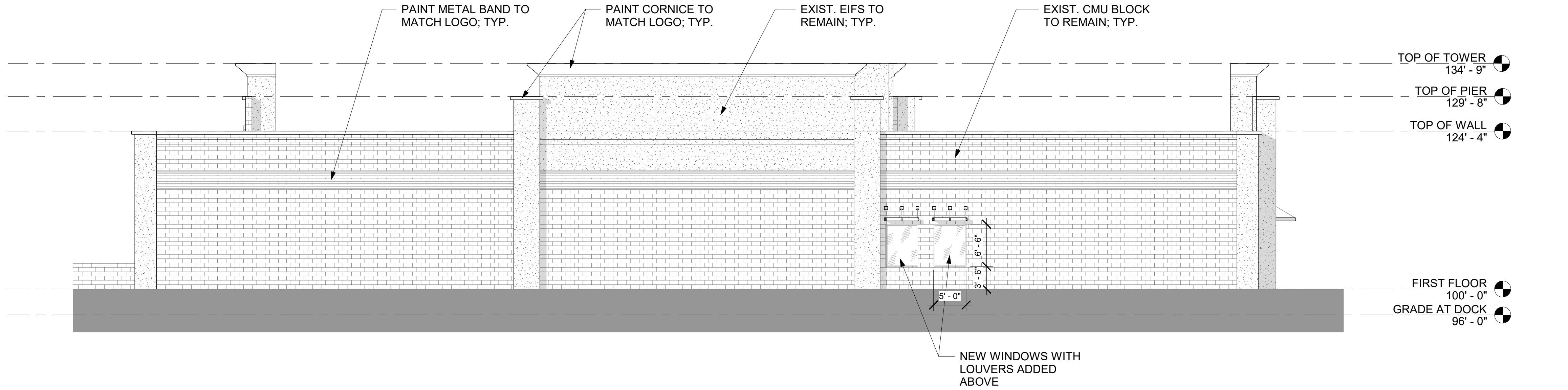
PRESENTATION FLOOR PLAN



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4/15/2022 3:20:22 PM
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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]
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.

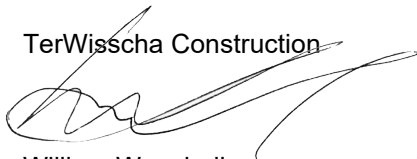
The interior of the clinic will have a large waiting area for clients as well as 11 consultation rooms where clients can wait in while their pet is examined in the treatment space. The treatment space will have 5 treatment tables as well as 6 surgery suites. There will be animal holding areas throughout 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 printed 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 24, 2022		
Agenda Item Name		
Resolution No. 2022-016R <i>Table APC Roofing CUP</i>		
Requested Action		
Recommend tabling to June 28, 2022.		
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 East 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. 2022-016R - APC Roofing CUP	2022-016R - APC Roofing CUP.pdf	
2. APC Roofing CUP legal ad	APC Roofing CUP legal ad.pdf	



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



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 2

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Resolution No. 2022-010R <i>Clermont Yacht Club CUP</i>		
Requested Action		
Recommend denial of Resolution No 2022-010R.		
Staff Report		
The applicant is requesting a Conditional Use Permit (CUP) to allow for the construction of the 108 condominium units as a third phase approved as part of a 1998 Master Development Plan (Resolution No. 98-1029), which permitted 205 multi-family units and 266 townhome or condo units. On November 24, 1998, the Clermont City Council approved a Conditional Use Permit for a Planned Unit Development (Resolution No. 98-1029). As part of the first and second phase, the developer constructed approximately 158 of the townhome/condominium units and the recreation amenities for the project. The developer never moved forward with the third phase and the construction of the remaining 108 units. The applicant has submitted an updated Traffic Impact Study (TIS) for review by the City's Traffic Engineer Consultant, and the results of the analysis indicates, that all intersections are projected to operate at acceptable levels of service (LOS) and the proposed project is not anticipated to have any adverse impact on the surrounding roadway networks and intersections. The applicant will be required to coordinate and comply with the requirements of Lake County Public Schools for School Concurrence. The applicant proposes that the condo 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 townhome development. Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and due to the prior 1998 approvals and entitlements initially found that the proposed use was compatible with the area and consistent with the intent of the Comprehensive Plan goals, objectives and policies. However, after discussion at the Planning and Zoning Commission meeting and further review, it was discovered that the 1998 Conditional Use Permit was null and void due to the failure of the developer to maintain continuous construction until completion of the entire project. Additionally, it was discovered that in 2008 the developer had approached the city advising that they would not be completing the third phase and requested and received a refund of all impact fees paid for the third phase. As a result, as the original entitlements for the project are no longer valid, staff is required to review the current application as a separate stand-alone application. Upon further review, it is staff's view that the number of units and density of the proposed project will be detrimental to the general welfare of persons residing in the vicinity. Staff recommends denial of Resolution 2022-010R to allow for up to 108 condominium units. The Planning and Zoning Commission was divided on the request and was not able to reach consensus on a recommendation. Attached, please see the "Public Concerns and Comments" from the Planning and Zoning Meeting.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1.	2022-010R - Clermont Yacht Club CUP (05.18.2022)
2.	LOCATION MAP
3.	CYC Condos Aerial SS 2-10-2022
4.	CYC Condos Prel SP SS 2-10-2022
5.	Clermont Yacht Club Rendering
6.	CYC Typical Condo Elevation Plans
7.	Traffic Impact Study Summary
8.	Clermont Yacht Club Revised TIA Review
9.	Public Comments - City Website
10.	Public Comments and Concerns-P & Z Meeting
11.	CUP Application- Masthead - Signed
12.	Yacht Club legal ad 7201400



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 made no recommendation 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:

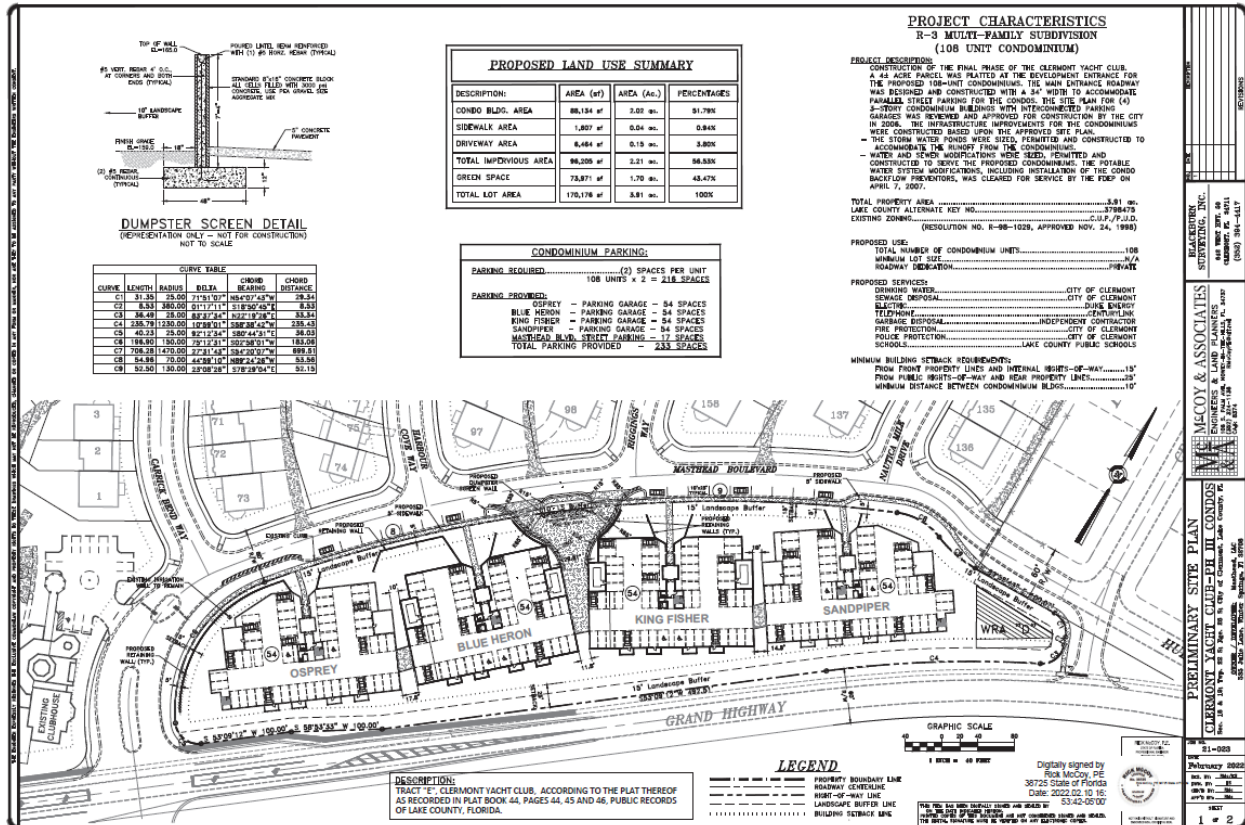
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

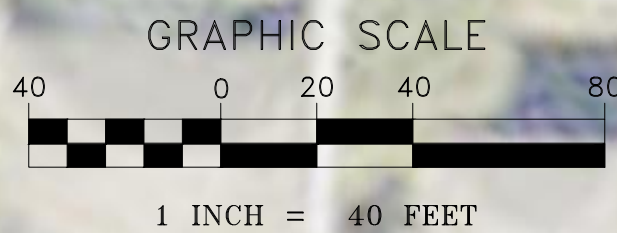
CITY OF CLERMONT RESOLUTION NO. 2022-010R

Exhibit A Presentation Site Plan



[illegible][illegible]

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

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.

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

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 RMcCoyPE@att.net
CA#: 8574

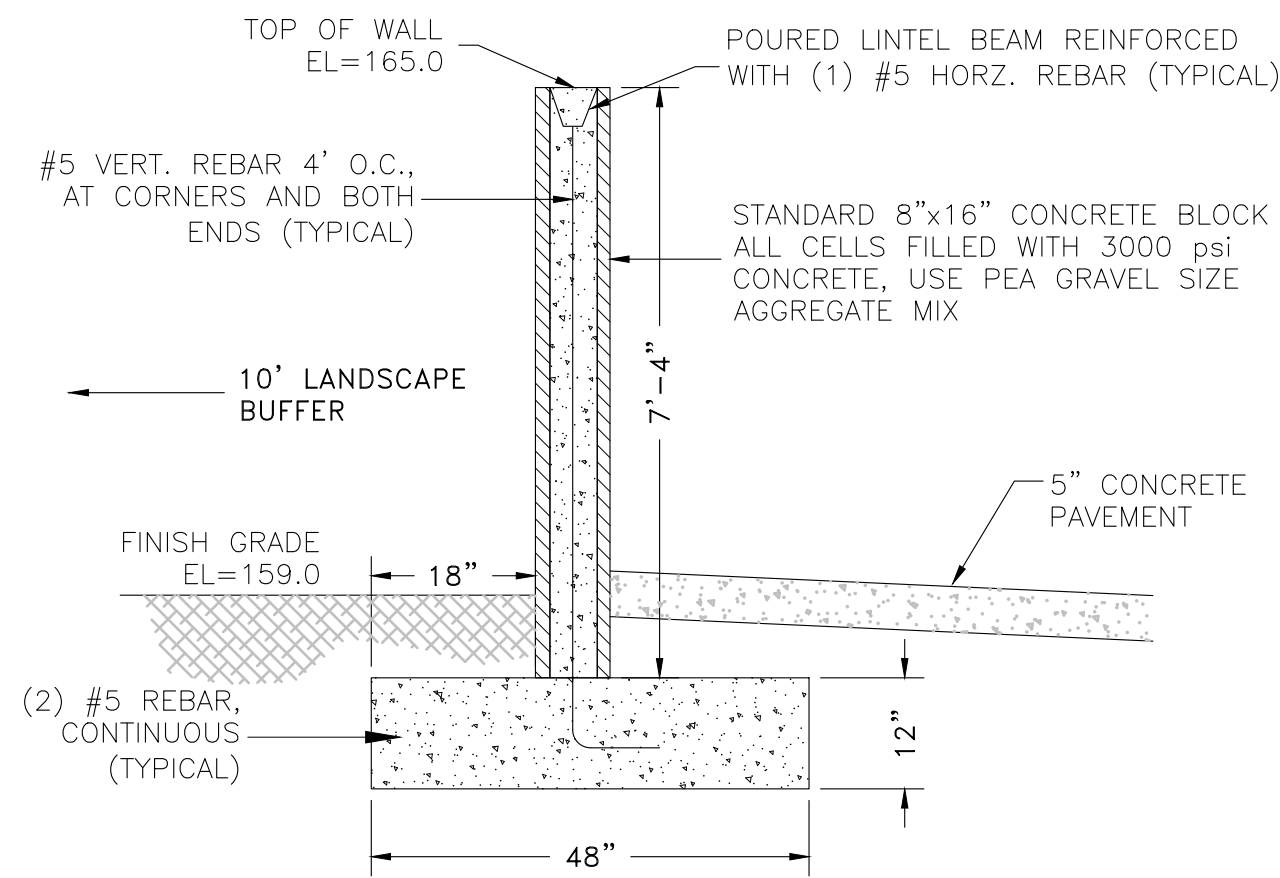
BLACKBURN
SURVEYING, INC.
642 WEST HWY. 50
CLERMONT, FL 34711
(352) 394-4417

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
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	1230.00	10°59'01"	S58°38'42"W	235.43
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

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:

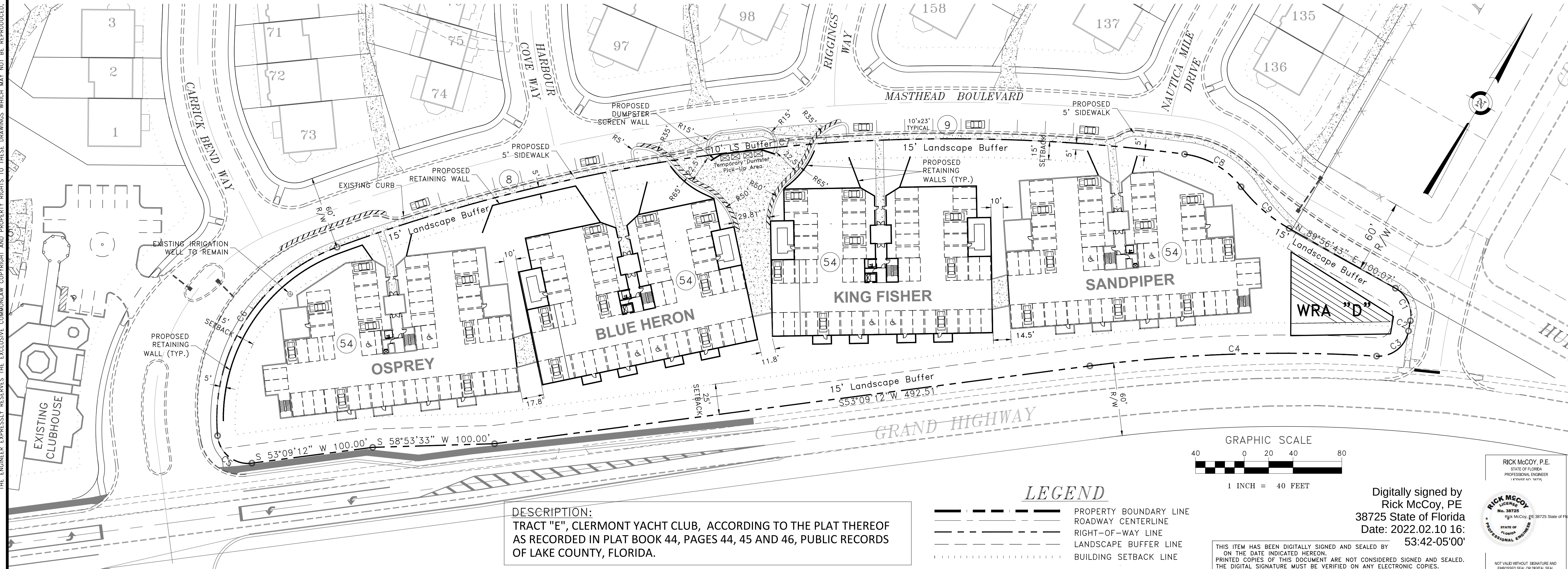
TOTAL NUMBER OF CONDOMINIUM UNITS.....108
MINIMUM LOT SIZE.....N/A
ROADWAY DEDICATION.....PRIVATE

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		

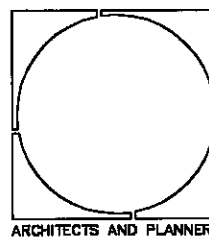
INDEX OF MECHANICAL DRAWINGS	
SHT	DESCRIPTION
M-1	GROUND FLOOR HVAC PLAN
M-2	1ST FLOOR HVAC PLAN
M-3	2ND FLOOR HVAC PLAN
M-4	3RD FLOOR HVAC PLAN
M-5	ROOF HVAC PLAN
M-6	HVAC RISER, SCHEDULES AND NOTES
M-7	HVAC DETAILS

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., P.E.
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
(561) 478-1845 Fax: (561) 478-6881

OWNER: MASTHEAD L.L.C.
1150 W. MINNEOLA AVE.
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

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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: May 3, 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: Revised 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 28, 2022. The project proposes to build a multifamily residential development with 109 housing units in Clermont, FL.

Based on the revised study, the proposed Clermont Yacht Club development is not anticipated to have an adverse impact on the surrounding roadways and intersections. Although the intersection of US 27 and Grand Highway has existing deficiencies, the project does not add traffic to the deficient movements, lowering the average intersection delay.

Rae Chidlow

From: Brian Lueth
Sent: Wednesday, May 04, 2022 8:20 AM
To: Rae Chidlow
Subject: FW: Public Comment Submission

This comment is for a Planning & Zoning Commission Agenda.

Brian



Brian B. Lueth
Records Administrator
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7333 | Fax 352-394-2394
blueth@clermontfl.org
www.ClermontFL.gov

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: noreply@civicclerk.com <noreply@civicclerk.com>
Sent: Tuesday, May 03, 2022 6:34 PM
To: City Clerk <CityClerk@clermontfl.org>
Subject: Public Comment Submission

Submitted by: ilsa olsen
Email Address: ilsaolsen86@gmail.com

Commented on event: <https://clermontfl.civicclerk.com/web/player.aspx?id=1150>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: I am concerned about flooding from no longer having the field. Also the traffic will be terrible with that many condos. How will that be addressed?

Rae Chidlow

From: Brian Lueth
Sent: Tuesday, May 03, 2022 4:02 PM
To: Rae Chidlow
Subject: FW: Public Comment Submission

This is a comment for a Planning & Zoning Commission Agenda.

Brian



Brian B. Lueth
Records Administrator
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7333 | Fax 352-394-2394
blueth@clermontfl.org
www.ClermontFL.gov

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: noreply@civicclerk.com <noreply@civicclerk.com>
Sent: Tuesday, May 03, 2022 4:01 PM
To: City Clerk <CityClerk@clermontfl.org>
Cc: ronmilejcz@gmail.com
Subject: Public Comment Submission

Submitted by: Ron Milejczak
Email Address: ronmilejcz@gmail.com

Commented on event: <https://clermontfl.civicclerk.com/web/player.aspx?id=1150>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: What is the density of the existing yacht club? The density of the proposed new yacht club units? The current City zoning density for this type of property?

Rae Chidlow

From: Brian Lueth
Sent: Tuesday, May 03, 2022 3:54 PM
To: Rae Chidlow
Subject: FW: Public Comment Submission

This comment is for a Planning & Zoning Commission agenda item.

Brian



Brian B. Lueth
Records Administrator
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7333 | Fax 352-394-2394
blueth@clermontfl.org
www.ClermontFL.gov

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: noreply@civicclerk.com <noreply@civicclerk.com>
Sent: Tuesday, May 03, 2022 2:23 PM
To: City Clerk <CityClerk@clermontfl.org>
Cc: kwegner62@aol.com
Subject: Public Comment Submission

Submitted by: Karl Wegner
Email Address: kwegner62@aol.com

Commented on event: <https://clermontfl.civicclerk.com/web/player.aspx?id=1150>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: I am a resident in the Clermont Yacht club and my major concern, besides the additional 108 condos in our subdivision, is traffic. I do not believe Grand Hwy is equipped for the traffic it currently has. Adding traffic from 108 additional homes will cause more traffic nightmares for our area. As a resident, I oppose this resolution.

Rae Chidlow

From: Brian Lueth
Sent: Tuesday, May 03, 2022 3:40 PM
To: Rae Chidlow
Subject: FW: Public Comment Submission

This comment was submitted for a Planning & Zoning Commission Agenda.

Brian



Brian B. Lueth
Records Administrator
685 W. Montrose St., Clermont, FL 34711
Tel 352-241-7333 | Fax 352-394-2394
blueth@clermontfl.org
www.ClermontFL.gov

Our mission: To preserve and enhance the quality of life for the Clermont community by providing exceptional services.

From: noreply@civicclerk.com <noreply@civicclerk.com>
Sent: Tuesday, May 03, 2022 3:05 PM
To: City Clerk <CityClerk@clermontfl.org>
Cc: calvacca@cfl.rr.com
Subject: Public Comment Submission

Submitted by: Beth Calvacca
Email Address: calvacca@cfl.rr.com

Commented on event: <https://clermontfl.civicclerk.com/web/player.aspx?id=1150>

If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: At what price point does the owner of the Condos expect to sell each unit for. That will have an impact on the quality of people that will purchase them. We are all concerned about our property values going down with a inferior complex being erected in our neighborhood.

May 3, 2022 - Planning and Zoning Meeting

Public Concerns and Comments:

Brett Jones, 700 Almond St., stated that he is the attorney for the HOA and they do not oppose this application as it mirrors what was previously approved.

Aaron Clark, 130 Harbour Cove Way, has concerns about the growth of the city and quality of life.

Herb Smith, 224 Nautica Mile Drive, has concerns about where the stormwater will go.

Chris Brancato, 284 Nautica Mile Drive, has concerns about the traffic, new school and no sidewalks.

Susan Brandt, 305 Nautica Mile Drive, has concerns about the charm of the community, number of cars, not enough amenities.

Steve Bodzioch, 203 Riggings Way, has concerns about the view, look of the building, and parking.

Richard Ferris, 135 Harbour Cove Way, has concerns about school over-crowding, infrastructure, traffic, and market value.

Stacie Bethel, 191 Nautica Mile Drive, has concerns number of units, not enough amenities, traffic, and keeping in line with what is existing.

Paul Svejada, with Masthead LLC, 535 Julie Lane, Winter Springs, stated that the property was approved many years ago. He stated that they have already put in the utilities for the project. He stated that the master HOA has approved the project.

Ron Milejezak, 205 Harbour Cove Way, has concerns about the size of the units proposed.

Beth Calvacca, 102 Carrick Bend Way, has concerns about the growing community, traffic, over flow parking, lack of amenities, and market value.

Mike Cramer, 208 Nautica Mile Drive, stated the leadership does not oppose it, but they also don't support this application.

Commissioner Niemiec asked if there is basketball and tennis courts, clubhouse, and pool.

Mr. Cramer stated there is a clubhouse and a small pool but no basketball or tennis courts.

Rhonda Ferris, 207 Summer Hill Court, Minneola, whose parents live at 135 Harbour Cove Way, has concerns about over-flow parking, parking on the narrow streets, emergency vehicle access, and lack of amenities.

Rene Hendryx, 207 Nautica Mile Drive, has concerns about more residents, more traffic, and emergency vehicle access.

Mark Helton, 280 Nautica Mile Drive, has concerns about the look of the new units and parking on the roads within the community.

Rebekka Byrnes, 141 Nautica Mile Drive, spoke of an article that was done in 2002 stating what would be included in Clermont Yacht Club.

Ralph Hopkins, 200 Nautica Mile Drive, has concerns about the type of construction material that will be used, the price of the new units, stormwater, traffic, and market value.

Jose Perez, 207 Summer Hill Court, has concerns about the left turn at Grand Highway and East Avenue.



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			



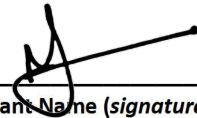
CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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.

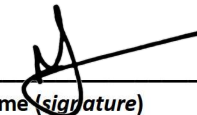
Naushik Hooda, Manager

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

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CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 24, 2022		
Agenda Item Name		
Administrative Appeal <i>Clermont Oncology</i>		
Requested Action		
Staff Report		
The City Council approved Resolution No. 2020-33 on July 28, 2020, granting a Conditional Use Permit for a medical office on the northwest corner of Citrus Tower Blvd. and Steves Rd. Resolution No. 2020-33 included a condition that required the applicant to start construction within two years of the effective date of the Resolution. In August of 2020 (within 30 days of approval), a resident appealed the council's approval of Resolution 2020-33 and the Conditional Use Permit to Lake Country Circuit Court. The appeal was timely filed and stayed the effective date of Resolution 2020-33. Therefore, the applicant was not able to move forward with construction until the court ruled on the appeal. By Order of April 12, 2021, the Circuit Court ruled in favor of the City and upheld the council's approval of Resolution No. 2020-33. As a result of this, the applicants' position is Resolution 2020-33 became legally effective as of April 12, 2021 (after the courts ruling). Except for this administrative appeal, staff does not have a land development code that would address this situation. Staff only has the original Resolution (2020-33) that states construction shall start within two years of the approval date (July 28, 2022).		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2020-33R	Resolution No. 2020-33R.pdf	
2. Letter re Appeal	Letter re Appeal.pdf	



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO RE-DESIGNATE ALLOWABLE USES FOR PARCEL I WITHIN THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 7, 2020 recommended for approval of this amendment to a Conditional Use Permit to re-designate allowable uses for Parcel I within the Planned Unit Development Zoning District; at the following location:

Northwest of Citrus Tower Boulevard and Steve's Road

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 an amendment to a Conditional Use Permit to re-designate allowable uses for Parcel I within the Planned Unit Development Zoning District; be granted subject to the following conditions:

CUP 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. 2020-33R**

3. The property shall be developed in substantial accordance with the master site plan as shown in the revised Exhibit "A" incorporating all conditions of this Conditional Use Permit.
4. 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.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. 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.
7. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
8. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 – Land Use

The Lost Lake Reserve project shall be developed in accordance with the directives of the DRI, this CUP/PUD and the Comprehensive Plan for this Master Planned Development.

The project shall be permitted for a maximum total of 1,108 single and multifamily residential dwelling units.

The development consists of the following elements as depicted in Exhibit "A":

Residential:

- Parcel "A" – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel "B" – detached single family residential units with a minimum lot size of 01020 sq. ft. and a minimum lot width of 100 ft. All other development standards shall be consistent with the R-1-A Single-family Low Density Residential Zoning District.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

- Parcel “C1” – 14.73 acres of park land. A deed restriction shall be imposed by the developer to allow only athletic fields, recreation and open space uses. Parcel C-1 shall be developed in substantial accordance with the conceptual site plan dated March 6, 2010 and the perspective drawings as developed by AECOM and Forum Architectures & Interior Design Inc. for Maxcy Development Group, as shown in Exhibit “B”.
- Parcel “C2” – 16.41 acres with up to 192 multi-family residential units. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre. Parcel C-2 shall be developed in substantial accordance with the conceptual site plan dated March 6, 2010 and the perspective drawings as developed by AECOM and Forum Architectures and Interior Design Inc. for Maxcy Development Group, as shown in Exhibit “B”.
- Parcel “D” – up to 300 multifamily residential units on 25 acres. Townhomes, duplexes, quadruplexes, condominiums, or apartments may be constructed at a maximum density of 12 dwelling units per acre.
- Parcel “E” – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Medium Residential Zoning District.
- Parcel “F” – detached single family residential units with a minimum lot size of 9000 sq. ft. and a minimum lot width of 75 ft. All other development standards shall be consistent with the R-1 Single-family Residential Zoning District.
- Parcel “G” – up to 300 multifamily residential units on 25 acres Townhomes condominiums or apartments may be constructed at a maximum density of 12 dwelling units per acre.

Non-residential:

- Parcels “H” & “R” – allow for a variety of professional office and personal services uses. Allowed uses shall be the professional office and personal services as permitted in the C-1 zoning district. All regulations of the C-1 zoning district shall apply to these uses. In addition, residential uses are limited to 1 du/5,000 sq. ft. of the heated and cooled area. Subdivisions of commercial land must go through the commercial subdivision platting process.
1. Parcel “T” – Professional and medical office uses only. Any other C-1 Light Commercial use shall be subject to a conditional use approval by the City. The parcel, 5.5+/- acres, may have up to two (2) standalone buildings up to 20,000 square feet each, not to exceed a total of 40,000 square feet of office space for the entire parcel, as shown on the Conditional Use Site Plan prepared by Interplan LLC. A forty-foot (40’) enhanced landscape buffer shall be installed between the adjoining residential lots and the project. A Tier 2 Traffic Impact Study shall be completed and reviewed by the City’s Traffic



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

Consultant at the applicant's expense. If the study identifies a deficiency in the Level of Service of transportation facilities due to the proposed project, the developer shall be required to participate in mitigation strategies. The Steves Road access point will be a right-in/right-out only with an improved pedestrian crossing, substantially similar to the plan presented at the public hearing.

- Parcels "K" & "J" – Commercial Villages – allow development of a variety of retail and service uses to serve the PUD and nearby neighborhoods, consistent with the regulations in the C-2 General Commercial zoning district. Permitted uses in C-2 shall be permitted and Conditional Uses in C-2 shall require a conditional use permit. The following uses shall be prohibited: "adult" oriented forms of business or services including adult bookstores; tattoo and body piercing establishments; psychic readers; pawn shops and campgrounds. Shopping centers require a CUP and other subdivisions of commercial land must go through the commercial subdivision platting process.

The construction of a retail establishment which exceeds 100,000 square feet in size shall be permitted on Parcel K without obtaining a variance. A CUP is required for the purpose of reviewing the plan for compliance with this CUP and other City Codes and Ordinances. (29.17 acres developed Wal-Mart; 11.30 acres available).

- Parcel "L" – Town Center – allows a variety of retail and service uses, consistent with the C-1 Light Commercial zoning district. Residential uses shall be allowed at a ratio of 1 du/2500 sq. ft. of heated and cooled space. The following uses shall be prohibited: "adult" oriented forms of business or services, i.e. adult bookstores; tattoo and body piercing establishments; psychic readers; pawnshops and campgrounds. Shopping centers require a CUP and other subdivisions of commercial land must go through the commercial subdivision platting process.
- Parcel "M" – An 11.4 acre Recreation and Open Space (ROS) parcel bridges the gap between the Eagle Lake perimeter park and Lost Lake Elementary School. It is proposed for active community recreation such as field and court sports.
- Approximately 15.2 acres is planned for passive recreation for the perimeter of Lake Felter. This Recreation and Open Space (ROS) feature coincides with the 100 year floodplain.
- A linear park that borders both sides of Citrus Tower Boulevard along Parcels "B", "C", "D", and "E".
- Parcel "N" – A 1.0 acre parcel is reserved for a Community Facility at the northeast corner of the 11.2 acre ROS parcel.

Section 3 – Physical Site Development and Environmental Issues

1. A dust abatement and soil erosion plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion. A water buffalo shall be



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

available to apply water within 24 hours of notification by City. All disturbed areas that are not to be developed within 30 days after grading is completed shall be seeded and mulched or sodded unless an alternative plan is submitted to and approved by the City.

2. Gopher tortoises shall be relocated to an approved reception site subject to approval of the Florida Game and Fresh Water Fish Commission. If relocation is not approved due to health reasons a Take Permit will be obtained from the Fish and Game for tortoises that cannot be relocated due to health reasons.

3. The Lake Felter mitigation has been completed in accordance with the plans approved by the City and the SJRWMD. The mitigation is subject to the monitoring requirements under the permit. The Eagle Lake mitigation plans have been submitted to the SJRWMD in accordance with the Consent Order issued by SJRWMD. In accordance with the Consent Order, the Eagle Lake restoration must be completed prior to development north of John's Lake Road or when water levels rise to normal levels. All activity in the floodplains or wetlands requires a permit from the City per Section 94-34 of the code.

4. A tree survey and inventory is required for all trees six (6) inches and over in diameter and a replacement plan is required for those trees to be removed.

5. Mass grading shall be permitted in substantial accordance with the proposed Mass Grading 2002 Cut/Fill Program as originally approved by the City, which depicts those areas which will exceed ten (10) feet or fifteen (15) feet of cut or fill in residential and commercial areas respectively. Final grading plans shall be submitted with construction plans for each phase of the development and shall substantially comply with those grading plans. Notwithstanding the above, any City approval of a site improvement plan will allow the Developer to move earth outside or into that parcel's boundary provided that earthwork is completed consistent with the approved master grading plan but only to the extent such work is needed to complete the earthwork required of the approved site plan.

Retaining walls up to ten (10) feet in height may be utilized in the commercial parcels, as long as landscaping is incorporated into their design. Tiering of retaining walls in commercial areas is permitted. Residential parcel retaining walls are restricted to a maximum of six (6) feet in height. Two foot horizontal to one foot vertical slopes are allowed in non-residential parcels provided slopes are vegetated with drought tolerant, low maintenance materials. Filling the U.S. 27 floodplain in the commercial area is permitted as long as the appropriate permits are obtained from SJRWMD and floodplain compensation is provided.

A dust abatement and soil erosion plan shall be submitted to the City detailing measures to be taken to eliminate the migration of dust particles and soil erosion with each site improvement plan.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

Section 4 – Transportation Improvements

1. Citrus Tower Blvd.

A. *With County contribution:* Developer shall substantially complete the construction of Citrus Tower Boulevard from the southern boundary of the property to the northern boundary within 240 days of Developer receiving final permits and approvals and, the County providing its share of the construction cost in the form of cash. The portion from the northern boundary of the property to Hook Street shall be completed within 240 days of the County or City acquiring the necessary right of way to construct the roadway along with the necessary drainage improvements and obtaining all final permits to construct improvements.

Development approved through the adoption of the Development Order for the DRI can commence on Parcel “F” without any improvement to Citrus Tower Blvd. Parcel “G” shall require the construction of Citrus Tower Boulevard from John’s Lake Road south to the secondary entrance of Parcel “G” within one (1) year of the first CO being issued in Parcel “G”. Parcels “C” and “E” shall require the construction of Citrus Tower from John’s Lake Road to Steve’s Road prior to the issuance of any CO in Parcels “C” or “E”. Further development shall commence as provided for in the DRI Development Order.

The one hundred feet of right of way for the construction of Citrus Tower Boulevard from the southern property boundary to the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the southern to northern property boundary. The exact 100-foot right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Citrus Tower Boulevard. The Developer will complete and submit the construction plans for Citrus Tower Blvd. from the southern property boundary to the northern property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City in turn will grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility. Notwithstanding the above, the Developer shall dedicate the one hundred feet (100’) of right of way for Citrus Tower Blvd. no later than twelve (12) months after the approval of this CUP.

City will assist developer in making sure that Citrus Tower Boulevard is eligible for impact fee credits from the County.

B. *Without County contribution:* Developer shall construct Citrus Tower Boulevard from the southern property line to the northern property line within four (4) years of approval of the DRI Development Order.

Development approved through the DRI Development Order can commence on Parcel “F” without any improvement to Citrus Tower Blvd. Parcel “G” shall require the construction of Citrus Tower Boulevard from John’s Lake Road south to the secondary entrance of Parcel “G” within one (1) year of the first CO being issued in Parcel “G”. Parcels “C” and “E” shall require the construction of Citrus Tower from John’s Lake Road to Steve’s Road prior to the



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

issuance of any CO in Parcels “C” or “E”. Further development shall commence as provided for in the DRI Development Order.

The one hundred feet of right of way for the construction of Citrus Tower Boulevard from the southern property boundary to the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the southern to northern property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Citrus Tower Boulevard. The Developer will complete and submit the construction plans for Citrus Tower Blvd. from the southern property boundary to the northern property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City in turn will grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility. Notwithstanding the above, the Developer shall dedicate the one hundred feet (100’) of right of way for Citrus Tower Blvd. no later than twelve (12) months after the approval of this CUP.

City will assist developer in making sure that Citrus Tower Boulevard is eligible for impact fee credits from the County.

2. Steve’s Road Construction

A. With County contribution: Steve’s Road from the eastern property boundary to the western boundary shall be constructed within 240 days of the County providing funding and the County or City providing the necessary rights of way. The portion west of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “A” and the portion east of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “B”. Regardless, Steve’s Rd. must be constructed from Citrus Tower Blvd. to the east property boundary when Citrus Tower Blvd. is extended to Steve’s Road.

The eighty foot (80’) right of way for the construction of Steve’s Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60’) right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the eastern to western property boundary. The exact right of way to be dedicated will be furnished to the City upon completion and approval of the construction drawings for Steve’s Road.

The Developer will complete and submit the construction plans for Steve’s Road from the eastern property boundary to the western property boundary within 6 months of the CUP approval. Simultaneously with the dedication of the right of way to the City, the City will in turn grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility.

B. Without County contribution: Steve’s Road from the eastern property boundary to the western boundary shall be constructed within four (4) years of approval of the PUD or the



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

portion west of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “A” and the portion east of Citrus Tower Blvd. must be completed prior to the first CO being issued in Parcel “B”.

The eighty foot (80’) right of way for the construction of Steve’s Road from the western property boundary to Citrus Tower Blvd. and the sixty foot (60’) right of way from Citrus Tower Blvd. along the northern property boundary will be contained in a right of way reservation corridor map (the “Map”) which shall be an exhibit to this document. The Map will delineate the location of a one hundred fifty foot (150’) corridor from the eastern to western property boundary. The exact right of way will be dedicated to the City upon completion and approval of construction drawings for Steve’s Rd. The Developer will complete and submit the construction plans for Steve’s Road from the eastern property boundary to the western property boundary within 6 months of the CUP approval. Simultaneously with the dedication of Steve’s Rd., the City will in turn grant to the Developer a temporary access easement over the right of way and grant the Developer the authority to construct the necessary roadway improvements in the right of way which is the Developer’s responsibility. Notwithstanding the foregoing, Steve’s Road east of Citrus Tower Boulevard will be completed by the time the portion of Citrus Tower Blvd. is extended from John’s Lake Road North to Steve’s Rd.

3. All roads within the project shall be designed and constructed in accordance with adopted City standards.
4. The permittee shall pay a pro rata share of the traffic study to determine if a signal is warranted at the intersection of U.S. 27 and John’s Lake Road. If a signal is warranted, the permittee shall pay its pro rata share of the cost for a signal and its installation. The permittee shall also pay for the total cost of warning signs and lights north of the signal as required by the FDOT and the City of Clermont.
5. If in the future it is determined by the City that a signal is necessary at the intersection of John’s Lake Road and Citrus Tower Blvd., the cost of engineering, equipment, and installation shall be the responsibility of the permittee and may be eligible for impact fee credits.
6. A mass transit stop shall be provided for in the Commercial Village.
7. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
8. An FDOT permit will be required and filed with the City for any activity proposed to occur along U.S. 27 right-of-way prior to issuance of development approvals or permitting by the City.
9. Single family units shall not front on, or be permitted direct access to John’s Lake Road, Steve’s Road, or Citrus Tower Boulevard.
10. The permittee shall be permitted to extend the maximum length of a cul-de-sac street from one thousand two hundred (1,200) feet to two thousand (2,000) feet.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

11. The developer shall pay the City for the purchase and installation of the traffic signal (span wire) at the intersection of Citrus Tower Blvd. and Steve's Road as designed and installed by Lake County, not to exceed \$200,000. The signal shall be installed and paid for prior to the first Certificate of Occupancy being issued for Parcel C2 or for any buildings in Phase 2, whichever comes first. The City will support and reasonably cooperate with the developer with regard to the developer's application for eligible impact fee credits from Lake County.

Section 5 – Utilities

1. An acceptable well site of approximately one-half acre in size either on or off site shall be provided prior to commencement of construction.
2. The project shall be plumbed for reclaimed water use. Reclaimed water lines shall be installed using purple colored piping.
3. Irrigation wells shall be used to provide water for irrigation until reclaimed water is available.
4. 300 units of water impact fees shall be paid at the time the first building permit is pulled.
5. The City shall work with the developer/permittee in the design of water and reuse line within the right-of-way or easements to accommodate and encourage the planting of trees between the curb and sidewalk.
6. The developer/permittee shall not place more than thirty-six (36) inches of overburden on utility lines. Where landscape may be located over such line, the City shall receive indemnification in the event of necessary operation and/or maintenance of the utility. Repair and/or replacement of landscape shall be the responsibility of the developer/permittee.

Section 6 - Linear Park

1. A linear park shall be provided on both sides of Citrus Tower Boulevard that will run along Parcels "B", "C", "D", and "E". This linear park shall be a minimum of 10 ft in width and average 25 ft. in width. It shall be located outside of the public right-of-way. An eight foot pedestrian/bikeway shall be constructed the length of the park on both sides of Citrus Tower Boulevard. The pedestrian/bikeway does not have to follow the right-of-way line, but can meander in a serpentine manner through the buffer and 5 ft. into the right-of-way; however, in no case shall the pedestrian/bikeway be located closer than five (5) feet to the back of curb of Citrus Tower Blvd.

Construction plans for the linear park shall be submitted for review and approval by staff along with construction plans for Citrus Tower Blvd. The plans shall include a description of the street furniture and lighting to be used and the design of berms and landscaping. Landscaping shall include one canopy tree per 50 ft. of street frontage with planting areas every 150 ft. These



CITY OF CLERMONT RESOLUTION NO. 2020-33R

planting areas shall be a minimum 500 sq. ft. in size. The linear park shall be constructed in conjunction with each phase of Citrus Tower Blvd. construction. Maintenance of the linear park shall be by the homeowners association.

Section 7- Recreation

1. Public Park -

The developer will dedicate the approximately 11.4 acre park site to the City prior to the issuance of the first CO. The Developer will receive impact fee credits for the cost of the design and improvements, but not the value of the land. Cost estimates shall be submitted and approved by the City prior to construction for the purpose of confirming recreation impact fee credits. The developer and City shall work together to plan the park. Developer will design, engineer, permit, and build the park improvements substantially in accordance with the conceptual plan as prepared by McIntosh and Associates and Canin Associates construction plans, May 15, 2002 submitted to the City of Clermont. Grading and preparation of the site for construction as well as the construction of restroom facilities and the softball fields shall be completed before the issuance of the 25th single family certificate of occupancy. Prior to the issuance of the 100th single family CO the entire facility must be completed and the entire facility must be completed within 24 months after issuance of the first single family residential CO. If upon issuance of the 100th single family CO, the developer has not completed the facility of the facility is not completed within the 24 month period, the developer shall post a letter of credit or performance bond for the remaining improvements that can be drawn by the City if the improvements are not completed within 90 days.

2. Eagle Lake Park and the Lake Felter passive park shall be constructed in conjunction with Phase 2 of the 11.4 acre active City park.

3. All recreation and park areas shall link with the pedestrian/bikeway system.

4. A neighborhood play lot (tot lot) shall be provided in each residential tract prior to the issuance of any certificates of occupancy for the tract. The neighborhood play lots shall be connected to the internal pedestrian/bikeway system.

Section 8 – Landscaping

1. A 30 ft. landscape buffer shall be constructed along the eastern boundary of Parcel “F” prior to the issuance of the first c/o in Parcel “F”. The buffer shall be planted with a minimum of three rows of 3”-caliper 6” above grade pines planted 20 ft. on center. The rows shall be planted in a staggered manner so as to provide an opaque barrier.

2. In addition to the Linear Park, additional landscape buffers shall be provided along Citrus Tower Boulevard. A 20 ft. buffer shall be provided along all commercial properties except for the Town Center. A 25 ft. buffer shall be provided along the frontage of Parcel “G”. Landscaping in the Linear Park and other buffers shall exceed minimum code requirements.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

3. A wall and landscaped buffer shall be required along all double frontage lots (residential lots along Citrus Tower Blvd. and John's Lake Road unless otherwise approved by the site review committee.
4. The landscape buffer for the commercial and office parcels along U.S. 27 shall be 25 ft. wide with berm and double the planting of shrubs.
5. The developer shall landscape and maintain the Citrus Tower Blvd. median from Steve's Road to John's Lake, in substantial accordance with Exhibit "C". The developer shall install all landscape material (as approved by the City), and maintain the median of Citrus Tower Blvd. within the Lost Lake Reserve from Steve's Road to John's Lake Road. Said landscaping shall be installed prior to the first Certificate of Occupancy being issued for Parcel C-1 or C2 or for any building.

6.

Section 9 – Architectural Design Standards

All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont. In addition, the following shall be adhered to:

1. The developer/permittee shall create a set of design standards which establish the scale, mass, and form of development for the non-residential components of the PUD. The non-residential standards shall include specific landscape controls for all rights-of-way, parking areas, plazas, and public open space, as well as a complete palette of street furnishings where appropriate.
2. The design standards for the non-residential areas shall be reviewed and approved by the City Site Review Committee and shall be applied to all development in the PUD unless the City has established its own design standards and has adopted such standards as part of its code.
3. The following design standards shall apply to large retail establishments unless otherwise approved by the City of Clermont Site Review Committee:

Facades and Exterior Walls:

1. Primary ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than twenty-five (25) percent of their horizontal length.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.

2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a two (2) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Entryways:

Each large retail establishment shall have a clearly defined customer entrance featuring no less than three (3) of the following:

1. Canopies or porticos;
2. Overhangs;
3. recesses/projections;
4. Arcades;
5. Peaked roof forms;
6. Arches;
7. Architectural details such as tile work and moldings which are integrated into the building structure and design;
8. Integral planters or wing walls that incorporate landscaped areas and areas for sitting.

Signage:

1. Neon tubing shall not be used in building signage. The letters in the signage shall be the primary color.

2. Signage may include store identification including garden center and contractor pickup, etc., but not advertising such as "We Sell for Less" or "Low Prices", etc.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

Outdoor storage:

1. All building or landscape materials stored outside must be within an enclosure. If the enclosure is not opaque, the enclosure shall consist of ornamental fencing as screening. Plastic slats in chain link fencing will not be allowed.
2. Shopping cart returns shall be provided within the retail structures.
3. Cart corrals or returns may be provided for in the parking lot. No advertising shall be allowed on the cart corrals.

Outdoor display:

1. After business hours, all outdoor inventory must be on a concrete slab and under roof, i.e. an arcade.

Section 10 – Signage

10.1 General Provision:

- 1.1 Anything defined as a “sign” by the City, but which is not specifically allowed by this section, shall be governed by the current City Land Development Code Signage Regulations.

10.2 Directional Signs:

- 2.1 Directional Signs which identify amenities and/or uses which serve the general public and/or residents of the development shall be regulated as follows:
 - 2.1.1 Directional Signs may identify amenities and/or uses; builders and/or neighborhoods.
 - 2.1.2 Directional Signs shall be limited to locations along Citrus Tower Boulevard and John’s Lake Road within the boundaries of the development.
 - 2.1.3 Directional Signs shall be limited to a double faced maximum of sixteen (16) square feet per sign face, not more than ten (10) feet in height.
 - 2.1.4 Directional Signs shall maintain a five hundred (500) foot separation from other directional signs and a minimum fifty (50) foot peripheral setback from all other signs.
 - 2.1.5 Directional Signs shall be setback a minimum of five (5) feet from all property lines, provided that a safe line of sight is maintained and the placement of said sign does not otherwise create a hazard to pedestrian or vehicular traffic as determined by the City of Clermont.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

10.3 Main Entrance Signs:

- 3.1 Main Entrance Monuments may be located at the main entrance to the project at US Highway 27 and John's Lake Road.
- 3.2 Main Entrance signage shall include either one of the following: 1) Entrance Monument signs and a Project Identification Sign in the median of the entry or 2) Project Identification Signs on either side of the right-of-way only.
- 3.3 Main Entrance Monuments may be placed adjacent to the north and south right-of-way lines of John's Lake Road and shall have a five (5) foot setback provided that placement of these monuments do not create a hazard to public health and safety as determined by the City of Clermont.
- 3.4 Main Entrance Monuments shall be four sided structures a maximum of eighteen (18) feet high and shall be limited to the project logo and a maximum of nine (9) square feet each side.
- 3.5 Main Entrance Project Identification Signs shall have a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

10.4 Boundary Markers:

- 4.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.
- 4.2 Boundary Markers shall be located along both sides of the right-of-way up to the property line provided; however, that placement of these structures shall not create a hazard to public health or safety as determined by the City of Clermont.
- 4.3 Boundary Markers shall be four (4) sided structures a maximum of six (6) feet high. Boundary Markers shall be limited to the project logo and a maximum of four (4) square feet each side.

10.5 Project Identification Signs:

- 5.1 At the north and south entrances to the development on Citrus Tower Boulevard and at the east entrance on John's Lake Road, either project identification signs or boundary markers may be provided. They shall be located at or near the project boundaries.
- 5.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8)



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.

- 5.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards. Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not otherwise create a hazard to public safety, health or welfare as determined by the City.

10.6 Village (Subdivision) Identification Signs:

- 6.1 Village Identification Signs shall be located at the entry ways to neighborhood villages within the Development.
- 6.2 A single faced wall display may be located on each side of the boulevard with a maximum copy area of thirty (32) square feet and a maximum height of eight (8) feet. The wall shall be placed in such a manner that a clear line of sight is maintained and does not create a hazard to public safety, health or welfare as determined by the City.
- 6.3 In lieu of the single faced wall display on each side of the boulevard, the developer may elect to locate identification signs within medians of the entry boulevards.
- 6.4 Such features shall consist of a double faced monument or wall with a maximum thirty-two (32) square feet of copy area per sign face. The structure shall be located a minimum of ten (10) feet from edge of pavement, provided that a clear line of sight is maintained, and the placement of these facilities does not otherwise create a hazard to public safety, health or welfare as determined by the City.

10.7 Gateway Markers:

- 7.1 Gateway Markers may be located at all four (4) corners of the intersection of Citrus Tower Boulevard and John's Lake Road. Boundary Markers shall be four (4) sided structures a maximum of six (6) feet high. Boundary Markers shall be limited to the project logo and a maximum of four (4) square feet each side.

10.8 Multi-Tenant Identification Signs:

- 8.1 Multi-Tenant Identification Signs shall be located along US Highway 27, Citrus Tower Boulevard, John's Lake Road and the uninterrupted parking drive within Parcel "K". Multi-Tenant Identification Signs shall be in conformance with the City of Clermont Land Development Regulations.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

- 8.2 Multi-tenant Identification Signs located within Parcel “K” shall allow identification of tenants within any further subdivided parcel regardless of the location of the specific sign.

10.9 Single Tenant Identification Signs:

- 9.1 All Single Tenant Identification Signs shall be monument signs and the overall size of the sign including sign face and base shall be limited to 100 sq. ft. The height and setback of Single Tenant Identification Signs shall be in conformance with the City of Clermont Land Development Regulations.

10.10 Minor Identification Signs:

- 10.1 Minor Identification Signs shall identify community amenities located within the development such as, but not limited to: parks, schools, and tot lots.
- 10.2 Minor Identification Signs shall be a double-faced pole, pylon, ground or wall sign and may be located at each common area or facility and shall have a maximum copy area of sixteen (16) square feet per sign face, a maximum height of eight (8) feet and a minimum setback of five (5) feet from property lines.

Section 11 – Public Safety

**PUBLIC SAFETY COMMUNICATIONS AMPLIFICATION
(Bi-Directional Amplified Distributed Antenna System)**

Except as otherwise provided, no person or organization shall maintain, own, erect or construct any building or structure or any part thereof or cause the same to be done which fails to support adequate radio coverage to public safety service workers, including but not limited to firefighters and police officers.

For the purposes of this section, adequate radio coverage shall be as determined by the city fire official. The frequency ranges which must be supported include frequencies in use and/or licensed to the fire, law enforcement and EMS providers for the City of Clermont. The building official and/or City of Clermont Fire Marshal may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Buildings and structures over thirty-five (35) feet in height, buildings with below grade spaces or parking, buildings with any floor greater than 30,000 square feet and other buildings where required to provide adequate signal strength which cannot independently support the required level of radio communications coverage shall be equipped with any of the following in order to achieve the required adequate radio communications coverage: a radiating cable system or an internal multiple antenna system with FCC type-accepted signal booster amplifiers as needed.



**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. Any battery system employed shall automatically recharge in the presence of an external power input. In the event that a signal booster is employed it shall be fully encased within a dust and water resistant case.

For purposes of this section elevators may be excluded from the definition of “all parts of a building” or “any part thereof”. The requirements of this section may be waived by the City of Clermont fire official for buildings which do not have below grade spaces or parking in areas and circumstances where it is recognized that adequate radio communications coverage will be acceptable.

A certificate of occupancy may not be issued for any building or structure which fails to comply with this requirement.

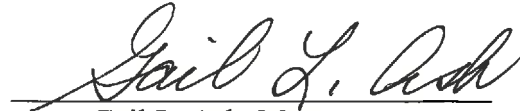
Section 12 – Developer Commitments & Design Standards

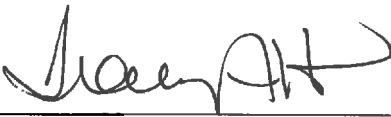
The Developer has agreed to include specific commitments & design standards as part of this CUP, and is incorporated as Exhibit “D”. The City and developer recognize that the Code of Ordinances and specifically the Land Development Code requirements may prevail where applicable.

CITY OF CLERMONT
RESOLUTION NO. 2020-33R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida,
this 28th day of July, 2020.




Gail L. Ash, Mayor


Tracy Ackroyd Howe, MMC, City Clerk

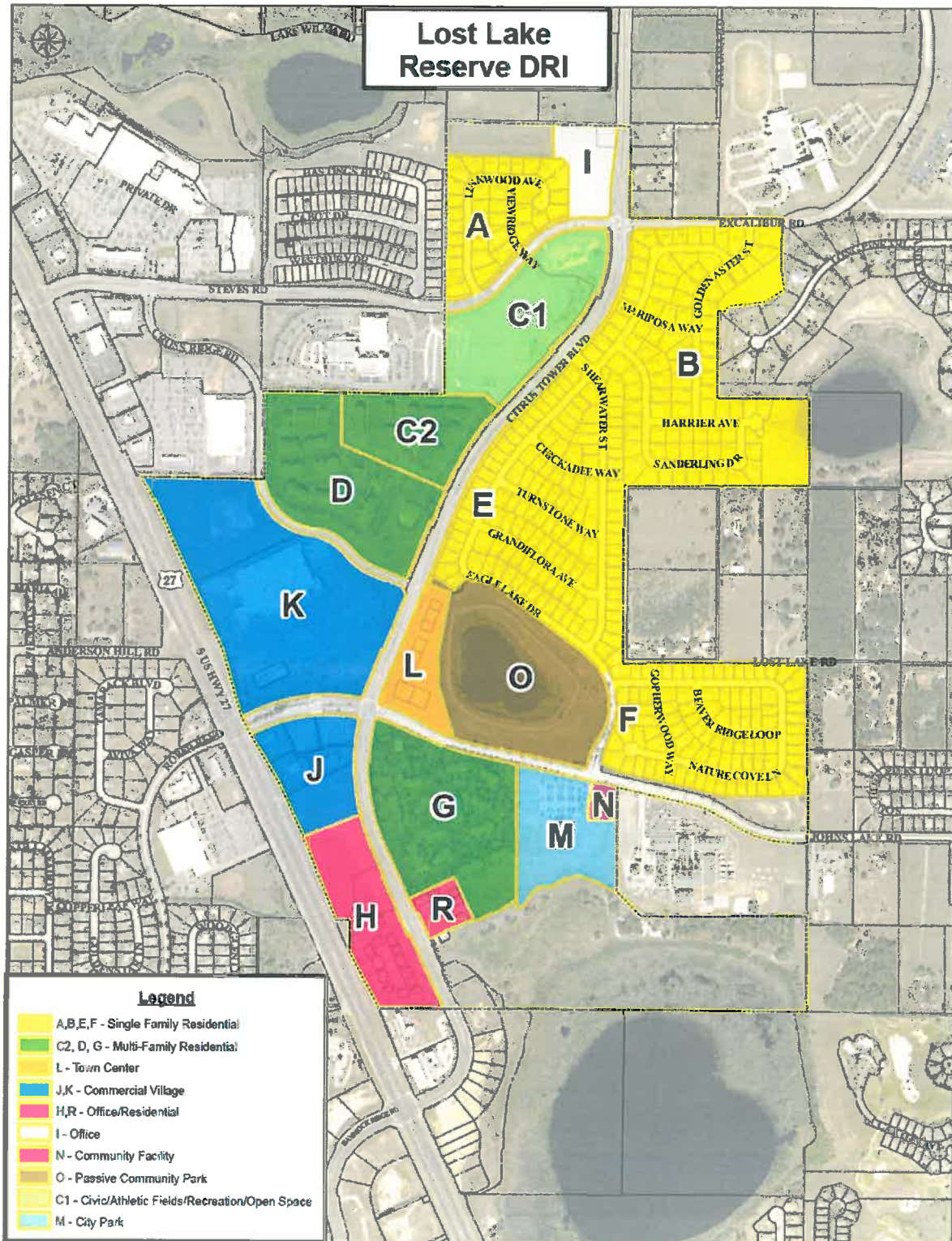
Approved as to Form and Legality:


Daniel F. Mantzaris, City Attorney

10/18

**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**

EXHIBIT "A" Lost Lake Reserve – Master Plan



CITY OF CLERMONT
RESOLUTION NO. 2020-33R

EXHIBIT "B"
Parcel C1 and C2
Conceptual Site Plan



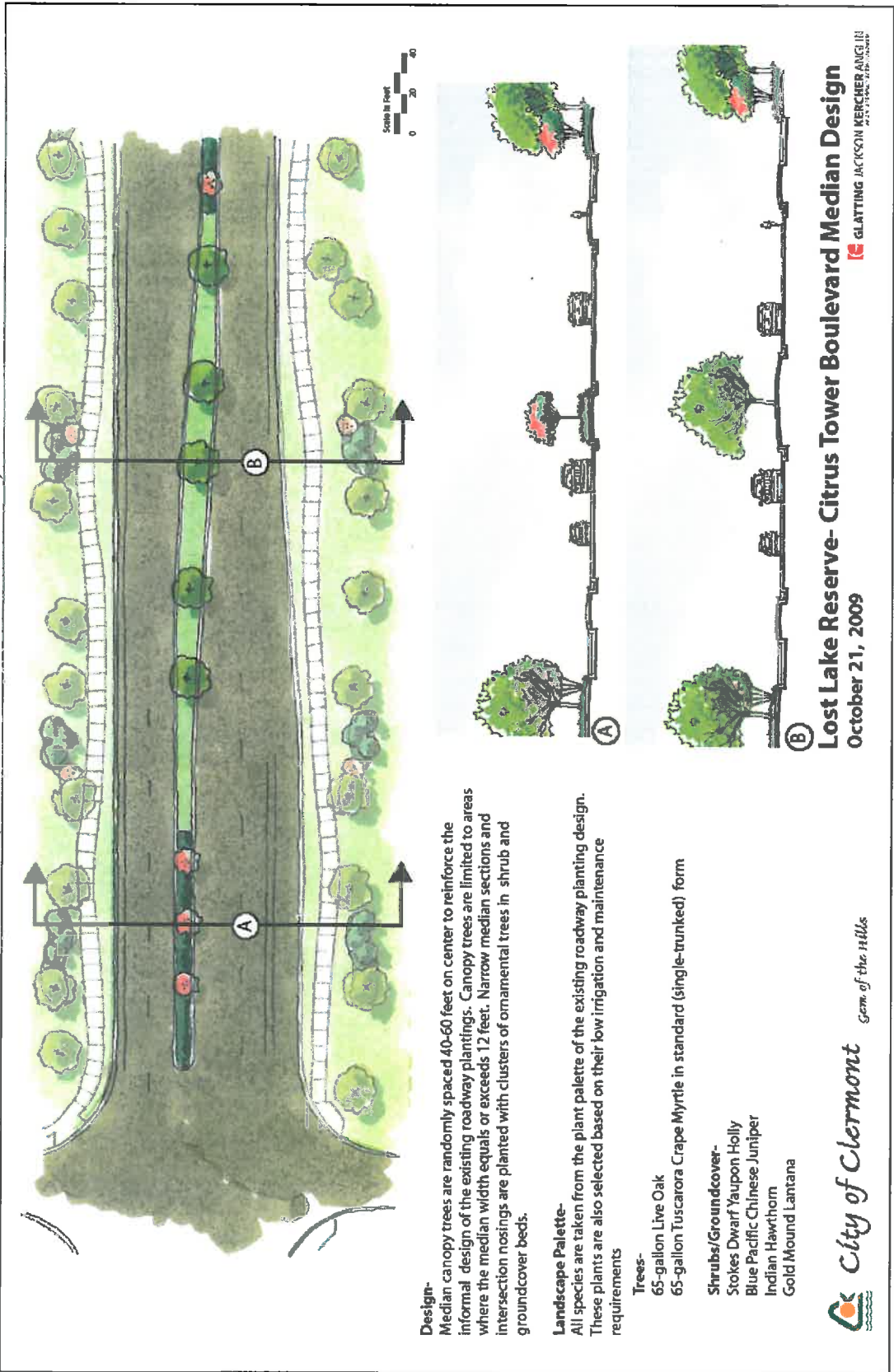
**CITY OF CLERMONT
RESOLUTION NO. 2020-33R**



LOST LAKE RESERVE
PARCEL C-1 ILLUSTRATIVE RENDERING
06 March 2010



EXHIBIT "C"
Citrus Tower Blvd. Landscape Median Plan
(from Steve's Road to John's Lake Road)



**CITY OF CLERMONT
RESOLUTION NO. 2010-01**

EXHIBIT “D”

Developer Commitments & Design Standards

Lost Lake Reserve - Parcels C-1 and C-2

3.11.10

Lost Lake Reserve has requested a CUP modification to allow:

1. Park/recreation/athletic field uses on the northern part of Parcel C (Parcel C-1), and
2. The ability to build 192 residential apartments on the remaining southern part of Parcel C (Parcel C-2).

The owners of the two parcels will each be required to present detailed site plans to the City for review and approval prior to moving forward with actual development.

Neither the Real Life Church/School nor Lost Lake Reserve, LLC are ready to proceed with development of either parcel at this time, but are interested in getting the zoning approvals necessary to accomplish the apartment and park plans. Due to concerns expressed by a few neighbors, and at the direction of the City Council, the owners have prepared detailed illustrative plans that further define the proposed use, met with neighbors again to review the plan and have established the following commitments and design standards, which they agree may be made part of the City’s CUP approval. The standards are represented in the attached illustrative plan, which should also be made part of the record to document the City’s final action.

Developer Commitments and Design Standards

Overall

The developer shall meet all City code requirements and the Lost Lake CUP conditions as approved and those conditions recommended in the City’s report prepared for the 2.9.10 City Council meeting, including, but not limited to:

1. Landscaping the median of Citrus Tower Boulevard from Steve’s Road to the south end of Lost Lake Reserve.
2. Providing funding for the signalization of Citrus Tower Boulevard and Steve’s Road intersection. If the signal is constructed prior to development of Parcel C, Lost Lake shall pay the City the amount to construct the signal, not to exceed \$200,000 to be utilized by the City to benefit the regional transportation network. The City shall assist Lost Lake in obtaining impact fee credits and applying the amount to the future proportionate share payment due for Phase II of the Lost Lake DRI.

Parcel C-1 – Park/Recreation/Athletic Fields

1. The Deed conveying the land to the Real Life Church / School shall:
 - a. Restrict the use of the parcel to allow only athletic fields, recreation, open space, parking uses and support facilities such as maintenance and restroom buildings.

CITY OF CLERMONT
RESOLUTION NO. 2010-01

- b. Require parcel to be operated, managed and maintained by Real Life Church/School or their successors and assigns.
 - c. Prohibit sale or transfer of land to another party unless it is associated with the Real Life Church or another similar religious organization who will operate a church and school; ownership would instead revert to Lost Lake Reserve, LLC or the City of Clermont.
2. The CUP Zoning Conditions for Parcel C-1 shall include the following restrictions:
- a. Perimeter buffering will be handled working with existing grades to construct a 4-6 foot high landscaped berm along the perimeter facing Citrus Tower Boulevard and Steve's Road except for that portion near the intersection of Citrus Tower and Steve's that would be adjacent to the proposed stormwater retention area.
 - b. On-site drop-off areas and parking for the athletic fields will be provided.
 - c. Exterior lighting will meet City codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding. All athletic field lighting will be turned off at the time limits noted in "2.e." below.
 - d. Public address systems, if any, will be designed to direct the sound to the spectators and not toward adjacent residences.
 - e. Hours of operation for the athletic fields will be limited to 8AM to 9PM on Monday-Thursday, 8AM to 10PM on Friday and 9AM to 10PM on Saturday and 10AM to 9PM on Sunday. All athletic field lighting will be turned off at the time limits noted.
 - f. Vehicular access will be limited to an entry drive from the existing Church/School entry road on Steve's Road.
 - g. The athletic fields will be laid out and fenced as needed to prevent baseballs from being hit into adjacent roads. The entrance cut on Citrus Tower Blvd. across from Shearwater St. (entrance for the Reserve at Lost Lake) shall be removed.
 - h. In the event that the noise levels or lighting 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.

Parcel C-2 – Residential

- 1. The parcel will be limited to 192 residential units.
- 2. Uses will be limited to residential uses including apartments not to exceed 12 units per acre.
- 3. The primary access will be provided at the existing approved cut off road, which serves as the main entrance for The Vistas. Secondary access will be provided via The Vistas' circulation system with access out onto the Reverse Frontage road. No new direct access to Citrus Tower will be permitted.
- 4. The neighborhood will be served by private roads and will be gated.

CITY OF CLERMONT
RESOLUTION NO. 2010-01

5. Exterior lighting will meet city codes and will be designed by a lighting professional to provide proper fixtures, heights, direction and shielding.
6. A wall similar to the wall on the east side of Citrus Tower will be constructed along the Citrus Tower frontage along with a security fence around the balance of the perimeter of the site.
7. Minimum setbacks from right-of-way of Citrus Tower Boulevard:
 - a. Parking: 50'
 - b. Buildings
 - i. One story: 50'
 - ii. Two stories: 100'
 - iii. Three stories: 150'
 - iv. Building will be staggered from 1-story to three stories as shown in the zoning plan.
8. Maximum building height: 35'; 3 stories.
9. Buildings will utilize a similar architectural theme and quality as the existing residential units at the Vistas at Lost Lake.

Note: City codes may prevail in any instance where applicable.



PRINCIPAL
LAW FIRM, P.L.

Shivon Patel, Esq., B.C.S.
Board Certified Real Estate Lawyer



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Phone

407-322-3505
Fax

May 11, 2022

Brian Bulthuis
Clermont City Manager
685 W. Montrose St.
Clermont, Florida 34711

RE: Conditional Use Permit Resolution No. 2020-33R – Appeal to City Council

Dear Mr. Bulthuis,

Our office represents Gupta Ventures, LLC (“Gupta Ventures”). As you may be aware, Gupta Ventures owns the real property located at 2130 Citrus Tower Blvd., Clermont, Florida 34711 (“Property”). On July 28, 2020, the City of Clermont entered into Resolution No. 2020-33R, granting an amendment to a conditional use permit to redesignate allowable uses for Parcel 1 within the PUD zoning district (“CUP Resolution”) for the Property.

On or about August 11, 2020, Danielle Marie Page filed Case Number 35-2020-CA-001277 against the City of Clermont, Florida (“Appeal”), in an attempt to appeal the CUP Resolution. On or about April 12, 2021, the Court entered an Order Denying the Plaintiff’s Amended Petition for Writ of Certiorari. As a result of the ongoing Appeal, my client was unable to begin substantial construction on the Property.

It is our understanding and our position that due to the Appeal filed by Ms. Page that spanned eight (8) months, Gupta Ventures has an additional eight (8) months to start substantial construction on the Property under the terms of the CUP Resolution, to-wit: on or before March 28, 2023. We submitted a letter to the City on or about April 11, 2022 respectfully requesting that Gupta Ventures be granted the additional eight (8) months to commence substantial construction on the Property. On or about May 3, 2022, we were informed by Curt Henschel that the City staff was unable to make the determination regarding the extension of the time limit to commence construction under the terms of the CUP Resolution.

May 11, 2022
Brian Bulthuis
Clermont City Manager
Page 2

As a result of Mr. Henschel's email, my client is appealing that staff decision to the City Council pursuant to Sections 86-251 and 86-252 of the City Code. My client maintains its position that the above-referenced Appeal filed by Ms. Page affords Gupta Ventures an additional eight (8) months to start substantial construction under the terms of the CUP Resolution. Ms. Page's Appeal caused a significant delay in my client's ability to commence construction and as such, my client respectfully requests that the eight (8) months be added to the timeframe set forth in the CUP Resolution. In order to avoid any further delays in the commencement of construction under the CUP Resolution, we respectfully request this matter be placed on the City Council agenda as soon as possible.

If you have questions or would like to discuss this matter further, please feel free to contact me at the number listed above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shivon Patel".

Shivon Patel, Esq.

cc Planning & Development Services
 Gupta Ventures, LLC

Notice of Private Pending Litigation Session of Clermont City Council

6:30pm

Tuesday, May 24, 2022

Clermont City Hall

Opening session in Council Chambers

Closed session in Planning Department 1st Floor Conference Room

685 W. Montrose Street, Clermont

At this time the City Council shall meet in closed session with City Manager Brian Bulthuis, City Attorney Dan Mantzaris and the City's Litigation Attorney Doug Noah for purposes of discussion of the pending litigation matter Falzon and Piscopo v. City of Clermont. This meeting is exempt from the provisions of Section 286.011, F.S. (Florida's Government in the Sunshine Act).