



**CITY OF CLERMONT
CITY COUNCIL MEETING
CLERMONT CITY HALL
AGENDA
6:30 PM, Tuesday, August 23, 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. These time limits may be extended by the Mayor or by majority vote of the Council. To avoid disruption of the meeting, speakers should avoid inappropriate language, personal attacks and derogatory statements and direct comments to the Council. Everyone is requested 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. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

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 July 12, 2022 and July 26, 2022 Council minutes.

Item No. 2 - Proposal Award

Consider award and term contract to the Florida League of Cities, Inc. for insurance and risk management services in the annual budgeted amount of \$1,172,993.22.

Item No. 3 - Task Order Approval

Consider an engineering services task order from Halff Associates, Inc. to remove the 8th Street pier and replace it with a marina in the budgeted amount of \$104,690.

Item No. 4 - Contract Amendment and Budget Amendment

Consider an amendment to the Traverse Group contract and a budget amendment of \$208,586.78.

Item No. 5 - Resolution No. 2022-025R

Consider approval of Fiscal Year 2022 Budget Amendment for Special Revenue funds.

Item No. 6 - Resolution No. 2022-026R

Consider approval of Fiscal Year 2022 Budget Amendment for CRA and General Fund.

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UNFINISHED BUSINESS

Item No. 7 - Ordinance No. 2022-010 *Table
Chicone Large-scale CPA Final*

Consider tabling the adoption to September 27, 2022.

Item No. 8 - Ordinance No. 2022-014 *Final
Cityside Townhomes*

Consider rezoning to a Planned Unit Development to construct 68 single-family attached townhomes on 8.05 +/- acre property located north of the Crown Lounge.

Item No. 9 - Ordinance No. 2022-024 *Final
Lost Lake Assemblage Annex*

Consider annexation of 48+/- acres located north of Johns Lake Road and west of Hancock Road.

Item No. 10 - Ordinance No. 2022-025 *Final
Lost Lake Assemblage CPA*

Consider small-scale comprehensive plan amendment to change the future land use to Clermont Low Density Residential for property located north of Johns Lake Road and west of Hancock Road.

Item No. 11 - Ordinance No. 2022-026 *Final
Lost Lake Assemblage Rezoning*

Consider rezoning to Planned Unit Development for property located north of Johns Lake Road and west of Hancock Road.

Item No. 12 - Ordinance No. 2022-033 *Final
Clonts Property Rezoning*

Consider tabling the adoption to October 11, 2022.

Item No. 13 - Resolution No. 2022-016R
APC Roofing CUP

Consider a Conditional Use Permit to allow a commercial building greater than 5,000 sq. ft. in the C-1 Light Commercial zoning district for a vacant parcel located south of W. Broome St. between Second St. and East Ave.

Item No. 14 - Resolution No. 2022-021R
Senninger Irrigation CUP

Consider tabling the Resolution to October 11, 2022.

NEW BUSINESS

Item No. 15 - Ordinance No. 2022-011 *Table
Chicone Rezoning Final*

Consider tabling the adoption to September 27, 2022.

Item No. 16 - Ordinance No. 2022-032 *Table
The Vue Rezoning*

Consider tabling the adoption to September 27, 2022.

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Item No. 17 - Resolution No. 2022-022R
Cross Ridge Exchange

Consider a Conditional Use Permit to allow for a mixed use development with up to 115,000 maximum total building square footage for vacant property located on the east side of Hwy. 27 and Cross Ridge Road.

Item No. 18 - Resolution No. 2022-023R
Headquarter Honda

Consider a Conditional Use Permit to allow for the expansion of the existing automotive services building in the C-2 General Commercial zoning district for property located at 17700 S.R. 50.

Item No. 19 - Variance Request
Mirror Lake Subdivision

Consider variances to the Land Development Codes for vacant property located on the south side of Old Hwy 50 and east of Blackstill Lake Road.

Item No. 20 - Variance Request
2388 Kaley Ridge Road

Consider request to allow for the encroachment of pavers onto the side and rear yard setbacks of the property.

Item No. 21 - Variance Request
987 W. Magnolia Street

Consider request to allow for boat parking and storage to be located in the front yard building setback on the property.

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

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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.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
July 12, 2022

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, July 12, 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, Entsuh, Bates, and Purvis.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Choice Edwards of the Central Florida Freethought Community followed by the Pledge of Allegiance.

PROCLAMATION

City Clerk Howe read the Proclamation for Parks and Recreation Month aloud. Mayor Murry presented the proclamation to Parks and Recreation Director Forman and Program Manager Maritza Rivera.

PRESENTATION

Chris Carmody gave a review of the legislative session. Mr. Carmody spoke about redistricting, local projects, tax projects, local government issues and affordable housing.

Council Member Entsuh and City Manager Bulthuis thanked Mr. Carmody for the work he is doing on behalf of the City with the Legislators.

PUBLIC COMMENTS

Matthew Modica, Clermont, FL– Thanked the Council for their support of the Historical Society. Expressed concern regarding decisions the previous Council has made.

Sterling Fry, 1647 First Street – Gave appreciation to staff for addressing the issue he brought to Council at the previous meeting regarding political signs.

Banks Helfrich, 9100 Sams Lake Road – Attended the Red, White and Boom celebration.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Thanked staff and the public for coming to the Red, White and Boom event.
- Reported the budget workshop will be held July 20 at 9am.
- Children from Give a Day Foundation are facing the Police Department in a basketball game next Friday, July 22, at the Parks and Recreation Center.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Bates – No report.

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Council Member Purvis –

- Thanked staff who worked to make the July 4 event happen.

Council Member Entsuaah – No report.

Council Member Pines –

- Thanked city staff and all involved for the July 4th celebration.

Mayor Murry –

- Proud of the work staff did for the 4th of July celebration. Thanked former Mayor Ash for bringing the celebration back to the City of Clermont several years ago.
- Questioned the start time of Council meetings. There has been a request to move it back to 7pm with CRA starting at 6:30pm.

Council discussed the starting time at preceding meetings and their thoughts on pushing the start time back. There was discussion on if they can have a consensus or if they need a motion and a vote to change the time. City Attorney Mantzaris explained to Council that meeting dates are published with a start time of 6:30 pm, an option would be to have staff provide information on the meeting times and put it on an agenda to discuss and take action on at that time.

- Vendor Fees for Pig on the Pond

Maritza Rivera, Program Coordinator, has been in contact with the organizer of the event and will find out the exact price they are charging to be a vendor at the event.

- Thanked Chief Broadway for the basketball camp at Clermont Elementary.

Council Member Entsuaah wanted to thank staff for quick response times. He received a call from a citizen on Lakeshore Drive regarding cutting down trees and foliage that were overgrown. Mr. Entsuaah notified city staff and it was taken care of that same day.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of June 14, 2022 Council Meeting Minutes and the June 21, 2022 workshop Minutes.

Item No. 2 – Surplus Request

Consider surplus from Parks and Recreation, Information Technology, Fire and Police and dispose of in accordance with the Purchasing Policy.

Item No. 3 – Bid Award

Consider award to AGH Management, LLC for removal and installation of Bermuda grass to sod Hancock Park Soccer Field 1 in the total budgeted amount of \$97,200.

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| Item No. 4 – Bid Award and Budget Amendment | Consider award to Step One Automotive FD CW LLC d/b/a Ford Crestview to provide two (2) half-ton trucks for Building Inspector vehicles in the total amount of \$78,688 and a budget amendment in the amount of \$78,688 from reserves. |
| Item No. 5 – Toho Water Authority Contract | Consider piggyback contract with A.C. Schultes of Florida, Inc. for well services and repairs. |
| Item No. 6 – Resolution No. 2022-020R | Consider approval of Fiscal Year 2022 General Fund Budget Amendment. |
| Item No. 7 – Event, Open Container, and Road Closure | Consider allowing Suncreek Brewery to host “Suntoberfest” event in Downtown Clermont with street closures and open container allowance to take place on October 1 and 2, 2022. |
| Item No. 8 – Event, Open Container, and Road Closure Request | Consider allowing Suncreek Brewery to host “Irish Fest” event in Downtown Clermont with street closures and open container allowance on March 18 and 19, 2023. |
| Item No. 9 – Task Approval and Budget Amendment | Consider approval of task order with Halff Engineering to evaluate the Victory Pointe drainage basin and consolidate the sub-basins into one on the amount of \$73,720 with a corresponding budget amendment. |

Council Member Bates moved to approve the Consent Agenda as presented for July 12, 2022; Seconded by Council Member Entsuaah. Passed unanimously 5-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 10 – *This item was withdrawn.*

Item No. 11 – Resolution No. 2022-010R, Clermont Yacht Club CUP

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.

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

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Development Services Director Henschel presented the item. This Conditional Use Permit (CUP) is known as the Clermont Yacht Club. The applicant is requesting a 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. As part of the first and second phase, the developer constructed approximately 158 of the townhome/condominium units. The developer never moved forward with the third phase and the construction of the remaining 108 units. 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.

The applicant has submitted an updated Traffic Impact Study 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 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 Concurrency.

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 in the 1998 Conditional Use Permit had the following language "This permit shall become null and void if substantial work has not begun within one (1) year 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." 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 to receive a refund of all impact fees paid for the third phase, which was returned to the developer. As a result, 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 does recommend denial of Resolution 2022-010R to allow up to 108 condominium units.

Cecelia Bonifay, Esq., with the Akerman Law Firm presented on behalf of the applicant. Ms. Bonifay provided Council with a packet which included a legal memorandum that was prepared and sent to the City Attorney stating that this is a clear case of vested rights. Originally the staff was in favor of this project, then they reversed course stating everything had expired. Ms. Bonifay went on to state that there was no indication that the project was cancelled due to impact fees being refunded. This area is already developed and there is a recorded plat. Stormwater, water and sewer were put in place for eventual development. The applicant is proposing 108 units which is well within the original plan for this area. Therefore, based on review of case law there is one legal choice in their opinion and stated this is a vested development.

Rick McCoy, has been the Project Engineer on this development for a majority of his career. Stated that this project has always been planned for 108 units. The lift station, water supply, turn lanes, and roads were all built with the intention of building out the third phase of the development.

Mayor Murry opened the public hearing.

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Paul Svejda, 535 Julie Lane, Winter Springs - spoke on behalf of Masthead, LLC. who owns the property. Stated they have vested rights under the law.

City Attorney Mantzaris interjected that there is a court reporter present and respectfully asked the audience to be quiet.

The following citizens spoke in opposition of the project. They expressed concerns over issues such as density, traffic, and amenities. The majority stated they are not against the property being developed but believe that 108 units is too much for that property and would like to see less units.

Rhonda Wolf – 321 Nautica Mile Drive.

Ralph Hopkins, 200 Nautica Mile Drive.

Stacy Bethel, 191 Nautica Mile Drive.

Susan Grant, 305 Nautica Mile Drive.

Mark Thomas, 309 Nautical Mile Drive.

Diane Travis, 176 Nautica Mile Drive.

Beth Calvacca, 102 Carrick Bend Way.

Joy Ray, 156 Nautica Mile Drive.

Julianne Sautner ,279 Nautica Mile Drive.

Regina Wightman, 204 Nautica Mile Drive.

Chelsey Wightman, 216 Nautical Mile Drive.

Marianne Holt, 137 Nautica Mile Drive.

Alegni Herrera, 163 Riggings Way.

Mary Cramer, 208 Nautica Mile Drive.

Stephen Piubeni, 249 Nautica Mile Drive.

Ron Milejezak, 205 Harbour Cove Way.

Stan Melnick, 109 Nautica Mile Drive.

Donnie Tindall, 108 Nautica Mile Drive.

Mark Helton, 280 Nautica Mile Drive.

Charlene Forth, 939 W. Desoto Street.

Michael Cramer, 208 Nautica Mile Drive.

Mayor Murry closed the public hearing.

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City Manager Bulthuis inquired if the development would become part of the HOA, if built. Ms. Bonifay stated that they are currently part of the HOA and are subject to HOA covenants.

Ms. Bonifay explained that their stance is from their interpretation of the review of the documents that led up to the approvals for the infrastructure that is already in place. The entire area was platted and was to be done in three phases. Ms. Bonifay went on to say that her client has expressed no interest in changing the number of units requested.

Mr. Svejda, Masthead LLC, explained that the company does pay HOA dues. Lake County originally approved the project before moving it to the City of Clermont and it is a vested project.

Discussion ensued regarding when phase one and two were completed, the refund of the impact fees and what impact if any the 2008 stock market crash played a part in this project not moving forward originally. Council discussed whether the old documentation is still relevant today.

Mr. Mantzaris expressed to Council that whether the old documentation is still relevant today is the question. The applicant does not believe they need an amendment to the existing CUP because they have the vested rights due to this being approved several years ago and they completed the required construction set forward in the CUP. The language the applicant is referring to comes from the city code, not specifically this CUP.

Mr. Mantzaris went on to explain the language in the city code regarding CUP's. The City does not agree that this project has vested rights.

Council Member Bates stated he does not feel there are any rights owed. The surrounding residents want it developed but not to this scale. Council Members agreed with Council Member Bates in stating that they are not in support of this project.

Council Member Pines moved to deny Resolution 2022-010R; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Mayor Murry called for a five minute recess at 9:02pm; the meeting resumed at 9:07pm.

Item No. 12 – 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.

Development Services Director Henschel stated that this item was originally presented at the June 14 Council meeting and Cecelia Bonifay, Esq., with the Akerman Law Firm requested a continuance to this meeting in order to provide additional information. The applicant is requesting a rezoning to a Planned Unit Development (PUD) to construct sixty-eight (68) single-family attached townhomes on an 8 acre parcel.

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The property is located northwest of US 27 and SR 50 intersection, directly north of the Crown Lounge and south of Highland Avenue. A portion of the site was previously used as a motel – Clermont Motor Lodge that was demolished in 2013. On the northeast corner of the site, an EMS station was operational until the closing of the Highland Avenue and SR 27 intersection. The property has been vacant since that time.

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

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

As part of the design and to offer a rear loaded garage product, the applicant is requesting one-way streets in a portion of the project with a reduced right-of-way width of 45 feet.

This is a waiver request and staff has reviewed this request and does not oppose this request with the condition that the internal roads and alleyway will be privately maintained with an easement dedicated to the City. In addition, the applicant will be providing dedicated parallel parking spaces along these one-way streets.

The applicant presented staff with an updated plan that shows they adjusted some garages and widened them to 23 feet. In doing so, those sites have larger garages but have lost 5 feet of driveway which brings the rear setback to 20 feet..

City Manager Bulthuis inquired about the stipulations listed in the Ordinance. It is for 68 townhomes with the front and rear setbacks being 25 feet.

Mr. Henschel stated that the plans with the larger garages would add a waiver to the request that Council presently has.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location of the project is within 1/8 of a mile of two arterial roadways, US 27 and SR 50 and within 1/4 mile of many services, which include grocery, restaurant, banking, etc., thus offering a greater walkability option for residents. The project has multiple access points that can distribute the traffic onto the existing transportation network and the traffic study review by the City's consultant indicated that the project would have minimal impact on the intersections and roadways within the study area. The site has City utilities available and the City can serve the proposed development. Staff recommends approval of Ordinance No. 2022-014, that would include the original 25 foot setback not the plan with the proposed 20 foot setback.

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Cecelia Bonifay, Esq., with the Akerman Law Firm spoke on behalf of the Cityside Townhomes project. The following were also present: the developers, Pillar Construction along with the traffic engineer, Mohammad Abdullah and the planning consultant, Alex Stringfellow. The applicants have worked diligently to address some of the comments from the last meeting. Ms. Bonifay gave an overview of the changes that were made to the plans.

Alex Stringfellow addressed two concerns that Council had spoken about at the previous meeting which were garages/parking and the site being used for commercial purposes. The interior size of the garages have been increased from 18ft. to 19ft. on the front loaded and 23ft. on the rear loaded townhomes. Mr. Stringfellow showed comparable properties with garages that are smaller than what they are proposing.

Discussion ensued regarding the rear property line running to the middle of the alley since it is an easement and not a right of way. They spoke about garbage trucks being able to get down the alley and residents parking in the alleyway since it would be part of their property. Mr. Bulthuis explained that staff did not notice that the rear setback of 25ft. included half of the alley, staff presumed the 25ft was at the end of the driveway.

Mr. Stringfellow covered a conceptual plan for commercial use. He spoke about the different type of commercial uses that could go there and the impact it would have on the existing roadways and what the traffic demands would look like.

Mohammad Abdullah prepared the traffic analysis for the proposed development. They found the analysis to be sufficient and not generate a significant impact on the transportation network. With the improvements to US 27, this property was cut off which would have fed a commercial use. In approving this project it would generate less than 500 vehicles per day versus the 1,500 to 5,000 vehicles per day that could be generated with a commercial use.

Ms. Bonifay addressed that the new site plans were given to staff late afternoon on the day of the meeting.

Mayor Murry opened the public hearing.

Vincent Niemic, - expressed concerns regarding the applicant requesting a waiver to go from 3,500sq.ft. to 2,400sq.ft. and the size of the garages. Mr. Niemic also addressed building a residential area in a commercial zoning.

Mayor Murry closed the public hearing.

Ms. Bonifay stated there will be additional buffering done from the surrounding commercial properties.

Discussion was had again regarding the rear setbacks and if the alley was usable land to count towards the property line or would the rear setbacks have to move to 20ft. There was talk about residential use versus commercial use and access to Hwy 50 and US 27.

Ms. Bonifay stated that the applicant has made a lot of changes since the first meeting with staff. A continuance was requested to give the applicant time to adjust the site plan and see if larger units make economic sense.

City Attorney Mantzaris stated that this is a Planned Unit Development and anticipates this process.

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Council Member Purvis moved to table Ordinance No. 2022-014 to August 23, 2022; Seconded by Council Member Bates. Passed unanimously 5-0 with all members present voicing aye.

Item No. 13 – Utility Service Agreement, Ivy Ridge

Development Services Director Henschel presented the item. The applicant is requesting sewer service for a 155 lot single-family development on 57 acres located in Lake County south of Hammock Ridge Road and west of Fox Chase subdivision. The subdivision was approved by Lake County through Ordinance 2020-03. The subdivision will consist of 136 fifty foot wide lots and 19 sixty foot wide lots. Lake County Ordinance 2020-03 does not stipulate lot width, only the number of lots. This project is within the City's sewer service area. The applicant is requesting 35,860 gallons per day for sewer capacity. The water service will be provided by a private utility provider, not the City of Clermont. The proposed subdivision, as designed, does not meet the City of Clermont's Land Development Code standards. As proposed, staff is not recommending approval of the Utility Agreement in this format. Should City Council decide to provide sewer services to this development, staff would recommend requiring the annexation of this parcel and a rezoning to R-2 standards which would require 75 foot wide lots.

Cecelia Bonifay, Esq., with the Akerman Law Firm spoke on behalf of the owner and developer. This project was a Planned Unit Development (PUD) approved in Lake County and it stated the development would have 50ft wide lots. During the PUD approval process with Lake County, Clermont was asked if they had any comments or objections and none were given. As a utility provider, Clermont has a duty and obligation to serve. This is a great product and project and a benefit to the city.

The applicant, Ben Shoemaker gave a presentation to Council regarding the community and what his company model is for developments. He spoke about the lot sizes and why they are smaller than the 75ft the City of Clermont requires.

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

Ms. Bonifay stated that the client spent a lot of time and effort planning this community in compliance with Lake County codes. The ordinance proposed requires that it be developed by the Joint Planning Agreement (JPA) land development regulations, the city and county were unclear on the standards within the JPA. This project cannot be developed in compliance with the city's standards. The applicant is asking for a utility agreement that accepts this project as presented.

Council discussed the applicant's business model for the community and approving the agreement if the project does not meet the city's standards. They went on to discuss providing services within the city and outside of city limits and if the city has the capacity to provide the services.

City Attorney Mantzaris spoke about the legal aspect of providing sewer services outside of the city limits.

Council Member Purvis stated that he was ready to make a motion to approve the agreement with annexation.

Council Member Entsuaeh asked about the business model of building homes to rent out. Mr. Shoemaker responded and explained how it all works and stated that they have never evicted a tenant to sell a home.

Council Member Pines moved to approve the Utility Service Agreement with R2 Standards; Seconded by Council Member Bates.

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Discussion was had regarding the language within the sewer agreements and annexing a property into the city that does not meet the standards.

Ms. Bonifay stated in closing that the client has worked to buffer this property from the surrounding properties but cannot come to the city and meet the R-2 standards with this project.

The motion passed by roll call vote 3-2 with Council Member Bates and Council Member Purvis opposing.

Item No. 14 Ordinance No. 2022-031, Final Hazardous Materials

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, FLORIDA, AMENDING CHAPTER 34, "ENVIRONMENT" OF THE CLERMONT CITY CODE, BY CREATING NEW ARTICLE VI "HAZARDOUS MATERIALS – COST RECOVERY FOR INCIDENTS" SECTIONS 34-150 THROUGH 34-154 PROVIDING FOR INTENT AND PURPOSE; DEFINITIONS; LIABILITY FOR COSTS; COLLECTION AND PAYMENT OF COSTS; METHODS OF ENFORCEMENT; CODIFICATION SEVERABILITY, CONFLICT, ADMINISTRATIVE CORRECTION, PUBLICATION AND AN EFFECTIVE DATE.

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

Fire Chief Ezell stated that with a hazmat incident, this will allow the city to recover the costs that are incurred to clean up.

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

Council Member Bates moved to approve Ordinance No. 2022-031; Seconded by Council Member Pines. The motion passed by roll call vote 5-0.

NEW BUSINESS

Item No. 15 – Ordinance No. 2022-024, Intro Lost Lake Assemblage 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. 2022-024; Seconded by Council Member Entsuah. Passed unanimously 5-0 with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
July 12, 2022

Item No. 16 – Ordinance No. 2022-025, Intro Lost Lake Assemblage CPA

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. 2022-025; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

Item No. 17 – Ordinance No. 2022-026, Intro Lost Lake Assemblage 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. 2022-026; Seconded by Council Member Purvis. Passed unanimously 5-0 with all members present voicing aye.

City of Clermont
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REGULAR COUNCIL MEETING
July 12, 2022

ADJOURN: With no further comments, this meeting adjourned at 11:52pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
July 26, 2022

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, July 26, 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, Entsuah, and Purvis.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Dawn Carter of First United Methodist Church followed by the Pledge of Allegiance.

PRESENTATION

Chief Broadway introduced Officer Kelly Brown who spearheaded the Youth Academy.

Officer Brown gave an overview of the program. There are 10 to 15 students who participate in a week-long program, in which they learn what it is to be a police officer. Officer Brown stated that each year they chose one student who receives the Champion Award based on their core values which is courage, honor, integrity, professionalism and service above self.

Officer Brown introduced Jennifer Hernandez, the Champion Award recipient for 2021. Ms. Hernandez gave a speech on her experience with the youth program and how it has shaped her career focus. The Champion Award recipient for 2022, Mason Adams, also spoke on his experience and how it will help him moving forward.

OPENING COMMENTS

City Manager Bulthuis informed the Council of the following agenda changes:

Item No. 8 – Resolution No. 2022-016R, APC Roofing CUP

Resolution No. 2022-016R, APC Roofing CUP

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.

Deputy City Clerk Wisniewski read the title aloud.

City Manager Bulthuis informed the Council this is a request to table this item to August 23, 2022.

Council Member Entsuah moved to table Resolution No. 2022-016R to August 23, 2022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

City of Clermont
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Item No. 9 – Ordinance No. 2022-024, Lost Lake Assemblage Annexation

Ordinance No. 2022-024, Lost Lake Assemblage 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.

Deputy City Clerk Wisniewski read the title aloud.

City Manager Bulthuis informed the Council this is a request to table this item to August 9, 2022.

Council Member Purvis moved to table Ordinance No. 2022-024 to August 9, 2022; Seconded by Council Member Pines. Passed unanimously 4-0 with all members present voicing aye.

Item No. 10 – Ordinance No. 2022-025, Lost Lake Assemblage CPA

Ordinance No. 2022-025, Lost Lake Assemblage CPA

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.

Deputy City Clerk Wisniewski read the title aloud.

City Manager Bulthuis informed the Council this is a request to table this item to August 9, 2022.

Council Member Purvis moved to table Ordinance No. 2022-025 to August 9, 2022; Seconded by Council Member Pines. Passed unanimously 4-0 with all members present voicing aye.

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Item No. 11 – Ordinance No. 2022-026, Lost Lake Assemblage Rezoning

Ordinance No. 2022-026, Lost Lake Assemblage 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.

Deputy City Clerk Wisniewski read the title aloud.

City Manager Bulthuis informed the Council this is a request to table this item to August 9, 2022.

Council Member Pines moved to table Ordinance No. 2022-026 to August 9, 2022; Seconded by Council Member Pines. Passed unanimously 4-0 with all members present voicing aye.

Item No. 12 – Resolution No. 2022-021R, Senninger Irrigation CUP

Resolution No. 2022-021R, Senninger Irrigation CUP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A BUILDING OVER 100,000 SQUARE FEET IN THE M-1 INDUSTRIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

Deputy City Clerk Wisniewski read the title aloud.

City Manager Bulthuis informed the Council this is a request to table this item to August 9, 2022.

Council Member Pines moved to table Resolution No. 2022-021R to August 9, 2022; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

PUBLIC COMMENTS

Charlene Forth, 939 W. Desoto Street – Expressed concern regarding conduct at a previous meeting.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Intersection of Hancock Road and Highland Ranch Blvd. is scheduled to open August 5.
- First Friday Food Truck on August 5.

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- Chief Broadway and Otis Taylor from the Give a Day Foundation updated the Council on the basketball game. This was an opportunity for the Police Department to build relationships with the youth in our community.

CITY ATTORNEY REPORT

City Attorney Mantzaris – no report

CITY COUNCIL REPORT

Council Member Purvis –

- Inquired about the average age of the kids who played in the basketball game. Mr. Taylor stated that the average age was 16 to 17.

Council Member Entsuah – No report.

Council Member Pines – No report.

Mayor Murry –

- Honored to attend the Police Departments new hiring and promotion ceremony.
- Inquired about the statistics on the start time of the Council Meetings.

City Manager Bulthuis said that after speaking with Council individually, there was not a consensus to change the start time.

- Attended Champions Circle basketball game.
- Mayor's lunch will be on August 1 at Cracker Barrel.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of June 28, 2022 Council Meeting Minutes

Item No. 2 – Surplus Request

Consider surplus from Information Technology and dispose of in accordance with the Purchasing Policy.

Item No. 3 – School Resource Officer Agreement

Consider School Resource Officer agreement with Imagine South Lake Charter for year 2022-2023.

Item No. 4 – OMNIA Partners Contract

Consider piggyback contract with CINTAS for professional uniform services.

Item No. 5 – Change Order Request

Consider change order for the Public Services Building Project in the budgeted amount of \$93,580.

City of Clermont
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Item No. 6 – Lake County Water Authority Grant

Consider acceptance of a grant agreement with Lake County Water Authority in the amount of \$250,000.

Item No. 7 – Event Request and Boat Ramp Closure
Horrible Hundred

Consider the Florida Free Wheelers Bicycle Club's annual event at Waterfront Park on November 19-20, 2022 and Boat Ramp Closure on Sunday, November 20, 2022.

Council Member Purvis moved to approve the Consent Agenda as presented for July 26, 2022; Seconded by Council Member Entsuah. Passed unanimously 4-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 8 – *This item was addressed earlier in the meeting and tabled to the August 23, 2022 meeting.*

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

Item No. 10 – *This item was addressed earlier in the meeting and tabled to the August 9, 2022 meeting.*

Item No. 11 - *This item was addressed earlier in the meeting and tabled to the August 9, 2022 meeting.*

NEW BUSINESS

Item No. 12 – *This item was addressed earlier in the meeting and tabled to the August 23, 2022 meeting.*

Item No. 13 – Citizen Request

Ms. Solberg gave a presentation regarding the use of golf carts in a designated area within the city. Ms. Solberg spoke on the safety of golf carts and the difference between a golf cart and a low speed vehicle. She listed other cities that allow golf cart use and how it is working for them. In addition, she provided Florida Statutes and an advisory legal opinion. Furthermore, she spoke about the use of golf carts in subdivisions and that people are using them in the community already.

Mayor Murry opened public hearing.

Charlene Forth, 939 W. Desoto Street – Opposes golf carts in the city, there is already enough traffic downtown.

Jeff Burke, 650 8th Street – spoke in favor of golf carts in the city as benefit to city and businesses.

Josh Cassleman, 392 W. Osceola Street – spoke in favor of golf carts in the city stating they are more economical and provide an advantage to the downtown area.

Carol Harrison, 198 W. Osceola Street – spoke in favor of golf carts in the city. Downtown is gaining traction and golf carts will help.

Lavonte Rogers, 667 W. Osceola Street – spoke in opposition to golf carts in the city due to traffic.

Debra Hodge, 602 E. Hwy 50 – spoke in favor of golf carts in the city.

City of Clermont
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Mayor Murry closed public hearing.

Council discussed golf cart communities versus golf cart use around the city. Discussion ensued regarding the difference between a golf cart and a low speed vehicle and safety equipment needed to be considered a slow moving vehicle.

Per Florida Statutes, slow moving vehicles are allowed on any Florida street that has a posted speed limit of 35 mph or less as long as they are following the rules set forth in the statutes. Golf carts are not allowed on city streets without the city adopting an ordinance due to them having limited safety features and less rules for use. Council agreed they are not in favor of having golf carts without safety features out on the streets.

Consensus from Council was not to take any action. City Attorney Mantzaris stated that the Council does not need formalize this, if a future Council wants to discuss this topic again at a later date, this leaves it open for them to discuss again.

Item No. 14 – Fiscal Year 2023 Proposed Ad Valorem Millage Rate

City Manager Bulthuis stated that by law the city needs to adopt a maximum millage rate to consider for Fiscal Year 2022/23. The current millage rate in the city is 4.2061 and has remained the same for the last 7 years. At the last budget meeting, Council reviewed different millage rates. Staff is requesting Council to set a maximum millage rate just to advertise, this is not necessarily what will be adopted. There will be two public hearings to adopt the budget and set the millage rate. The cost of running the city has increased over the years and staff prepared a detailed budget to present to Council. Staff recommends to advertise for 5.75 mills which would be advertised and mailed to the public and then at the two budget hearings, they will discuss the final rates.

Mayor Murry opened the public hearing.

Dani Page, Tuscan Ridge – expressed concern regarding raising the millage rate which would raise taxes for commercial businesses. Residents who are building homes will not be eligible for a homestead exemption the first year so their taxes will be quite high.

Charlene Forth, 939 W. Desoto Street – expressed concern regarding funding and raising the millage rate.

Chandra Myers, 1040 Glenraven Lane – expressed concern regarding raising the millage rate.

Mayor Murry closed public hearing.

City Manager Bulthuis explained the current discussion is to set a millage rate for advertising. The Council can adopt a lower millage rate, but no higher than the advertised rate. Mr. Bulthuis reviewed the millage rates of other cities in Lake County. Clermont has the lowest millage rate and it has not been raised in years. Costs are increasing as well as employee pay.

Council shared their thoughts on raising the millage rate and spoke about the budget. They discussed the budget workshops noting they were helpful in understanding the needs of each department.

Mayor Murry stated the City Manager is recommending 5.75 mills, the city would need 5.9 mills to fund the proposed budget. Another budget workshop will be scheduled soon.

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The first budget hearing will be September 7 and the final hearing will be September 20. Mr. Bulthuis stated if the millage rate were to stay the same, there would be severe cuts and a freeze on hiring staff.

Discussion ensued regarding funding in the city and the account of all previous funds.

Council Member Purvis moved to advertise a millage rate for Fiscal Year 2023 not to exceed 5.75 mills; Seconded by Council Member Entsuah. Passed unanimously 4-0 with all members present voicing aye.

There will be another budget workshop, staff is looking at Monday, August 15 or Wednesday, August 17 at 12pm.

Item No. 15 – Ordinance No. 2022-030, Introduction Watercraft Rentals

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 70, WATERWAYS, ARTICLE III, REGULATIONS FOR PERSONAL WATERCRAFTS, SECTION 70-56, “REQUIREMENTS FOR WATERCRAFT RENTAL BUSINESSES”; SECTION 70-57, “PERMITS FOR WATERCRAFT RENTAL BUSINESSES”; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

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

Council Member Purvis moved to introduce Ordinance No. 2022-030; Seconded by Council Member Entsuah. Passed unanimously 4-0 with all members present voicing aye

ADJOURN: With no further comments, this meeting adjourned at 8:18 pm.

APPROVED:

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Proposal Award		
Requested Action		
Requesting approval of RFP and term contract between the City of Clermont and the Florida League of Cities, Inc. to provide insurance and risk management services.		
Staff Report		
The evaluation committee recommends approval of the above action. The Procurement Services Department issued a Request for Proposal number 22-031 on July 21, 2022 to obtain the services of a qualified firm to provide insurance and risk management services. The RFP was fully competed, advertised, and complied with the City of Clermont Procurement Services Policy. There was one response to the RFP. The evaluation committee composed of four (4) City staff members (three voting members and one non-voting member) is recommending an award to the single respondent and current vendor, Florida League of Cities, Inc. The insurance cost includes general/professional liability, auto liability and auto physical damage, property, worker's compensation & employer's liability, pollution & remedial liability, statutory accidental death & dismemberment, and storage tank liability. The initial term contract is for a three (3) year period with up to three (3) additional one (1) year renewal periods at the option of the City.		
Additional Analysis		
Fiscal Impact Summary		
The annual amount of this contract is \$1,172,993.22 and is included in the annual approved budget. This renewal is for Fiscal Year 2023 and the budget is allocated to all departments in the City. Account Numbers: (object codes) 12400 and 54500		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFP 22-031 Response Tabulation	RFP 22-031 Response Tabulation.pdf	
2. RFP 22-031 Award Recommendation	RFP 22-031 Award Recommendation.pdf	



RESPONSE TABULATION

RFP 22-031 INSURANCE AND RISK MANAGEMENT SERVICES

DUE DATE/TIME: JULY 21, 2022 AT 2:00 P.M. (EST)

COMPANY NAME
Florida League of Cities, Inc. – Orlando, FL



FREDDY L. SUAREZ
Procurement Services Director
352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
AUGUST 5, 2022
RFP 22-031 – INSURANCE AND RISK MANAGEMENT SERVICES

Based on the evaluation of the Request for Proposals submittals, the Evaluation Committee is recommending award to the single respondent, Florida League of Cities, Inc.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Task Order Approval		
Requested Action		
Requesting approval of Task Order for the 8th Street Pier replacement with Halff Associates, Inc. to provide engineering services in the amount of \$104,690.		
Staff Report		
This Task Order includes engineering services to replace the 8th Street pier. This task order includes civil engineering and surveying support for replacing the 8th Street pier to accommodate boat mooring and fishing. Services include topographic and bathymetric surveying, preparing civil site plans and sections for St. Johns River Water Management District (SJRWMD) permitting, environmental and geotechnical support, and civil permitting with SJRWMD and Army Corps of Engineers. The task order provides additional information. The On-Call Professional Civil Engineer Services contract was approved on April 24, 2018, No. 2018-29.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$104,690 is included in the current year's approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Task Oder - 8th Street Pier Replacement	Task Oder - 8th Street Pier Replacement.pdf	

TASK AUTHORIZATION FOR
CONTINUING CONTRACT AGREEMENT
BETWEEN THE CITY OF CLERMONT FLORIDA AND
HALFF ASSOCIATES, INC.

This Task Authorization is by and between HALFF ASSOCIATES, INC., hereinafter referred to as "ENGINEER" and the CITY OF CLERMONT, hereinafter referred to as "CITY" and is to that certain agreement between the parties dated April 24, 2018 Agreement No. 2018-29, and any amendments thereto, hereinafter collectively referred to as "the Agreement". The Parties, in exchange for the mutual covenants contained herein and in the Agreement, agree as follows:

1. This agreement expressly modifies the Agreement and in the event of a conflict, the terms and conditions of this Task Authorization shall prevail.
2. In addition to all other terms and conditions contained in the Agreement, ENGINEER shall provide services as more particularly described in the Scope of Services attached hereto and incorporated herein as Task Authorization Attachment "A". In consideration for, and upon, the satisfactory completion of said services, the CITY shall pay to ENGINEER the amount set forth in Task Authorization Attachment "A" attached hereto and incorporated herein.
3. ENGINEER shall complete the services to be provided herein within as set forth in Attachment "A" hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement for the purposes herein expressed on the dates set forth below.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

HALFF ASSOCIATES, INC.

By: _____
(Signature)

Print Name: _____

Title: _____

Date: _____



VIA EMAIL sdavidoff@clermontfl.org

July 20, 2022, revised August 16, 2022

Scott Davidoff, CPRP
Deputy City Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

**RE: REVISED AGREEMENT/PROPOSAL FOR 8TH STREET PIER REPLACEMENT WITH
NEW MARINA, CLERMONT, FLORIDA, LAKE COUNTY (HALFF AVO 043826.274)**

Dear Mr. Davidoff:

Please find enclosed our revised civil engineering and surveying proposal for services necessary to complete the above referenced project as requested. Please be sure to sign, date, and complete the Client Information Form for billing purposes and return to our office.

We look forward to working with you on this project. Should you have any questions with regards to this matter, please feel free to contact our office at 352-343-8481.

Sincerely,

HALFF

A handwritten signature in blue ink, appearing to read "Duane K. Booth".

Duane K. Booth, P.E.
Vice President, Operations Manager
dbooth@halff.com

DKB:am

Enclosure



VIA EMAIL sdavidoff@clermontfl.org

July 20, 2022, revised August 16, 2022

Scott Davidoff, CPRP
Deputy City Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

**RE: AGREEMENT/PROPOSAL FOR 8TH STREET PIER REPLACEMENT WITH
NEW MARINA, CLERMONT, FLORIDA, LAKE COUNTY
(HALFF AVO 043826.274)**

Dear Mr. Davidoff:

Scope of Services – Halff Associates, Inc.

SCOPE OF SERVICES:

Provide civil engineering and surveying support for replacement of the 8th Street fishing pier and installing new marina with fishing pier and boat mooring slips. Services will include topographic and bathymetric surveying, preparing civil site plan and sections for St. Johns River Water Management District (SJRWMD) permitting, environmental and geotechnical support, and civil permitting with SJRWMD and ACOE.

SCOPE OF WORK:

PHASE 100 TOPOGRAPHIC AND BATHYMETRIC SURVEY

Prepare a Topographic and Bathymetric Survey for the area depicted below. Limits will include 50' on each side of existing dock and extend 260' into the lake. The upland topographic survey will include 50' on each side of the existing dock and extend 50' upland from water's edge. Existing dock will be located and shown on survey. The completed Bathymetric and Topographic Survey will include spot elevations to determine 1-foot contour intervals. Two (2) Site Benchmarks will be established as a part of the Topographic Survey.

FEE: \$7,720.00

PHASE 110 SKETCH OF DESCRIPTION FOR FDEP PERMITTING

Prepare a sketch and description for new dock permitting.

FEE: \$1,900.00

Fish and Wildlife Service (USFWS), Florida Fish and Wildlife Conservation Commission (FWC), and Florida Natural Areas Inventory (FNAI), including the FWC bald eagle (*Haliaeetus leucocephalus*) nest database and the FWC wading bird rookery database.

- b. Review the project area to map and assess the extent and condition of the onsite habitats. Each habitat type will be mapped using the Florida Land Use, Cover, and Forms Classification System (FLUCFCS: Florida Department of Transportation, 1999).
- c. Conduct meandering pedestrian transect surveys for listed species on the project site. All habitats within the project boundary will be surveyed in general accordance with the Florida Wildlife Conservation Guide (2011) as developed by the USFWS, FWC, and FNAI.
- d. Complete a summary report detailing the findings of the site review and listed species surveys conducted on the project site. If listed species are encountered, their approximate locations will be depicted on an aerial photograph of the project site. If there are any regulatory constraints to development of the project due to wetlands or listed species, detailed recommendations on how to resolve the constraints prior to initiating development activities will be provided to the CLIENT.

2. Wetland Delineation

- a. Review the project area to locate and flag the boundaries of all wetlands and surface waters that may exist on the site. The landward extent of wetlands and surface waters will be located per the wetland delineation methodology provided in Chapter 62-340, F.A.C., Delineation of the Landward Extent of Wetlands and Surface Waters and the 1987 Corps of Engineers Wetlands Delineation Manual.
- b. Review a draft copy of the wetland delineation survey for conformance with the field review and regulatory agency survey criteria.

3. Environmental Permitting

- a. Assist in the preparation and submittal of an ERP permit application to SJRWMD and a Nationwide Permit application to the USACOE.
- b. Wetland assessments using UMAM and supporting environmental narrative for the total plan of development will be prepared for the agency applications. The narrative will include a detailed discussion of the project site plan, assessments of the upland and wetland habitats and wetland impact areas.
- c. Schedule and attend a field meeting with representatives of SJRWMD and the USACOE to review the wetland limits and conditions of the onsite wetlands.
- d. Respond to two requests for additional information from each of the agencies regarding the applications prepared and submitted pursuant to this Task.
- e. As a part of the application review, SJRWMD will solicit comments from the FWC. Half will respond to one sufficiency response from this agency in support of the application. Note that this task assumes that no additional research or field data collection/surveys will be required to address any received comments.

EXCLUDED:

1. Agency coordination for wildlife or wetland related matters not specifically stated in this Scope of Services. The services to obtain approvals for the incidental take or relocation

of any listed species of flora and fauna, agency wetland delineation approval, or wetland impact approvals are not included in this Scope of Services.

2. This scope does not include formal, comprehensive listed species assessments in accordance with the Florida Wildlife Conservation Guide (2011). If any listed or protected species are identified on the project parcels, additional comprehensive, species-specific surveys may be required by the permitting agencies.
3. The agencies requiring permits will only request information considered normal and necessary for this type of permit. This proposal considers quantitative sampling for water quality, benthos, sediment, flora or fauna to be examples of extraordinary work beyond our proposed Scope of Services.

FEE: \$18,570.00

PHASE 300 GEOTECHNICAL INVESTIGATION (ANGREYEV ENGINEERING, INC.)

Proposes to conduct geotechnical investigation which will include evaluation of the soil conditions along the lake shore and lake bottom, at the proposed Replacement of 8th Street Fishing Pier at Lake Minneola, near the intersection of 8th Street and West Osceola Street in Clermont, Lake County, Florida.

This is based on the estimate that the maximum water depth will be 10 to 15 feet, the SPT boring depths will be 30 feet below the lake bottom and the lake borings will be performed utilizing an amphibious drill rig.

In order to assist in the geotechnical design of the project and in consideration of the anticipated site conditions, we propose to conduct the following scope of investigation:

- Drill three (3) Standard Penetration Test (SPT) borings in the lake (assuming a maximum water depth ranging from 10 to 15 feet) and a SPT boring depth of 30 feet below the lake bottom.
- Drill one (1) Standard Penetration Test (SPT) borings on land along the lake shore to a maximum depth of 30 feet below the ground surface.
- Prepare a geotechnical report including results of the soil investigations in profile form and evaluation of encountered soil conditions below the lake bottom and analyses of vertical and lateral capacity of 8" diameter wood piles using AllPile pile design software.

This estimate assumes that lake access of the amphibious drill rig, in close proximity to the boring locations, is possible at the existing 8th Street pier location. Dependent on amphibious drill rig availability, we anticipate that we can begin this investigation one to two weeks after receiving your authorization to proceed and estimate report completion within 12 to 15 working days thereafter.

FEE: \$18,100.00

PHASE 400 SITE PLAN

Site plan showing location of new marina with fishing pier and boat mooring slips. Site plan will include coversheet, survey, geometry plan, profile of dock plan and cross sections meeting the requirements of SJRWMD and ACOE for permitting or exemption. This phase does not include structural design of the fixed or floating dock.

FEE: \$25,550.00

PHASE 500 SJRWMD

Prepare and submit St. Johns River Water Management District permit application and required exhibits. Attend meeting(s) with District as needed and respond to request for additional information (RAI) in order to receive permit.

FEE: \$7,400.00

PHASE 600 ACOE EXEMPTION

Meeting with Army Corps to determine if a General or Individual Permit is required. Prepare required application, dredge and fill calculations, create cross sections of dredging activity, and docks. Meetings with staff after permit has been submitted and response to agency questions.

FEE: \$5,500.00

PHASE 700 SOVEREIGN SUBMERGED LAND PERMIT COORDINATION

Prepare application and supporting documents for use of sovereign submerged lands. To be submitted to authority having jurisdiction (FDEP or SJRWMD).

FEE: \$6,000.00

PHASE 800 PROJECT ADMINISTRATION

The scope of services shall include administrative services necessary to coordinate all aspects of the project through the planning, design and permitting phase. These services shall include project scheduling with all regulatory agencies and public utility companies during the design and permitting phase of the project.

FEE: \$6,000.00

PHASE 9999 REIMBURSABLES

Costs for reimbursables, including printing, copying, blueprints, binding, mileage, etc., shall be billed at the rates shown in the below Rate Schedule, or at cost.

FEE: \$1,000.00 (BUDGET, TO BE BILLED AT COST)

Our fees for the described services are outlined in the following table. We have provided “Lump Sum Fees” for the services identified in the Scope of Work. Lump Sum Fees do not include Reimbursable Expenses directly associated with the project (travel, mileage, reproduction, supplies, and other non-labor reimbursable costs.) Our fee schedule is as follows:

FEE SUMMARY

TASK	AMOUNT
PHASE 100	\$ 7,720.00
PHASE 110	\$ 1,900.00
PHASE 120	\$ 7,000.00
PHASE 200	\$ 18,570.00
PHASE 300	\$ 18,100.00
PHASE 400	\$ 25,500.00
PHASE 500	\$ 7,400.00
PHASE 600	\$ 5,500.00
PHASE 700	\$ 6,000.00
PHASE 800	\$ 6,000.00
PHASE 9999	\$ 1,000.00
TOTAL	\$ 104,690.00

THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:

1. Boundary Survey
2. NPDES Permitting
3. Bid Documents & Bidding
4. Cost Estimating
5. Written Specifications
6. Construction Administration/Post Design Services
7. Lighting/Photometric Design
8. Fixed Dock Design is by others
9. Reimbursables to be billed based upon direct expense incurred by BESH HALFF for blueprints, copies, mylars, reproductions, postage, etc.
10. Advance of permit fees, impact fees, title search fees, recording or advertising fees.

Standard Hourly Rate Schedule

Engineers

Principal/Officer – Professional Engineer	\$250.00
Senior Professional Engineer	\$220.00
Professional Engineer	\$175.00
Project Manager	\$130.00
Engineer Intern	\$100.00

Technicians

Senior Technician	\$125.00
Design Technician	\$85.00

GIS

Principal Officer – Senior Spatial Analyst	\$165.00
Senior Spatial Analyst	\$135.00
Spatial Analyst	\$100.00
GIS Specialist	\$60.00

Landscape Architects

Principal/Officer – Professional Landscape Architect	\$200.00
Senior Professional Landscape Architect	\$150.00
Project Manager Landscape Architect	\$130.00
Professional Landscape Architect	\$110.00
Senior Landscape Designer	\$110.00
Landscape Designer	\$80.00

Planners

Principal/Officer – Land Planner	\$225.00
Senior Planner	\$150.00
Professional Planner	\$110.00
Project Planner	\$85.00

Environmental Scientists

Senior Environmental Scientist	\$200.00
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Inspection and Plans Review

Licensed Plans Examiner, Residential and/or Commercial	\$85.00
Inspection Services Residential and/or Commercial	\$85.00

Survey

Survey Department Manager – P.S.M.	\$175.00
Professional Surveyor – P.S.M.	\$150.00
2 Man Field Crew	\$135.00
3 Man Field Crew	\$160.00
4 Man Field Crew	\$190.00
Senior Survey Technician	\$105.00
Survey Technician	\$85.00

Administration

Administrative Assistant	\$75.00
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Reimbursable Expenses

Reimbursable expenses include, but are not limited to:

Courier Service	Government Permitting Fees
Maps/GIS Data	Prints, Copies, Plots, Plans
Mileage, Parking, Tolls	Subconsultant Fees
Postage and Overnight Mail	Travel (lodging, rental car, per diem)
Miscellaneous Services	

CLIENT INFORMATION FORM

To assist Halff Associates, Inc., to prepare the requested proposal, please complete the information below:

PRINT NAME & TITLE: _____

COMPANY NAME: _____

BILLING ADDRESS: _____

PHONE: _____

FAX: _____

E-MAIL: _____

BILLING CONTACT NAME & TITLE: _____

BILLING CONTACT EMAIL: _____

BILLING CONTACT PHONE: _____

CLIENT REPRESENTATIVE: _____

IS CLIENT THE OWNER OF THE SUBJECT

PROPERTY? YES: _____ NO: _____

(If no, Halff Associates, Inc., reserves the right to require a retainer prior to commencing services.)

Is the property accessible? _____

If gated/locked, who shall Halff Associates, Inc. contact to gain access to the property?

NAME AND PHONE NUMBER: _____

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE: _____

DATE: _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Contract Amendment and Budget Amendment		
Requested Action		
Recommend to approve contract amendment #5 with Traverse Group.		
Staff Report		
By approval of this contract, the City Council finds that the direct negotiation with Traverse currently under contract with the City is in the best interest of the City as there exist unique circumstances which the City Council finds that using competitive bidding is not in the best interest of the City. The contract is required to timely, and cost effectively complete the improvements to the 8th Street parking lot for the benefit of the public and in accordance with the Global Settlement Agreement between the City, VP Development and the Art District. The cost for construction of this parking lot will be \$208,586.78 and will require a budget amendment in this amount utilizing funds for downtown projects (ARPA funds).		
Additional Analysis		
Fiscal Impact Summary		
This is included as part of the ARPA downtown projects and will be incorporated into a future budget amendment in the amount of \$208,586.78. Department Account Code: 32559-66300-95116		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 7th St Parking Lot Estimate	7th St Parking Lot Estimate.pdf	

TRAVERSE GROUP, INC.

CLERMONT, FL 34712

Estimate

Date	Estimate #
8/10/2022	2022COC2

Name / Address
CITY OF CLERMONT 685 W MONTROSE ST CLERMONT FL 34711

Project
7TH ST PARKING LOT

Description	Qty	Units	Rate	Total
Mobilization	1	LS	1,500.00	1,500.00
Construction Fence with Screen	1	LS	6,913.00	6,913.00
Grade & Site Prep	61	LDS	175.00	10,675.00
Grading	1,780	SY	2.00	3,560.00
Silt Fence	400	LF	2.70	1,080.00
Demo	1	LS	4,613.00	4,613.00
4" Concrete Sidewalk	500	SF	8.89	4,445.00
Stake and Layout	1	LS	3,500.00	3,500.00
Testing	1	LS	3,500.00	3,500.00
6" Concrete Aprons	200	SF	13.95	2,790.00
12" Subgrade	1,835	SY	3.90	7,156.50
8" Limerock Base	1,801	SY	19.47	35,065.47
Prime and Sand	1,780	SY	1.00	1,780.00
1.5" SP 9.5 Asphalt	1,780	SY	18.95	33,731.00
Type D Trench Curb	750	LF	22.00	16,500.00
Modified 6 Inlet	1	EA	3,500.00	3,500.00
Type P Manhole	5	EA	3,995.00	19,975.00
Type V Inlet	2	EA	4,275.00	8,550.00
Modify Existing Inlet to Type E Inlet	1	EA	2,950.00	2,950.00
Sign and Stripe	1	LS	4,975.00	4,975.00
18" HDPE	100	LF	59.95	5,995.00
18" RCPT	234	LF	59.95	14,028.30
Abandon 18" HDPE	1	LS	1,750.00	1,750.00
Final Dress	1	LS	1,950.00	1,950.00
Sod	5,800	SF	0.45	2,610.00
As Builts	1	LS	2,411.95	2,411.95
Bond 1.5%	1	LS	3,082.56	3,082.56
NOTE - THIS ESTIMATE IS GOOD FOR 30 DAYS				
Total			\$208,586.78	



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-025R		
Requested Action		
Request approval of Resolution No. 2022-025R to amend the Fiscal Year 2022 Budget		
Staff Report		
Resolution No 2022-025R is proposed to amend the Fiscal Year 2022 Budget. This resolution formally amends the budget for Council actions since October 2021 along with subsequent requested department updates to the Fiscal Year 2022 annual budget for Special Revenue Funds. The funds being amended are Building Services, Infrastructure Fund, Cemetery, Recreation Impact, Police Impact, Fire Impact, Water Impact and Sewer Impact. This resolution will result in an increase to fund balances in these funds in the total amount of \$23,243,847. This increase is mainly due to projects that will not be completed before the end of the Fiscal Year that will be included in the Fiscal Year 2023 budget.		
Additional Analysis		
Fiscal Impact Summary		
The total increase to fund balance for all funds is \$23,243,847.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2022-025R - Budget Amendment 5 (08.16.2022)	2022-025R - Budget Amendment 5 (08.16.2022).pdf	



CITY OF CLERMONT
RESOLUTION NO 2022-025R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2021-2022**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2021 to September 30, 2022:

BUILDING SERVICES FUND

Building Services Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$1,090,939	\$902,346	\$1,993,285
Building Permits	\$1,421,000	\$500,000	\$1,921,000
Inspection Fees - Contractor	\$56,000	\$44,000	\$100,000
Admin Assess-Bica/Radon	\$4,200	-	\$4,200
Interest Earnings	\$7,000	(\$5,000)	\$2,000
Total Building Services Fund Revenue	\$1,488,200	\$539,000	\$2,027,200

Building Services Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Regular Salaries	\$794,207	\$65,793	\$860,000
Part Time Salaries	\$53,395	-	\$53,395
Overtime Salaries	\$1,100	-	\$1,100
Fica	\$59,898	-	\$59,898
Defined Contribution Pension	\$69,860	-	\$69,860
Group Insurance	\$188,377	-	\$188,377
Life Insurance	\$2,502	-	\$2,502
Employee Assistance Plan	\$428	-	\$428
Workers Compensation	\$4,546	-	\$4,546
Pro Svc-General	\$14,045	-	\$14,045
Drug Screens	\$35	-	\$35
Medical Services	\$153	-	\$153
Pro Svcs-Computer Consultant	\$8,500	-	\$8,500
Pro Svcs-Investment Advisor	\$354	-	\$354
Pro Svcs-Building Services	\$405,955	-	\$405,955



CITY OF CLERMONT
RESOLUTION NO 2022-025R

Building Services Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Travel & Per Diem	\$2,500	-	\$2,500
Telephone	\$5,000	-	\$5,000
Postage & Freight	\$2,000	-	\$2,000
Commercial Insurance	\$13,928	-	\$13,928
Repair & Maint-Vehicles	\$1,000	-	\$1,000
Repair & Maint-Copiers	\$1,500	-	\$1,500
Printing	\$2,000	-	\$2,000
Administrative Services	\$179,627	-	\$179,627
Bank Service Charges	\$199	-	\$199
Office Supplies	\$1,000	-	\$1,000
Operating Supplies	\$1,000	-	\$1,000
Gas & Oil	\$5,000	-	\$5,000
Tires & Batteries	\$1,000	-	\$1,000
Uniforms	\$1,800	-	\$1,800
Minor Equipment	\$1,232	-	\$1,232
Safety Shoes	\$500	-	\$500
Software Renewals/Support	\$82,632	-	\$82,632
Subscriptions & Dues	\$5,000	-	\$5,000
Training & Education	\$10,768	-	\$10,768
Cap Out-Vehicles	\$30,079	\$78,688	\$108,767
Capital Equipment	\$5,368	-	\$5,368
Ending Reserves	\$622,651	\$1,296,865	\$1,919,516
Building Services Fund Total Expenses	\$1,956,488	\$144,481	\$2,100,969

BUILDING SERVICES FUND BALANCE – Net Increase of \$1,296,865

INFRASTRUCTURE FUND

Infrastructure Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$1,537,996	\$1,146,983	\$2,684,979
State Infrastructure Tax	\$3,951,038	\$448,962	\$4,400,000
Interest Earnings	\$5,000	(\$3,000)	\$2,000
Total Infrastructure Fund Revenue	\$3,956,038	\$445,962	\$4,402,000



CITY OF CLERMONT
RESOLUTION NO 2022-025R

Infrastructure Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
IT - Cap Out-Other Imp Fiber	\$204,916	(\$4,916)	\$200,000
IT - Capital Equipment	\$0	\$35,000	\$35,000
IT - Capital Equipment	\$0	\$2,000	\$2,000
IT - Capital Equipment	\$0	\$2,000	\$2,000
IT - Cap Out- It Equipment	\$120,284	-	\$120,284
IT - Cap Out-It Server	\$44,000	-	\$44,000
IT - Cap Out-Pro Fibr Netwrk	\$11,224	-	\$11,224
Gen Gov - Pro Svc-Investment Advisor	\$299	-	\$299
Gen Gov - Bank Service Charges	\$169	-	\$169
Gen Gov - Cap Out-Other Imprvment	\$30,575	-	\$30,575
Police - Cap Out-Vehicles	\$678,093	-	\$678,093
Police - Capital Equipment	\$6,186	\$10,800	\$16,986
Police - Debt Svc-Cap Lease Eqpt Prin	\$39,979	-	\$39,979
Police - Debt Svc-Cap Lease Eqpt Inter	\$5,806	-	\$5,806
Fire - Cap Out-Vehicles	\$688,786	-	\$688,786
Fire - Capital Equipment	\$111,048	-	\$111,048
Fire - Cap Out-Pro Svc Fs#2 22101	\$141,072	-	\$141,072
Fire - Debt Svc-Cap Lease Eqpt Prin	\$48,874	-	\$48,874
Fire - Debt Svc-Cap Lease Eqpt Intere	\$7,098	-	\$7,098
Fire Inspection - Cap Out-Vehicles	\$35,000	-	\$35,000
Streets - Repair & Maint- Resurfacing	\$520,552	-	\$520,552
Streets - Cap Out-Sidewalks	\$83,702	-	\$83,702
Streets - Debt Svc-Cap Lease Eqpt Prin	\$885	-	\$885
Streets - Debt Svc-Cap Lease Eqpt Int	\$129	-	\$129
Grounds - Cap Out-Other Improvement	\$15,175	(\$13,175)	\$2,000
Grounds - Cap Out-Other Improvement	\$95,000	(\$33,000)	\$62,000
Grounds - Cap Out-Recreation	\$74,500	-	\$74,500
Grounds - Cap-Pro Lk Hiawath Pier	\$203	-	\$203
Facilities - Cap Out-Other Improve.	\$35,500	\$14,500	\$50,000
Parks - Cap Out-Other Improvement	\$5,896	-	\$5,896
Parks - Cap Out-Recreation	\$147,015	-	\$147,015
Events - Cap Out-Equipment	\$5,583	-	\$5,583
Events - Cap Out-Buildings	\$0	\$1,000,000	\$1,000,000
Events - Cap Out-Other Improvement	\$23,771	(\$23,771)	\$0
Events - Capital Equipment	\$9,100	\$5,900	\$15,000
CPAC - Cap Out-Other Improvement	\$50,000	-	\$50,000
CPAC - Cap Out-Equipment	\$23,600	-	\$23,600
CPAC - Cap Out-Pro Svc	\$9,400	-	\$9,400



**CITY OF CLERMONT
RESOLUTION NO 2022-025R**

Tfr To Dsf-Master Pln	\$1,608,337	-	\$1,608,337
Tfr To Dsf Police Hq	\$422,277	-	\$422,277
Tfr To Cpf/320	\$190,000	-	\$190,000
Ending Reserves	\$0	\$597,607	\$597,607
Total Infrastructure Fund Expenses	\$5,494,034	\$995,338	\$6,489,372

INFRASTRUCTURE FUND BALANCE – Net Increase of \$597,607

CEMETERY FUND

Cemetery Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$1,404,762	\$127,353	\$1,532,115
Interest Earnings	\$7,000	(\$5,000)	\$2,000
Net Incr/Decr In Fv Of Invest	\$0	-	\$0
Cemetery Lot Sales	\$150,000	-	\$150,000
Reimbursements	\$2,000	-	\$2,000
Total Cemetery Fund Revenue	\$159,000	(\$5,000)	\$154,000

Cemetery Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Regular Salaries	\$52,518	-	\$52,518
Overtime Salaries	\$500	\$1,500	\$2,000
FICA	\$3,609	-	\$3,609
Defined Contribution Pension	\$5,302	-	\$5,302
Group Insurance	\$16,101	-	\$16,101
Life Insurance	\$165	-	\$165
Employee Assistance Plan	\$33	-	\$33
Workers Compensation	\$1,088	-	\$1,088
Pro Svc-General	\$12,840	\$17,160	\$30,000
Pro Svcs-Investment Advisor	\$400	-	\$400
Contract Svcs-General	\$0	\$5,000	\$5,000
Electric & Gas Service	\$3,500	-	\$3,500
Water & Sewer Service	\$500	-	\$500
R&M-Buildings	\$1,500	-	\$1,500
Repair & Maint-Vehicles	\$4,000	-	\$4,000
Repair & Maint-Trees	\$15,000	-	\$15,000
R&M-Grounds	\$500	-	\$500



**CITY OF CLERMONT
RESOLUTION NO 2022-025R**

Repair & Maint-Sod	\$1,500	-	\$1,500
Repair & Maint-Equipment	\$790	-	\$790
Bank Service Charges	\$226	-	\$226
Gas & Oil	\$1,000	-	\$1,000
Tires & Batteries	\$650	-	\$650
Uniforms	\$500	-	\$500
Minor Equipment	\$750	-	\$750
Safety Equipment	\$200	-	\$200
Safety Shoes	\$100	-	\$100
Software Renewals/Support	\$0	\$100	\$100
Cap Out-Other Improvement	\$40,000	-	\$40,000
Ending Reserves	\$1,400,490	\$98,593	\$1,499,083
Total Cemetery Fund Expenses	\$163,272	\$23,760	\$187,032

CEMETERY FUND BALANCE – Net Increase of \$98,593

RECREATION IMPACT FUND

Recreation Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$2,340,693	\$788,624	\$3,129,317
Res Impact Fees/Du-Recreation	\$1,500,000	\$500,000	\$2,000,000
Interest Earnings	\$7,000	(\$2,000)	\$5,000
Total Rec Impact Fund Revenues	\$1,507,000	\$498,000	\$2,005,000

Recreation Impact Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Pro Svcs-Investment Advisor	\$371	-	\$371
Bank Service Charges	\$209	-	\$209
Cap Out-It Fiber Optic	\$3,600	-	\$3,600
Cap Out-Pro Svc	\$10,000	-	\$10,000
Cap-Pro Svc Wtrfrnt Park 72904	\$12,500	(\$12,500)	\$0
Cap Out-Buildings	\$296,339	\$14,500	\$310,839
Cpa Out - Pickleball Court	\$0	\$450,000	\$450,000
Capital Equipment	\$2,500	-	\$2,500
Cap Out-Pro Svc	\$5,136	-	\$5,136
Cap Out -Pro Svc - Pickleball Court Design	\$0	\$25,000	\$25,000



**CITY OF CLERMONT
RESOLUTION NO 2022-025R**

Tfr To Dsf Master Plan Debt	\$321,961	-	\$321,961
Tfr To Dsf Arc	\$247,657	-	\$247,657
Ending Reserves	\$2,947,420	\$809,624	\$3,757,044
Total Rec Impact Fund Expenses	\$900,273	\$477,000	\$1,377,273

RECREATION IMPACT FUND BALANCE – Net Increase of \$809,624

POLICE IMPACT FUND

Police Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$301,193	\$536,955	\$838,148
Res Impact Fees/Du-Police	\$240,000	\$60,000	\$300,000
Comm Impact Fees/Sf-Police	\$100,000	\$100,000	\$200,000
Interest Earnings	\$4,000	(\$2,000)	\$2,000
Total Police Impact Fund Revenues	\$344,000	\$158,000	\$502,000

Police Impact Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Pro Svcs-Investment Advisor	\$212	-	\$212
Bank Service Charges	\$120	-	\$120
Cap Out-Vehicles	\$400,000	-	\$400,000
Capital Equipment	\$123,700	-	\$123,700
Tfr To Dsf/220 Arc 72118	\$14,763	-	\$14,763
Ending Reserves	\$106,398	\$694,955	\$801,353
Total Police Impact Fund Expenses	\$538,795	\$0	\$538,795

POLICE IMPACT FUND BALANCE – Net Increase of \$694,955

FIRE IMPACT FUND

Fire Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$1,387,212	\$557,968	\$1,945,180
Res Bldg/ Flat Fees 00201	\$270,000	\$100,000	\$370,000



CITY OF CLERMONT
RESOLUTION NO 2022-025R

Fire Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Comm Impact Fees/Sf-Fire	\$135,000	\$125,000	\$260,000
Interest Earnings	\$5,000	(\$3,000)	\$2,000
Total Fire Impact Fund Revenues	\$410,000	\$222,000	\$632,000

Fire Impact Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Pro Svcs-Investment Advisor	\$247	-	\$247
Bank Service Charges	\$139	-	\$139
Cap Out-Vehicles	\$106,835	-	\$106,835
Cap Out-Pro Svc	\$0	\$25,000	\$25,000
Capout-Prosvc New Fs#2 22101	\$94,048	-	\$94,048
Ending Reserves	\$1,595,943	\$754,968	\$2,350,911
Total Fire Impact Fund Expenses	\$201,269	\$25,000	\$226,269

FIRE IMPACT FUND BALANCE – Net Increase of \$754,968

WATER IMPACT FUND

Water Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$6,183,878	\$129,455	\$6,313,333
Res Impact Fees/Meter-Water	\$1,252,000	\$373,000	\$1,625,000
Comm Impact Fees/Meter-Water	\$115,000	\$270,000	\$385,000
Interest-Impact Fees-Oth	\$23,000	(\$16,000)	\$7,000
Total Water Impact Fund Revenues	\$1,390,000	\$627,000	\$2,017,000

Water Impact Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Pro Svcs-Investment Advisor	\$1,166	-	\$1,166
Bank Service Charges	\$659	-	\$659
Cap Out-Water System	\$87,400	-	\$87,400
Cap Out-Wtrsys Low Fl Acq	\$6,000,000	(\$5,000,000)	\$1,000,000
Cap Out-Wtr Sys Johnlk Wm	\$250,000	(\$250,000)	\$0
Cap Out-Prosvc Low Fl Acq	\$486,706	(\$200,000)	\$286,706
Cap-Wtr Sys Mains Ps Fac	\$362,481	-	\$362,481
Cap-Pro Svc Welns Way-Supp Well Irr	\$0	\$100,000	\$100,000



**CITY OF CLERMONT
RESOLUTION NO 2022-025R**

Trans To Water Fund	\$331,319	-	\$331,319
Ending Reserves	\$54,147	\$6,106,455	\$6,160,602
Total Water Impact Fund Expenses	\$7,519,731	(\$5,350,000)	\$2,169,731

WATER IMPACT FUND BALANCE – Net Increase of \$6,106,455

SEWER IMPACT FUND

Sewer Impact Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$16,283,488	\$189,780	\$16,473,268
Res Impact Fees/Meter-Sewer	\$2,596,000	-	\$2,596,000
Comm Impact Fees/Meter-Sewer	\$220,000	\$1,180,000	\$1,400,000
Interest-Impact Fees-Oth	\$93,000	(\$70,000)	\$23,000
Total Sewer Impact Fund Revenue	\$2,909,000	\$1,110,000	\$4,019,000

Sewer Impact Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Pro Svcs-Investment Advisor	\$4,895	-	\$4,895
Bank Service Charges	\$2,765	-	\$2,765
Cap Out-Bldg -Wwtf Exp	\$15,000,000	(\$11,000,000)	\$4,000,000
Cap-Sewer Sys Ps Fac 49000	\$375,163	-	\$375,163
Cap Out-Ps Wwtf Expansio	\$841,246	(\$605,000)	\$236,246
Cap-Pro Svc Wellness Way 95112	\$0	\$20,000	\$20,000
Transfer To Sewer Fund	\$589,258	-	\$589,258
Ending Reserves	\$2,379,161	\$12,884,780	\$15,263,941
Total Sewer Impact Fund Expenses	\$16,813,327	(\$11,585,000)	\$5,228,327

SEWER IMPACT FUND BALANCE – Net Increase of \$12,884,780

Change to Fund Balance – All Funds – Net Increase of \$23,243,847



**CITY OF CLERMONT
RESOLUTION NO 2022-025R**

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2021-2022 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August, 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

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-026R		
Requested Action		
Request approval of Resolution No. 2022-026R to amend the Fiscal Year 2022 Budget.		
Staff Report		
Resolution No. 2022-026R is proposed to amend the Fiscal Year 2022 Budget. This resolution formally amends the annual budget for Council actions since October 2021 along with subsequent requested department updates to the Fiscal Year 2022 annual budgets for the General and CRA Funds.		
Additional Analysis		
Fiscal Impact Summary		
The total increase to fund balance for all funds is \$65,882.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2022-026R - Budget Amendment 6 (08.16.2022)	2022-026R - Budget Amendment 6 (08.16.2022).pdf	



**CITY OF CLERMONT
RESOLUTION NO 2022-026R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET
AMENDMENTS FOR THE CITY OF CLERMONT FOR FISCAL YEAR
2021-2022**

WHEREAS, it is hereby found and determined by the City Council of the City of Clermont, Lake County, Florida, that the following budget amendments are necessary for the Fiscal Year October 1, 2021 to September 30, 2022:

GENERAL FUND

General Fund Revenue Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Beginning Reserves	\$10,526,709	-	\$10,526,709
Sale of Fixed Assets	\$5,000	\$72,000	\$77,000
Confiscations (21902)	\$0	\$10,000	\$10,000
Total General Fund Revenue	\$5,000	\$82,000	\$87,000

General Fund Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Police - Community Relations (21902)	\$0	\$10,000	\$10,000
Fire - Repair & Maint. Equipment	\$42,840	(\$1,491)	\$41,349
Procurement - Software Renewal/Sup	\$15,085	\$1,491	\$16,576
Procurement - Software Renewal/Sup	\$16,576	\$6,118	\$22,694
Ending Reserves	\$10,249,442	\$65,882	\$10,315,324
Total General Fund Expenses	\$74,501	\$16,118	\$90,619

GENERAL FUND BALANCE – Net Increase of \$65,882



**CITY OF CLERMONT
RESOLUTION NO 2022-026R**

COMMUNITY REDEVELOPMENT AGENCY (CRA) FUND

CRA Expense Account Description	2022 Current Budget	Proposed Budget Amendment	Total 2022 Revised Budget
Capital Outlay-Land	\$256,875.37	(\$73,720)	\$183,155.37
Professional Services	\$0	\$73,720	\$73,720
Ending Reserves	\$0	\$0	\$0

CRA FUND BALANCE – Net Change of \$0

Net Increase to Fund Balance – All Funds – \$65,882



CITY OF CLERMONT
RESOLUTION NO 2022-026R

NOW, THEREFORE, BE IT RESOLVED, that the above said budget amendments of the City of Clermont for the Fiscal Year 2021-2022 are hereby adopted.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August, 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

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Ordinance No. 2022-010 <i>Table</i> <i>Chicone Large-scale CPA Final</i>		
Requested Action		
Recommend tabling to September 27, 2022.		
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.

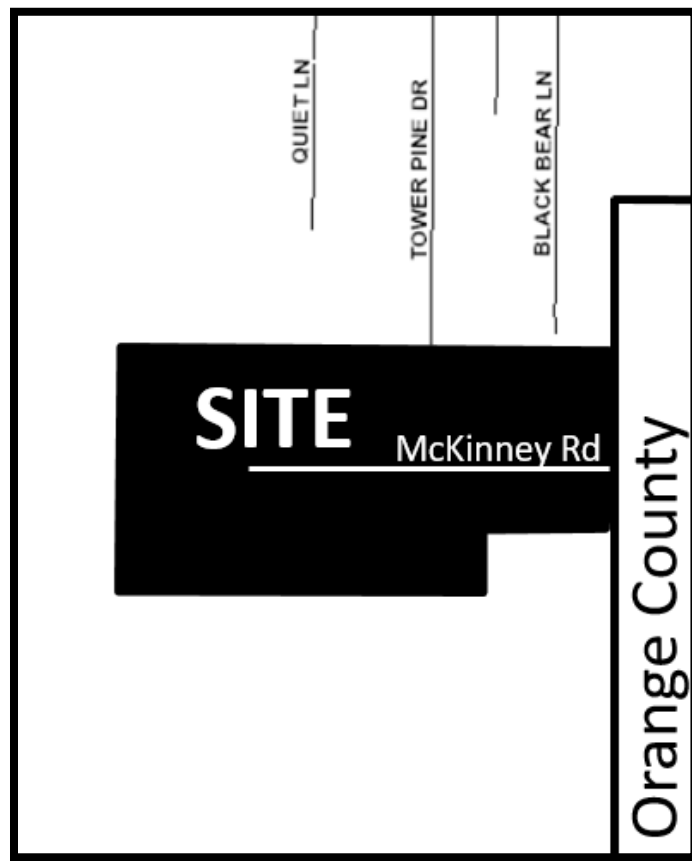
SECTION 3.

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

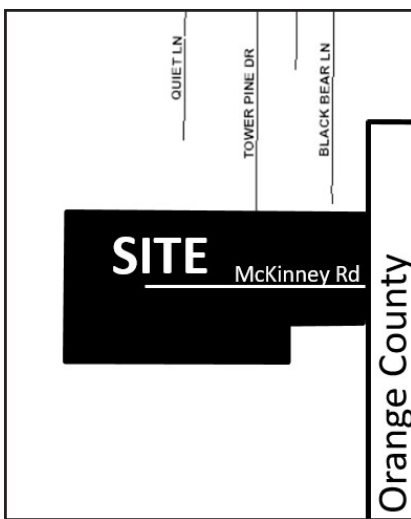
CITY OF CLERMONT

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 2

Meeting Date	
Tuesday, August 23, 2022	
Agenda Item Name	
Ordinance No. 2022-014 <i>Final</i> <i>Cityside Townhomes</i>	
Requested Action	
Recommend approval of Ordinance No. 2022-014.	
Staff Report	
<i>The applicant has provided an updated PUD concept plan, dated August 5, 2022 that has increased the lot width from 24 feet to 35 feet and increased the lot size to 3,500 square feet. In doing so, they have decreased the number of units from 68 to 56 townhomes, reducing the density from 8.45 dwelling units per acre to 6.96 dwelling units per acre. The updated plan has eliminated the one-way streets and rearranged the placement of the pool and amenities. The updated PUD concept plan does not have any waiver requests and will be developed according to the City Code. Staff recommends approval of Ordinance No. 2022-014 with the changes made to the Ordinance due to the updated PUD concept plan.</i> The applicant, Cecelia Bonifay of Akerman, is requesting a rezoning to a Planned Unit Development (PUD) to construct sixty-eight (68) single-family attached townhomes on an 8.05 +/- acre property. The property is located northwest of US 27 and SR 50 intersection, directly north of the Crown Lounge and south of Highland Avenue. A portion of the site was previously used for a motel site – Clermont Motor Lodge, that was demolished in 2013. On the northeast corner of the site, an EMS station was operational until the closing of the Highland Avenue and SR 27 intersection. This was a result of the US 27 and SR 50 intersection improvements which permanently closed access to US 27 from this area. The property has been vacant since that time. The property is currently zoned C-2 General Commercial with a commercial future land use designation. The commercial future land use designation allows residential uses up to a density of 12 dwelling units per acre. The current zoning of C-2 General Commercial allows for the consideration of residential uses through a Conditional Use Permit, under section 122-223 of the Land Development Code. The applicant has decided to pursue the rezoning to a Planned Unit Development (PUD) due to the flexibility in design and waivers requested. The PUD zoning also provides a more site specific approach to the development of the property since a site plan is linked to the approval of specific conditions. The applicant has provided an updated conceptual site plan, prepared by Stringfellow Planning & Design, dated April 14, 2022. The updated conceptual site plan clarifies the alleyway and driveway separation distances of the alley loaded townhomes. A more comprehensive review is in the attached staff analysis report. The applicant is proposing sixty-eight (68) attached single-family townhomes along with amenities consisting of a community pool, promenade, and dog walking trail. The density of the project is at 8.45 dwelling units per acre, which is under the 12 dwelling units per acre that can be considered under the Commercial future land use. The applicant is proposing the townhomes to be 24 feet wide by 50 feet deep, two-stories in height with a two-car garage. The applicant has demonstrated the ability to house two vehicles and trash receptacles within the garage. Each townhome lot will be a minimum of 24 feet by 100 feet or 2,400 square feet. This is a waiver to the code that requires a minimum of 3,500 square feet. As part of the design and to offer a rear loaded garage product, the applicant is requesting one-way streets in a portion of the project with a reduced right-of-way width of 45 feet. This is a waiver request and staff has reviewed this request and does not oppose this request with the condition that the internal roads and alleyway will be privately maintained with an easement dedicated to the City. In addition, the applicant will be providing dedicated parallel	

parking spaces along these one-way streets.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location of the project is within 1/8 of a mile of two arterial roadways, US 27 and SR 50 and within ¼ mile of many services, which include grocery, restaurant, banking, etc., thus offering a greater walkability option for residents. The project has multiple access points that can distribute the traffic onto the existing transportation network and the traffic study review by the City's consultant indicated that the project would have minimal impact on the intersections and roadways within the study area. The site has City utilities available and the City can serve the proposed development. The property has been previously developed and the redevelopment opportunity would be supportive of Objective 1.15: Redevelopment and Renewal of Blighted Areas, in the City's Comprehensive Plan. Staff recommends approval of Ordinance No. 2022-014. The Planning and Zoning Commission did not provide a recommendation since a motion to deny was made and the final vote was 3-3.

At the Planning and Zoning Commission meeting, concerns regarding traffic, specifically at the intersection of Bloxam and Almond, and fire access via the alleyway were discussed. The City received comments on April 8, 2022 from our traffic engineer that the project is expected to have minimal impact on the intersections and roadways within the study area, which includes the Bloxam and Almond intersections. The City's Fire Marshall reviewed the conceptual plan and indicated that fire access would not be done through the proposed alleyway and would be on the roads in front of the townhomes.

Additional Analysis	
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Fiscal Impact Summary	
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Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
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1.	Ord 2022-014 Cityside Townhomes REZ (08.09.2022)	Ord 2022-014 Cityside Townhomes REZ (08.09.2022).pdf
2.	Cityside Maps	Cityside Maps.pdf
3.	CitysidePUD.08.05.2022 FINAL	CitysidePUD.08.05.2022 FINAL.pdf
4.	Staff Analysis Cityside V4	Staff Analysis Cityside V4.pdf
5.	TIA Cityside Summary	TIA Cityside Summary.pdf
6.	US 27 Townhomes TIA Review Memo_Second Submittal	US 27 Townhomes TIA Review Memo_Second Submittal.pdf
7.	GarageSchematic	GarageSchematic.pdf
8.	Cover letter for Rezoning Application	Cover letter for Rezoning Application.PDF
9.	Rezoning-Application-2020	Rezoning-Application-2020.PDF
10.	Legal Ad Cityside Townhomes	Legal Ad Cityside Townhomes.pdf



CITY OF CLERMONT
ORDINANCE NO. 2022-014

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL 1:

NORTH 100 FEET OF SE ¼ OF THE SE ¼ SOUTH OF HIGHLAND AVENUE AND WEST OF HIGHWAY 27, SECTION 19, TOWNSHIP 22, RANGE 26, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

THAT PORTION OF THE SE ¼ OF THE SE ¼ OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF HIGHLAND AVENUE AND WEST OF U.S. HIGHWAY NO. 27. LESS AND EXCEPT THE NORTH 100 FEET THEREOF.

AND

THAT PORTION OF THE NE ¼ OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST. LAKE COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO.27; ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHLAND AVENUE AND THE EAST RIGHT OF WAY LINE OF MILLHOLLAND STREET, ACCORDING TO THE PLAT OF THE CITY OF CLERMONT RECORDED IN PLAT BOOK 8, PAGES 17-23, INCLUSIVE , RUN SOUTH ALONG THE EAST RIGHT OF WAY LINE OF SAID MILLHOLLAND STREET 100 FEET TO THE POINT OF BEGINNING; CONTINUE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE 500 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN EASTERLY PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27 AND A POINT



CITY OF CLERMONT
ORDINANCE NO. 2022-014

DESIGNATED "A"; RETURN TO POINT OF BEGINNING AND RUN EASTERLY PARALLEL WITH SAID SOUTH RIGHT OF WAY LINE OF HIGHLAND AVE TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO POINT "A".

AND

PARCEL 3:

THAT FRACTIONAL PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 25 (U.S. 27) (FORMERLY STATE ROAD 8-A, FEDERAL ROUTE 19) 654.7 FEET SOUTH OF THE CENTERLINE OF HIGHLAND AVENUE, AS REPRESENTED ON THE OFFICIAL MAP OF CITY OF CLERMONT FILED 2/4/26 AND RECORDED IN PLAT BOOK 8, PAGES 17-23 INCLUSIVE, LAKE COUNTY, FLORIDA; RUN THENCE WESTERLY AND PARALLEL TO THE CENTERLINE OF SAID HIGHLAND AVENUE 412.3 FT., MORE OR LESS, TO THE EAST RIGHT-OF-WAY LINE OF MILHOLLAND STREET, AS REPRESENTED ON SAID OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE SOUTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MILHOLLAND STREET 201.4 FEET; THENCE EASTERLY AND PARALLEL TO CENTER LINE OF SAID HIGHLAND AVENUE 224.4 FEET; THENCE SOUTH 84°12' EAST, 175 FEET TO THE RIGHT-OF-WAY LINE OF STATE ROAD 50 AND SAID STATE ROAD 25; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE OF SAID STATE ROAD 25, 219.59 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 4:

THAT FRACTIONAL PART OF THE EAST HALF OF THE NORTHEAST QUARTER (EAST 1/2 OF NORTHEAST 1/4) OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST; AND THAT FRACTIONAL PART OF SOUTHEAST QUARTER OF SOUTHEAST QUARTER (SOUTHEAST 1/4 OF SOUTHEAST 1/4) OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LYING SOUTH OF HIGHLAND AVENUE, EAST OF MILLHOLLAND STREET AND WEST OF STATE ROAD 25 (U.S. 27) (FORMERLY STATE ROAD 8A, FEDERAL ROUTE NO. 19), DESCRIBED AS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERN BOUNDARY OF HIGHLAND AVENUE AS REPRESENTED ON THE OFFICIAL MAP OF THE CITY OF CLERMONT, DULY FILED AND RECORDED IN PLAT BOOK 8, PAGES 17-23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE WESTERN RIGHT-OF-WAY LINE OF SAID STATE ROAD 25 AND RUN SOUTHERLY ALONG SAID WESTERN RIGHT-OF-WAY 624.7 FEET, MORE OR LESS, TO INTERSECT THE NORTHEASTERN CORNER OF THE LANDS OF R.C.B. HOLDINGS; RUN THENCE WESTERLY AND PARALLEL TO THE CENTER LINE OF SAID HIGHLANDS AVENUE 412.3 FEET, MORE OR LESS, TO THE EASTERN RIGHT-OF-WAY LINE OF MILLHOLLAND STREET, AS REPRESENTED ON SAID OFFICIAL MAP OF THE



CITY OF CLERMONT
ORDINANCE NO. 2022-014

CITY OF CLERMONT; THENCE NORTHERLY ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MILLHOLLAND STREET TO THE SOUTHERN RIGHT-OF-WAY LINE OF SAID HIGHLAND AVENUE; THENCE EASTERLY ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF THE SAID HIGHLAND AVENUE TO THE BEGINNING POINT, LESS THE NORTH 100 FEET THEREFROM; AND LESS ANY RIGHT-OF-WAY FOR AN ACCESS ROAD FROM AND TO STATE ROAD 25, U.S. 27.

LESS AND EXCEPT: FROM THE ABOVE LANDS THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF HIGHLAND AVENUE AND WEST OF U.S. HIGHWAY NO. 27. LESS AND EXCEPT THE NORTH 100 FEET THEREOF.

AND

THAT PORTION OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO. 27; ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE AND THE EAST RIGHT-OF-WAY LINE OF MILLHOLLAND STREET, ACCORDING TO THE PLAT OF THE CITY OF CLERMONT RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; RUN SOUTH ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MILLHOLLAND STREET 100 FEET TO THE POINT OF BEGINNING; CONTINUE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE 500 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN EASTERLY PARALLEL WITH THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND A POINT DESIGNATED "A"; RETURN TO POINT OF BEGINNING AND RUN EASTERLY PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY TO POINT "A".

LOCATION

Site located northwest of US 27 and SR 50 intersection,
Vacant property north of the Crown Lounge and south of Highland Ave.
Alternate Key #1592623, 3821671, 1509971, 1592267
8.05 +/- Acres



REQUESTED ACTION:

**To rezone the property from C-2 General Commercial zoning to
Planned Unit Development (PUD) zoning to allow single-family townhomes**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a single-family residential townhome project; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Cityside Townhomes Concept Plan prepared by Stringfellow Planning & Design, dated August 5, 2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.



CITY OF CLERMONT
ORDINANCE NO. 2022-014

4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director or authorized designee will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

1. A total of 56 townhome units shall be permitted with a maximum density of 6.96 dwelling units per acre.
2. Setbacks for the townhomes:
Front setback: 25 feet from the property line
Rear setback: 25 feet from the property line
Corner/side Setback: 15 feet from the property line
Highland Avenue setback: 25 feet from ROW
3. The buildings shall be constructed in a manner that shall meet the City of Clermont's Architectural Standards and as represented in the provided elevations.
4. The landscape buffer along the southern property line (The Crown) shall have an enhanced landscape buffer consisting of 30% more plant material along with an opaque privacy fence. The buffer shall be a minimum of 15 feet.
5. The City of Clermont Fire Marshall shall determine the feasibility and design of the access point and the necessary means of ingress/egress to the residential development at the time of site plan review and approval.
6. If required by the City of Clermont, Lake County or Florida Department of Transportation, as a result of the traffic impact analysis, the developer shall be responsible for any proportionate fair share improvements or payments. The proportionate fair share improvements or payments shall be completed prior to the first Certificate of Occupancy.
7. This Planned Unit Development shall become null and void if substantial construction work has not begun within two (2) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the C-2 General Commercial Zoning Designation.
8. School concurrency shall be met before final site plan approval or final plat in accordance with the Comprehensive Plan and Land Development Code.
9. The internal streets and alleyways within the project will be privately maintained by the Developer or HOA with an easement dedicated to the City.



CITY OF CLERMONT
ORDINANCE NO. 2022-014

10. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

SECTION 5: CONFLICT

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

SECTION 6: SEVERABILITY

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

SECTION 7: 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 8: RECORDING

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

SECTION 9: PUBLICATION & EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2022-014

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 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

EXHIBIT A Conceptual Plan:

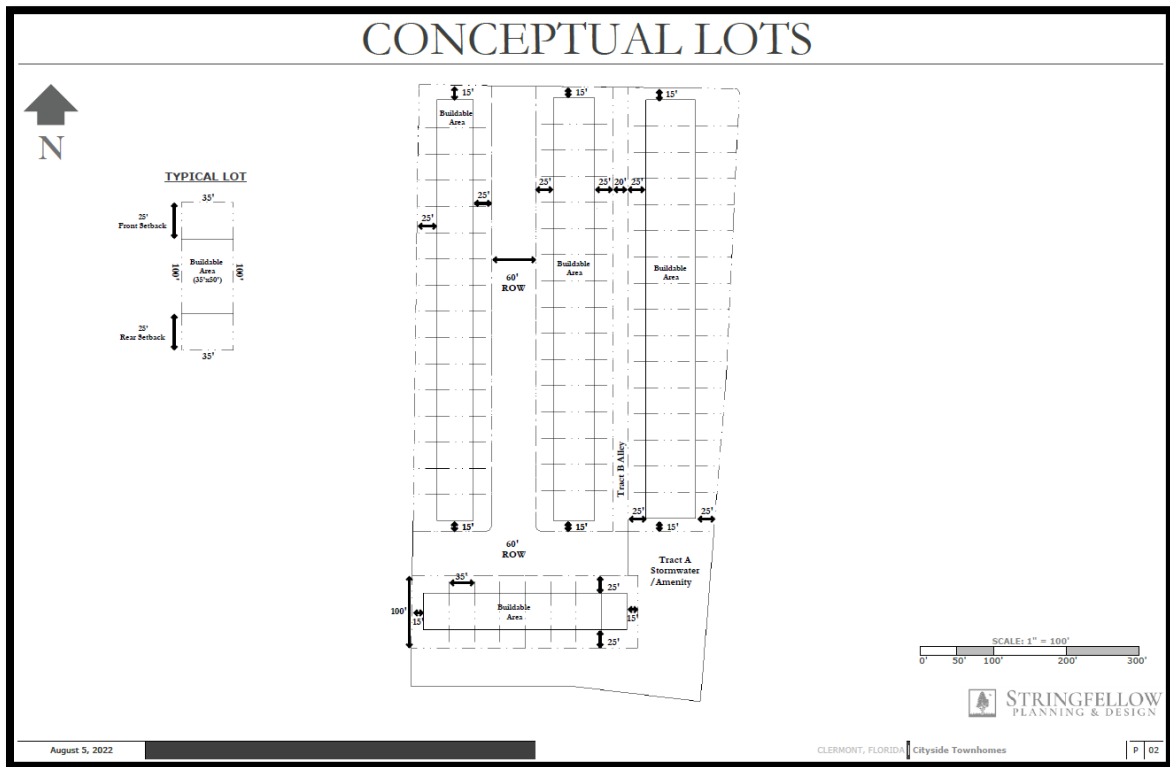
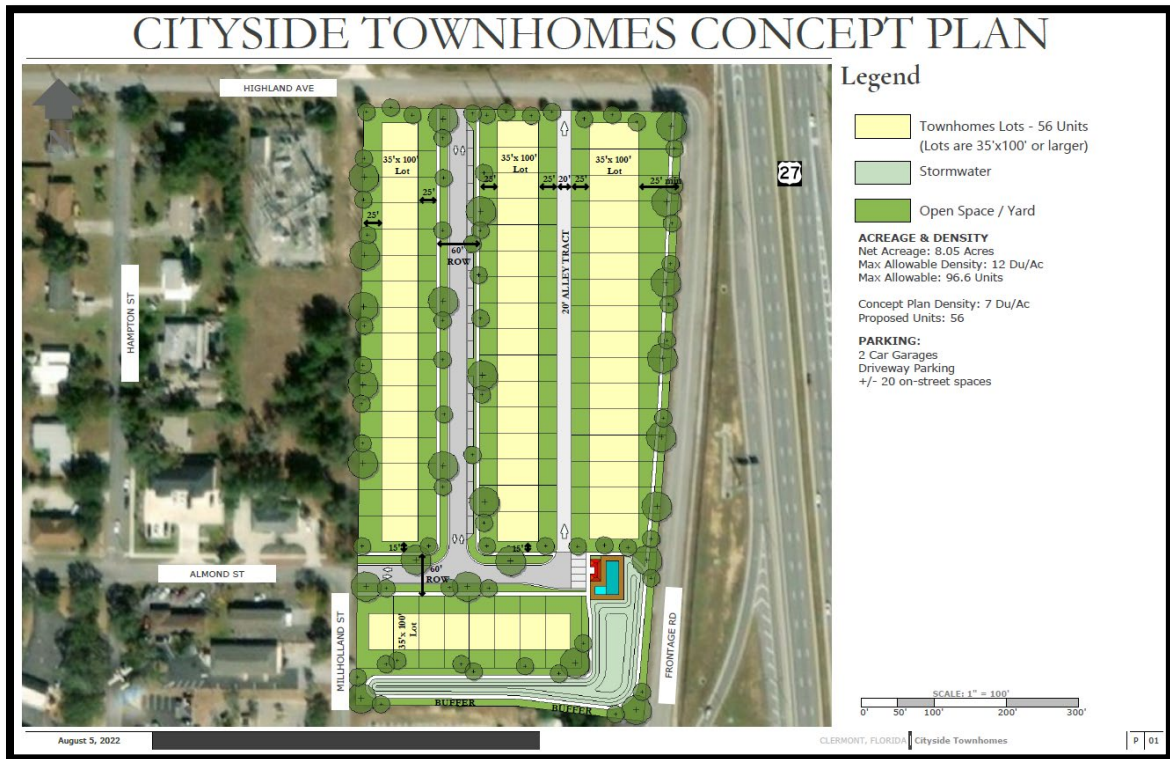


EXHIBIT B
Elevations:

CONCEPTUAL TOWNHOME ELEVATION



STRINGFELLOW
PLANNING & DESIGN

August 5, 2022

CLERMONT, FLORIDA | Cityside Townhomes

P | 05

CONCEPTUAL TOWNHOME ELEVATION



STRINGFELLOW
PLANNING & DESIGN

August 5, 2022

CLERMONT, FLORIDA | Cityside Townhomes

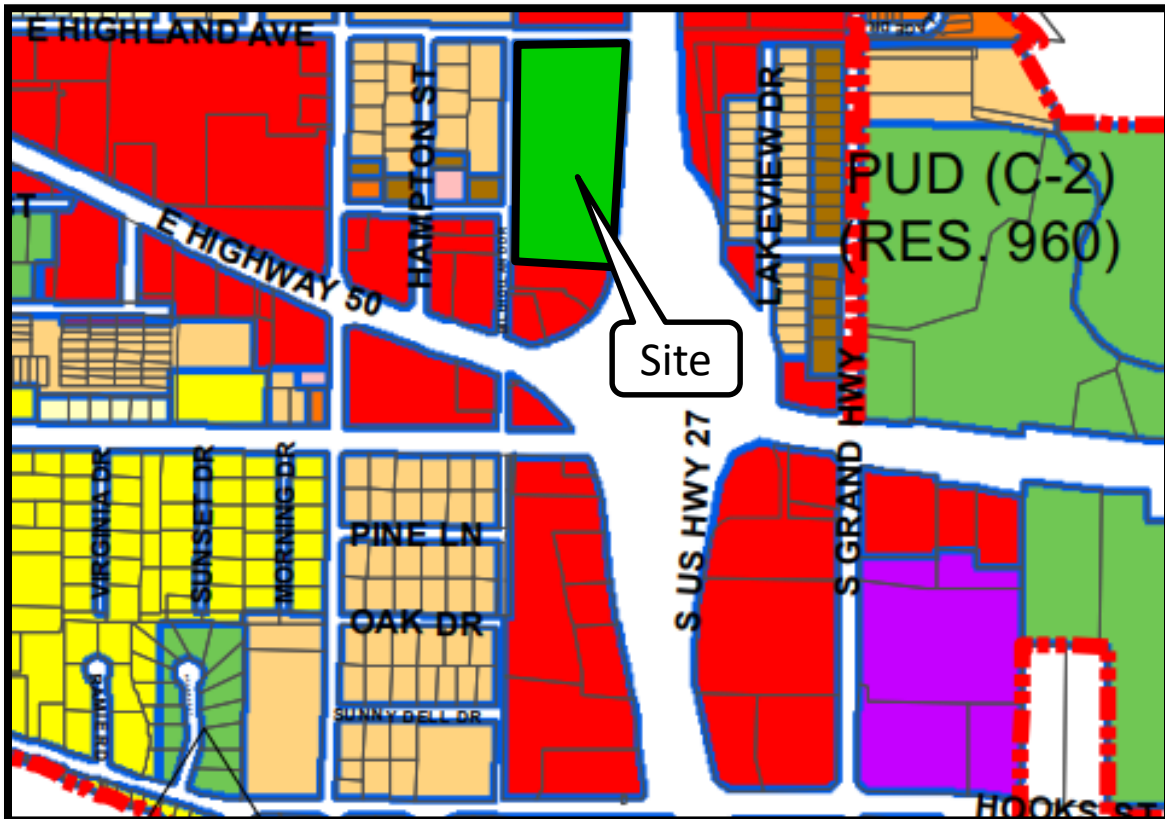
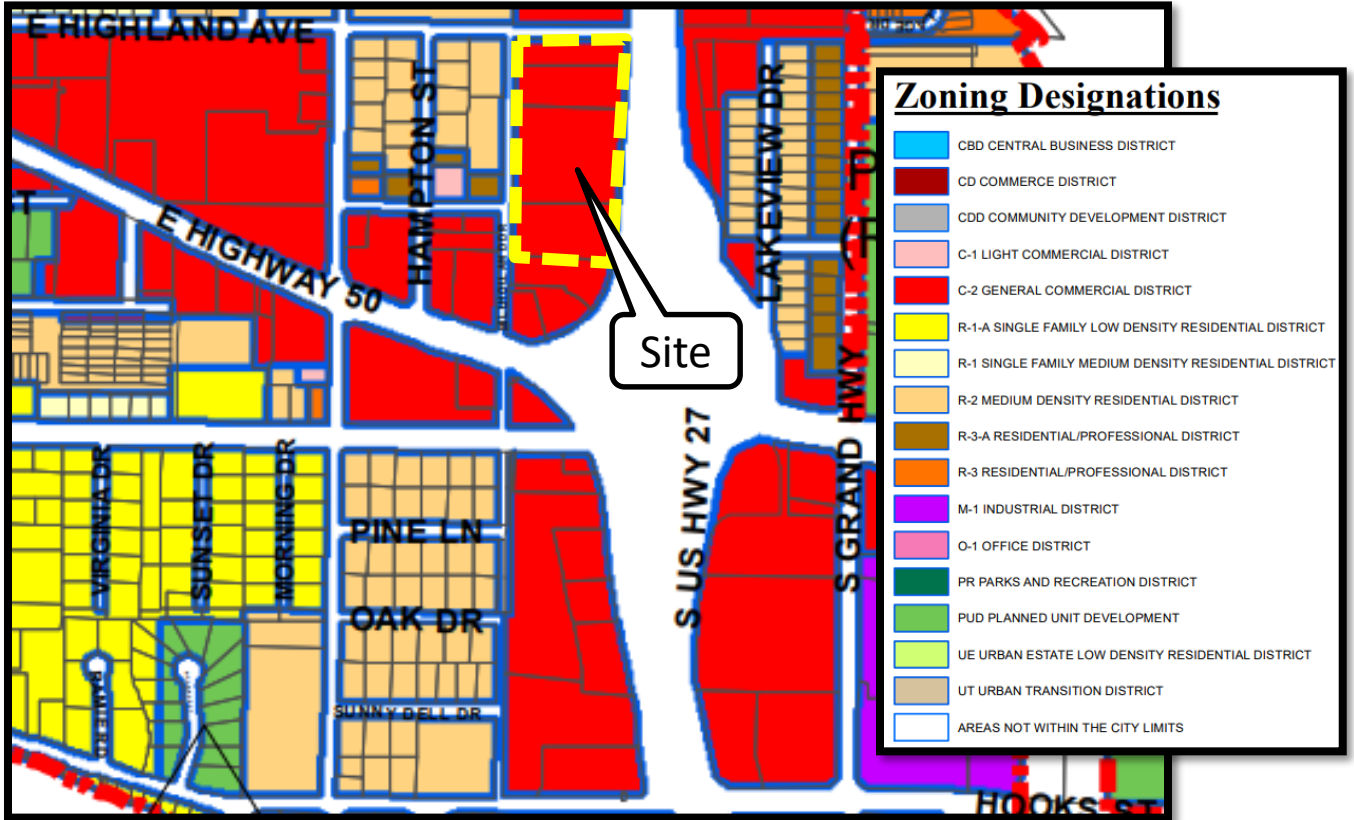
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Exhibit - Location Map – Cityside Townhomes



Yellow
Outline:
Project
Boundary

Exhibit - Zoning Map – Cityside Townhomes



CITYSIDE TOWNHOMES PUD

Project Name: Cityside Townhomes

Developer:

Clermont Gateway Investment Properties, LLC
1312 Bowman Street, Clermont, FL 34711
www.PillarHomes.us

Site Location: South of E. Highland Avenue and West of S.R. 27.

Alternate Keys: 1592623, 3821671, 1509971, and 1592267

Adjacent Zoning & Land Uses: C-2 to the North, East and South. R-2 to the West. There is vacant land to the North. An electrical sub-station, a utility corridor, vacant residential, offices and single family to the west. To the south is commercial uses. To the east is a limited access facility.

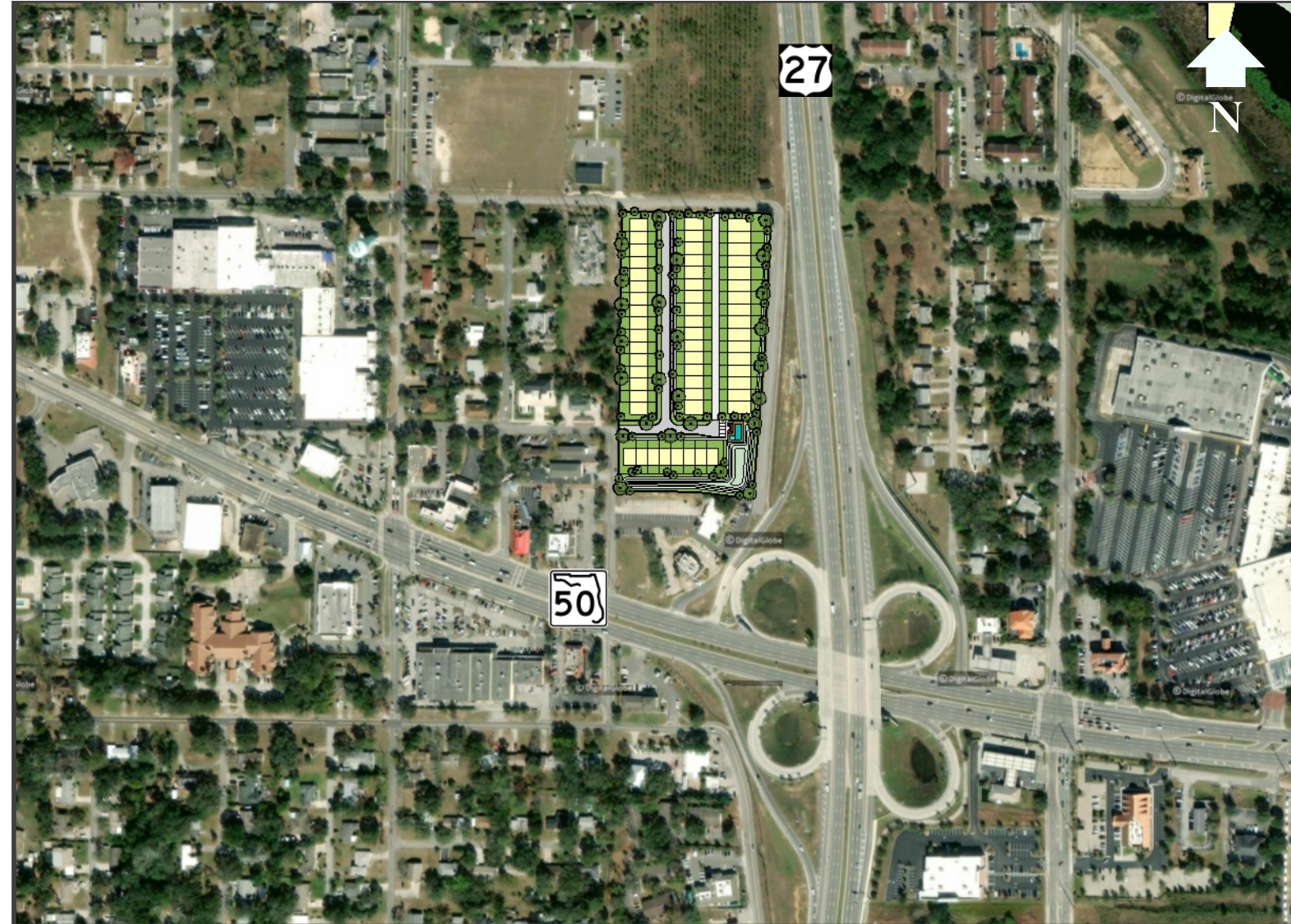
Proposed Use: Townhomes and amenity buildings including, but not limited to, cabanas, pool houses, trails, mail kiosks, playfields and other ancillary uses.

Proposed Phasing: One phase, not applicable.

Acreage & Density:

Net Acreage: +/- 8.45 Acres
Max Density in Commercial FLU: 12 Du/Ac
Max Allowable: 96.6 Units
Concept Plan Proposed Units: 56 Units

WMD: St. Johns River Water Management District

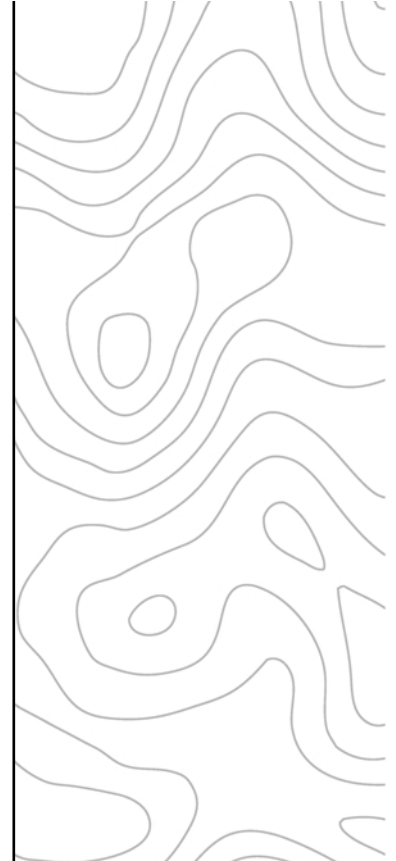


Situated south of Highland Avenue and the end of Almond Avenue, the Cityside Townhomes project is an infill residential development proposing 56 townhome units on +/- 8.05 Acres. Current future land use allows up to 12 DU/AC or 96 units. When assessing the compatibility of infill residential development, the quality is measured by future residents having the ability to walk to daily needs and access to parks or open space.

Within a 5-minute walk, residents of this community will have two grocery options (Winn Dixie and Key Foods), a drug store (Walgreens), at least two financial institutions (Bank of America and Wells Fargo), nine restaurants, medical offices and various other neighborhood services. This greatly reduces drive time and reduces traffic load on major thoroughfares while improving quality of life.

The second key indicator is access to amenities and open space. To the north of the development, future residents would have access to McKinney Park which hosts basketball courts, a playground and ball field. Within the community, residents will have a community pool, a dog walking trail and ample private yard space.

For the townhomes each unit will have a two-car garage and driveway space for parking two cars in front of the unit. All townhomes will meet or exceed setback requirements of the code and are designed to provide ample space for landscaping. The development will include an association that will maintain community amenities and associated private improvements.



Plan Prepared by:
ALEX STRINGFELLOW
352.217.7710
alex@stringfellowplanning.com

Elevations Prepared by:
SIMON HARDT
207.607.9366
simon@stringfellowplanning.com



STRINGFELLOW
PLANNING & DESIGN

CITYSIDE TOWNHOMES CONCEPT PLAN



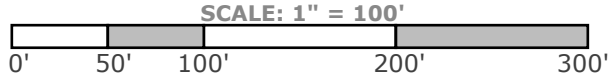
Legend

- Townhomes Lots - 56 Units
(Lots are 35'x100' or larger)
- Stormwater
- Open Space / Yard

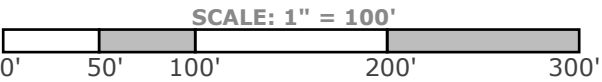
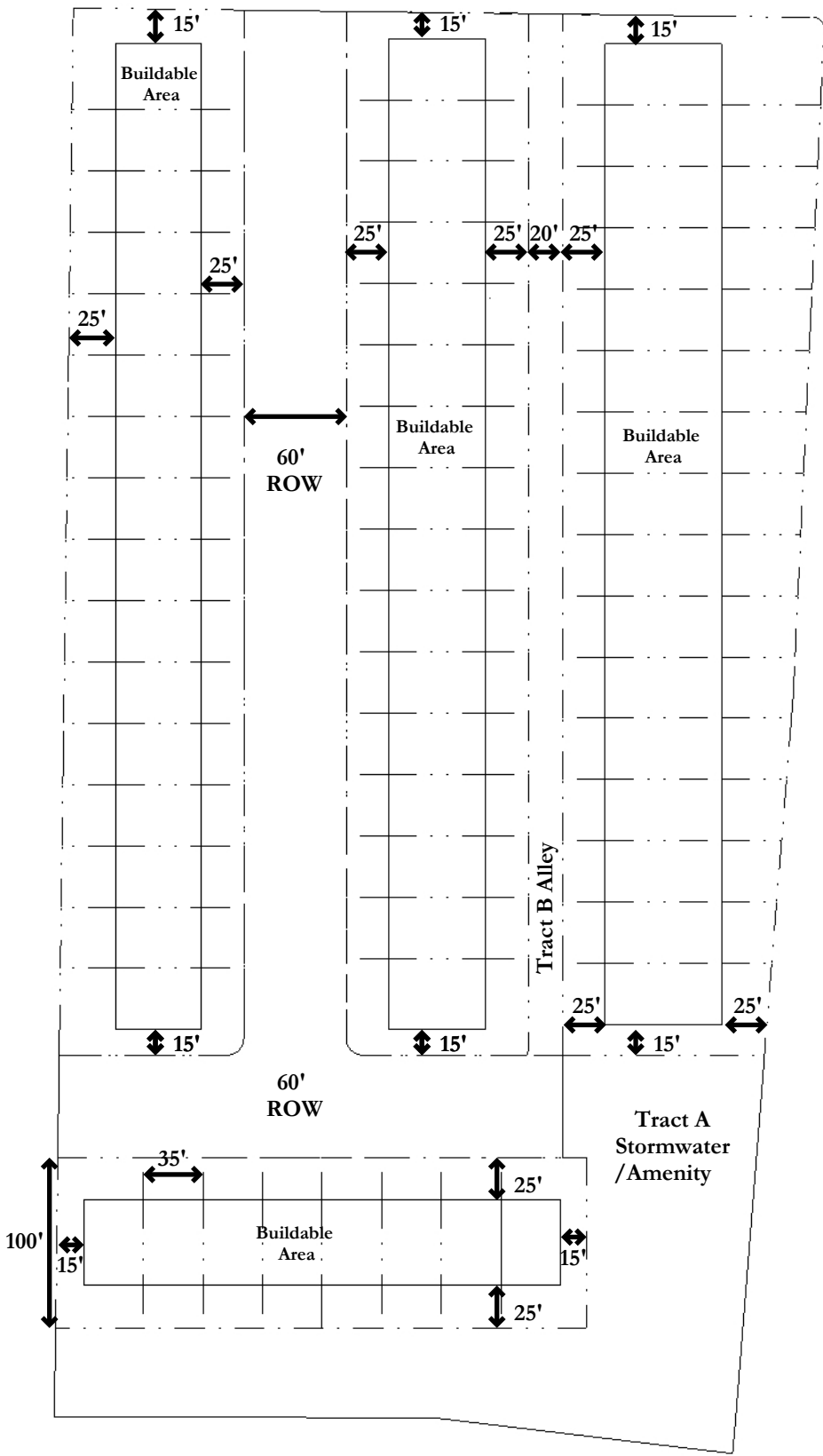
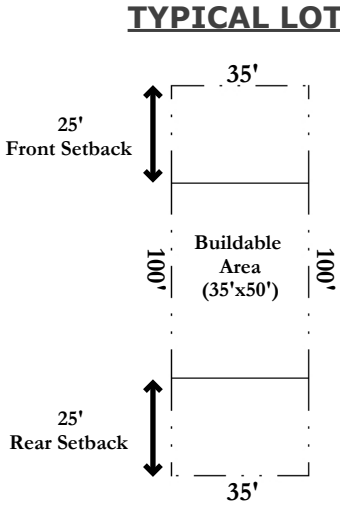
ACREAGE & DENSITY
Net Acreage: 8.05 Acres
Max Allowable Density: 12 Du/Ac
Max Allowable: 96.6 Units

Concept Plan Density: 7 Du/Ac
Proposed Units: 56

PARKING:
2 Car Garages
Driveway Parking
+/- 20 on-street spaces



CONCEPTUAL LOTS



CONCEPTUAL TOWNHOME ELEVATION



CONCEPTUAL TOWNHOME ELEVATION



CONCEPTUAL TOWNHOME ELEVATION



CONCEPTUAL TOWNHOME ELEVATION





CITY OF CLERMONT Staff Analysis Report

OWNER: Clermont Gateway Investment Properties LLC
c/o Michael Boutros

APPLICANT: Cecelia Bonifay

PROJECT NAME: Cityside Townhomes

REQUESTED ACTION: The applicant is requesting a rezoning to a Planned Unit Development (PUD) to grant approval to construct fifty-six (56) single-family attached townhomes.

SIZE OF PARCEL: 8.05 +/-acres

LOCATION: Site located northwest of US 27 and SR 50 intersection, Vacant property north of the Crown Lounge & south of Highland Ave.

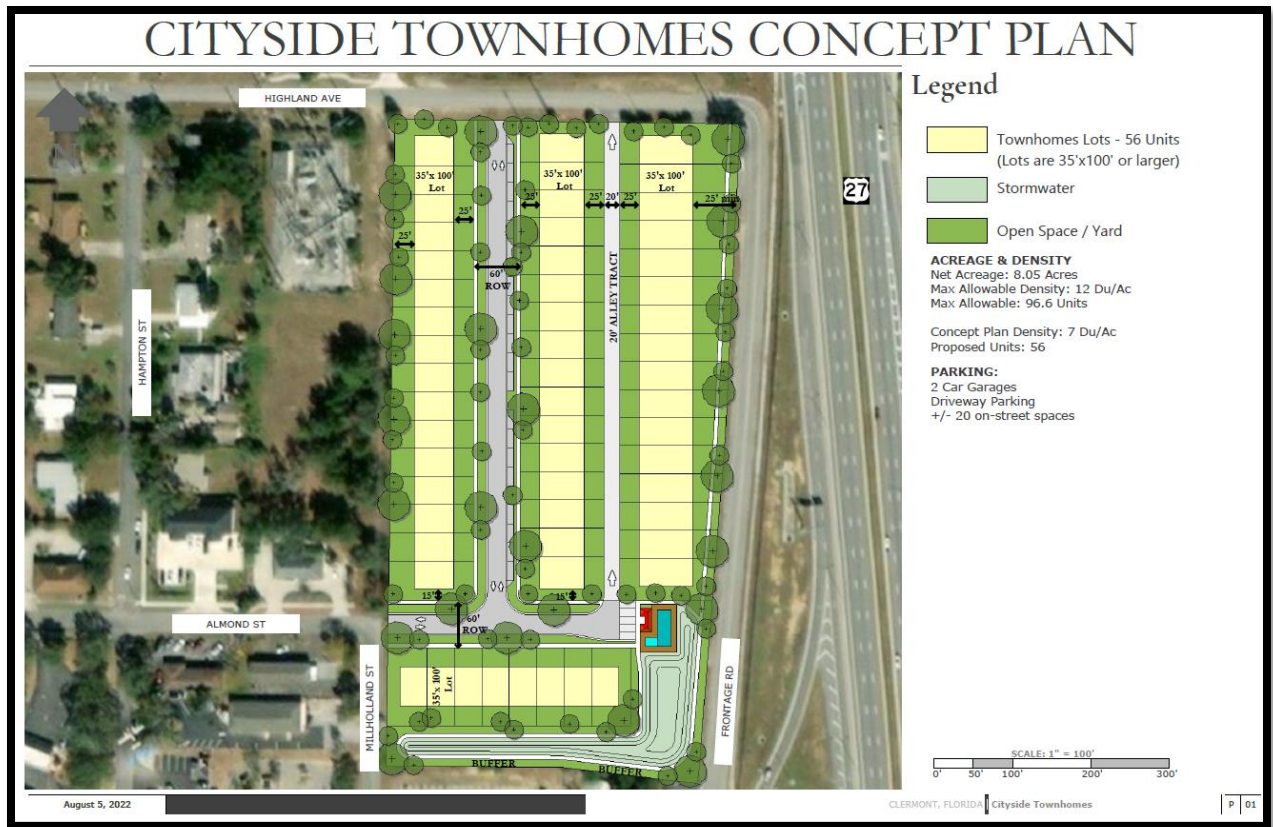
EXISTING ZONING: C-2 General Commercial

EXISTING LAND USE: Vacant property that had a portion used for a former motel – Clermont Motor Lodge

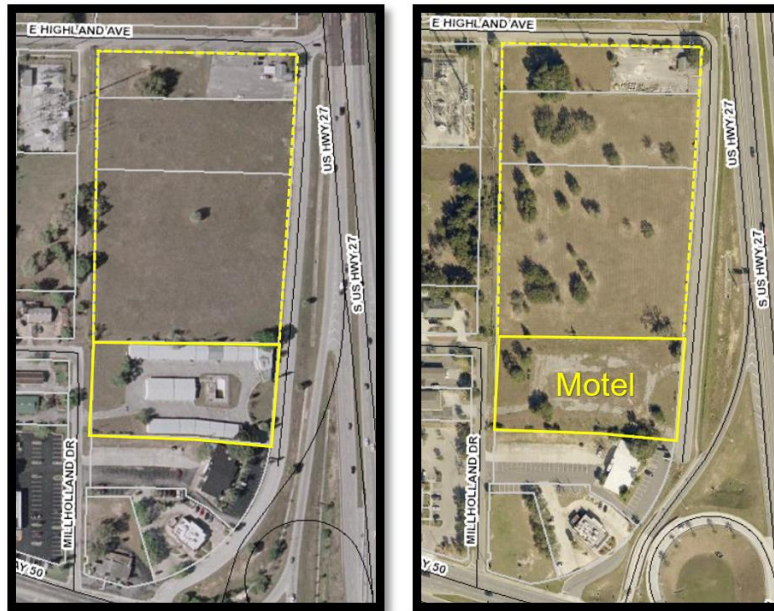
FUTURE LAND USE CATEGORY: Commercial

BACKGROUND

The applicant has provided an updated PUD concept plan, dated August 5, 2022 that has increased the lot width from 24 feet to 35 feet and increased the lot size to 3,500 square feet. In doing so, they have decreased the number of units from 68 to 56 townhomes, reducing the density from 8.45 dwelling units per acre to 6.96 dwelling units per acre. The updated plan has eliminated the one-way streets and rearranged the placement of the pool and amenities. The updated PUD concept plan does not have any waiver requests and will be developed according to the City Code. Staff recommends approval of Ordinance No. 2022-014 with the changes made to the Ordinance due to the updated PUD concept plan.



The subject property, approximately 8.05 acres, is zoned C-2 General Commercial. A portion of the property was previously used for a motel site – Clermont Motor Lodge, which used to be adjacent to the existing Crown Lounge. The hotel was constructed many years ago and was demolished in 2013. The property is adjacent to US 27 and had an access point via US 27 at the Highland Ave intersection. In the northeast corner of the property, an EMS station was constructed due to direct access to US 27. However, this intersection was closed when the US 27 and SR 50 improvements were made in the 2012-2013 timeframe and the EMS station was discontinued. Majority of the property has been vacant since this time and the applicant desires to redevelop the property with townhomes.



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



The applicant is proposing sixty-eight (68) attached single-family townhomes along with amenities consisting of a community pool, activity lawn, promenade, and dog walking trail. The density of the project is at 8.45 dwelling units per acre, which is under the 12 dwelling units per acre that can be considered under the Commercial future land use.

The applicant is proposing the townhomes to be 24 feet wide by 50 feet deep, two-story in height with a two car garage. The applicant has demonstrated the ability to house two vehicles and trash receptacles within the garage. Each townhome lot will be a minimum of 24 feet by 100 feet or 2,400 square feet. This is a waiver to the code that requires a minimum of 3,500 square feet.

As part of the project, the applicant has offered a rear entry garage product accessed via an alleyway. This was done to keep the garage entrances from facing US 27 and keeping them internal. Approximately 60 percent of the townhomes will be of this design while the remaining 40 percent will be traditional front-loaded townhomes.



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

The applicant has offered to install an enhanced landscape buffer with 30% more landscape material and six-foot opaque fence along the southern border by the existing Crown Lounge. In addition, the developer has agreed to assume full maintenance of the interior roadways and alley.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The location of the project is within 1/8 of a mile of two arterial roadways, US 27 and SR 50 and within 1/4 mile of many services, which include grocery, restaurant, banking, etc., thus offering a greater walkability option for residents. The project has multiple access points that can distribute the traffic onto the existing transportation network. The site has City utilities available and the City can serve the proposed development. The property has been previously developed and the redevelopment opportunity would be supportive of

Objective 1.15: Redevelopment and Renewal of Blighted Areas, in the City's Comprehensive Plan. Staff recommends approval of Ordinance No. 2022-014.

TOWNHOMES – HIGHWAY 27

Project № 21219, v1.1

March 2022

**TRAFFIC IMPACT ANALYSIS
CITY OF CLERMONT
FLORIDA**

Prepared by:



Traffic & Mobility Consultants

3101 Maguire Boulevard, Suite 265

Orlando, Florida 32803

www.trafficmobility.com

(407) 531-5332

Prepared for:

Clermont Gateway Investments LLC

1312 Bowman Street

Clermont, Florida 34711

EXECUTIVE SUMMARY

Project Information

Name: Townhomes - Highway 27
Location: South of Highland Avenue Drive and west of Highway 27
Jurisdiction: Clermont, Florida
Description: 68 Townhomes

Findings

Trip Generation: 468 Daily Trips / 30 AM Peak Hour / 37 PM Peak Hour
Access Plan: One (1) full access driveway on Almond Street and two (2) full access driveways on Highland Avenue
Roadway Capacity: The study roadway segments operate with an adequate LOS under the existing and projected conditions.
Intersection Capacity: All study intersections are projected to operate at overall acceptable LOS under existing and projected conditions.

MEMORANDUM

Date: April 8, 2022

Project #: 24449.14

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

From: Stephanie Shealey, PE, PTOE, PTP

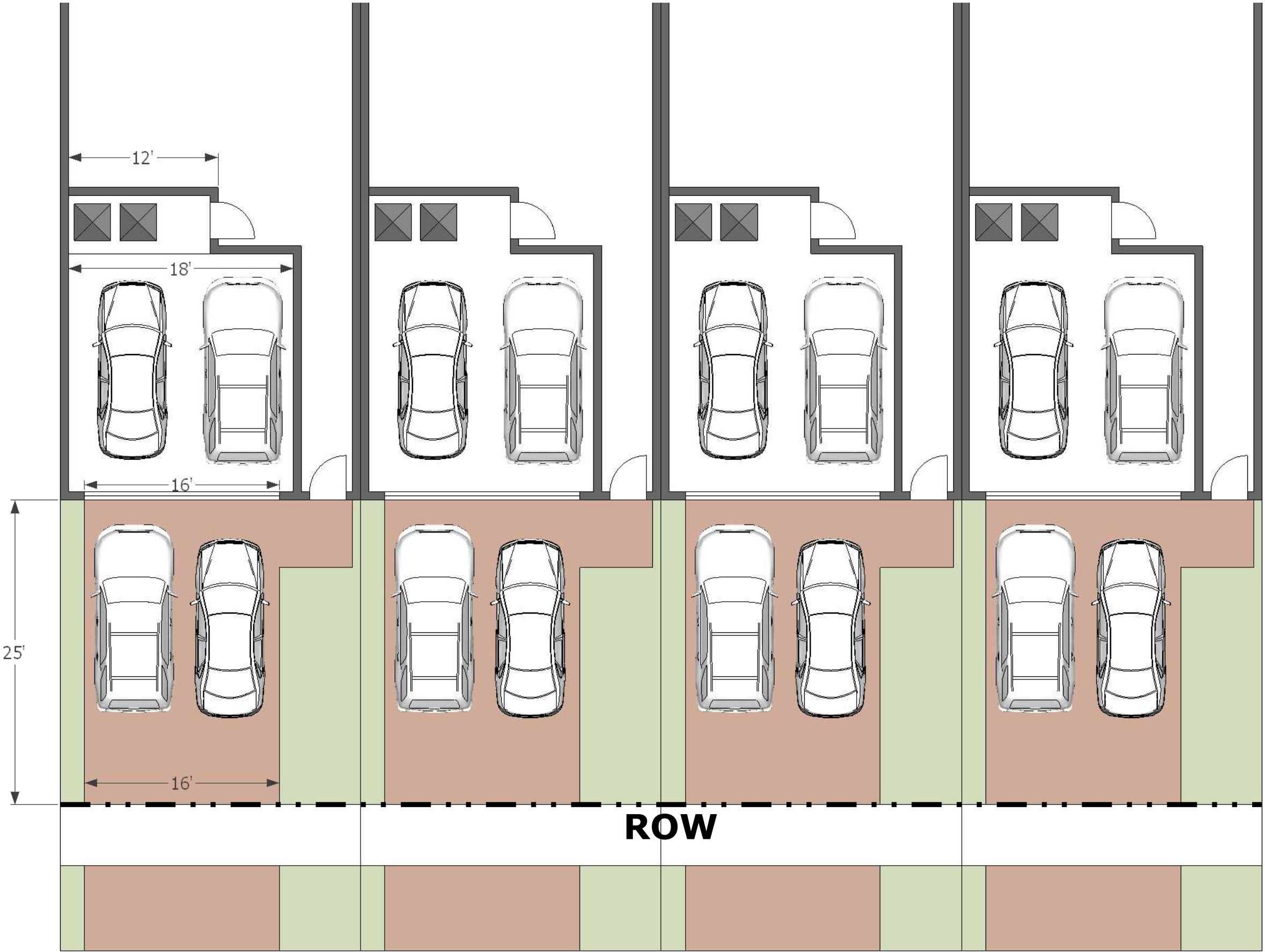
Project: US 27 Townhomes

Subject: Traffic Impact Study Second Submittal - Review

This memorandum has been prepared to document the review of the second submittal of the US 27 Townhomes Traffic Impact Analysis. The TIA was completed by TMC and is dated March 2022. The project proposes to build a townhome development with 68 housing units in Clermont, FL. The project is to be completed by 2023.

Based on the revised analysis, we are in agreement with the analysis and results. The project is expected to have minimal impact on the intersections and roadways in the study area and the volumes are low enough to not require turn lanes.

Garage Sample Schematic with 96 Gallon Receptacles





Cecelia Bonifay

Akerman LLP
420 South Orange Avenue
Suite 1200
Orlando, FL 32801-4904

D: 407 419 8540

T: 407 423 4000

DirF: 407 254 4230

cecilia.bonifay@akerman.com

February 16, 2022

VIA planning@clermontfl.org

Mr. John Kruse, Planning Manager
City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, FL 34712

**Re: Rezoning Application for Cityside Townhomes
Alt Keys# 1592623, 3821671, 1509971, and 1592267**

Mr. Kruse,

On behalf of our client, Clermont Gateway Investment Properties, LLC, c/o Michael Boutros ("Clermont Gateway"), attached please find the rezoning application, with the related documents, to support the development of a PUD townhome project. Included in this submittal please find the following items:

- Rezoning Application from C-2 to PUD – to include Owner and Applicant Signatures
- Proof of Ownership via Property Record Card
- Legal Description in Word format
- Site Plan with Waivers indicated
- School Concurrency Capacity Reservation
- Application fee of \$542.00, paid separately

As shown on the attached site plan, please note the following waivers are requested:

- Reduce minimum lot size from 3500 SF to 2200 SF.
- Reduce minimum lot width from 100 feet to 24 feet.
- Reduce minimum ROW from 60' to 45' for one-way streets, two-way streets will be 60' ROW.

Should you have any questions, please do not hesitate to contact us.

Regards,

Cecelia Bonifay
For the Firm

cc: Michael Boutros, Clermont Gateway Investment Properties, LLC

akerman.com



CITY OF CLERMONT REZONING FILING INSTRUCTIONS

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month – on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being schedule for public hearings.

A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

The Applicant shall provide the following information with this application in a PDF format on a CD or electronically via email to planning@clermontfl.org:

- **Completed application.** Include all signatures:
 - Applicant's signature (if different from owner of record)
 - Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitter with the application.
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, or deed)
- Legal Description in a word document to be used for legal advertising and in the ordinance for rezoning.
- Plot plan (drawn to scale) of the property involved showing the location of existing building or structures and the location of proposed building or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- Fee: \$542.00 plus the cost of the advertisement, plus the cost of traffic review, if necessary



CITY OF CLERMONT

REZONING

APPLICATION

DATE 01/18/2022		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) CITYSIDE Townhomes			
Applicant Cecelia Bonifay			
Contact Person Cecelia Bonifay			
Address 420 South Orange Avenue, Suite 1200	City Orlando	State FL	Zip 32801
Telephone 407 758 0192	Fax 407 254 4230		
Email cecelia.bonifay@akerman.com			
OWNER INFORMATION			
Owner's Name CLERMONT GATEWAY INVESTMENT PROPERTIES LLC c/o Michael Boutros			
Owner Address 1312 BOWMAN ST.	City CLERMONT	State FL	Zip 34711
Telephone	Email		
PROPERTY INFORMATION			
Address of Subject Property EAST HIGHLAND AVE	City CLERMONT	State FL	Zip 34711
Legal Description (include copy of survey) See attached Word Document			
Acreage +/- 8.08	Land Use (City verification required) Commercial		
Present Zoning (City verification required) C-2	Proposed Zoning PUD		



CITY OF CLERMONT REZONING APPLICATION

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

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

A townhome development consistent with the submitted PUD documents and concept plan.

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

Cecelia Bonifay

Applicant Name (print)

x Cecelia Bonifay
Applicant Name (signature)

Michael Boutros

Owner Name (print)

DocuSigned by:
Michael Boutros
x A18C6330EB054DB
Owner Name (signature)

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

5/22/2020

LEGAL NOTICE

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

ORDINANCE NO. 2022-014

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

LOCATION

Site located northwest of US 27 and SR 50 intersection,
Vacant property north of the Crown Lounge and south of Highland Ave.
Alternate Key #1592623, 3821671, 1509971, and 1592267
8.05 +/- Acres



LEGAL DESCRIPTION

PARCEL 1:

NORTH 100 FEET OF SE ¼ OF THE SE ¼ SOUTH OF HIGHLAND AVENUE AND WEST OF HIGHWAY 27, SECTION 19, TOWNSHIP 22, RANGE 26, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

THAT PORTION OF THE SE ¼ OF THE SE ¼ OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF HIGHLAND AVENUE AND WEST OF U.S. HIGHWAY NO. 27. LESS AND EXCEPT THE NORTH 100 FEET THEREOF.

AND

THAT PORTION OF THE NE ¼ OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST. LAKE COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO.27; ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHLAND AVENUE AND THE EAST RIGHT OF WAY LINE OF MILLHOLLAND STREET, ACCORDING TO THE PLAT OF THE CITY OF CLERMONT RECORDED IN PLAT BOOK 8, PAGES 17-23, INCLUSIVE, RUN SOUTH ALONG THE EAST RIGHT OF WAY LINE OF SAID MILLHOLLAND STREET 100 FEET TO THE POINT OF BEGINNING; CONTINUE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE 500 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN EASTERLY PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27 AND A POINT DESIGNATED "A"; RETURN TO POINT OF BEGINNING AND RUN EASTERLY PARALLEL WITH SAID SOUTH RIGHT OF WAY LINE OF HIGHLAND AVE TO THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO POINT "A".

AND

PARCEL 3:

THAT FRACTIONAL PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 25 (U.S. 27) (FORMERLY STATE ROAD 8-A, FEDERAL ROUTE 19) 654.7 FEET SOUTH OF THE CENTERLINE OF HIGHLAND AVENUE, AS REPRESENTED ON THE OFFICIAL MAP OF CITY OF CLERMONT FILED 2/4/26 AND RECORDED IN PLAT BOOK 8, PAGES 17-23 INCLUSIVE, LAKE COUNTY, FLORIDA; RUN THENCE WESTERLY AND PARALLEL TO THE CENTERLINE OF SAID HIGHLAND AVENUE 412.3 FT., MORE OR LESS, TO THE EAST RIGHT-OF-WAY LINE OF MILHOLLAND STREET, AS REPRESENTED ON SAID OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE SOUTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MILHOLLAND STREET 201.4 FEET; THENCE EASTERLY AND PARALLEL TO CENTER LINE OF SAID HIGHLAND AVENUE 224.4 FEET; THENCE SOUTH 84°12' EAST, 175 FEET TO THE RIGHT-OF-WAY LINE OF STATE ROAD 50 AND SAID STATE ROAD 25; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE OF SAID STATE ROAD 25, 219.59 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 4:

THAT FRACTIONAL PART OF THE EAST HALF OF THE NORTHEAST QUARTER (EAST 1/2 OF NORTHEAST 1/4) OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST; AND THAT FRACTIONAL PART OF SOUTHEAST QUARTER OF SOUTHEAST QUARTER (SOUTHEAST 1/4 OF SOUTHEAST 1/4) OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LYING SOUTH OF HIGHLAND AVENUE, EAST OF MILLHOLLAND STREET AND WEST OF STATE ROAD 25 (U.S. 27) (FORMERLY STATE ROAD 8A, FEDERAL ROUTE NO. 19), DESCRIBED AS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERN BOUNDARY OF HIGHLAND AVENUE AS REPRESENTED ON THE OFFICIAL MAP OF THE CITY OF CLERMONT, DULY FILED AND RECORDED IN PLAT BOOK 8, PAGES 17-23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE WESTERN RIGHT-OF-WAY LINE OF SAID STATE ROAD 25 AND RUN SOUTHERLY ALONG SAID WESTERN RIGHT-OF-WAY 624.7 FEET, MORE OR LESS, TO INTERSECT THE NORTHEASTERN CORNER OF THE LANDS OF R.C.B. HOLDINGS; RUN THENCE WESTERLY AND PARALLEL TO THE CENTER LINE OF SAID HIGHLANDS AVENUE 412.3 FEET, MORE OR LESS, TO THE EASTERN RIGHT-OF-WAY LINE OF MILLHOLLAND STREET, AS REPRESENTED ON SAID OFFICIAL MAP OF THE CITY OF CLERMONT; THENCE NORTHERLY ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID MILLHOLLAND STREET TO THE SOUTHERN RIGHT-OF-WAY LINE OF SAID HIGHLAND AVENUE; THENCE EASTERLY ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF THE SAID HIGHLAND AVENUE TO THE BEGINNING POINT, LESS THE NORTH 100 FEET THEREFROM; AND LESS ANY RIGHT-OF-WAY FOR AN ACCESS ROAD FROM AND TO STATE ROAD 25, U.S. 27.

LESS AND EXCEPT: FROM THE ABOVE LANDS THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF HIGHLAND AVENUE AND WEST OF U.S. HIGHWAY NO. 27. LESS AND EXCEPT THE NORTH 100 FEET THEREOF.

AND

THAT PORTION OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO. 27; ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE AND THE EAST RIGHT-OF-WAY LINE OF MILLHOLLAND STREET, ACCORDING TO THE PLAT OF THE CITY OF CLERMONT RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; RUN SOUTH ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MILLHOLLAND STREET 100 FEET TO THE POINT OF BEGINNING; CONTINUE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE 500 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN EASTERLY PARALLEL WITH THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND A POINT DESIGNATED "A"; RETURN TO POINT OF BEGINNING AND RUN EASTERLY PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE OF HIGHLAND AVENUE TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY TO POINT "A".

**To rezone the property from C-2 General Commercial zoning to
Planned Unit Development (PUD) zoning to allow single-family townhomes**

This request will be considered by the Planning & Zoning Commission on Tuesday, April 5, 2022 at 6:30 PM and a public meeting to consider the request will be held before the City Council on Tuesday, April 26, 2022 at 6:30 PM for Final Adoption.

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

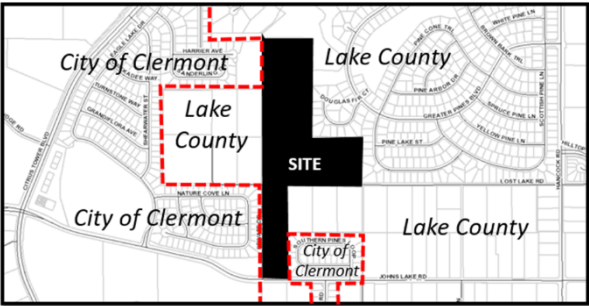
Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Ordinance No. 2022-024 <i>Final</i> <i>Lost Lake Assemblage Annex</i>		
Requested Action		
Recommend approval of Ordinance 2022-024		
Staff Report		
The applicant, Major Stacy, P.E., is requesting voluntary annexation of the subject property by adjacency to the City limits. The property, approximately 48 acres collectively, is located $\frac{3}{4}$ mile west of the intersection of Johns Lake Road and Hancock Road, north of Grace Community Church. This request is being heard concurrently with a request for a Small-Scale Comprehensive Plan Amendment and a rezoning to a Planned Unit Development (PUD). The property has been historically used for agricultural uses with a transition to 5 acre agricultural/residential type use. The proposal is an assemblage of seven (7) properties consisting of 5 and 10 acre tracts combined together for the proposed low density housing development.  The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant is requesting City services for the project, in which the City can fully serve. The property is contiguous with the City limits along a portion of the western and eastern property line of the overall project. Since the subject property meets the requirements for voluntary annexation under Florida Statutes Chapter 171.044, the City is capable of serving the property, and is within the ISBA and the JPA; staff recommends approval of the annexation. <u>NOTE:</u> the applicant has three applications that are dependent upon each other. Staff suggests that if the City Council intends on denying the comprehensive plan change or the rezoning petition, then the annexation should also be denied to prevent annexation without a future land use designation.		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord 2022-024 Lost Lake Assemblage annexation (08.09.2022)	Ord 2022-024 Lost Lake Assemblage annexation (08.09.2022).pdf	

2.	Map Location Lost Lake Assemblage	Map Location Lost Lake Assemblage.pdf
3.	Conceptual Plan 9 (7.27.22)	Conceptual Plan 9 (7.27.22).pdf
4.	Annexation-Application-2021	Annexation-Application-2021.pdf
5.	Legal ad Ord. 2022-024 LLA Annex	Legal ad Ord. 2022-024 LLA Annex.pdf



CITY OF CLERMONT
ORDINANCE NO. 2022-024

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

LEGAL DESCRIPTION FOR ALT KEY 1031346

W 1/4 OF SE 1/4 OF NW 1/4 ORB 2681 PG 1119 ORB 5072 PG 1639

LEGAL DESCRIPTION FOR ALT KEY 1678501

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 38 PB 9 PG 65 ORB 2143 PG 0263

LEGAL DESCRIPTION FOR ALT KEY 1678528

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 43--LESS FROM NE COR OF W 1/2 OF TRACT 43 RUN W 0-0-10 E ALONG E LINE OF W 1/2 OF SAID TRACT 43 A DIST OF 596.91 FT FOR POB, CONT S 0-0-10 E 21.03 FT TO A POINT ON N'LY R/W LINE OF 15 FT RD R/W, N 89-54-22 W ALONG SAID N'LY R/W LINE A DIST OF 320.35 FT TO A POINT ON E'LY LINE OF 15 FT R/W, N 0-10-56 W ALONG SAID E'LY R/W LINE 43.99 FT, S 89-48-28 E 3.63 FT, S 0-11-32 W 17.41 FT, S 44-48-28 E 7.07 FT, S 89-48-28 E 311.94 FT TO POB FOR ADDITIONAL RD R/W--PB 9 PG 65 ORB 935 PG 409

LEGAL DESCRIPTION FOR ALT KEY 1098858 AND 1067952

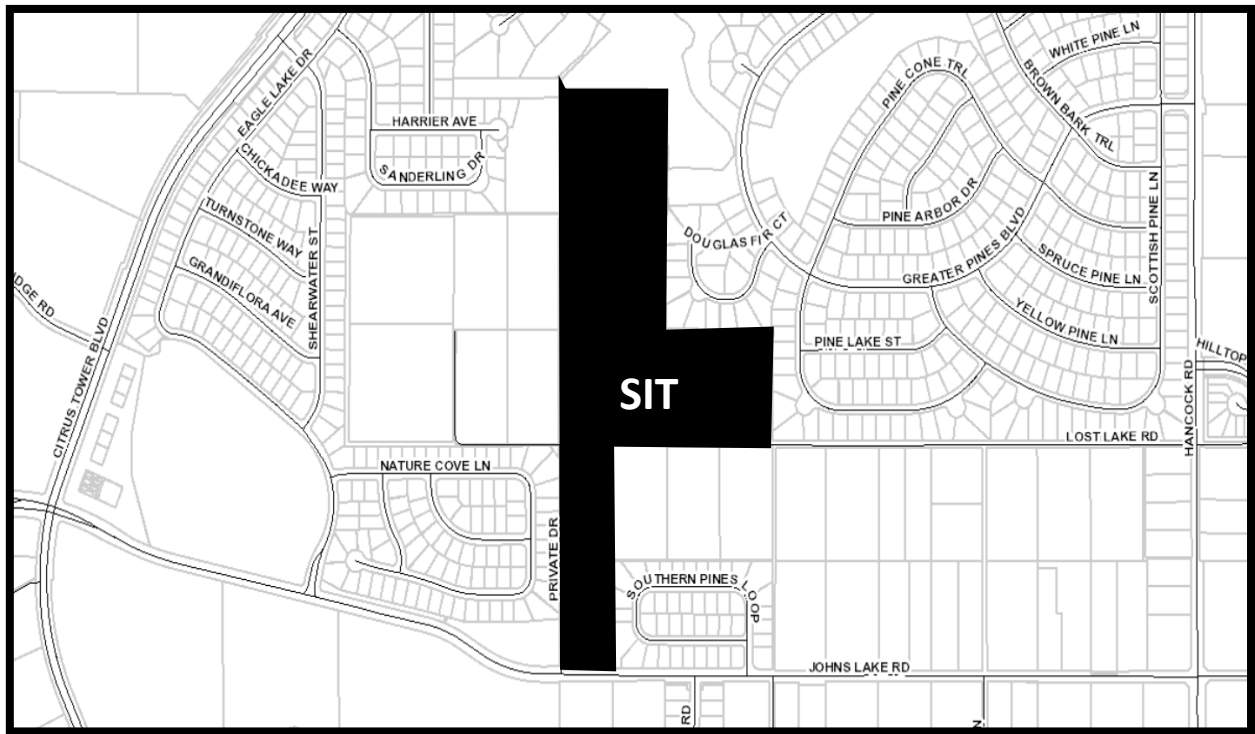
POSTAL COLONY 33-22-26 TRACT 11 PB 9 PG 65 ORB 2751 PG 268

CITY OF CLERMONT
ORDINANCE NO. 2022-024

E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 ORB 2751 PG 268
LEGAL DESCRIPTION FOR ALT KEY 1491690 AND 1029562
POSTAL COLONY 33-22-26 W 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116
POSTAL COLONY 33-22-26 E 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116
SITE CONTAINS 47.8 +/- ACRES.

LOCATION:

Vacant parcels located north of Johns Lake Road and west of Hancock Road
(Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)



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.

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.



CITY OF CLERMONT
ORDINANCE NO. 2022-024

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 immediately upon its Second Reading and Final Passage.



CITY OF CLERMONT
ORDINANCE NO. 2022-024

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 2022.

CITY OF CLERMONT

Tim Murry, Mayor

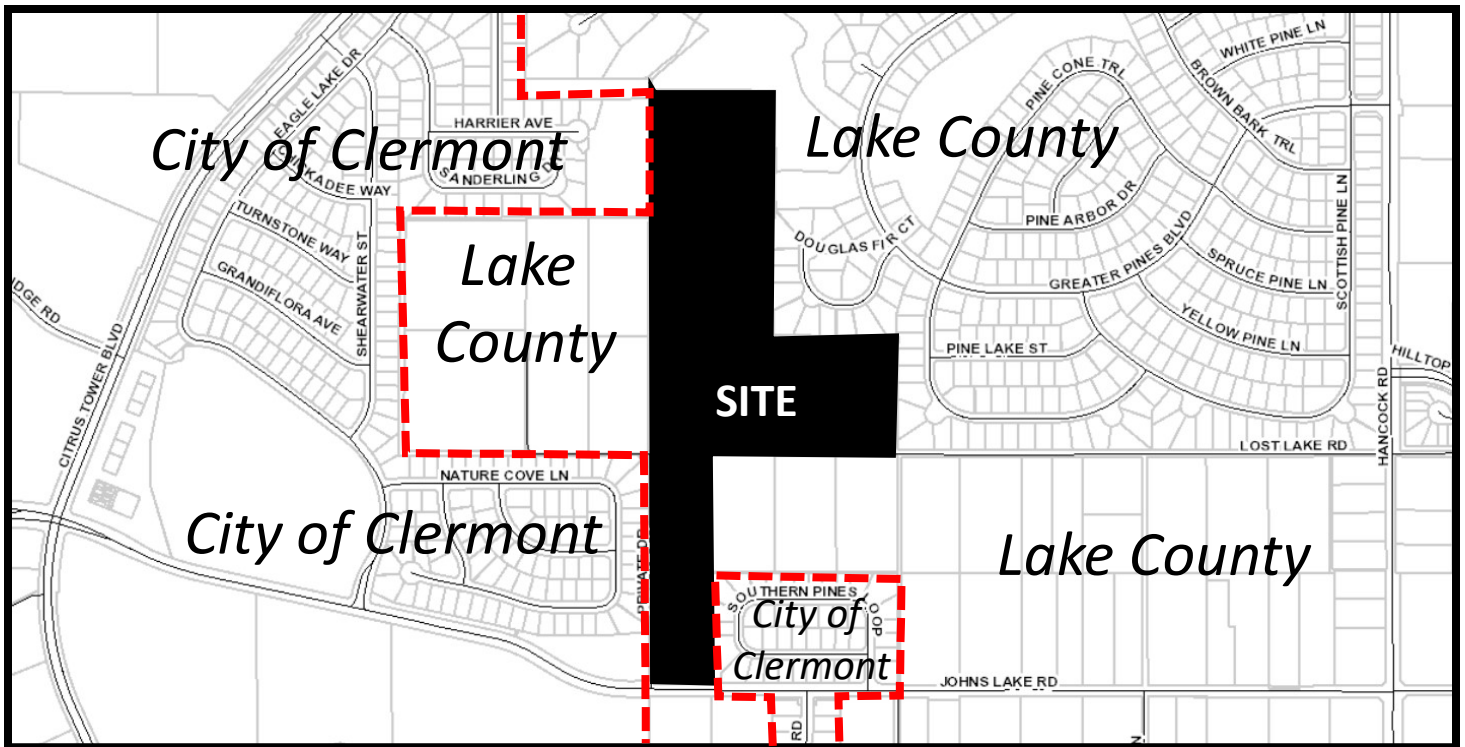
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

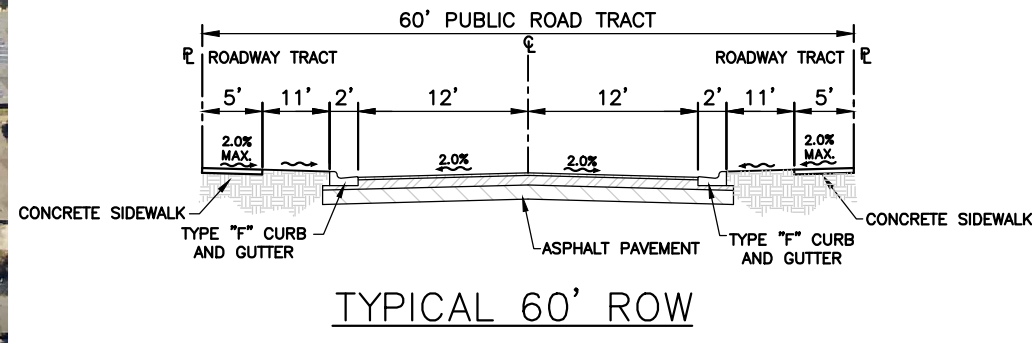
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Lost Lake Assemblage

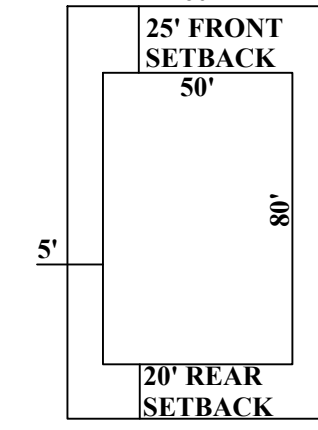


LOT	AREA	LOT	AREA	LOT	AREA
1	0.20 AC	34	0.17 AC	67	0.23 AC
2	0.19 AC	35	0.20 AC	68	0.18 AC
3	0.19 AC	36	0.20 AC	69	0.18 AC
4	0.19 AC	37	0.20 AC	70	0.18 AC
5	0.19 AC	38	0.20 AC	71	0.29 AC
6	0.19 AC	39	0.22 AC	72	0.39 AC
7	0.19 AC	40	0.18 AC	73	0.21 AC
8	0.19 AC	41	0.18 AC	74	0.18 AC
9	0.19 AC	42	0.18 AC	75	0.18 AC
10	0.19 AC	43	0.18 AC	76	0.18 AC
11	0.19 AC	44	0.18 AC	77	0.18 AC
12	0.20 AC	45	0.18 AC	78	0.18 AC
13	0.21 AC	46	0.22 AC	79	0.18 AC
14	0.19 AC	47	0.22 AC	80	0.18 AC
15	0.19 AC	48	0.18 AC	81	0.18 AC
16	0.19 AC	49	0.18 AC	82	0.18 AC
17	0.19 AC	50	0.18 AC	83	0.18 AC
18	0.19 AC	51	0.18 AC	84	0.18 AC
19	0.19 AC	52	0.18 AC	85	0.18 AC
20	0.18 AC	53	0.18 AC	86	0.17 AC
21	0.18 AC	54	0.22 AC	87	0.17 AC
22	0.18 AC	55	0.20 AC	88	0.20 AC
23	0.18 AC	56	0.17 AC	89	0.20 AC
24	0.36 AC	57	0.17 AC	90	0.20 AC
25	0.44 AC	58	0.17 AC	91	0.20 AC
26	0.20 AC	59	0.17 AC	92	0.20 AC
27	0.18 AC	60	0.17 AC	93	0.19 AC
28	0.18 AC	61	0.17 AC	94	0.19 AC
29	0.18 AC	62	0.17 AC	95	0.19 AC
30	0.24 AC	63	0.17 AC	96	0.19 AC
31	0.40 AC	64	0.22 AC	97	0.19 AC
32	0.24 AC	65	0.28 AC	98	0.19 AC
33	0.17 AC	66	0.41 AC	99	0.19 AC
				TOTAL ACREAGE	19.93 AC

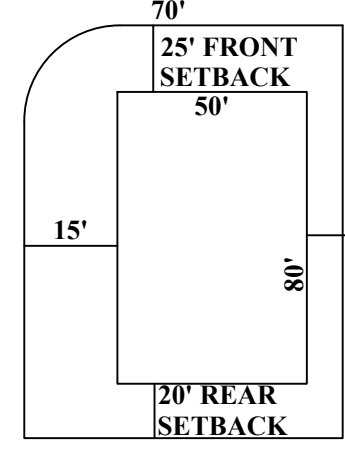
TOTAL 19.93 AC > LOT MINIMUM (7,500 * 99) 17.05 AC



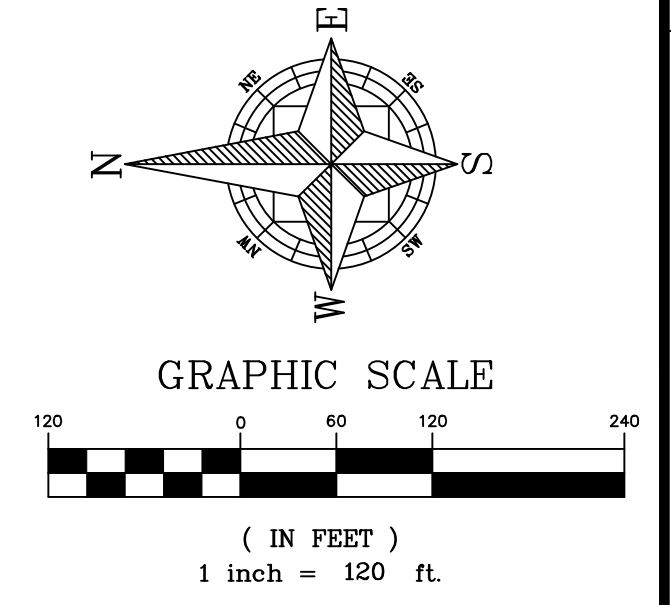
TYPICAL 60' LOT
SIZE/PROPOSED
BUILDING PAD



CORNER LOT
SIZE/ BUILDING
PAD FOR LOTS



TRACT DATA		
TRACT / LOT	DESCRIPTION	AREA
TRACT 'A'	LOST LAKE ROW DEDICATION	0.96 AC
TRACT 'B'	RIGHT-OF-WAY	1.67 AC
TRACT 'C'	RIGHT-OF-WAY	3.99 AC
TRACT 'D'	SOUTH POND	2.13 AC
TRACT 'E'	EAST POND	2.89 AC
TRACT 'F'	NORTH POND	4.71 AC
TRACT 'G'	OPEN SPACE	0.92 AC
TRACT 'H'	LIFT STATION	0.05 AC
TRACT 'I'	10' LANDSCAPE BUFFER	0.05 AC
TRACT 'J'	10' LANDSCAPE BUFFER	0.01 AC
TRACT 'K'	10' LANDSCAPE BUFFER	0.04 AC
TRACT 'L'	10' LANDSCAPE BUFFER	0.03 AC
TRACT 'M'	10' LANDSCAPE BUFFER	0.03 AC
TRACT 'N'	10' LANDSCAPE BUFFER	0.26 AC
TRACT 'O'	CONSERVATION AREA	10.13 AC



LEGEND

- PROPERTY BOUNDARY
 FEMA (GIS)
 NWI GIS WETLAND LINE

- | | | | |
|-----|---|--|---|
| 1. | LCPA - PARCEL ID#S: | 24-25-08800-011-00000, 24-23-25-08800-028-00000, 24-23-25-08800-029-00001, 24-23-25-08800-030-00000, 24-23-25-08800-041-00000, 24-23-26-00902-000-00500, 33-32-26-00902-000-00600 | 24-25-08800-011-00000, 24-23-25-08800-028-00000, 24-23-25-08800-029-00001, 24-23-25-08800-030-00000, 24-23-26-00902-000-00500, 33-32-26-00902-000-00600 |
| 2. | PROPERTY LOCATION: | 14200 LOST LAKE ROAD
CLERMONT, IL 34711 | |
| 3. | TOTAL PROPERTY AREA: | 47.82 AC. | |
| 4. | LOST LAKE ROW DEDICATION: | 0.96 AC. | |
| 5. | CONSERVATION AREA: | 10.13 AC. | |
| 6. | NET DEVELOPABLE AREA: | 36.73 AC. | |
| 7. | EXISTING FUTURE LAND USE: | URBAN LOW | |
| 8. | ADJACENT FUTURE LAND USE: | URBAN LOW (LAKE COUNTY) | |
| | SOUTH | URBAN LOW (LAKE COUNTY) | |
| | EAST | URBAN LOW (LAKE COUNTY) | |
| | WEST | URBAN LOW (LAKE COUNTY) | |
| 9. | EXISTING ZONING: | R4
RA
A | |
| 10. | ADJACENT ZONING: | R4 (LAKE COUNTY) | |
| | SOUTH | CPD (LAKE COUNTY)
AK-LAKE COUNTY)
A (LAKE COUNTY)
RA (LAKE COUNTY)
PUD (CITY OF CLERMONT) | |
| | EAST | A (LAKE COUNTY)
R4 (LAKE COUNTY)
R2 (CITY OF CLERMONT) | |
| | WEST | RA (LAKE COUNTY)
R4 (LAKE COUNTY)
PUD (CITY OF CLERMONT) | |
| 11. | PROPOSED ZONING: | PUD | |
| 12. | PROPOSED UNITS: | 99 UNITS | |
| 13. | PROPOSED DENSITY: | 2.65 DU/AC | |
| 14. | LOT REQUIREMENTS: | MINIMUM LOT AREA:
MINIMUM LOT WIDTH:
MINIMUM LOT DEPTH:
MAXIMUM BUILDING HEIGHT:
PRINCIPAL BUILDING:
ACCESSORY BUILDING:
SINGLE-FAMILY DETACHED SETBACKS:
FRONT YARD:
REAR YARD:
SIDE YARD:
CORNER YARD: | 7,500 SF
40 R
125 R
3 STORIES
2 STORIES
25 R
20 R
5 R
15 R |
| 15. | REQUIRED OPEN SPACE: | (36.72 AC.) x (25%) = 9.18 AC. | |
| 17. | PROPOSED OPEN SPACE: | 1.21 AC. | |
| | OPEN SPACE: | 1.21 AC. | |
| | STORMWATER POND: | 10.97 AC. | |
| | TOTAL: | 12.18 AC. (31.5%) | |
| 17. | WATER SERVICE PROVIDED BY CITY OF CLERMONT. | | |
| 18. | RECLAIMED WATER SERVICE PROVIDED BY CITY OF CLERMONT. | | |
| 19. | SANITARY SEWER SERVICE PROVIDED BY CITY OF CLERMONT. | | |
| 20. | STORMWATER SYSTEM WILL BE PROVIDED AND DESIGNED TO MEET CITY OF CLERMONT AND SRRWMD DRAINAGE REQUIREMENTS. | | |
| 21. | ALL UTILITY LINES SHALL BE DESIGNED TO MEET FDEP AND CITY OF CLERMONT REQUIREMENTS. | | |
| 22. | UTILITY EASEMENTS DEDICATED TO CITY OF CLERMONT UTILITY SHALL BE PROVIDED OVER ALL WATER AND SEWER MAINS LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY. | | |
| 23. | AN HOA SHALL BE CREATED TO PROVIDE FOR THE MANAGEMENT OF ALL COMMON AREA AND FACILITIES. | | |
| 24. | PROJECT LANDSCAPING/IRRIGATION SHALL COMPLY WITH THE CITY OF CLERMONT LAND DEVELOPMENT CODE. | | |
| 25. | WAVERS: | | |
| | | EXCEPT IF OF GRADE MODIFICATION ON LOTS DUE TO THE FACT THE AREAS IMPACTED ARE MINOR AND CONSIST OF PREVIOUS ALTERATIONS TO THE PROPERTY AS OPPOSED TO NATURAL TOPOGRAPHY. | |
| | | LOT SIZE AND SETBACKS WERE MODIFIED PER THE REQUEST OF THE CITY TO ACCOMMODATE THE SPECIFIC MINIMUM LOT SIZE OF 7,500 SF CONSISTENT WITH SEC-122-145(1) | |



APPIAN ENGINEERING LLC.

2221 THE ROAD, SUITE 27, WORTHEN PARK, RICHMOND, BC V6X 1A1

REV.	DATE
------	------

BY

CONCEPTUAL PLAN 9

LOST LAKE ASSEMBLAGE
LAKE COUNTY, FLORIDA

I. DELAROSA

O. SANCHEZ

M. STACY
DATE:

11/22/2022

 $1'' = 120$

PROJECT	ACHIEVEMENT
---------	-------------

SHEET

113



CONCEPT PLAN PROVIDED BY:

APPIAN ENGINEERING, LLC

FOR INFORMATION REGARDING
THIS CONCEPT PLAN CONTACT:

MAJOR L. STACY, P.E.
(O) 407-960-5868,
ext. 101

NOT FOR CONSTRUCTION
7/25/22



CHECK LIST & FILING INSTRUCTIONS

The following required information shall be submitted when applying for an **ANNEXATION**.

1. ☒ Application & Petition by the landowners for Annexation (pages 3 and 4).
2. ☒ General application form (page 5).
3. ☒ Authorization for agent/owner representation (page 6)
4. ☒ LEGAL DESCRIPTION: Email legal description typed in Word (not all capitalized) to planning@clermontfl.org. Include a copy of the latest TAX RECEIPT or recorded WARRANTY DEED showing the current fee simple owner.
5. ☒ Map showing general area of site for which Annexation is being requested.
6. ☒ Submit original application along with \$155.00 filing fee. (Price for advertisement will be invoiced once the cost has been received)

NOTE: All territory annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.

PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.
2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1st day of the Month. Complete applications will then be scheduled for Public Hearing on the 4th Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.
3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:
 - A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.
 - B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.
4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.



APPLICATION & PETITION

DATE: 03/15/2022

FEE: \$155.⁰⁰
+ cost of advertising

Please type or print – use black pen/ink only.

PROJECT NAME (if applicable): Lost Lake Assemblage

APPLICANT: Major Stacy, P.E.

Address: 2221 Lee Road Suite 27

City: Winter Park State: FL Zip: 32789

Phone: 4079605868 Fax: _____

Applicant is: Owner: ☐ Agent: ☒ Purchaser: ☐ Lessee: ☐ Optionee: ☐

OWNER: See Attached

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGENT NAME (Affidavit required): Major Stacy, P.E.

Address: 2221 Lee Road Suite 27

City: Winter Park State: FL Zip: 32789

Phone: 4079605868 Fax: _____

E-Mail: mstacy@appianfl.com

Property address and/or general location: LOST LAKE RD CLERMONT

Area of property: See Attached +/- acres, and/or _____ +/- sq. ft.

The property is PRESENTLY used for: See Attached

The property is PROPOSED to be used for: Planned Development



Existing Lake County Land Use* : Urban Low

Existing Lake County Zoning* : See Attached

*** NOTE: All property annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.**

Number of existing structures on the property and their present use: N/A

State the reason or basis for this request: Proposed Development

EXACT LEGAL DESCRIPTION as shown on the Tax Receipt or Warrant Deed.
(attach copy).

Section 33, Township 22S, Range 26E

See Attached

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



**PETITION OF LANDOWNER(S) FOR ANNEXATION
OF CERTAIN PROPERTY TO THE CITY OF CLERMONT**

WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled

AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF CLERMONT, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED: PROVIDING THAT SAID PROVISIONS SHALL BE CUMULATIVE: PROVIDING THAT THE PROPERTY ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY, AND PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL OF SUCH TERRITORY HAD BEEN A PART OF THE CITY OF CLERMONT AT THE TIME OF THE PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES, AND FIXING EFFECTIVE DATE,

hereby petition that the hereinafter described real estate be annexed to, and become a part of the city limits of the City of Clermont, a municipal corporation in Lake County, Florida, created and existing pursuant to Chapter 9820, Laws of Florida, Special Acts of 1923, and amendatory and supplementary acts thereto, and we, jointly and severally, consent to such annexation of such area to said City of Clermont and upon annexation sought by this petition, all of the property, real and personal, within such area, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties and privileges of said City of Clermont, Florida and the said property shall be liable, proportionally, for all the present outstanding and existing, as well as future, indebtedness of the said City of Clermont; that all of the ordinances of the City of Clermont and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now or hereafter constitute its Charter shall apply to have the same force and effect in such territory as may be annexed under the provisions hereof as if all of such territory had been part of the City of Clermont at the time of the passage and approval of said laws and ordinances.

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the _____ day of _____, 20__.

Legal description of the property: (Type, print in black ink, or attach a copy of the warranty deed or current tax receipt).

GRAY STEVEN G. & MI Y TRUSTEES

Landowner (Petitioner)

Notary Public

Date

My Commission Expires



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 03/15/2022

Before me, the undersigned authority personally appeared GRAY STEVEN G. & MI Y TRUSTEES
(owner(s) name), who being by me duly sworn on oath,
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:
Acquisition of all permits from agencies having jurisdiction to obtain approval of a single family development.
3. That said authority (owner) has appointed (agent's name) Major Stacy, P.E.
to act in its behalf to accomplish the above, and
before me the undersigned authorized agent personally appeared and being by me duly
sworn on oath, deposes and says:

A. That he/she affirms and certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of the City of Clermont, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the City of Clermont, Florida, and are not returnable.

B. That the Submittal requirements for the application have been completed and attached hereto as part of that application.

X _____ X _____
Owner (signature) Agent's (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

Sworn to and subscribed before
me this _____ day of _____,
20____.

Notary Public, State of FL
My commission expires:

Notary Public, State of FL
My commission expires:

***Note:** Owner must sign affidavit. When agent is representing case, both agent and owner must sign affidavit.

LEGAL NOTICE

The Clermont City Council will consider the enactment of the following proposed

Ordinance at the regularly scheduled meeting to be held Tuesday, July 26, 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. 2022-024

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 parcels located north of Johns Lake Road and west of Hancock Road (Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)



LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR ALT KEY 1031346

W 1/4 OF SE 1/4 OF NW 1/4 ORB 2681 PG 1119 ORB 5072 PG 1639

LEGAL DESCRIPTION FOR ALT KEY 1678501

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 38 PB 9 PG 65 ORB 2143 PG 0263

LEGAL DESCRIPTION FOR ALT KEY 1678528

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 43--LESS FROM NE COR OF W 1/2 OF TRACT 43 RUN W 0-0-10 E ALONG E LINE OF W 1/2 OF SAID TRACT 43 A DIST OF 596.91 FT FOR POB, CONT S 0-0-10 E 21.03 FT TO A POINT ON N'LY R/W LINE OF 15 FT RD R/W, N 89-54-22 W ALONG SAID N'LY R/W LINE A DIST OF 320.35 FT TO A POINT ON E'LY LINE OF 15 FT R/W, N 0-10-56 W ALONG SAID E'LY R/W LINE 43.99 FT, S 89-48-28 E 3.63 FT, S 0-11-32 W 17.41 FT, S 44-48-28 E 7.07 FT, S 89-48-28 E 311.94 FT TO POB FOR ADDITIONAL RD R/W--PB 9 PG 65 ORB 935 PG 409

LEGAL DESCRIPTION FOR ALT KEY 1098858 AND 1067952

POSTAL COLONY 33-22-26 TRACT 11 PB 9 PG 65 ORB 2751 PG 268

E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 ORB 2751 PG 268

LEGAL DESCRIPTION FOR ALT KEY 1491690 AND 1029562

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

POSTAL COLONY 33-22-26 E 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

SITE CONTAINS 47.8 +/- ACRES.

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.

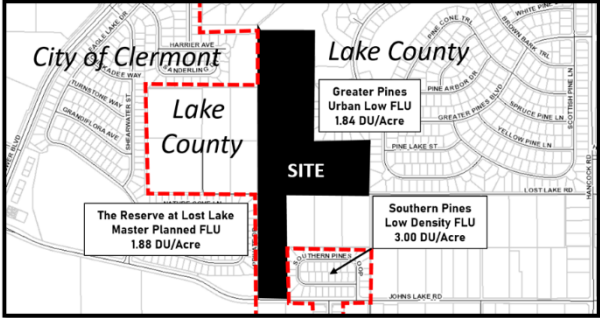
Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 23, 2022	
Agenda Item Name	
Ordinance No. 2022-025 <i>Final</i> <i>Lost Lake Assemblage CPA</i>	
Requested Action	
Recommend approval of Ordinance 2022-025	
Staff Report	
The applicant, Major Stacy, P.E., is requesting a Small-Scale Comprehensive Plan Amendment for property being voluntary annexed into the city. The property, approximately 48 acres collectively, is located $\frac{3}{4}$ mile west of the intersection of Johns Lake Road and Hancock Road, north of Grace Community Church. This request is being heard concurrently with a request for Annexation and a rezoning to a Planned Unit Development (PUD). The property has been historically used for agricultural uses with a transition to 5 acre agricultural/residential type use. The proposal is an assemblage of seven (7) properties consisting of 5 and 10 acre tracts combined together for the proposed low density housing development. The applicant is requesting City services for the 48 +/- acre project, in which the City can fully serve. The property currently has a Lake County future land use designation of Urban Low Density. This future land use allows up to four dwelling units per acre. The applicant is requesting a change to City of Clermont Low Density Residential future land use, which allows up to three dwelling units per acre. This land use change would reduce the dwelling units by one unit per acre. The surrounding County land use is Urban Low Density and the City's is Master Planned Development and Low Density Residential. The existing developments adjacent to the project currently are: Greater Pines with a FLU of Lake County Urban Low at 1.84 dwelling units per acre, Southern Pines with a FLU of City of Clermont Low Density at 3.00 dwelling units per acre, and The Reserve at Lost Lake with a FLU of City of Clermont Master Planned Development at 1.88 dwelling units per acre.  The City's Future Land Use Element has the following policies that supports the land use change: <u>Policy 1.2.1:</u> The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities. <u>Policy 1.6.1:</u> Low-Density Residential. Areas delineated on the FLUM for low-density residential development shall accommodate a maximum density of up to three dwelling units per acre and shall be comprised primarily of single-family detached homes on individual lots. The requested Low Density Residential future land use would provide for an appropriate transition and would be	

compatible with existing densities and intensities in the area. The City's Low Density Residential future land use is the most compatible future land use for a residential project when transiting from Lake County Urban Low Density. An application for a Planned Unit Development rezoning is being requested as well, with a density of 2.7 dwelling units per net acre. Staff is able to support the requested change and recommends approval of the comprehensive plan amendment to City of Clermont Low Density Residential future land use. *The Planning and Zoning Commission recommended approval, 5-1.*

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|--|--|
| 1. | Ord 2022-025 Lost Lake Assemblage CPA (08.09.2022) | Ord 2022-025 Lost Lake Assemblage CPA (08.09.2022).pdf |
| 2. | FLU MAP | FLU MAP.pdf |
| 3. | Conceptual Plan 9 (7.27.22) | Conceptual Plan 9 (7.27.22).pdf |
| 4. | Comp-Plan-Application-2021 | Comp-Plan-Application-2021.pdf |
| 5. | Legal ad Ord. 2022-025 LLA CPA | Legal ad Ord. 2022-025 LLA CPA.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2022-025

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:

LEGAL DESCRIPTION FOR ALT KEY 1031346

W 1/4 OF SE 1/4 OF NW 1/4 ORB 2681 PG 1119 ORB 5072 PG 1639

LEGAL DESCRIPTION FOR ALT KEY 1678501

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 38 PB 9 PG 65 ORB 2143 PG 0263

LEGAL DESCRIPTION FOR ALT KEY 1678528

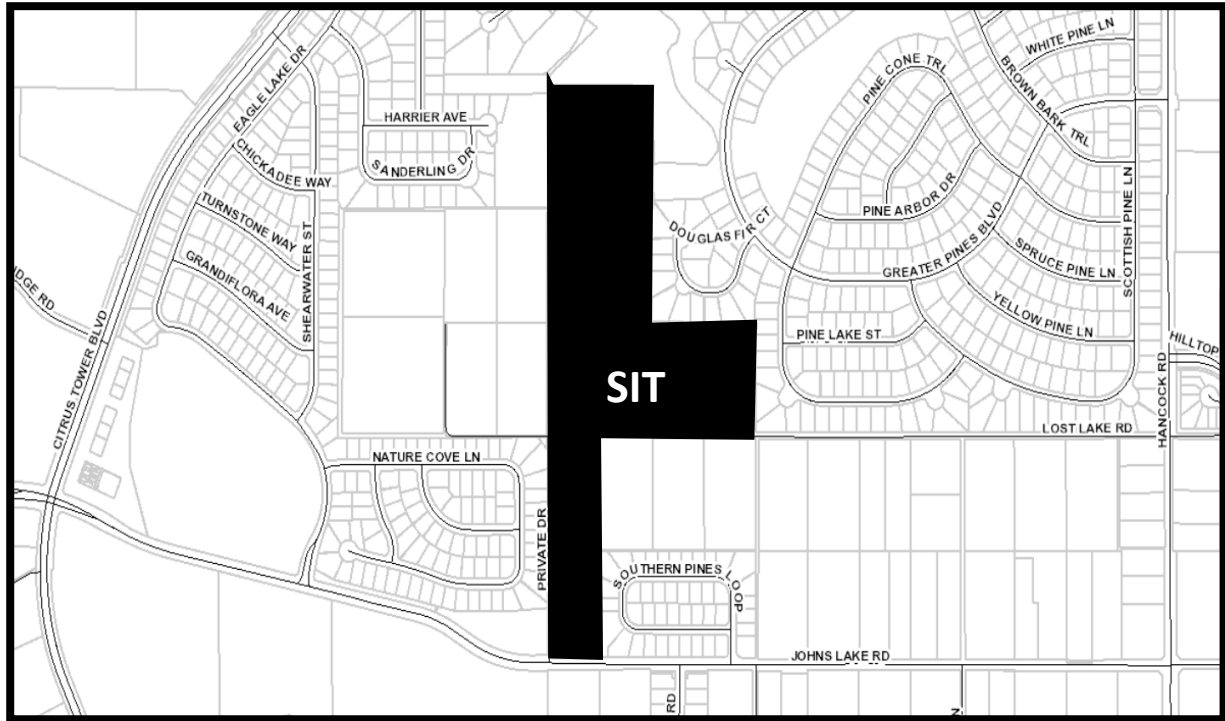
POSTAL COLONY 33-22-26 W 1/2 OF TRACT 43--LESS FROM NE COR OF W 1/2 OF TRACT 43 RUN W 0-0-10 E ALONG E LINE OF W 1/2 OF SAID TRACT 43 A DIST OF 596.91 FT FOR POB, CONT S 0-0-10 E 21.03 FT TO A POINT ON N'LY R/W LINE OF 15 FT RD R/W, N 89-54-22 W ALONG SAID N'LY R/W LINE A DIST OF 320.35 FT TO A

CITY OF CLERMONT
ORDINANCE NO. 2022-025

POINT ON E'LY LINE OF 15 FT R/W, N 0-10-56 W ALONG SAID E'LY R/W LINE 43.99 FT, S 89-48-28 E 3.63 FT, S 0-11-32 W 17.41 FT, S 44-48-28 E 7.07 FT, S 89-48-28 E 311.94 FT TO POB FOR ADDITIONAL RD R/W--PB 9 PG 65 ORB 935 PG 409
LEGAL DESCRIPTION FOR ALT KEY 1098858 AND 1067952
POSTAL COLONY 33-22-26 TRACT 11 PB 9 PG 65 ORB 2751 PG 268
E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 ORB 2751 PG 268
LEGAL DESCRIPTION FOR ALT KEY 1491690 AND 1029562
POSTAL COLONY 33-22-26 W 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116
POSTAL COLONY 33-22-26 E 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116
SITE CONTAINS 47.8 +/- ACRES.

LOCATION:

Vacant parcels located north of Johns Lake Road and west of Hancock Road
(Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)



CHANGE IN FUTURE LAND USE CLASSIFICATION:

FROM: LAKE COUNTY URBAN LOW DENSITY
TO: CITY OF CLERMONT LOW DENSITY RESIDENTIAL

SECTION 2: CONFLICT

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



CITY OF CLERMONT
ORDINANCE NO. 2022-025

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR

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

SECTION 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2022-025

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August 2022.

CITY OF CLERMONT

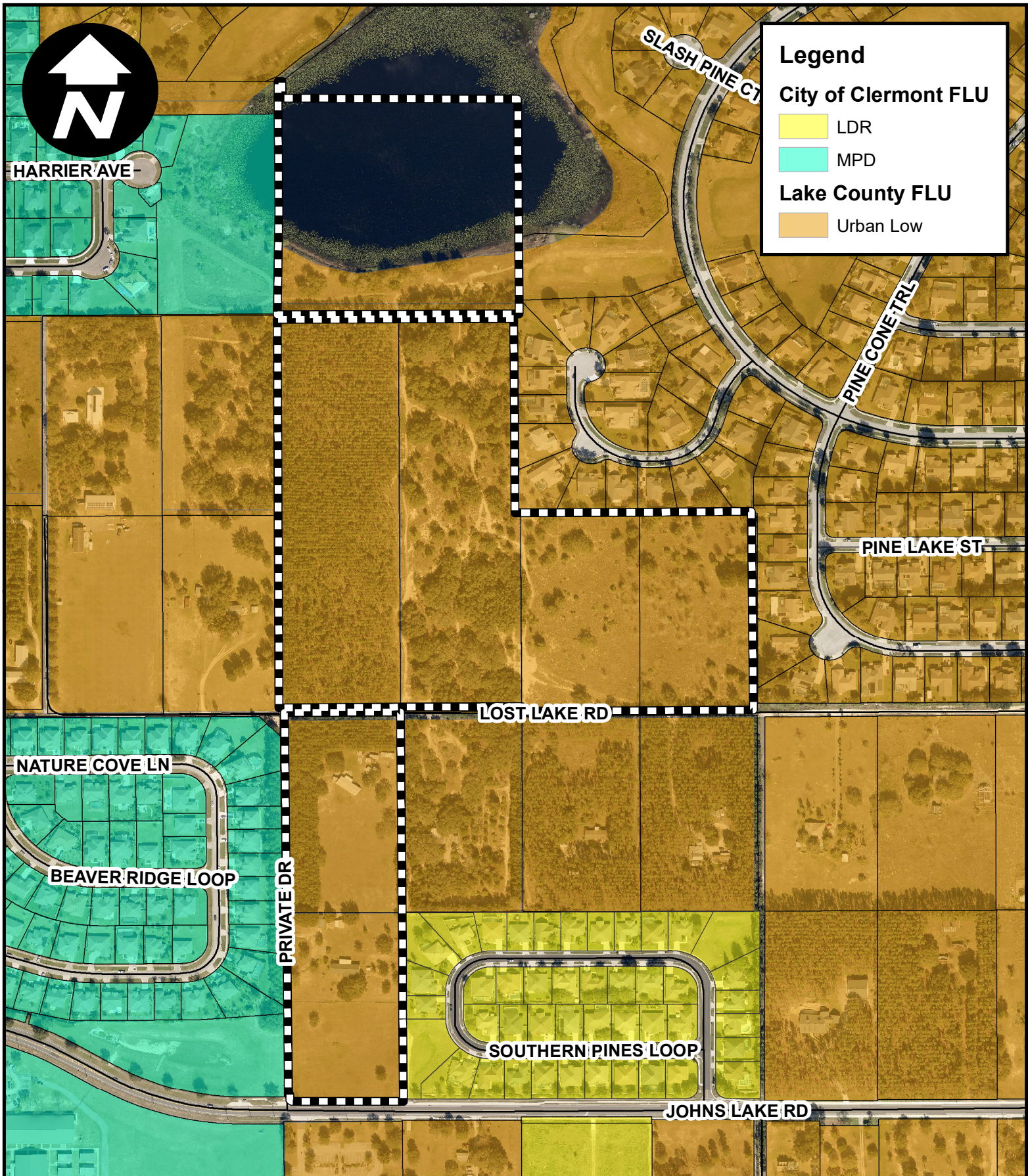
Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



Legend

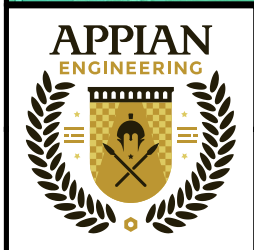
City of Clermont FLU

LDR

MPD

Lake County FLU

Urban Low



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APPIANFL.COM • 407.960.5868

2221 LEE ROAD, SUITE 27, WINTER PARK, FLORIDA 32789

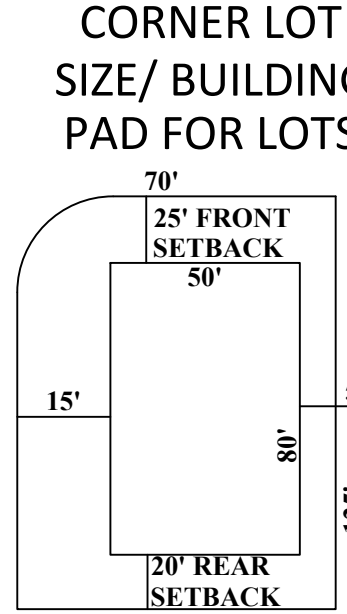
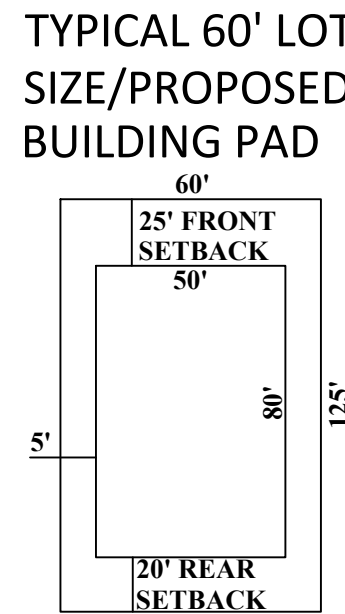
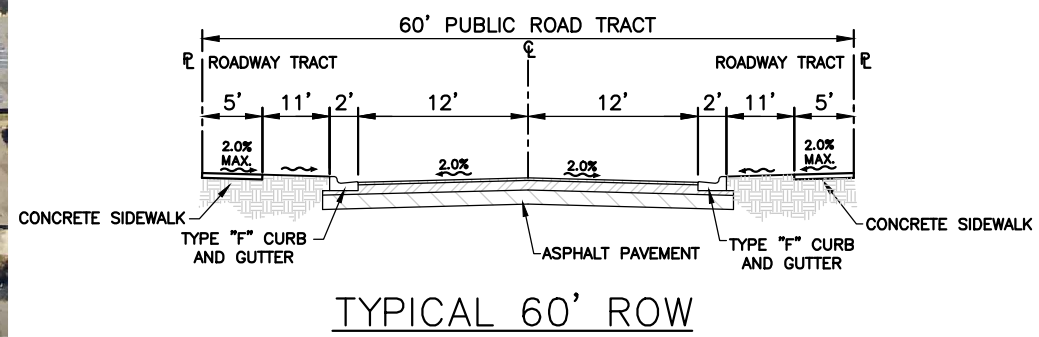
FLU Map

Lake County, Florida

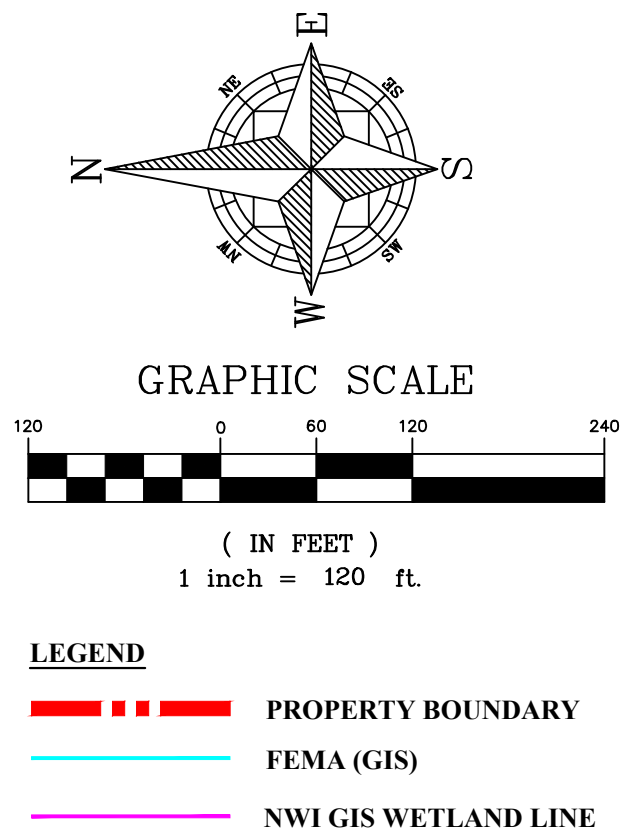
ASH-011	1" = 400'
Date: 7/27/2021	

LOT	AREA	LOT	AREA	LOT	AREA
1	0.20 AC	34	0.17 AC	67	0.23 AC
2	0.19 AC	35	0.20 AC	68	0.18 AC
3	0.19 AC	36	0.20 AC	69	0.18 AC
4	0.19 AC	37	0.20 AC	70	0.18 AC
5	0.19 AC	38	0.20 AC	71	0.29 AC
6	0.19 AC	39	0.22 AC	72	0.39 AC
7	0.19 AC	40	0.18 AC	73	0.21 AC
8	0.19 AC	41	0.18 AC	74	0.18 AC
9	0.19 AC	42	0.18 AC	75	0.18 AC
10	0.19 AC	43	0.18 AC	76	0.18 AC
11	0.19 AC	44	0.18 AC	77	0.18 AC
12	0.20 AC	45	0.18 AC	78	0.18 AC
13	0.21 AC	46	0.22 AC	79	0.18 AC
14	0.19 AC	47	0.22 AC	80	0.18 AC
15	0.19 AC	48	0.18 AC	81	0.18 AC
16	0.19 AC	49	0.18 AC	82	0.18 AC
17	0.19 AC	50	0.18 AC	83	0.18 AC
18	0.19 AC	51	0.18 AC	84	0.18 AC
19	0.19 AC	52	0.18 AC	85	0.18 AC
20	0.18 AC	53	0.18 AC	86	0.17 AC
21	0.18 AC	54	0.22 AC	87	0.17 AC
22	0.18 AC	55	0.20 AC	88	0.20 AC
23	0.18 AC	56	0.17 AC	89	0.20 AC
24	0.36 AC	57	0.17 AC	90	0.20 AC
25	0.44 AC	58	0.17 AC	91	0.20 AC
26	0.20 AC	59	0.17 AC	92	0.20 AC
27	0.18 AC	60	0.17 AC	93	0.19 AC
28	0.18 AC	61	0.17 AC	94	0.19 AC
29	0.18 AC	62	0.17 AC	95	0.19 AC
30	0.24 AC	63	0.17 AC	96	0.19 AC
31	0.40 AC	64	0.22 AC	97	0.19 AC
32	0.24 AC	65	0.28 AC	98	0.19 AC
33	0.17 AC	66	0.41 AC	99	0.19 AC
TOTAL ACREAGE			19.93 AC		

TOTAL 19.93 AC > LOT MINIMUM (7,500 * 99) 17.05 AC



TRACT DATA		
TRACT / LOT	DESCRIPTION	AREA
TRACT 'A'	LOST LAKE ROW DEDICATION	0.96 AC
TRACT 'B'	RIGHT-OF-WAY	1.67 AC
TRACT 'C'	RIGHT-OF-WAY	3.99 AC
TRACT 'D'	SOUTH POND	2.13 AC
TRACT 'E'	EAST POND	2.89 AC
TRACT 'F'	NORTH POND	4.71 AC
TRACT 'G'	OPEN SPACE	0.92 AC
TRACT 'H'	LIFT STATION	0.05 AC
TRACT 'I'	10' LANDSCAPE BUFFER	0.05 AC
TRACT 'J'	10' LANDSCAPE BUFFER	0.01 AC
TRACT 'K'	10' LANDSCAPE BUFFER	0.04 AC
TRACT 'L'	10' LANDSCAPE BUFFER	0.03 AC
TRACT 'M'	10' LANDSCAPE BUFFER	0.03 AC
TRACT 'N'	10' LANDSCAPE BUFFER	0.26 AC
TRACT 'O'	CONSERVATION AREA	10.13 AC



1. LCFA - PARCEL ID #S:	24-22-25-0800-011-00000, 24-22-25-0800-028-00000, 24-22-25-0800-029-00000, 24-22-25-0800-030-00000, 24-22-25-0800-042-00000, 24-22-25-0800-038-00000, 24-22-25-0800-043-00000, 24-22-25-0800-040-00000, 24-22-25-0800-040-00000
2. PROPERTY LOCATION:	14240 LOST LAKE ROAD, CLERMONT, FL 34711
3. TOTAL PROPERTY AREA:	47.82 AC.
4. LOST LAKE ROW DEDICATION:	0.96 AC.
5. CONSERVATION AREA:	10.13 AC.
6. NET DEVELOPABLE AREA:	26.73 AC.
7. EXISTING FUTURE LAND USE:	URBAN LOW
8. ADJACENT FUTURE LAND USE:	NORTH: URBAN LOW (LAKE COUNTY), SOUTH: URBAN LOW (LAKE COUNTY), EAST: URBAN LOW (LAKE COUNTY), WEST: URBAN LOW (LAKE COUNTY)
9. EXISTING ZONING:	R-4, RA, A
10. ADJACENT ZONING:	NORTH: R-4 (LAKE COUNTY), SOUTH: R-4 (LAKE COUNTY), EAST: R-4 (LAKE COUNTY), WEST: R-4 (LAKE COUNTY)
11. PROPOSED ZONING:	PUD
12. PROPOSED UNITS:	99 UNITS
13. PROPOSED DENSITY:	2.63 DU/AC
14. LOT REQUIREMENTS:	MINIMUM LOT AREA: 7,500 SF, MINIMUM LOT WIDTH: 60 FT, MINIMUM LOT DEPTH: 125 FT, MAXIMUM BUILDING HEIGHT: 125 FT, PRINCIPAL BUILDING: 3 STORIES, ACCESSORY BUILDING: 2 STORIES
15. SINGLE-FAMILY DETACHED SETBACKS:	FRONT YARD: 25 FT, REAR YARD: 20 FT, SIDE YARD: 5 FT, CORNER YARD: 15 FT
16. REQUIRED OPEN SPACE:	(36.72 AC) x (25%) = 9.18 AC.
17. PROPOSED OPEN SPACE:	OPEN SPACE: 1.21 AC, STORMWATER POND: 10.37 AC, TOTAL: 11.58 AC. (31.5%)
18. WATER SERVICE PROVIDED BY CITY OF CLERMONT:	RECLAIMED WATER SERVICE PROVIDED BY CITY OF CLERMONT.
19. SANITARY SEWER SYSTEM PROVIDED BY CITY OF CLERMONT:	
20. STORMWATER SYSTEM WILL BE DESIGNED TO MEET CITY OF CLERMONT AND SIRMW DRAINAGE REQUIREMENTS.	
21. ALL UTILITY LINES SHALL BE DESIGNED TO MEET FDEP AND CITY OF CLERMONT REQUIREMENTS.	
22. UTILITY EASEMENTS DEDICATED TO CITY OF CLERMONT UTILITY SHALL BE PROVIDED OVER ALL WATER AND SEWER MAINS LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY.	
23. AN HOA SHALL BE CREATED TO PROVIDE FOR THE MANAGEMENT OF ALL COMMON AREA AND FACILITIES.	
24. PROJECT LANDSCAPING/IRRIGATION SHALL COMPLY WITH THE CITY OF CLERMONT LAND DEVELOPMENT CODE.	
25. WAIVERS:	• EXCEED 10' OF GRADE MODIFICATION ON LOTS DUE TO THE FACT THE AREAS IMPACTED ARE MINOR AND CONSIST OF PREVIOUS ALLOCATIONS TO THE PROPERTY AS OPPOSED TO NATURAL TOPOGRAPHY. • LOT SIZE AND SETBACKS WERE MODIFIED PER THE REQUEST OF THE CITY TO ACCOMMODATE THE SPECIFIC MINIMUM LOT SIZE OF 7,500 SF CONSISTENT WITH SEC-142(1451).

CIVIL ENGINEERING | LAND PLANNING

APPIAN ENGINEERING LLC.

APPIANFL.COM • 407.960.5868

2221 Las Rosas, Suite 27, Winter Park, Florida, 32789

STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NO. 1212

CONCEPTUAL PLAN 9

LOST LAKE ASSEMBLAGE
LAKE COUNTY, FLORIDA

SCALE: 1" = 120'

DRAWN: I. DELAROSA
DESIGNED: O. SANCHEZ
PROJECT: ASH-011
CHECKED: M. STACY
SHEET: CP-9
DATE: 7/22/2022

APPIAN ENGINEERING

CONCEPT PLAN PROVIDED BY:
APPIAN ENGINEERING, LLC

FOR INFORMATION REGARDING
THIS CONCEPT PLAN CONTACT:
MAJOR L. STACY, P.E.
(O) 407-960-5868,
ext. 101

NOT FOR CONSTRUCTION

7/25/22



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application Instructions

APPLICATION FEE:

- **Large Scale Comprehensive Plan Amendment** - \$2,325 plus cost of advertisement
Includes text amendments that impact the Goals, Objectives and Policies of the comprehensive plan; Future Land Use Map or map series amendment over 10 acres
- **Small Scale Comprehensive Plan Amendment** - \$755.00 plus cost of advertisement
Includes Future Land Use Map amendments of less than ~~10~~ ⁵⁰ acres, with no impact to the Goals, Objectives and Policies.
- **Development of Regional Impact (DRI)** - \$10,000 escrow plus actual costs of advertising for a DRI amendment.

APPLICATION PROCESS:

Applicants must schedule a pre-application meeting with the City's Site Review Committee prior to submitting a completed application. Once an application has been completed, please call a staff planner, (352) 394-4083, to schedule the pre-application meeting.

After the Site Review Committee meeting, and after any requests for additional information have been met by the applicant, the City's planning staff will prepare the amendment with its supporting data and analysis and schedule the Planning & Zoning Commission hearing. The Planning & Zoning Commission meets the first Tuesday of the month, and will make a recommendation on the proposed amendment to the City Council. The Council will then review the proposed amendment at a public hearing and may vote to approve (small scale amendment) or to transmit it (large scale amendment) to the Florida Department of Economic Opportunity (DEO) and all reviewing agencies.

DEO will review the amendment within 60 days and notify the City of any concerns. Other public agencies may file objections separately.

AMENDMENT TIME FRAME:

- *Small Scale Amendments* and *Large Scale Amendments* – may take up to three months to process depending on meeting schedules, review time frames, staff preparation time, etc. The City does try to consolidate amendments as much as possible to help save on advertising costs. Applicants must have attended a pre-application meeting prior to submitting applications for the deadlines. Please note that all hearing dates are tentative and subject to change.



A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

Application Information Required

A complete application includes the items below in addition to the attached application:

- Completed application. - Include all signatures
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- Complete legal description in Word (not all caps) emailed to planning@clermontfl.org
- Current survey and location map (acreage included)
- Signed owner affidavit (unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application)
- Signed Applicant affidavit
- Application fee

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



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 03/15/2022

FEE: \$755

Project Name (if applicable): Lost Lake Assemblage

Applicant: Major Stacy, P.E.

Contact Person: Major Stacy, P.E.

Address: 2221 Lee Road Suite 27

City: Winter Park State: FL Zip: 32789

Phone: 4079605868 Fax:

E-Mail: mstacy@apianfl.com

OWNER: See Attached

Address:

City: State: Zip:

Phone: Fax:

E-Mail:

General Location: LOST LAKE RD CLERMONT

Legal Description (include copy of survey): See Attached

Property size (in acres or square feet): See Attached

Flood hazard area (yes) and approx. acreage (no)^x

Existing (Actual) Land Use: Ag SF

Existing Zoning: See Attached

Existing Future Land Use: Urban Low

Proposed Future Land Use: LDR

Type of development proposed: Planned Development- Single Family



Proposed density (dwelling units/acre) or intensity: 3.0 DU/AC

Proposed Zoning District: PUD

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

The applicant seeks to develop the property as a single family residential development which requires Annexation, Comprehensive Plan of LDR consistent with surrounding properties and a PUD Zoning Designation.

The property consists of 47.82 acres with Lost Lake comprising the northern portion (+/-10.13 ac). No wetland or floodplain impacts are proposed and stormwater will be maintained on site.

The proposed Density is +/- 2.65 dwelling units per acre which is below the JPA density limit of 3.00 dwelling units per acre. This is a reduction of the current County density of 4.00 dwelling units per acre.

The proposed use of single family is compatible with the adjacent properties and will assist in accommodating housing for the increasing population.

The applicant acknowledges Lake County Public Schools will require an application for school concurrency which will be submitted under a separate cover.

The site is within the Clermont JPA and will receive utilities from Clermont upon annexation which was requested by the City.

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

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

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

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

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



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Major Stacy, P.E.

_____, who being

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

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

Major Stacy, P.E.

Affiant - Applicant Name (print)

X

Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this _____ day of _____, 20____.

X

Notary Public, State of Florida at Large

My Commission Expires: _____



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

GRAY STEVEN G & MI Y TRUSTEES _____, who being

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

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from _____
Urban Low to LDR _____ for the
property legally described on the attachment of this application.
3. That the owner of said property has appointed Major Stacy, P.E. to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Affiant - Applicant Name (print)

X _____
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this _____ day of _____, 20__.

X _____
Notary Public, State of Florida at Large

My Commission Expires: _____

CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE

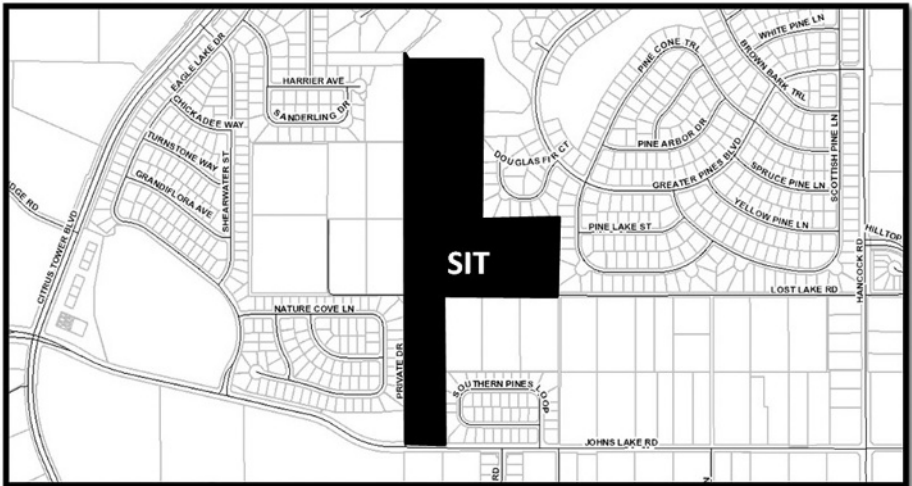
Comprehensive Plan Amendment

ORDINANCE NO. 2022-025

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, June 7, 2022 at 6:30 PM, and the Clermont City Council will hold a public meeting on Tuesday, June 28, 2022 at 6:30 PM for the final hearing 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 Urban Low Density to Clermont Low Density Residential.

Ordinance 2022-025

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 scrivener's error, publication and effective date.



LOCATION:

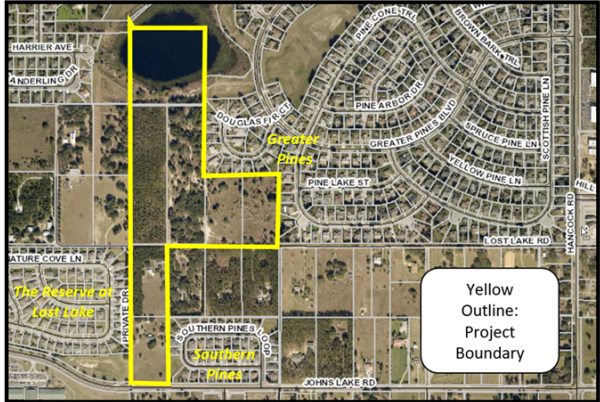
Vacant parcels located north of Johns Lake Road and west of Hancock Road (Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)

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

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

Tracy Ackroyd Howe, MMC
City Clerk

AGENDA ITEM

Meeting Date	
Tuesday, August 23, 2022	
Agenda Item Name	
Ordinance No. 2022-026 <i>Final</i> <i>Lost Lake Assemblage Rezoning</i>	
Requested Action	
Recommend Council to act as it deems appropriate.	
Staff Report	
The applicant, Major Stacy, P.E., is requesting a rezoning to a Planned Unit Development (PUD) for a single family subdivision on approximately 48 acres located $\frac{3}{4}$ mile west of the intersection of Johns Lake Road and Hancock Road, north of Grace Community Church. This request is being heard concurrently with a request for an Annexation and Small-Scale Comprehensive Plan Amendment. The property has been historically used for agricultural uses with a transition to 5 acre agricultural/residential type use. The proposal is an assemblage of seven (7) properties consisting of 5 and 10 acre tracts combined together for the proposed low density housing development. The property is currently in Lake County and consists of the following zoning designations: Agriculture (A), Ranchette Agriculture (RA), and Urban Residential (R-6). The applicant is requesting a PUD for 99 single family lots with a density of 2.70 dwelling units per net acre. The property is adjacent to three existing single family subdivisions: Greater Pines with a density at 1.84 dwelling units per acre, Southern Pines with a density at 3.00 dwelling units per acre, and The Reserve at Lost Lake with a density of 1.88 dwelling units per acre.  Yellow Outline: Project Boundary	
The applicant has provided a conceptual site plan, dated 6-23-22, showing the layout and specifics of the subdivision. The applicant is requesting sixty (60) foot wide lots by one hundred and twenty-five feet in depth. The minimum lot area will be 7,500 square feet and the setbacks will be: twenty-five (25) feet for the front yard, twenty (20) feet for the rear yard and the side yard will be five (5) feet. The project will be served by the city with water, sewer and reuse. The subdivision entry point will be from Johns Lake Road with emergency access from Lost Lake Road. The portion of Lost Lake Road that crosses within the subdivision should be upgraded to city standards. Lost Lake Road from Hancock to the site will be required to be graded, leveled, and stabilized to support fire and emergency access vehicles. The Traffic Impact Analysis (TIA) indicated the project shall have an eastbound left turn lane on Johns Lake Road at the project access point. In addition, the project will be responsible for a 1.7% proportionate share cost of the widening of Hancock Road from Hooks Street to Johns Lake Road.	
The applicant is requesting several waivers to the code in order to develop the subdivision. The waivers include: 1. Exceed 10 feet of grade modification (cut/fill) on lot area for up to 10% of the site. 2. Reduction in lot size and setbacks to accommodate the specific Ashton Woods homes.	

3. Serve the project with the existing reclaimed water stub out in lieu of installing a main reclaimed water line.
4. Possible elimination of left turn lane due to existing utilities and limited right of way.
5. Fifty (50) foot right-of-way dedication for the Lost Lake crossing and an additional 25 feet dedicated to the east.
6. Any additional non-substantial waivers to accommodate the proposed development plan during the development review process.

Staff reviewed the project and many concerns were noted. The concerns were expressed to the applicant and with the requested PUD rezoning request, the applicant has the right to seek approval by City Council with the waivers requested. The applicant has made a few changes from the initial proposal, such as increasing the lot width from fifty (50) feet to sixty (60) feet and increasing the internal right-of-way width to sixty (60) feet from fifty (50) feet.

As to the applicant's request to rezone the property to Planned Unit Development, the Council shall act as it deems appropriate. If the Council does not support the applicant's request, staff recommends the property be designated with a zoning of R-2 Medium Density Residential since this is very similar to the characteristics of the surrounding subdivisions. *The Planning and Zoning Commission recommended approval to R-2 Medium Density Zoning with no waivers.*

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	Ord. 2022-026 Lost Lake Assemblage Rezoning (08.09.2022)	Ord. 2022-026 Lost Lake Assemblage Rezoning (08.09.2022).pdf
2.	Rezoning Maps	Rezoning Maps.pdf
3.	Conceptual Plan 9 (7.27.22)	Conceptual Plan 9 (7.27.22).pdf
4.	Lost Lake TIA Summary	Lost Lake TIA Summary.pdf
5.	Access Shown on Survey Postal Colony and Adjacent Plat - flat	Access Shown on Survey Postal Colony and Adjacent Plat - flat.pdf
6.	Rezoning-Application-2020	Rezoning-Application-2020.pdf
7.	Legal ad Ord. 2022-026 LLA REZ	Legal ad Ord. 2022-026 LLA REZ.pdf



CITY OF CLERMONT
ORDINANCE NO. 2022-026

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:

LEGAL DESCRIPTION FOR ALT KEY 1031346

W 1/4 OF SE 1/4 OF NW 1/4 ORB 2681 PG 1119 ORB 5072 PG 1639

LEGAL DESCRIPTION FOR ALT KEY 1678501

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 38 PB 9 PG 65 ORB 2143 PG 0263

LEGAL DESCRIPTION FOR ALT KEY 1678528

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 43--LESS FROM NE COR OF W 1/2 OF TRACT 43 RUN W 0-0-10 E ALONG E LINE OF W 1/2 OF SAID TRACT 43 A DIST OF 596.91 FT FOR POB, CONT S 0-0-10 E 21.03 FT TO A POINT ON N'LY R/W LINE OF 15 FT RD R/W, N 89-54-22 W ALONG SAID N'LY R/W LINE A DIST OF 320.35 FT TO A POINT ON E'LY LINE OF 15 FT R/W, N 0-10-56 W ALONG SAID E'LY R/W LINE 43.99 FT, S 89-48-28 E 3.63 FT, S 0-11-32 W 17.41 FT, S 44-48-28 E 7.07 FT, S 89-48-28 E 311.94 FT TO POB FOR ADDITIONAL RD R/W--PB 9 PG 65 ORB 935 PG 409

LEGAL DESCRIPTION FOR ALT KEY 1098858 AND 1067952

POSTAL COLONY 33-22-26 TRACT 11 PB 9 PG 65 ORB 2751 PG 268

E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 ORB 2751 PG 268

LEGAL DESCRIPTION FOR ALT KEY 1491690 AND 1029562

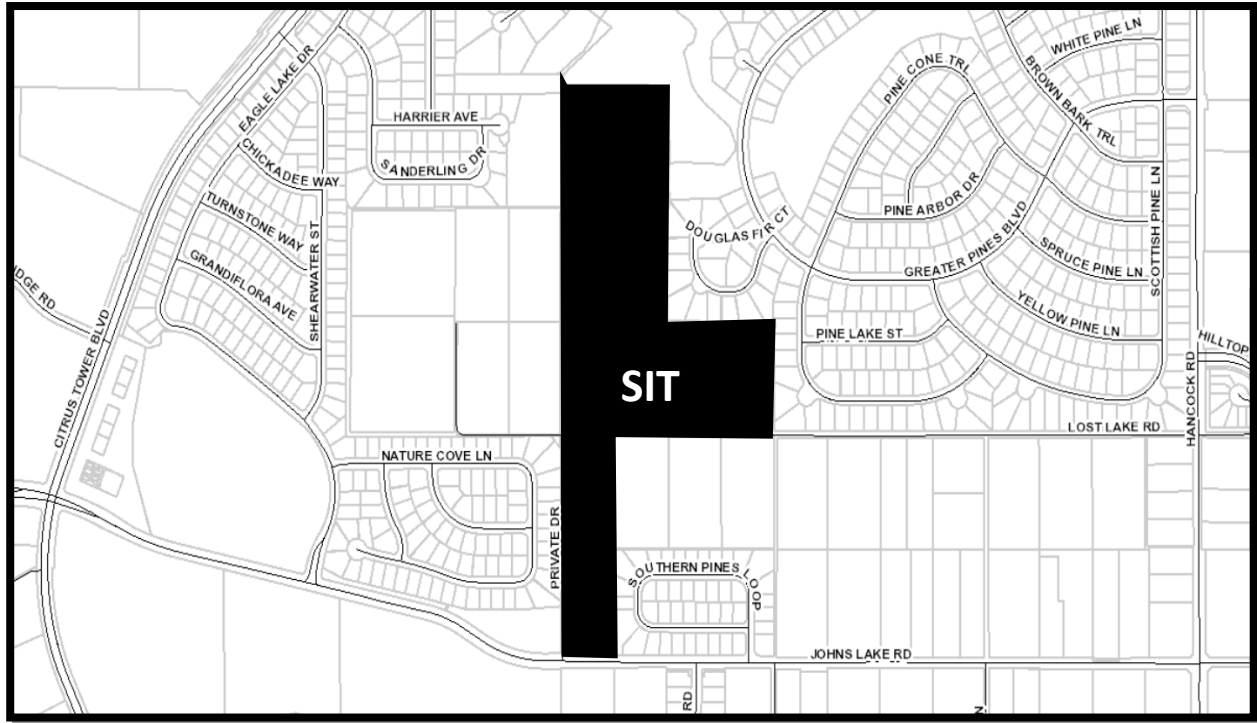
POSTAL COLONY 33-22-26 W 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

POSTAL COLONY 33-22-26 E 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

SITE CONTAINS 47.8 +/- ACRES.

LOCATION:

Vacant parcels located north of Johns Lake Road and west of Hancock Road
(Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)



PROPERTY REZONING

**FROM: Lake County R-6 Urban Residential,
RA-Ranchette, A-Agricultural
TO: City of Clermont Planned Unit Development**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a 99 lot single-family residential subdivision; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the PUD Concept Plan, sheet CP-9, prepared by Appian Engineering, LLC dated 7-22-2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.



CITY OF CLERMONT
ORDINANCE NO. 2022-026

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director or authorized designee will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

This application for a Planned Unit Development to allow for single-family residential development be granted subject to the following conditions:

1. A total of up to 99 single-family residential dwelling units may be permitted on the site, not to exceed a density of 2.70 units per net developable acre within the project. The net developable acre calculation is the total property area minus the right-of-way dedication minus the conservation area. Below is the calculation:

Total Property Area (TPA)	47.82 Acres
Right-of-Way Dedication (ROW)	0.97 Acres
Conservation Area (CA)	10.13 Acres
TPA – ROW – CA = Net Developable Area	
Net Developable Area	36.72 Acres

CITY OF CLERMONT
ORDINANCE NO. 2022-026

2. Development Standards: Development standards for the development of the residential dwelling units shall be based on the size of the lot, as indicated in the table below.

<u>Design Item</u>	<u>60' Lot</u>
Minimum Lot Area	7,500 sf
Minimum Living Area	1,000 sf
Minimum Lot Width	60'
Minimum Lot Depth	125'
Minimum Front Building setback	25'
Minimum Side Yard Setback	5'
Setback from Side Street	15'
Minimum Rear Yard Setback	20'
Minimum Building Separation	10'
Minimum Rear Yard Setback for Pools, Patios, Decks, Screen Rooms or Ancillary Structures	5'
Maximum Impervious Surface Ratio (ISR)	0.65
Maximum Principal Building Height	35'
Maximum Accessory Building Height	25'
Setbacks from High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50'
Minimum front yard easement	5'
Minimum side and Rear Yard Drainage and Utility Easement	5'

3. Phasing of Development: The project may be developed in one or more phases.
4. The project may have elevation changes of up to 25 feet in height with up to 10% of the project site comprised of single-family residential lots through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.



CITY OF CLERMONT
ORDINANCE NO. 2022-026

5. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
6. The project shall be developed in accordance with the City of Clermont Utility Standards.
7. Any proposed City maintained utilities that are not located within a City maintained right of way shall be placed in a utility easement dedicated to the City at time of recordation of final plat. Easements shall be provided at no expense to the City.
8. The PUD will be required to have a minimum of 25% open space.
9. The Traffic Impact Analysis review has indicated existing deficiencies in the project area. A left-turn lane is warranted on Johns Lake Road and will need to be installed by the Developer prior to the first Certificate of Occupancy. In addition, the Developer will be responsible for a 1.70% proportionate fair share payment for Hancock Road widening. The proportionate fair share payment shall be coordinated with Lake County. The proportionate fair share payment shall be completed prior to the first Certificate of Occupancy.
10. The internal roadways shall have a right-of-way of sixty (60) feet, constructed to City Standards, to include the portion of Lost Lake Road that is within the development.
11. Coordination between the Developer and Lake County Solid Waste Office, Lake County Public Works Department/Environmental Services Division and other public service providers, will be required to provide access for trash and recycling service pickups, mail, police and fire protection, and other services for the adjacent parcels that are currently accessing through Lost Lake Road or the private drive on the western property boundary.
12. The Developer shall extend a 12 inch reclaimed main along the Lost Lake Road frontage and down to Johns Lake Road to serve adjacent unserved properties. This shall be coordinated through the City of Clermont Public Services Department and Lake County.
13. The City of Clermont Fire Chief has determined the connection and design of a secondary emergency access point will be from Lost Lake Road and will need to be graded, leveled, and stabilized using whatever materials the Engineer of record requires to support loads of fire apparatus and shall be provided with an all-weather driving surface. This secondary access point shall be maintained by the Homeowners Association as frequently as necessary to keep the path in a level drivable condition.
14. Air conditioner pads, generator pads, and pool equipment may be located in the side yard setback, but shall not be located within any drainage and/or utility easement. If these items are unable to meet this setback, then they will be placed behind the rear building line of the structure outside of the drainage and/or utility easement.



CITY OF CLERMONT
ORDINANCE NO. 2022-026

15. School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.
16. This Planned Unit Development shall become null and void if substantial construction work has not begun within two (2) years of the date that this Planned Unit Development is executed and signed by the permittee. “Substantial construction work” means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the R-2 Medium Density Residential Zoning Designation.
17. The project shall be developed according to R-2 Medium Density Residential Zoning Designation in the Land Development Code, unless expressly stated above.

SECTION 5: CONFLICT

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

SECTION 6: 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 7: 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 8: RECORDING

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

SECTION 9: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2022-026

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 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

Exhibit - Location Map – Lost Lake Assemblage

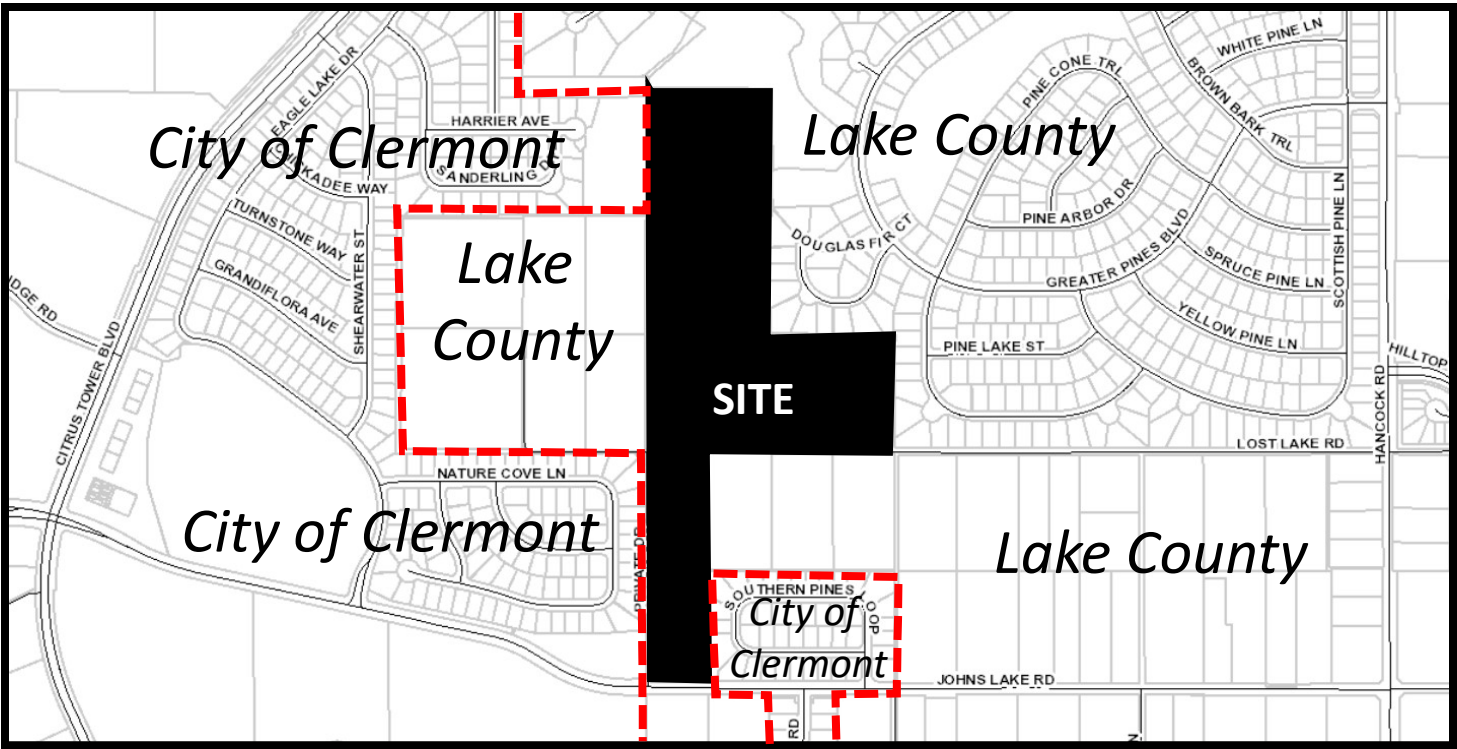
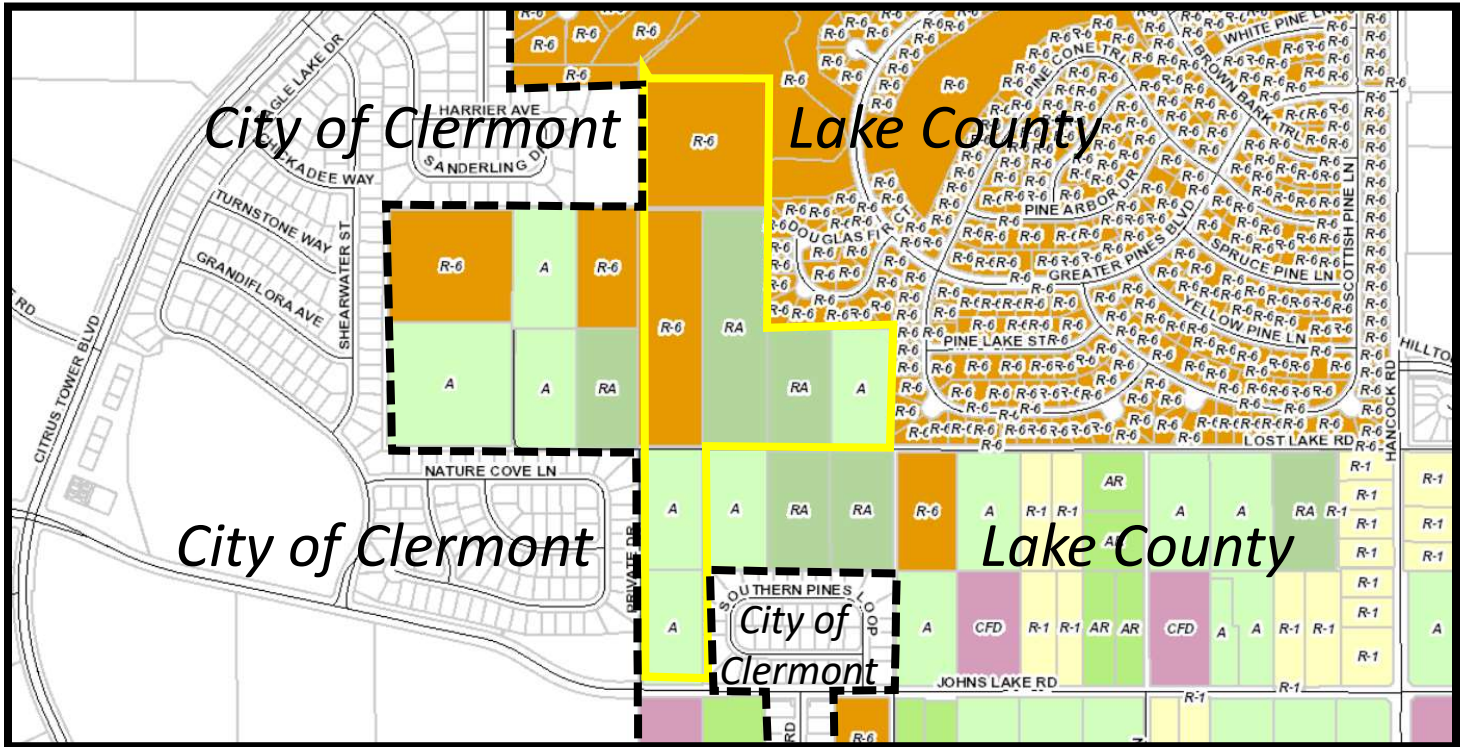
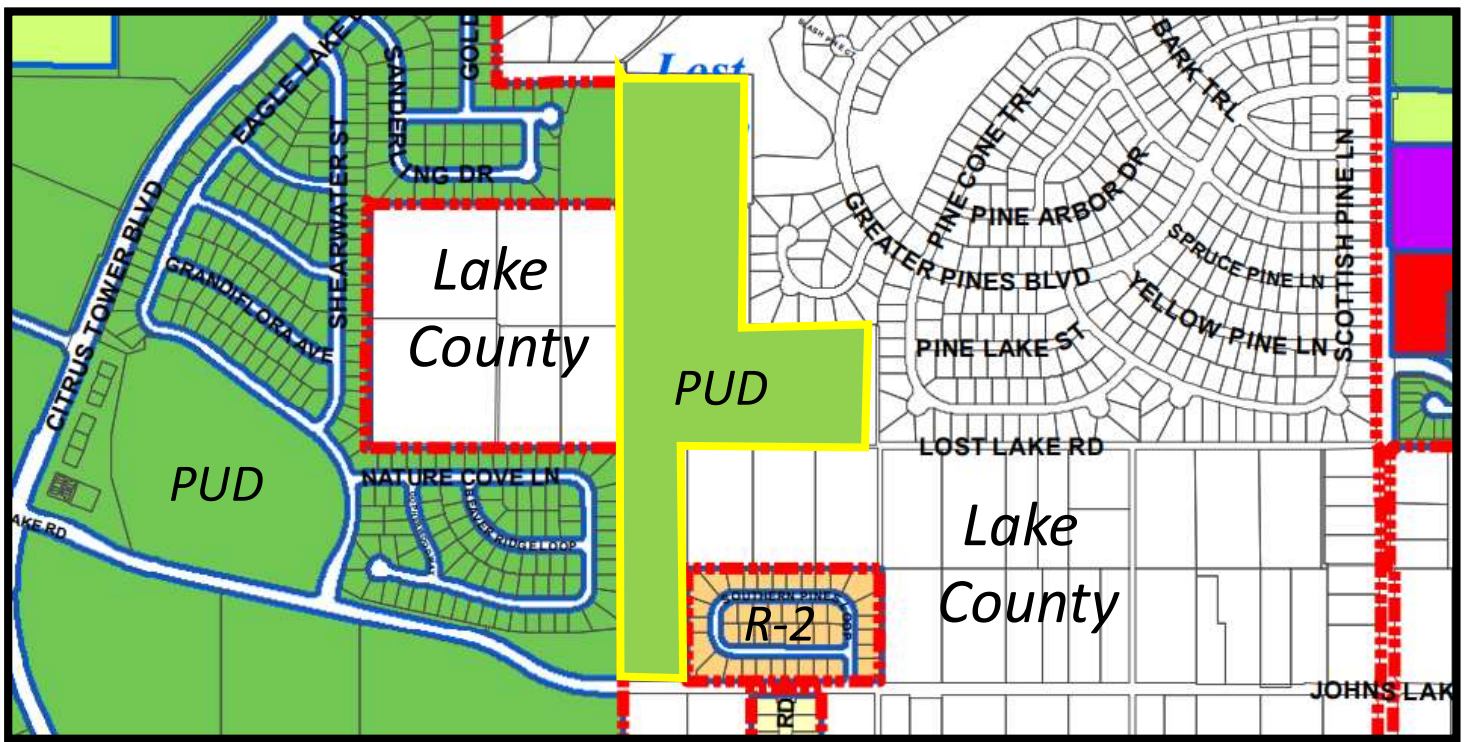


Exhibit - Zoning Map – Lost Lake Assemblage



Lake County Zoning



City of Clermont Zoning

LOST LAKE ASSEMBLAGE

Project № 21213, v1.1
May 2022

**TRAFFIC IMPACT ANALYSIS
CITY OF CLERMONT
FLORIDA**

Prepared by:



Traffic & Mobility Consultants

3101 Maguire Boulevard, Suite 265
Orlando, Florida 32803
www.trafficmobility.com
(407) 531-5332

Prepared for:

Ashton Woods
1064 Greenwood Boulevard – Suite 124
Lake Mary, Florida 32746

EXECUTIVE SUMMARY

Project Information

Name: Lost Lake Assemblage
Location: Johns Lake Road, 0.7 miles west of Hancock Road
Jurisdiction: City of Clermont, Florida
Description: 100 Single-Family Residential Units

Findings

Trip Generation: 1,009 Daily Trips / 99 PM Peak Trips
Access Plan: One (1) full access driveway on Johns Lake Road
Roadway Capacity: Hancock Road from Hooks Street to Johns Lake Road is operating over capacity and is projected to continue to do so at project buildout.
Intersection Capacity: Johns Lake Road and Hancock Road is projected to continue to operate over capacity due to delays on the eastbound and southbound approaches.
Site Access: The site access driveway is projected to operate adequately at buildout.

Recommendations

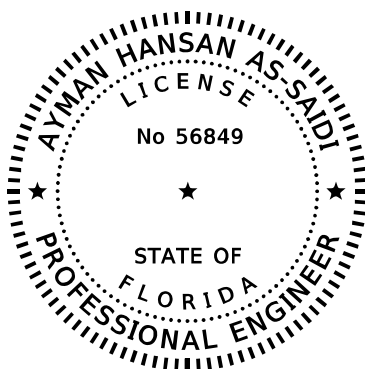
Access Improvements: Construct a 425-foot eastbound left turn deceleration lane on Johns Lake Road at the project access driveway.
Proportionate Share: The project is responsible for a 1.7% proportionate share to the cost of widening to four lanes Hancock Road from Hooks Street to Johns Lake Road.

PROFESSIONAL ENGINEERING CERTIFICATION

I hereby certify that I am a Professional Engineer properly registered in the State of Florida practicing with Traffic & Mobility Consultants LLC, a corporation authorized to operate as an engineering business, CA-30024, by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and that I have prepared or approved the evaluations, findings, opinions, conclusions, or technical advice attached hereto for:

PROJECT: Lost Lake Assemblage
LOCATION: City of Clermont, Florida
CLIENT: Ashton Woods

I hereby acknowledge that the procedures and references used to develop the results contained in these computations are standard to the professional practice of Transportation Engineering as applied through professional judgment and experience.



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY

AYMAN H AS-SAIDI

2022.06.02 09:26:05 -04'00'

ON THE DATE ADJACENT TO THE SEAL

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED
SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED
ON ANY ELECTRONIC COPIES.

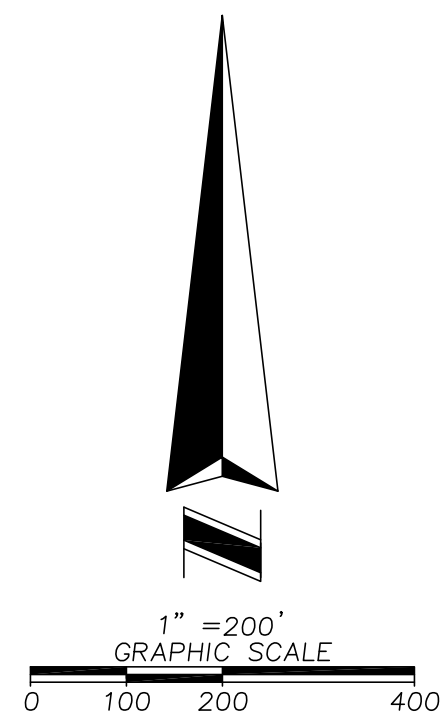
TRAFFIC & MOBILITY CONSULTANTS LLC
3101 MAGUIRE BOULEVARD, SUITE 265
ORLANDO, FLORIDA 32803

CERTIFICATE OF AUTHORIZATION CA-30024

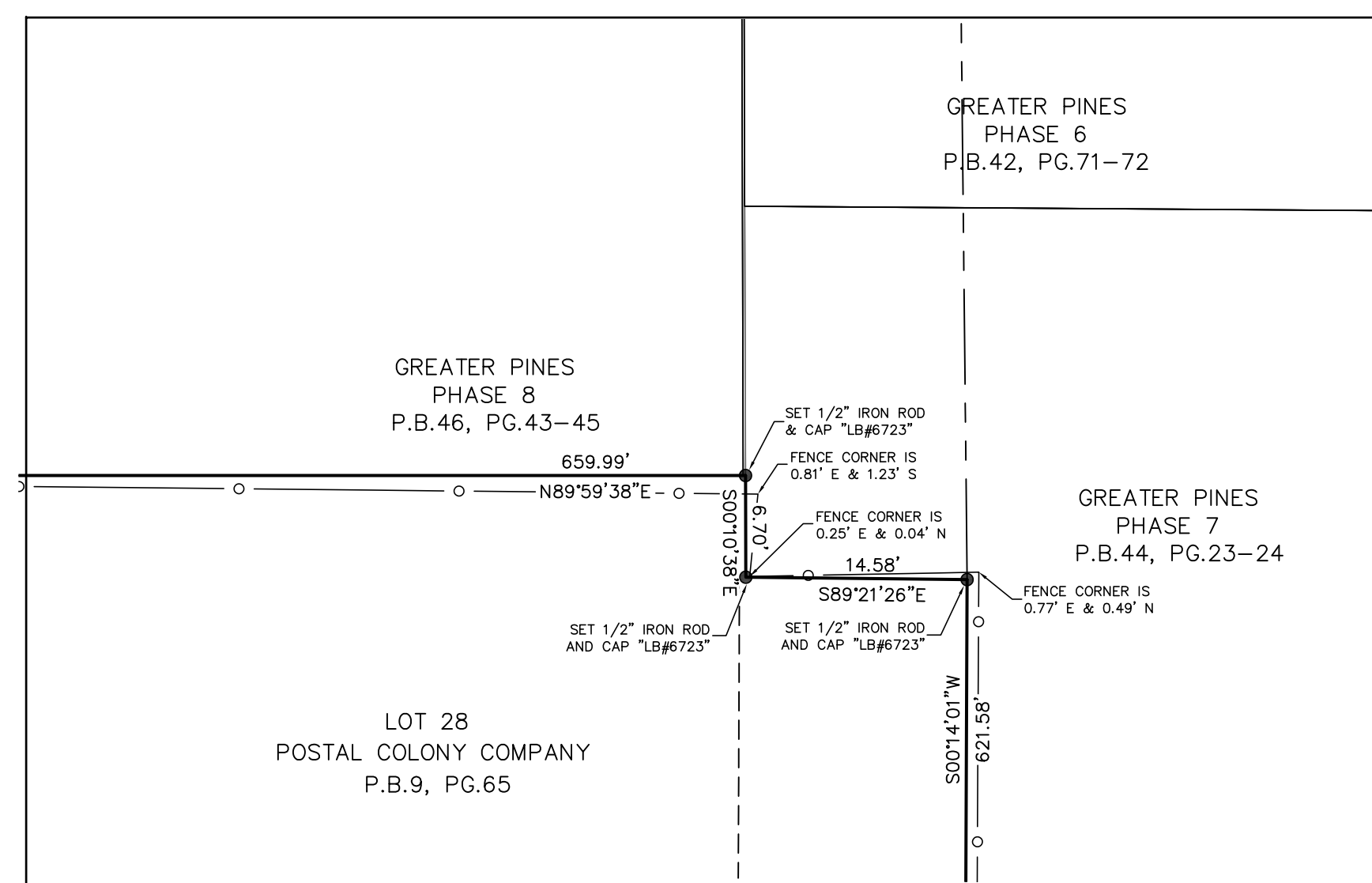
AYMAN H. AS SAIDI, P.E. NO. 56849

LEGEND:

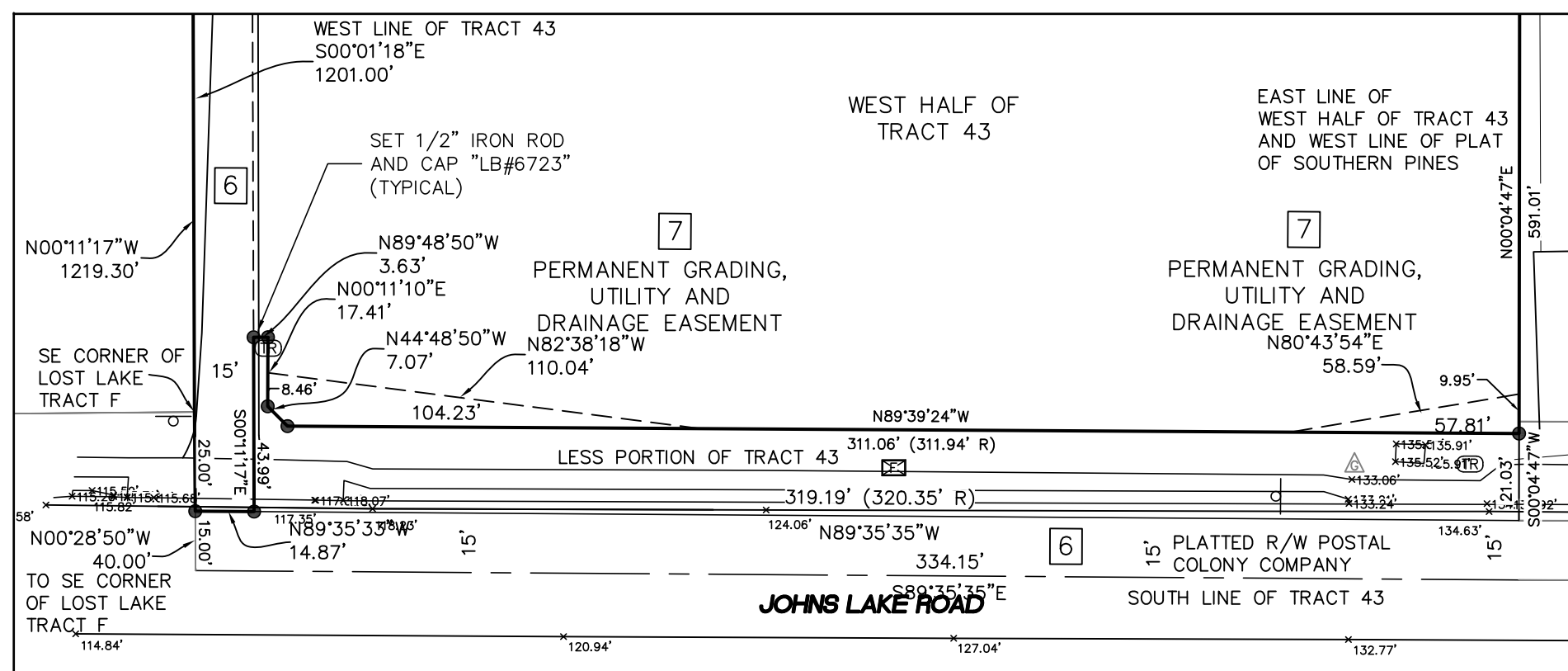
- AIR RELEASE VALVE
- ELECTRICAL VAULT
- ELECTRIC METER
- ELECTRIC RISER
- FIBER OPTIC CABLE MARKER
- FIBER OPTIC CABLE VAULT
- GUY WIRE
- IRRIGATION VALVE
- MAILBOX
- TELEPHONE RISER
- SIGN
- UNKNOWN VAULT
- WOODEN POWER POLE
- WATER VALVE
- O.R. - OFFICIAL RECORDS BOOK
- PG. - PAGE(S)
- ILLG. - ILLEGIBLE
- LB - LICENSED BUSINESS
- FOUND CONCRETE MONUMENT AS NOTED
- FOUND IRON ROD OR PIPE AS NOTED
- SET 1/2" IRON ROD AND CAP LB#6723



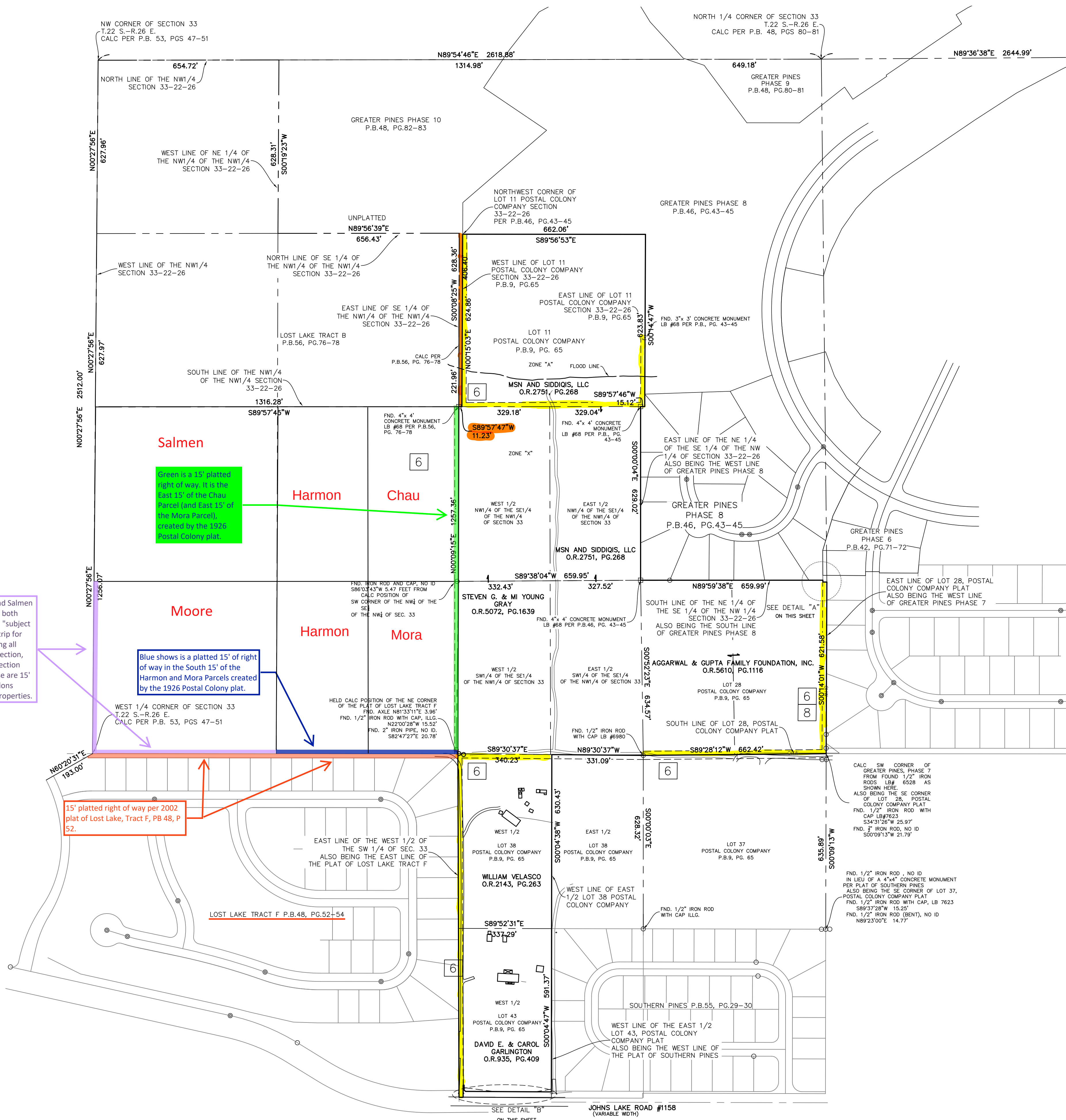
DETAIL "A"



DETAIL "B"



**Postal Colony Company
Plat Road Allowance
within the Lost Lake
Assemblage Parcel**



SURVEYING • MAPPING
GEOSPATIAL SERVICES
www.allen-company.com
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

ALTA / NSPS LAND TITLE SURVEY
OF
LOST LAKE ASSEMBLAGE
SECTION 33, TOWNSHIP 22 SOUTH, RANGE 26 EAST
LAKE COUNTY, FLORIDA

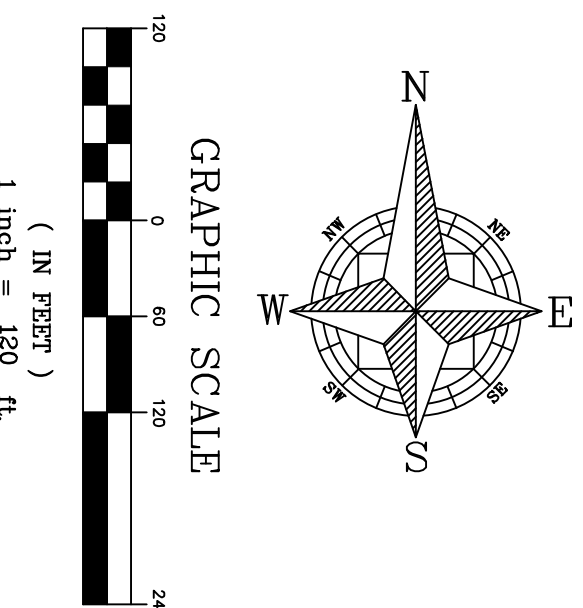
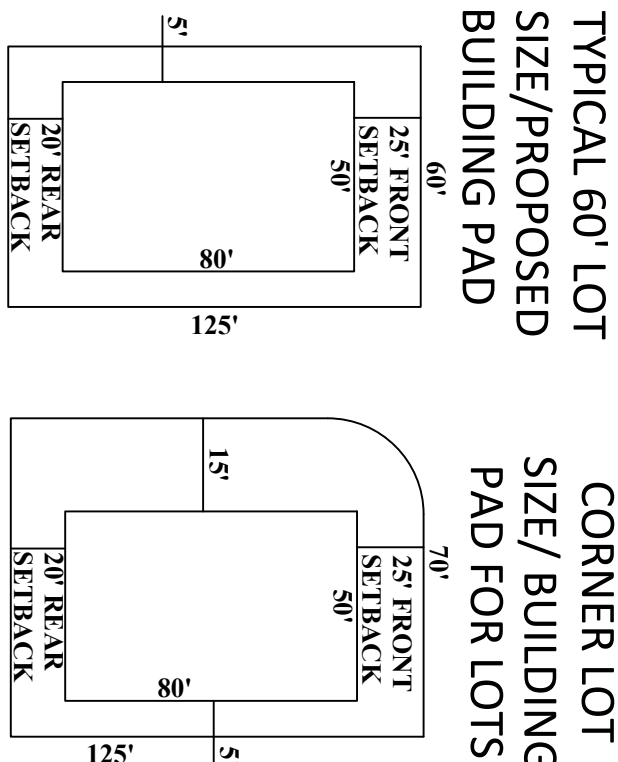
FOR:
ASHTON ORLANDO
RESIDENTIAL, L.L.C.

DATE	REVISIONS

JOB #: 20210626
DATE: 08/26/21
SCALE: 1" = 80'
CALC BY: JCB
FIELD BY: BS
DRAWN BY: JCB/JC
CHECKED BY: JC

SHEET 2 OF 5

TRACT DATA		
TRACT / LOT	DESCRIPTION	AREA
TRACT 'A'	25 DEDICATED RIGHT-OF-WAY	0.777 AC
TRACT 'B'	25 DEDICATED RIGHT-OF-WAY	1.29 AC
TRACT 'C'	RIGHT-OF-WAY	1.93 AC
TRACT 'D'	RIGHT-OF-WAY	3.35 AC
TRACT 'E'	SOUTH POND	2.18 AC
TRACT 'F'	EAST POND	3.03 AC
TRACT 'G'	NORTH POND	5.01 AC
TRACT 'H'	OPEN SPACE	0.80 AC
TRACT 'I'	LIFT STATION	0.05 AC
TRACT 'J'	10 LANDSCAPE BUFFER	0.05 AC
TRACT 'K'	10 LANDSCAPE BUFFER	0.01 AC
TRACT 'L'	10 LANDSCAPE BUFFER	0.03 AC
TRACT 'M'	10 LANDSCAPE BUFFER	0.03 AC
TRACT 'N'	10 LANDSCAPE BUFFER	0.03 AC
TRACT 'O'	10 LANDSCAPE BUFFER	0.03 AC
TRACT 'P'	10 LANDSCAPE BUFFER	0.26 AC
TRACT 'Q'	10 LANDSCAPE BUFFER	0.26 AC
TRACT 'R'	CONSERVATION AREA	10.13 AC



LEGEND

	PROPERTY BOUNDARY
	FEMA (GIS)
	NWI GIS WETLAND LINE

 PROPERTY BOUNDARY
 FEMA (GIS)
 NWI GIS WETLAND LINE

NWIGIS WETLAND LINE

[illegible]

LOST LAKE ASSEMBLAGE
LAKE COUNTY, FLORIDA

CIVIL ENGINEERING | LAND PLANNING

APPIAN ENGINEERING LLC.

APPIANFL.COM • 407.960.5868

2221 LEE ROAD, SUITE 27, WINTER PARK, FLORIDA 32789

STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NO. 3217

DRAWN:
I. DELAROSA

DESIGNED:
O. SANCHEZ

CHECKED:
M. STACY

DATE:
3/2/2022

SCALE
1" = 120'
PROJECT
ASH-011
SHEET
CP-5

CONCEPT PLAN PROVIDED BY

APPIAN ENGINEERING, LLC

FOR INFORMATION REGARDING
THIS CONCEPT PLAN CONTACT:

MAJOR L. STACY, P.E.
(O) 407-960-5868,
ext. 101

NOT FOR CONSTRUCTION
3/24/22

SURVEY OF
SECTIONS 33, 34, & 35, T.22 S., R.26 E., 9-65

(TALLAHASSEE BASE & MERIDIAN)

LAKE COUNTY, FLORIDA,

SHOWING PROPERTY OF

POSTAL COLONY COMPANY

OF CLERMONT, FLORIDA, INCORPORATED.

The Toan Chau et al

Mora

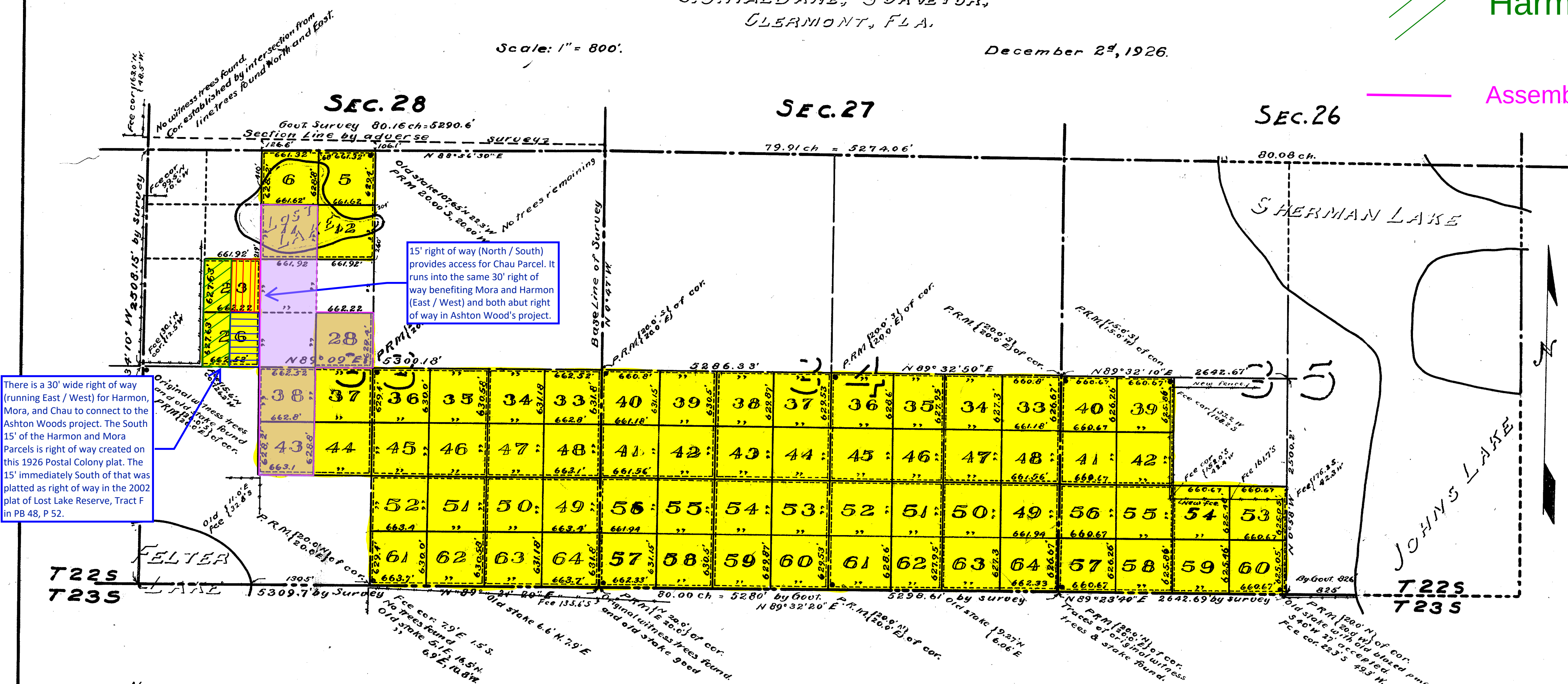
Harmon

Assemblage

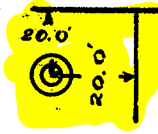
J.G. HALDANE, SURVEYOR,
CLERMONT, FLA.

Scale: 1" = 800'

December 24, 1926.



NOTES:

Permanent Reference Monuments (iron pipe with cap, set in concrete) marked "PRM" on plat and shown thus: , are set uniformly 20.00' E. or W. and 20.00' N. or S. of lines to which they refer, thus: except in N.E. cor. Lot 39, Sec. 35, where offset is 15.00' and 15.00' N. of lines.
Lot dimensions shown are to center of 30' road allowance.
Lot stakes are set back 15.00' from line on all 40-acre boundary lines to provide for 30-foot road allowance.
Courses: Bearing of line between Sec. 33 and 34 established by Transit needle set to read zero on true North line. Balance of bearings calculated therefrom.

Surveyor's Certificate:

This is to certify that, under instructions from Ernest Denslow, President of the Postal Colony Company (a corporation under the laws of the State of Florida) I have surveyed and subdivided the following described tracts of land, to wit:
The NE 1/4 of the NW 1/4, the East 1/2 of the SW 1/4 of the NW 1/4, the SE 1/4 of the SE 1/4 of the NW 1/4, the NE 1/4 of the SW 1/4, and the SE 1/4, of Section 33;
The South 1/2 of Section 34; and
The NW 1/4 of the SW 1/4 and the South 1/2 of the SW 1/4, of Section 35;
All in Township 22 S., R. 26 E. (Tallahassee Base and Meridian).
That the annexed plat is a correct representation of said survey, and that permanent reference monuments have been set as shown.
IN WITNESS WHEREOF I have hereunto set my hand this 4th day of March, 1927.
J.G. Haldane
Surveyor.

Owner's Certificate:

This is to certify that the Postal Colony Company (a corporation under the laws of the State of Florida) is the owner of the tracts of land described in the Surveyor's Certificate hereto and that the said Company has caused the same to be surveyed and subdivided into lots, as represented on the annexed plat, and that said survey and subdivision is hereby approved.
IN WITNESS WHEREOF, the said Company has caused this certificate to be signed by its President this 19th day of March, 1927, and the corporate seal of the Company affixed hereto.

POSTAL COLONY COMPANY,

By Ernest Denslow

President

Secretary

WITNESS

Geo. F. Westbrooke

C. H. Keene

STATE OF FLORIDA
COUNTY OF LAKE Before me, a Notary Public in and for said County and State, personally appeared Ernest Denslow and Victor S. Davis, respectively President and Secretary of Postal Colony Company, a corporation, each to me well known; and they acknowledged before me the execution of the foregoing Dedication as the act and deed of the said Corporation.
Witness my hand and official seal at Clermont, in said County and State, this 19th day of March, 1927.

Geo. F. Westbrooke

Notary Public State of Florida at large
My commission expires Aug 28, 1929.

It is hereby certified that at a meeting of the County Commissioners of Lake County, Florida, held at Tallahassee, the 21st day of March, 1927, the foregoing plat was duly approved.

M. C. Simpson

Chairman

Secretary

Attest:

Subscribed and sworn to before me this 4th day of March, 1927.

Geo. D. Baker

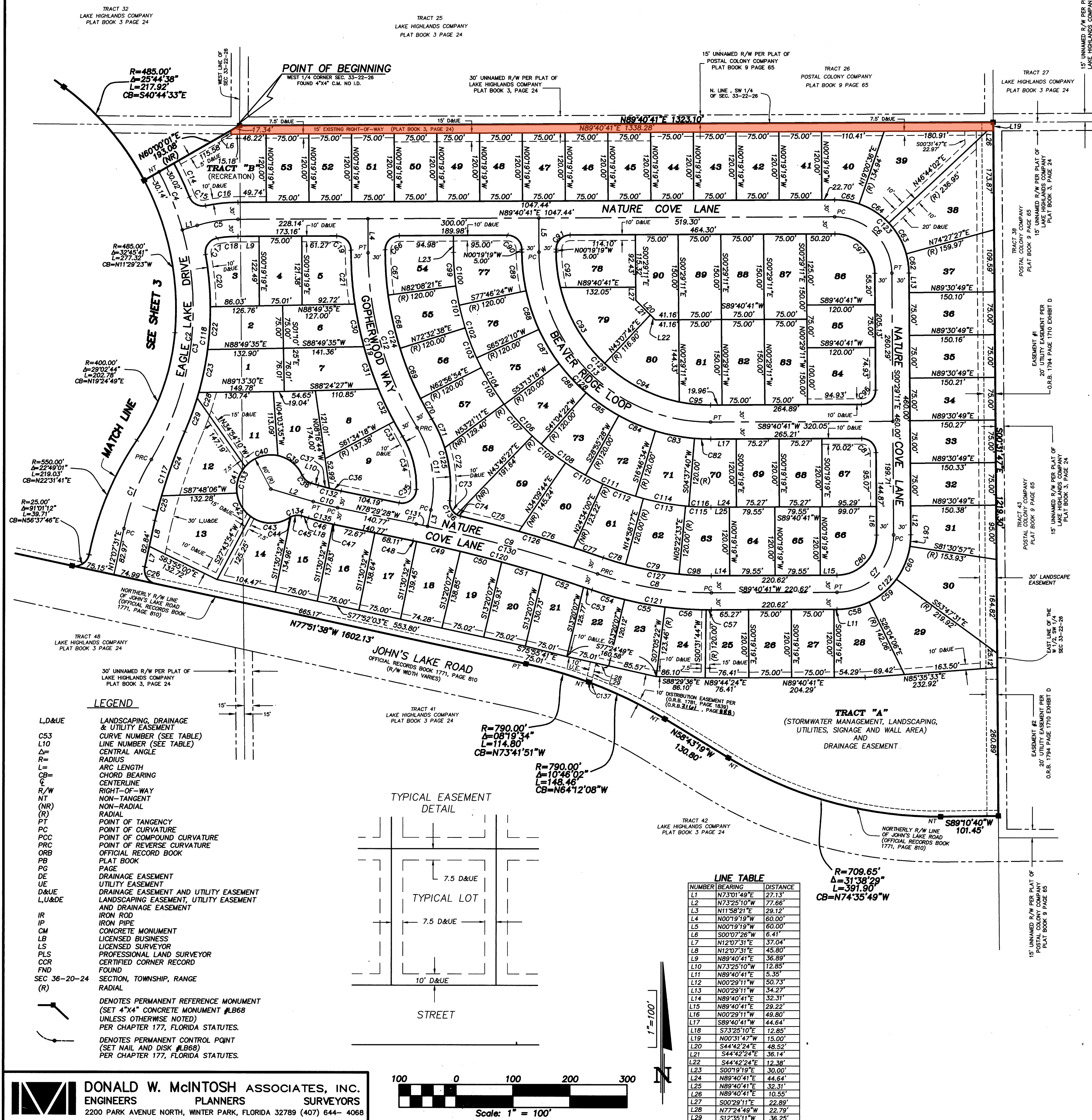
Notary Public State of Florida at large
My commission expires April 13, 1930.

LOST LAKE TRACT F

SHEET 2 OF 3

REPLATTING A PORTION OF THE PLAT OF LAKE HIGHLANDS COMPANY (PLAT BOOK 3, PAGE 24)
LOCATED IN SECTIONS 32 & 33, TOWNSHIP 22 SOUTH, RANGE 26 EAST
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

PLAT BOOK 48 PAGE 53



NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	400.00	184°59'	131.01	130.43	N21°30'30"E
C2	515.00	58°54'4"	529.45	506.44	N01°26'23"E
C3	515.00	46°36'40"	418.96	407.50	N07°35'10"E
C4	515.00	121°34'4"	110.49	110.28	S21°51'57"E
C5	250.00	16°38'52"	72.64	72.38	N81°21'15"E
C6	100.00	89°50'08"	156.79	141.22	S45°24'15"E
C7	100.00	90°09'52"	157.37	141.62	S44°35'45"W
C8	600.00	19°24'19"	203.21	202.24	N80°37'10"W
C9	2500.00	0°06'39"	310.27	310.07	N74°28'19"W
C10	500.00	0°04'19"	44.26	44.25	N75°57'19"W
C11	200.00	43°08'27"	150.59	147.06	N09°35'52"W
C12	600.00	30°50'47"	323.02	319.13	N15°44'42"W
C13	300.00	90°00'00"	471.24	424.26	N45°19'19"W
C14	445.00	0°51'50"	65.29	65.25	S24°41'23"E
C15	25.00	80°44'49"	35.23	32.39	S81°37'52"E
C16	280.00	11°40'56"	57.09	56.99	N83°50'12"E
C17	25.00	90°14'03"	39.37	35.43	N34°58'12"E
C18	220.00	0°35'28"	36.83	36.78	N84°52'19"E
C19	25.00	80°28'15"	38.46	38.48	S45°06'12"E
C20	545.00	0°41'49"	92.24	92.13	N05°17'55"W
C21	630.00	0°39'02"	95.12	95.03	N04°12'36"W
C22	545.00	0°55'03"	75.31	75.25	N03°30'31"E
C23	545.00	0°05'08"	76.91	76.85	N11°30'36"E
C24	1000.00	0°53'49"	120.38	120.30	S19°48'21"W
C25	1000.00	0°25'15"	45.16	45.16	S15°03'49"W
C26	25.00	89°59'09"	39.26	35.35	S32°52'03"E
C27	545.00	0°13'18"	10.04	10.04	S16°04'50"W
C28	545.00	0°38'48"	63.22	63.19	S19°55'52"W
C29	630.00	0°56'56"	76.41	76.36	S12°00'35"E
C30	630.00	0°09'12"	78.66	78.60	S19°03'39"E
C31	630.00	0°54'27"	63.67	63.65	S23°51'59"E
C32	630.00	0°24'54"	30.13	30.12	S29°47'54"E
C33	170.00	33°00'46"	97.95	96.60	S14°39'42"E
C34	25.00	99°39'51"	43.49	38.21	S51°40'36"W
C35	470.00	0°23'40"	21.06	21.06	N77°12'28"W
C36	470.00	0°23'01"	20.55	20.55	N74°40'18"W
C37	25.00	49°40'47"	21.68	21.00	N48°34'46"W
C38	60.00	54°38'14"	57.22	55.07	S15°03'29"W
C39	60.00	60°30'51"	63.37	60.47	S71°21'58"W
C40	60.00	48°05'56"	50.42	48.93	S17°02'04"W
C41	60.00	46°34'16"	48.77	47.44	S30°19'32"E
C42	60.00	69°29'17"	72.77	68.39	S88°21'18"E
C43	25.00	06°23'46"	2.79	2.79	N60°05'56"E
C44	25.00	43°17'02"	18.89	18.44	N64°56'19"E
C45	530.00	0°49'11"	44.88	44.57	S75°49'45"E
C46	530.00	0°01'07"	2.33	2.33	S78°21'55"E
C47	2470.00	0°09'36"	6.89	6.89	S78°24'40"E
C48	2470.00	0°14'34"	78.72	78.72	S77°25'08"E
C49	2470.00	0°14'24"	75.01	75.01	S78°36'07"E
C50	2470.00	0°14'43"	75.09	75.09	S75°33'39"E
C51	2470.00	0°14'43"	75.24	75.23	S72°09'02"E
C52	2470.00	0°02'41"	15.58	15.58	S71°05'50"E
C53	630.00	0°25'14"	59.60	59.58	S73°37'37"E
C54	630.00	0°34'23"	72.27	72.24	S79°37'26"E
C55	630.00	0°33'38"	72.14	72.10	S86°11'27"E
C56	630.00	0°05'03"	9.36	9.36	S89°53'47"E
C57	130.00	25°44'47"	58.42	57.63	N76°48'18"E
C58	130.00	27°43'26"	62.90	62.29	N50°04'11"E
C59	130.00	27°43'26"	62.90	62.29	N22°20'46"E
C60	130.00	0°58'14"	20.35	20.33	N03°59'56"E
C61	130.00	1°03'22"	34.16	34.06	N08°00'52"W
C62	130.00	27°43'26"	62.90	62.29	N29°24'15"E
C63	130.00	27°43'26"	62.90	62.29	S57°07'41"W
C64	130.00	1°19'55"	43.66	43.66	N80°39'21"W
C65	25.00	89°28'28"	39.04	35.19	S44°56'27"W
C66	25.00	89°28'28"	39.04	35.19	S44°56'27"W
C67	570.00	0°05'52"	110.16	99.14	N44°35'45"E
C68	570.00	0°35'43"	95.46	95.35	S12°39'31"E
C69	570.00	0°35'43"	95.46	95.35	S22°15'14"E
C70	570.00	0°40'00"	40.95	40.94	S29°06'36"E
C71	230.00	1°35'02"	55.87	55.73	S24°12'54"E
C72	230.00	2°31'36"	94.44	94.78	S06°28'15"E
C73	25.00	65°42'07"	28.67	27.12	S26°34'30"E
C74	25.00	17°23'46"	7.59	7.56	S68°07'27"E
C75	2530.00	0°23'47"	105.82	105.81	S75°37'26"E
C76	2530.00	0°21'06"	100.17	100.16	S73°17'29"E
C77	2530.00	0°17'42"	54.78	54.78	S71°32'13"E
C78	570.00	0°40'43"	40.91	40.90	S72°58'22"E
C79	570.00	0°35'43"	95.46	95.35	S79°49'35"E
C80	570.00	0°35'43"	95.46	95.35	S79°49'35"E
C81	25.00	89°50'08"	39.20	35.30	N45°24'15"W
C82	330.00	0°46'59"	28.51	28.50	N87°50'49"W
C83	330.00	12°08'54"	69.97	69.84	N79°17'53"W
C84	330.00	12°08'54"	69.97	69.84	N67°08'59"W
C85	330.00	12°08'54"	69.97	69.84	N55°00'05"W
C86	330.00	12°08'54"	69.97	69.84	N42°51'11"W
C87	330.00	12°08'54"	69.97	69.84	N30°42'17"W
C88	330.00	12°24'47"	71.44	71.30	N19°28'43"W
C89	330.00	11°54'17"	68.57	68.44	N08°16'28"W
C90	25.00	90°00'00"	39.27	35.36	N45°19'19"W
C91	25.00	90°00'00"	39.27	35.36	S44°40'41"W
C92	270.00	13°22'10"	63.00	62.86	S07°00'24"E
C93	270.00	33°10'49"	156.36	154.18	S30°16'53"E
C94	270.00	31°41'05"	149.31	147.41	S62°42'50"E
C95	270.00	11°45'57"	55.44	55.35	S84°28'21"E
C96	25.00	90°09'52"	39.34	35.41	N44°35'45"E
C97	70.00	89°50'08"	109.75	98.95	N45°24'15"W
C98	570.00	0°51'52"	56.68	56.66	S87°28'23"E
C99	450.00	0°32'20"	59.21	59.17	S04°05'29"E
C100	450.00	11°54'17"	93.50	93.33	S06°16'26"E
C101	450.00	0°35'43"	75.36	75.27	S12°39'31"E
C102	450.00	12°24'47"	97.42	97.23	S18°25'43"E
C103	450.00	0°35'43"	75.36	75.27	S22°15'14"E
C104	450.00	12°08'54"	95.41	95.23	S30°42'17"E
C105	450.00	0°35'43"	75.36	75.27	S31°30'58"E
C106	450.00	12°08'54"	95.41	95.23	S42°51'11"E
C107	450.00	0°35'43"	75.36	75.27	S41°26'41"E
C108	450.00	12°08'54"	95.41	95.23	S55°00'05"E
C109	450.00	0°35'43"	75.36	75.27	S51°02'25"E
C110	450.00	0°35'43"	75.36	75.27	S60°38'08"E
C111	450.00	12°08'54"	95.41	95.23	S67°08'59"E
C112	450.00	0°35'43"	75.36	75.27	S70°13'51"E
C113	450.00	0°35'43"	75.36	75.27	S79°49'35"E
C114	450.00	12°08'54"	95.41	95.23	S79°17'53"E
C115	450.00	0°34'52"	44.73	44.73	S87°28'23"E
C116	450.00	0°46'59"	38.88	38.86	S87°50'49"E
C117	1000.00	0°29'05"	165.54	165.35	N18°30'44"E
C118	545.00	33°24'06"	317.72	313.24	N06°33'13"E
C119	630.00	31°17'01"	343.98	339.72	S15°31'35"E
C120	2470.00	0°34'28"	326.53	326.30	S74°42'14"E
C121	630.00	19°24'19"	213.37	212.35	S80°37'10"E
C122	130.00	90°09'52"	204.58	184.11	N44°35'45"E
C123	130.00	89°50'08"	203.83	183.58	N45°24'15"W
C124	570.00	31°22'19"	312.10	308.22	S15°28'56"E
C125	230.00	37°26'38"	150.31	147.65	S12°26'46"E
C126	2530.00	0°54'20"	260.77	260.65	S73°52'10"E
C127	570.00	19°24'19"	193.05	193.13	S80°37'10"E
C128	130.00	90°00'00"	518.36	466.69	N45°19'19"W
C129	270.00	90°00'00"	424.12	381.84	S45°19'19"E
C130	2500.00	0°73'28"	330.50	330.26	N74°42'14"W
C131	2500.00	0°27'50"	20.24	20.24	S78°15'34"E
C132	470.00	0°30'41"	41.60	41.59	N75°57'19"W
C133	60.00	27°21'34"	292.54	77.65	S16°34'50"W
C134	25.00	49°40'47"	21.68	21.00	N81°44'27"E
C135	530.00	0°04'19"	46.92	46.90	S75°57'19"E
C136	25.00	83°05'53"	36.26	33.16	N35°16'24"W
C137	790.00	0°21'58"	5.09	5.05	S69°24'10"E

DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644- 4068



CITY OF CLERMONT REZONING FILING INSTRUCTIONS

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month – on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being schedule for public hearings.

A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

The Applicant shall provide the following information with this application in a PDF format on a CD or electronically via email to planning@clermontfl.org:

- Completed application. Include all signatures:
 - Applicant's signature (if different from owner of record)
 - Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitter with the application.
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, or deed)
- Legal Description in a word document to be used for legal advertising and in the ordinance for rezoning.
- Plot plan (drawn to scale) of the property involved showing the location of existing building or structures and the location of proposed building or structures which specifically delineates and illustrates the extent of the rezoning request. Maximum size for plans 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- Fee: \$542.00 plus the cost of the advertisement, plus the cost of traffic review, if necessary



CITY OF CLERMONT

REZONING

APPLICATION

DATE 03/15/2022		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Lost Lake Assemblage			
Applicant Major Stacy, P.E.			
Contact Person Major Stacy, P.E.			
Address 2221 Lee Road Suite 27	City Winter Park	State FL	Zip 32789
Telephone 4079605868	Fax		
Email mstacy@appianfl.com			
OWNER INFORMATION			
Owner's Name See Attached			
Owner Address See Attached	City	State	Zip
Telephone	Email		
PROPERTY INFORMATION			
Address of Subject Property LOST LAKE RD	City CLERMONT	State FL	Zip
Legal Description (include copy of survey) See Attached			
Acreage See Attached	Land Use (City verification required) LDR		
Present Zoning (City verification required) N/A	Proposed Zoning PUD		



CITY OF CLERMONT REZONING APPLICATION

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

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

Single Family Residential Planned Community

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

Major Stacy, P.E.

Applicant Name (print)

x _____
Applicant Name (signature)

Owner Name (print)

x _____
Owner Name (signature)

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

5/22/2020

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 2022-026

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 parcels located north of Johns Lake Road and west of Hancock Road (Alternate Keys 1031346, 1678501, 1678528, 1098858, 1067952, 1491690 and 1029562)



LEGAL DESCRIPTION

Legal Description for Alt Key 1031346

W 1/4 OF SE 1/4 OF NW 1/4 ORB 2681 PG 1119 ORB 5072 PG 1639

Legal Description for Alt Key 1678501

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 38 PB 9 PG 65 ORB 2143 PG 0263

Legal Description for Alt Key 1678528

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 43--LESS FROM NE COR OF W 1/2 OF TRACT 43 RUN W 0-0-10 E ALONG E LINE OF W 1/2 OF SAID TRACT 43 A DIST OF 596.91 FT FOR POB, CONT S 0-0-10 E 21.03 FT TO A POINT ON N'LY R/W LINE OF 15 FT RD R/W, N 89-54-22 W ALONG SAID N'LY R/W LINE A DIST OF 320.35 FT TO A POINT ON E'LY LINE OF 15 FT R/W, N 0-10-56 W ALONG SAID E'LY R/W LINE 43.99 FT, S 89-48-28 E 3.63 FT, S 0-11-32 W 17.41 FT, S 44-48-28 E 7.07 FT, S 89-48-28 E 311.94 FT TO POB FOR ADDITIONAL RD R/W--PB 9 PG 65 ORB 935 PG 409

Legal Description for Alt Key 1098858 and 1067952

POSTAL COLONY 33-22-26 TRACT 11 PB 9 PG 65 ORB 2751 PG 268 E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 ORB 2751 PG 268

Legal Description for Alt Key 1491690 and 1029562

POSTAL COLONY 33-22-26 W 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

POSTAL COLONY 33-22-26 E 1/2 OF TRACT 28 PB 9 PG 65 ORB 5610 PG 1116

PROPERTY REZONING

**FROM: Lake County R-6 Urban Residential,
RA-Ranchette, A-Agricultural**

TO: City of Clermont Planned Unit Development

The Planning & Zoning Commission will consider the request on Tuesday, June 7, 2022 at 6:30 PM and the Clermont City Council will hold a public meeting to consider the request on Tuesday, June 28, 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 and 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, August 23, 2022		
Agenda Item Name		
Ordinance No. 2022-033 <i>Final</i> <i>Clonts Property Rezoning</i>		
Requested Action		
Recommend approval of Ordinance 2022-033		
Staff Report		
Request to table to October 11, 2022.		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2022-033 Clonts Rezoning (08.16.2022)	Ord. 2022-033 Clonts Rezoning (08.16.2022).pdf	
2. Clonts legal ad	Clonts legal ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-033

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:

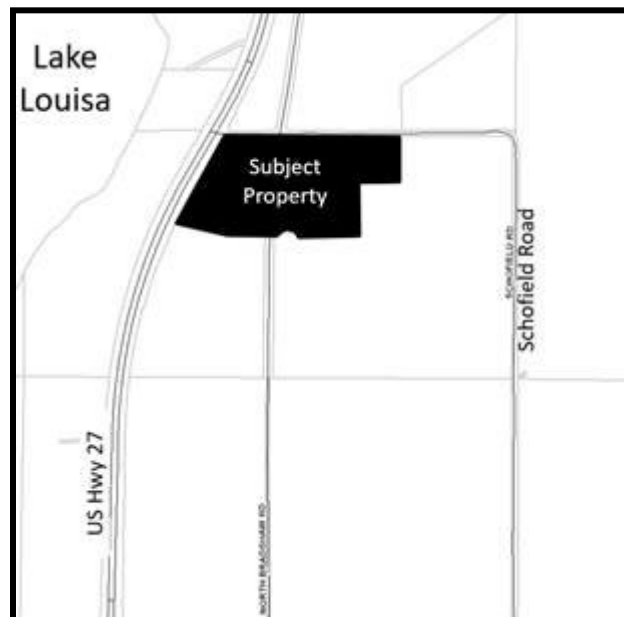
LEGAL DESCRIPTION: A PORTION OF SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING EAST OF US HIGHWAY 27, SOUTH OF SCHOFIELD ROAD LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE S89°30'42"W W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1424.92 FEET; THENCE DEPARTING SAID SOUTH LINE RUN S00°13'39"E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCHOFIELD ROAD (A VARIABLE WIDTH COUNTY MAINTAINED RIGHT OF WAY); THENCE CONTINUE S00°13'39", A DISTANCE OF 87.00 FEET TO THE POINT OF BEGINNING; THENCE S89°30'42"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1735.91 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED: NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE S29°58'09"W, A DISTANCE OF 3.93 FEET; THENCE N59°58'28"W, A DISTANCE OF 14.98 FEET; THENCE S29°56'43"W, A DISTANCE OF 449.91 FEET; THENCE N59°59'46"W, A DISTANCE OF 4.97 FEET; THENCE S29°56'22"W, A DISTANCE OF 68.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 06°56'55", A CHORD BEARING OF S26°27'55"W AND A CHORD DISTANCE OF 676.18 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 676.59 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A

CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,275,197.41 SQUARE FEET OR 52.23 ACRES MORE OR LESS.

LOCATION:

2 miles south of Hartwood Marsh Road,
East of US 27 at the Schofield Road intersection
Alternate Key 1462436



PROPERTY REZONING

**Rezone the property from Urban Transition to
Planned Unit Development (PUD) for multi-family use and commercial use**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a multi-family residential Planned Unit Development along with future C-2 General Commercial uses:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.

2. The property shall be developed in substantial accordance with the PUD Concept Plan prepared by Poulos & Bennett dated August 10, 2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS:

1. As a result of a developer's agreement entered into by the City of Clermont and Clonts Groves, Inc, dated October 22, 2019, the project shall have a density of twelve (12) dwellings units per net acre. The multi-family acreage is 27.37 acres, thus a total of 328 multi-family dwelling units may be constructed.
2. The future development parcel (Parcel 2), according to the Developer's Agreement, may have up to one hundred fifty-two thousand five hundred (152,500) square feet of commercial, retail and office uses. No multi-family will be permitted on Parcel 2.
3. To the extent of a conflict between this Ordinance and the October 22, 2019 Clonts Groves, Inc. Development Agreement related to the subject property, this Ordinance shall control and prevail.
4. Phasing of Development: The project may be developed in one or more phases.
5. The project may have a maximum cut of up to 35 feet over 17% of the multi-family area, as indicated on the Clonts Groves PUD Cut/Fill Exhibit. These changes will be submitted to the City Engineer at the time of final engineering.
6. The project may have a maximum fill of up to 12 feet over .5% of the project area, as indicated on the Clonts Groves PUD Cut/Fill Exhibit. These changes will be submitted to the City Engineer at the time of final engineering.

7. Development Standards

Building Placement	Multi-family
Front yard minimum	15'
Front Build-to-zone	15' to 25'
Street Side Yard minimum	10'
Side Yard minimum	0/5'
Rear Yard minimum	10'
Building Stories/Ft. Maximum height	4/60'
Minimum Living Area	500 SF

8. Retaining wall heights up to 8 feet in height are allowed to deal with grading on the site.
9. The Project shall meet the Cit of Clermont Land Development Regulations for Signage, Parking Requirements, and Landscaping.
10. The Project will adhere to dark sky standards.
11. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
12. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
13. This Planned Unit Development shall become null and void if substantial construction work on the multi-family portion of the Project has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
14. Trash compacters may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project, subject to City Manager approval, or designated staff.
15. The buildings shall be constructed in a manner that shall meet the Wellness Way Community Design Guidelines and Standards and as represented in the provided elevations in Exhibit B.

16. The Developer shall enter into a Proportionate Share Transportation Impact Fee Credit agreement with Lake County prior to the issuance of a building permit. The Agreement shall require the Developer to fund improvements for right-of-way, design, permitting, and construction of roadways, traffic signals, intersection improvements for Transportation impact fee credits based upon the following priorities:
 - i. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Wellness Way;
 - ii. Design and permitting of Wellness Way from US 27 to the Orange County line as a four lane roadway;
 - iii. Construction of Wellness Way from Hancock Road to the Orange County line as the first two lanes of the ultimate four lane roadway;
 - iv. Payment in escrow to Lake County for the acquisition of the four lane right-of-way from Conserv for Hancock Road;
 - v. Design and permitting of Hancock Road from Wellness Way to the northern boundary of the Conserv property as a four lane roadway;
 - vi. Construction of Hancock Road from Wellness Way to the entrance of the Fuqua project south of Hartwood Marsh Road as the first 2-lanes of the ultimate 4-lane roadway;
 - vii. Construction of the 3rd and 4th lanes of Wellness Way from US 27 to the Hancock/Schofield intersection;
 - viii. Or as stipulated in the Proportionate Share Agreement.
17. The Developer will be responsible for their proportionate share of traffic signals, when warranted, at the time of construction for intersections that serve the project, including Wellness Way. The proportionate share shall be based upon the actual cost of traffic signals at the time they are constructed.
18. The Developer will be responsible for the construction of the roadways as indicated on Sheet No. C6.00 Road Way Network Plan of the Clonts PUD Concept Plan that indicate dedicated roadways. These include the N. Bradshaw Road and the internal privately maintained east-west road for public use.
19. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
20. Decorative street lighting shall be included for all Planned Unit Development internal roadways and along Bradshaw Road adjacent to the project. The Developer shall coordinate with the power utility provider for the installation and placement. The Developer shall be responsible for the cost of installation, maintenance and operation.
21. As documented in Section 21 of the October 22, 2019 Clonts Groves, Inc. Development Agreement, the Owner agrees to remove the existing communication tower no later than December 31, 2031.



CITY OF CLERMONT
ORDINANCE NO. 2022-033

22. The property management office shall prominently notify tenants in writing that mining activities are in the vicinity and shall inform potential tenants of the sounds, fugitive dust particles and other potential hazards that may be encountered periodically resulting from the existing sand mine. In addition, the Project is located within the Lake Louisa State Park Smoke Shed and at times, less than desirable conditions may exist due to controlled burning. This shall also be conveyed to and acknowledged by the tenants as well.

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

SECTION 6: 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 8: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2022-033

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 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

Exhibit A:

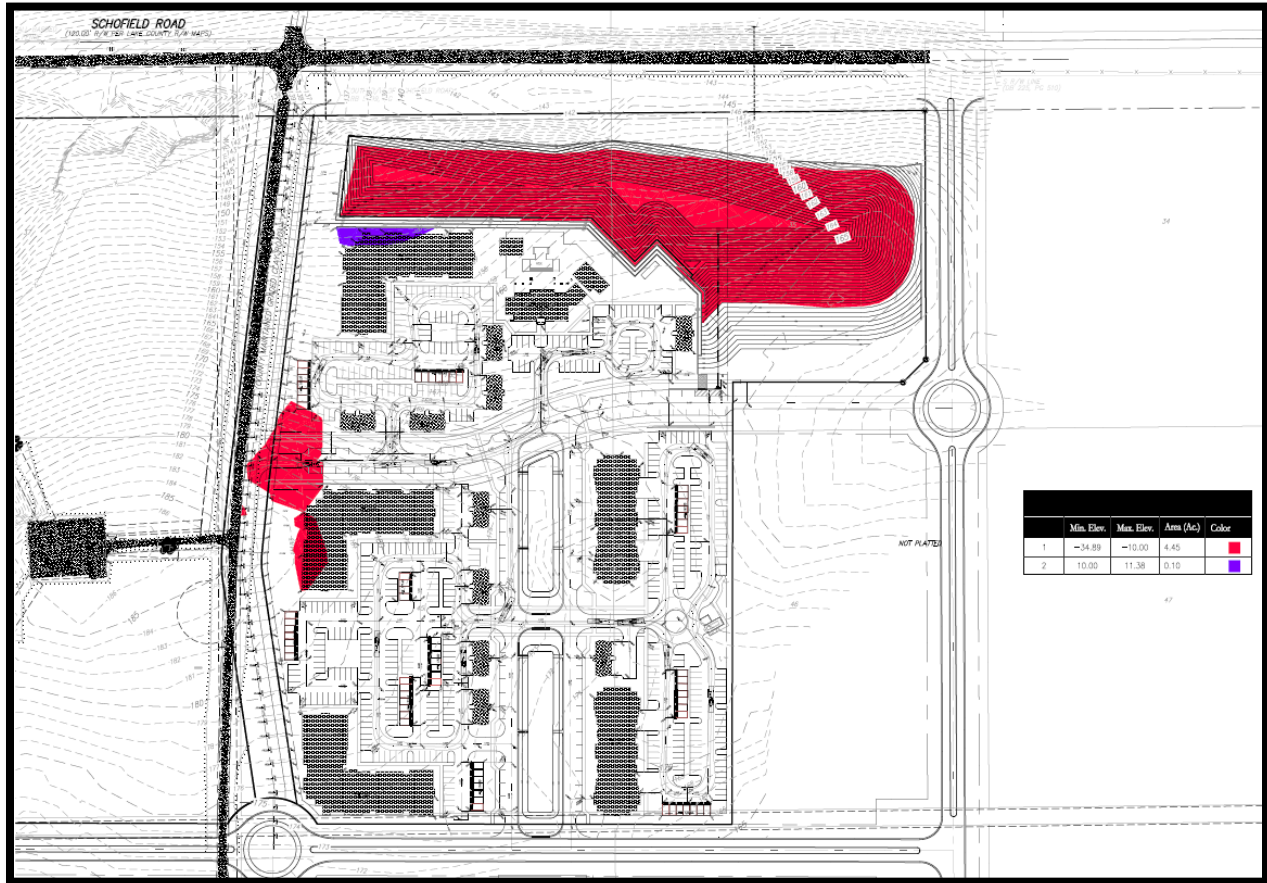
 PUD Conceptual Plan



Exhibit B:
Sample Elevation



Exhibit C:
Clonts Groves PUD Cut/Fill Exhibit



LEGAL NOTICE

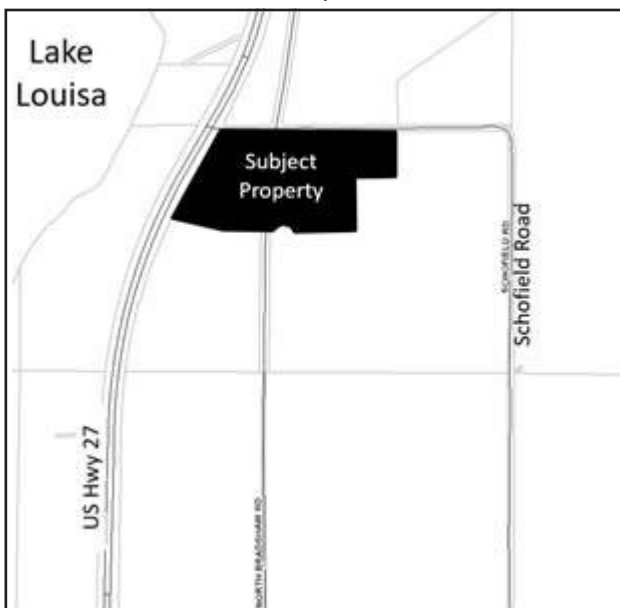
On Tuesday, August 2, 2022 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of following proposed ordinance and on Tuesday, August 23, 2022 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2022-033

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 EFFECTIVE DATE.

LOCATION

2 miles south of Hartwood Marsh Road,
East of US 27 at the Schofield Road intersection
Alternate Key 1462436



LEGAL DESCRIPTION

LEGAL DESCRIPTION: A PORTION OF SECTION 21 TOWNSHIP 23 SOUTH, RANGE 26 EAST, LYING EAST OF US HIGHWAY 27, SOUTH OF SCHOFIELD ROAD LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 21; THENCE S89°30'42"W W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 1424.92 FEET; THENCE DEPARTING SAID SOUTH LINE RUN S00°13'39"E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SCHOFIELD ROAD (A VARIABLE WIDTH COUNTY MAINTAINED RIGHT OF WAY); THENCE CONTINUE S00°13'39", A DISTANCE OF 87.00 FEET TO THE POINT OF BEGINNING; THENCE S89°30'42"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1735.91 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 ALSO KNOWN AS STATE ROAD 25 (A VARIABLE WIDTH RIGHT OF WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FP NO. 238422 1 DATED: NOVEMBER 8, 2005); THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE S29°58'09"W, A DISTANCE OF 3.93 FEET; THENCE N59°58'28"W, A DISTANCE OF 14.98 FEET; THENCE S29°56'43"W, A DISTANCE OF 449.91 FEET; THENCE N59°59'46"W, A DISTANCE OF 4.97 FEET; THENCE S29°56'22"W, A DISTANCE OF 68.87 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 5579.01 FEET, A CENTRAL ANGLE OF 06°56'55", A CHORD BEARING OF S26°27'55"W AND A CHORD DISTANCE OF 676.18 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 676.59 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S67°38'24"E, A DISTANCE OF 469.15 FEET; THENCE S89°50'54"E, A DISTANCE OF 664.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 120°00'00", A CHORD BEARING OF S89°52'26"E AND A CHORD DISTANCE OF 155.88 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 188.50 FEET TO THE END OF SAID CURVE; THENCE S89°54'20"E, A DISTANCE OF 724.09 FEET; THENCE N00°06'56"E, A DISTANCE OF 771.53 FEET; THENCE S89°53'03"E, A DISTANCE OF 297.15 FEET; THENCE N44°56'39"E, A DISTANCE E, A DISTANCE OF 56.40 FEET; THENCE N00°13'39"W, A DISTANCE OF 433.99 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,275,197.41 SQUARE FEET OR 52.23 ACRES MORE OR LESS.

PROPERTY REZONING

**Rezone the property from Urban Transition to
Planned Unit Development (PUD) for multi-family use and commercial use**

All public meetings are held in the Clermont City Hall, Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

All interested parties shall 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-016R APC Roofing CUP		
Requested Action		
Recommend denial of Resolution No 2022-016R.		
Staff Report		
The applicant is requesting a Conditional Use Permit to allow for the development and construction of a roofing and warehouse building to be located in the C-1 Light Commercial zoning district. The vacant parcel is approximately 0.51 acres and is located on West Broome Street, between Second Street and 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 proposed 8,000 square foot building exceeds the maximum permitted 0.25 Floor Area Ratio (FAR) for Commercial Land Use and would be in direct conflict with the Clermont Comprehensive Plan. 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 the constant heavy truck traffic required for this type of development. 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 and the proposed 8,000 square foot warehouse building exceeds the maximum 0.25 Floor Area Ratio (FAR) permitted for the Commercial Land Use designation. 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. <i>The Planning and Zoning Commission at their meeting voted 6-1 to recommend denial of Resolution No. 2022-016R.</i>		
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 (07.27.2022)	2022-016R - APC Roofing CUP (07.27.2022).pdf	
2. APC Roofing CUP-Staff Analysis	APC Roofing CUP-Staff Analysis.pdf	
3. LOCATION MAP	LOCATION MAP.pdf	

4.	Clermont ACP Prel Site Plan SS 3-31-2022	Clermont ACP Prel Site Plan SS 3-31-2022.pdf
5.	CUP Application - Signed 3-31-22	CUP Application - Signed 3-31-22.pdf
6.	APC Roofing CUP legal ad	APC Roofing CUP legal ad.pdf



CITY OF CLERMONT
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 August 2, 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 23rd day of August 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 Staff Analysis Report

OWNER: Alberto Contreras, MGR

APPLICANT: Alberto Contreras

PROJECT NAME: APC Roofing LLC. - CUP

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

SIZE OF PARCEL: Alternate Key 1611288 & 1611296

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

EXISTING ZONING: "C-1" Light Commercial

EXISTING LAND USE: Vacant Property

FUTURE LAND USE CATEGORY: Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

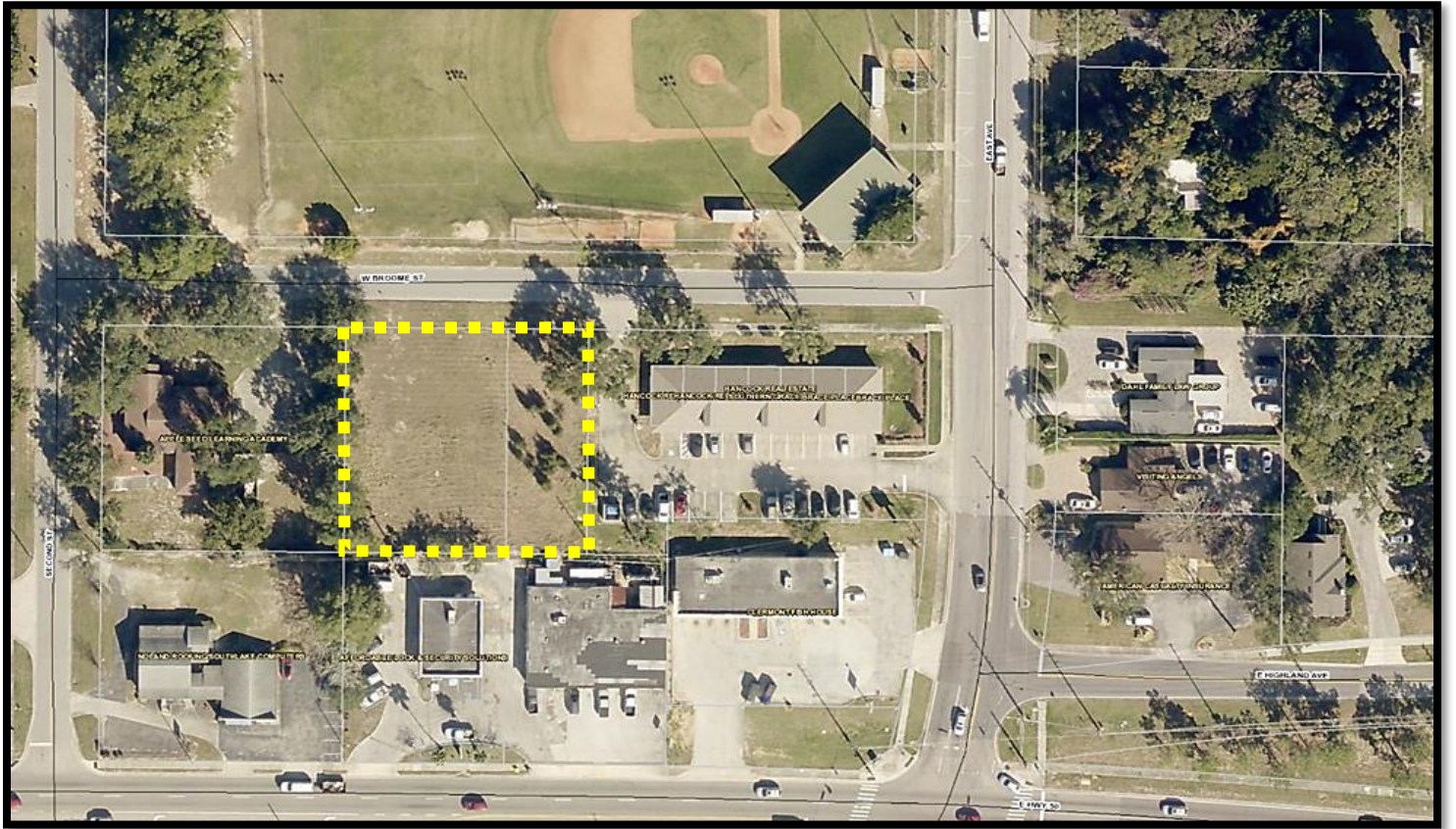
The applicant; is requesting a Conditional Use Permit (CUP) to allow for the development and construction of a roofing and warehouse building to be located in the C-1 Light Commercial zoning district. The vacant parcel is approximately 0.51 acres and is located on West Broome Street, between Second Street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

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

STAFF RECOMMENDATION:

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

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





CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

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



CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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

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

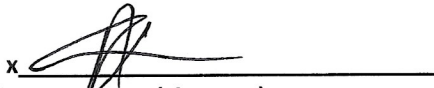
Alberto Ponce Contreras, MGR

Applicant Name (print)

x 
Applicant Name (signature)

Alberto Ponce Contreras, MGR

Owner Name (print)

x 
Owner Name (signature)

*****NOTICE*****

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

City of Clermont

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL 34712-0219

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

5/26/2020



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

Order Confirmation

Not an Invoice

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

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

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

Print

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

Total Order Confirmation	\$158.92
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Ad Preview

LEGAL NOTICE

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

LOCATION

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

(AK 1611288 and 1611296)

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

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

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

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

April 26 and May 17, 2022

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-021R <i>Senninger Irrigation CUP</i>		
Requested Action		
Staff Report		
Request to table to October 11, 2022.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2022-021R - Senninger Irrigation CUP (08.16.2022)	2022-021R - Senninger Irrigation CUP (08.16.2022).pdf
2.	Legal ad - Senninger	Legal ad - Senninger.pdf



CITY OF CLERMONT
RESOLUTION NO. 2022-021R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A BUILDING OVER 100,000 SQUARE FEET IN THE M-1 INDUSTRIAL 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 July 5, 2022 recommended approval of this Conditional Use Permit to allow for a building over 100,000 square feet in the M-1 Industrial zoning district; at the following location:

LOCATION:

Senninger Irrigation
South end of Granville Avenue, south of SR 50
Alternate Key 1795044

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 building over 100,000 square feet in the M-1 Industrial 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. 2022-021R

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. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director or authorized designee will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.



CITY OF CLERMONT
RESOLUTION NO. 2022-021R

12. The property shall be developed in substantial accordance with the Preliminary Site Plan (Exhibit A) prepared by SK Consortium, Inc., dated 05/27/22. 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.
13. 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. Provided, however, in the event that the grant of this permit is timely appealed, the date of issuance of this Conditional Use Permit shall be the date of the decision upholding the grant of the permit.

SECTION 2: LAND USE

1. This Conditional Use Permit shall grant approval to allow for the construction of up to a new 125,000 square foot industrial building to be used for administrative office, manufacturing and warehouse use at the existing Senninger Irrigation facility.
2. The new building will be constructed in the specific location, as represented on the Preliminary Site Plan (Exhibit A) prepared by SK Consortium, Inc., dated 05/27/22.
3. The new building shall be constructed in substantial accordance to the provided Sample Elevations shown at the end of this ordinance (Exhibit B).
4. Building Setbacks, minimum, and Development Standards:

Front	25 feet from the property line
Side Setback	12 feet from the property line
Side Street	25 feet from the property line
Rear Setback	25 feet from the property line
5. By virtue of the transportation system needs in the area, the developer shall reserve on the commercial site plan, a 100-foot right-of-way for Hooks Street within the project boundary, from the northwestern property line through the property towards to northeast property line, as directed by the final engineering plans of Hooks Street. This right-of-way shall be coordinated with Lake County prior to site plan approval. Additional non-exclusive easements necessary to accommodate harmonizing grading, drainage, road, and road related easements; not to exceed 40 feet in width south, adjacent and parallel, to the Hooks Street right-of-way may also be required. The total width of the Hooks Street right-of-way and non-exclusive easements is up to 140 foot in width. The right-of-way and non-exclusive easements shall be identified at preliminary commercial site plan review and shown on the final plat/commercial site plan. The developer shall coordinate with the County and the City on alignment and grading of Hooks Street. The non-exclusive easement width will be adjusted with design plans approved by the County and the City.



CITY OF CLERMONT
RESOLUTION NO. 2022-021R

Dedication of public utility easements within the non-exclusive easement along and adjacent to Hooks Street, not to exceed 20 foot in width, shall be required by the Developer.

6. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the M-1 Industrial Zoning district in the Land Development Codes.

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. 2022-021R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August 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. 2022-021R

Exhibit B: Sample Elevations



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:	06/20/2022
Order Number:	7439402
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	46.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	06/28/2022 - 07/19/2022	Bids & Proposals
LEE dailycommercial.com	2	06/28/2022 - 07/19/2022	Bids & Proposals

Total Order Confirmation	\$144.32
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Ad Preview

LEGAL NOTICE

On Tuesday, July 5, 2022 at 6:30 p.m. the Clermont Planning and Zoning Commission will consider a request for a Conditional Use Permit (CUP), and this request will be heard by the City Council at a public hearing on Tuesday, July 26, 2022 at 6:30 P.M. to allow for a building over 100,000 square feet in the M-1 Industrial District, Land Development Code, Section 122-264, at the following location:

LOCATION:

Senninger Irrigation
South end of Granville Avenue,
south of SR 50

(Alternate Key #1795044)

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

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

June 28, 2022 and July 19, 2022

7439402



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Ordinance No. 2022-011 <i>Table Chicone Rezoning Final</i>		
Requested Action		
Staff Report		
Request to table to September 27, 2022.		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ord. 2022-011 Chicone Rezoning Draft	Ord. 2022-011 Chicone Rezoning Draft.pdf	
2. Ord. 2022-011 Chicone legal ad	Ord. 2022-011 Chicone legal ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-011

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:

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 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



CITY OF CLERMONT
ORDINANCE NO. 2022-011

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



CITY OF CLERMONT
ORDINANCE NO. 2022-011

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.

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.

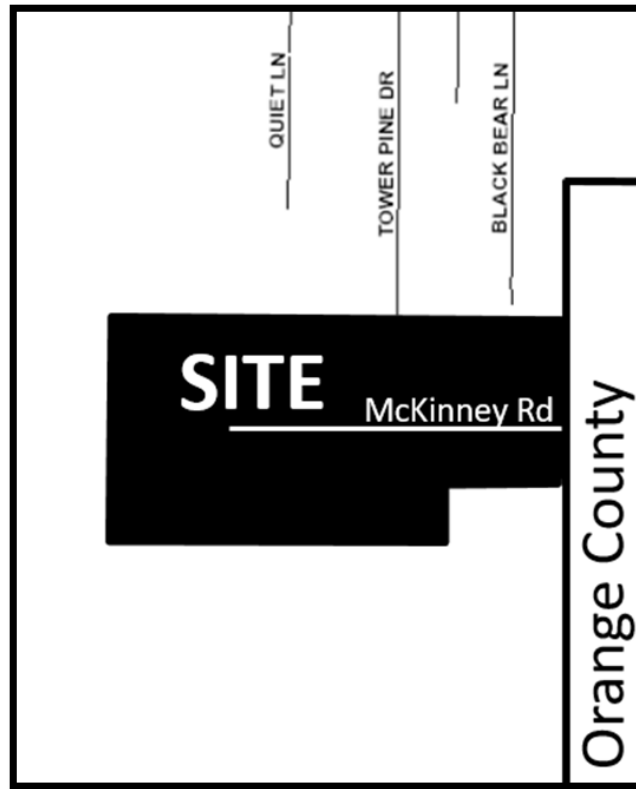
PROPERTY AS SHOWN HEREON CONTAINS: 13,220,321 SQUARE FEET OR 303.50 ACRES MORE OR LESS

LOCATION:

3 miles east of Schofield Road and US Hwy 27 intersection
West of the Orange County line, adjacent to McKinney Road

CITY OF CLERMONT
ORDINANCE NO. 2022-011

Approx. 304 +/- Acres
Alternate Keys 1029198, 2689919, 1122848, 1070970, 1029201, 1594545



PROPERTY REZONING

From: Lake County Agriculture
To: City of Clermont (PUD) Planned Unit Development

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a 99 lot single-family residential subdivision; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the PUD Concept Plan, sheet CP-8, prepared by Appian Engineering, LLC dated 6-23-2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.



CITY OF CLERMONT
ORDINANCE NO. 2022-011

3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

This application for a Planned Unit Development to allow for single-family residential development be granted subject to the following conditions:

1. A total of up to 99 single-family residential dwelling units may be permitted on the site, not to exceed a density of 2.70 units per net developable acre within the project. The net developable acre calculation is the total property area minus the right-of-way dedication minus the conservation area. Below is the calculation:

Total Property Area (TPA)	47.82 Acres
Right-of-Way Dedication (ROW)	0.97 Acres
Conservation Area (CA)	10.13 Acres
TPA – ROW – CA = Net Developable Area	
Net Developable Area	36.72 Acres

2. Development Standards: Development standards for the development of the residential dwelling units shall be based on the size of the lot, as indicated in the table below.

<u>Design Item</u>	<u>60' Lot</u>
Minimum Lot Area	7,500 sf
Minimum Living Area	1,000 sf
Minimum Lot Width	60'
Minimum Lot Depth	125'



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Minimum Front Building setback	25'
Minimum Side Yard Setback	5'
Setback from Side Street	15'
Minimum Rear Yard Setback	20'
Minimum Building Separation	10'
Minimum Rear Yard Setback for Pools, Patios, Decks, Screen Rooms or Ancillary Structures	5'
Maximum Impervious Surface Ratio (ISR)	0.65
Maximum Principal Building Height	35'
Maximum Accessory Building Height	25'
Setbacks from High Water Line, Mean High Water Line, or Jurisdictional Wetland Line	50'
Minimum front yard easement	5'
Minimum side and Rear Yard Drainage and Utility Easement	5'

3. Phasing of Development: The project may be developed in one or more phases.
4. The project may have elevation changes of up to 25 feet in height with up to 10% of the project site comprised of single-family residential lots through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
5. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
6. The project shall be developed in accordance with the City of Clermont Utility Standards.



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ORDINANCE NO. 2022-011

7. Any proposed City maintained utilities that are not located within a City maintained right of way shall be placed in a utility easement dedicated to the City at time of recordation of final plat. Easements shall be provided at no expense to the City.
8. The PUD will be required to have a minimum of 25% open space.
9. The Traffic Impact Analysis review has indicated existing deficiencies in the project area. A left-turn lane is warranted on Johns Lake Road and will need to be installed by the Developer prior to the first Certificate of Occupancy. In addition, the Developer will be responsible for a 1.70% proportionate fair share payment for Hancock Road widening. The proportionate fair share payment shall be coordinated with Lake County. The proportionate fair share payment shall be completed prior to the first Certificate of Occupancy.
10. The internal roadways shall have a right-of-way of sixty (60) feet, constructed to City Standards, to include the portion of Lost Lake Road that is within the development.
11. Coordination between the Developer and Lake County Solid Waste Office, Lake County Public Works Department/Environmental Services Division and other public service providers, will be required to provide access for trash and recycling service pickups, mail, police and fire protection, and other services for the adjacent parcels that are currently accessing through Lost Lake Road or the private drive on the western property boundary.
12. The Developer shall extend a 12 inch reclaimed main along the Lost Lake Road frontage and down to Johns Lake Road to serve adjacent unserved properties. This shall be coordinated through the City of Clermont Public Services Department and Lake County.
13. The City of Clermont Fire Chief has determined the connection and design of a secondary emergency access point will be from Lost Lake Road and will need to be graded, leveled, and stabilized using whatever materials the Engineer of record requires to support loads of fire apparatus and shall be provided with an all-weather driving surface. This secondary access point shall be maintained by the Homeowners Association as frequently as necessary to keep the path in a level drivable condition.
14. Air conditioner pads, generator pads, and pool equipment may be located in the side yard setback, but shall not be located within any drainage and/or utility easement. If these items are unable to meet this setback, then they will be placed behind the rear building line of the structure outside of the drainage and/or utility easement.
15. School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.
16. This Planned Unit Development shall become null and void if substantial construction work has not begun within two (2) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the



CITY OF CLERMONT
ORDINANCE NO. 2022-011

commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the R-2 Medium Density Residential Zoning Designation.

17. The project shall be developed according to R-2 Medium Density Residential Zoning Designation in the Land Development Code, unless expressly stated above.

SECTION 5: CONFLICT

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

SECTION 6: 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 7: 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 8: RECORDING

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

SECTION 9: PUBLICATION AND EFFECTIVE DATE

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

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 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

LOT AREA TABLE

LOT NO.	LOT AREA (SQ. FT.)	LOT AREA (AC.)
1	10,000	0.23
2	10,000	0.23
3	10,000	0.23
4	10,000	0.23
5	10,000	0.23
6	10,000	0.23
7	10,000	0.23
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10	10,000	0.23
11	10,000	0.23
12	10,000	0.23
13	10,000	0.23
14	10,000	0.23
15	10,000	0.23
16	10,000	0.23
17	10,000	0.23
18	10,000	0.23
19	10,000	0.23
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32	10,000	0.23
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91	10,000	0.23
92	10,000	0.23
93	10,000	0.23
94	10,000	0.23
95	10,000	0.23
96	10,000	0.23
97	10,000	0.23
98	10,000	0.23
99	10,000	0.23
100	10,000	0.23

BUILDING FOOTPRINT TABLE

LOT NO.	BUILDING FOOTPRINT (SQ. FT.)	BUILDING FOOTPRINT (AC.)
1	1,000	0.023
2	1,000	0.023
3	1,000	0.023
4	1,000	0.023
5	1,000	0.023
6	1,000	0.023
7	1,000	0.023
8	1,000	0.023
9	1,000	0.023
10	1,000	0.023
11	1,000	0.023
12	1,000	0.023
13	1,000	0.023
14	1,000	0.023
15	1,000	0.023
16	1,000	0.023
17	1,000	0.023
18	1,000	0.023
19	1,000	0.023
20	1,000	

LEGAL NOTICE

On Tuesday, August 2, 2022 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of following proposed ordinance and on Tuesday, August 23, 2022 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

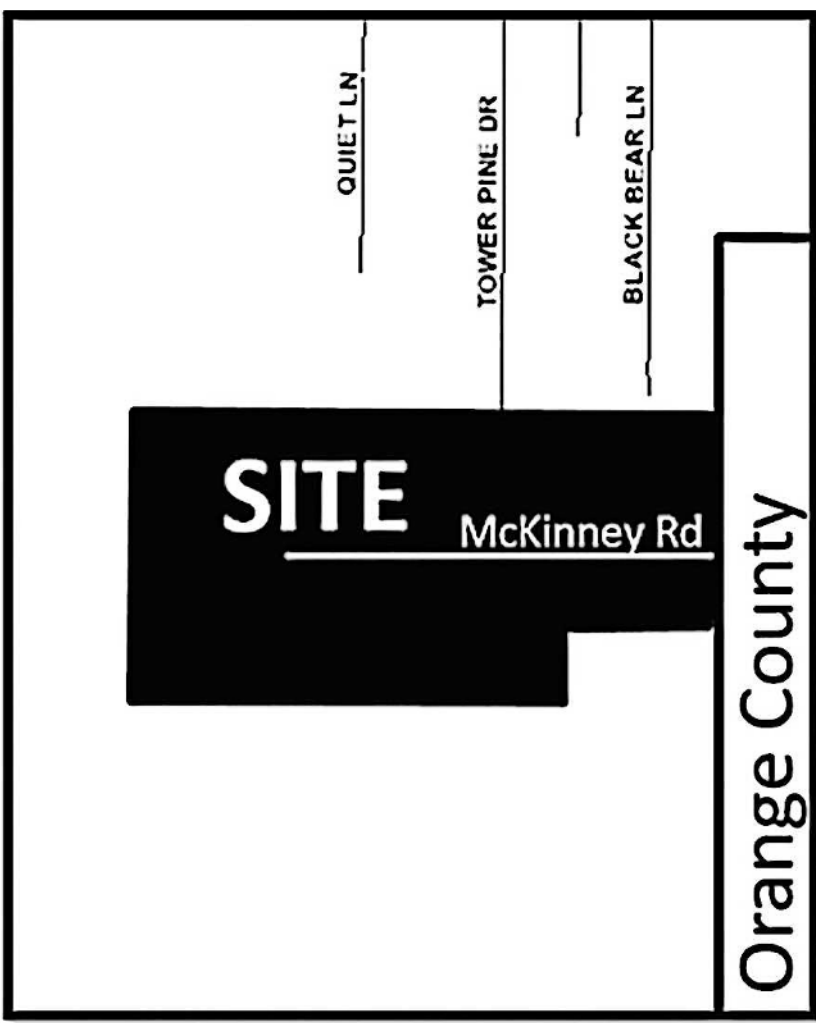
ORDINANCE NO. 2022-011

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 EFFECTIVE DATE.

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



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 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

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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

PROPERTY REZONING

From: Lake County Agriculture

To: City of Clermont (PUD) Planned Unit Development

All public meetings are held in the Clermont City Hall, Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

All interested parties shall 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Ordinance No. 2022-032 <i>Table The Vue Rezoning</i>		
Requested Action		
Staff Report		
Request to table to September 27, 2022.		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. ORD 2022-032 The Vue Rezoning (07.19.2022)	ORD 2022-032 The Vue Rezoning (07.19.2022).pdf	
2. The Vue legal ad	The Vue legal ad.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2022-032

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:

LEGAL DESCRIPTION – AC COMMERCIAL
ALTERNATE KEY 3334566

PARCEL 1

THAT PART OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBES AS FOLLOWS:

COMMENCE AT THE EAST ¼ CORNER OF SAID SECTION 28; THENCE RUN NORTH 00°42'51" EAST ALONG THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 28 FOR A DISTANCE OF 664.12 FEET TO THE NORTHEAST CORNER OF THE SOUTH ¼ OF THE NORTHEAST ¼ OF SAID SECTION 28; THENCE RUN SOUTH 89°24'16" WEST ALONG THE NORTH LINE OF SAID SOUTH ¼ FOR A DISTANCE OF 1335.19 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND CHORD BEARING OF SOUTH 01°23'58" WEST AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°36'59" FOR A DISTANCE OF 111.29 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 63°07'26" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°49'56" FOR A DISTANCE OF 43.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET AND A CHORD BEARING OF NORTH 87°56'35" WEST AND THE NORTH RIGHT OF WAY LINE OF HOOK STREET, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°57'58" FOR A DISTANCE OF 1281.78 FEET TO A NON-RADIAL LINE AND THE EAST RIGHT OF WAY LINE OF AN UNNAMED RIGHT OF WAY,



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ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 28, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°10'52" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 718.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NUMBER 50; THENCE RUN NORTH 89°24'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1127.57 FEET; THENCE RUN SOUTH 89°29'29" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 120.11 FEET TO THE WEST LINE OF THE EAST 60 FEET OF TRACT 19, OF SAID LAKE HIGHLANDS COMPANY; THENCE RUN SOUTH 00°26'52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 445.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°45'47" FOR A DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 15°18'56" EAST FOR A DISTANCE OF 105.46 FEET TO THE POINT OF THE CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 12°51'43" EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°54'24" FOR A DISTANCE OF 23.12 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT PARCEL CONVEYED BY MAYNARD K. KNAPP, INDIVIDUALLY AND AS TRUSTEE TO AKRAM ISMAIL, M.D., BY SPECIAL WARRANTY DEED RECORDED APRIL 17, 2015, IN OFFICIAL RECORDS BOOK 4613, PAGE 945, DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S01°07'06" W ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE N89°06'23" W, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070); THENCE CONTINUE N89°06'23" W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°51'39" W, ALONG THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE (ORB 2345, PAGE 748), ALSO BEING PARALLEL TO AND 60.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 28 AND THE EAST LINE OF TRACT 19 OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, A DISTANCE OF 369.94 FEET TO A POINT; THENCE N89°08'21" W, A DISTANCE OF 291.58 FEET TO A POINT; THENCE N00°51'39" E, A DISTANCE OF 230.29 FEET TO A POINT; THENCE S89°08'21" E, A DISTANCE OF 64.35 FEET TO A POINT; THENCE N00°51'39" E, A DISTANCE OF 139.00 FEET TO A POINT ON THE SOUTH LINE OF AN UNNAMED UNIMPROVED STREET, ALSO BEING THE NORTH LINE OF SAID TRACT 19; THENCE N89°50'25"E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 42.23 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE S89°06'23"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 50, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

AND



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THE EAST ½ OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

PARCEL 5



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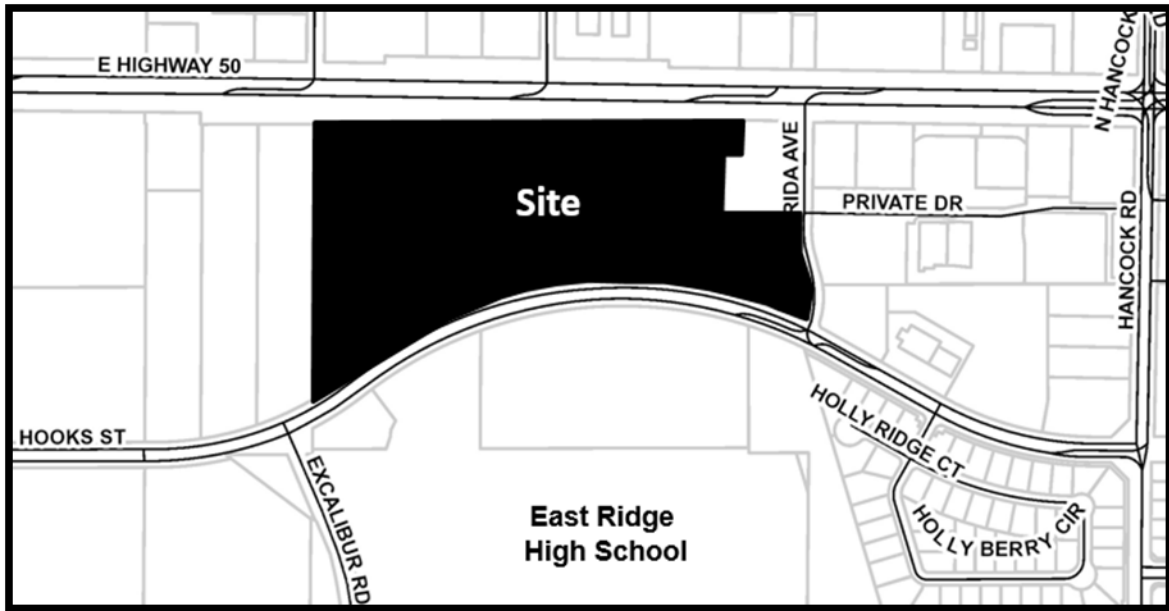
THE EAST ½ OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WITH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 0°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 15.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 0°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 467.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'23", A DISTANCE OF 16.02 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°39'14" E, 16.02 FEET.

ALTERNATE KEY 1028272

THAT PORTION OF TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLANDS COMPANY'S PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, LYING NORTH OF HOOK STREET, AS RECORDED IN BOOK 2017, PAGE 1757, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LOCATION:

Site located south of SR 50 and west of Miss Florida Avenue
North of Hooks Street and East Ridge High School
Approx. 29.10 +/- Acres
Alternate Keys 3334566 & 1028272



PROPERTY REZONING

**Amend PUD Ordinance to allow development on parcels
7 through 13 (south side of project), as indicated in Section 3,
item 14 contained in Ordinance 2017-24**

SECTION 2: GENERAL CONDITIONS

This application for a Planned Unit Development is to allow for a multi-family residential Planned Unit Development along with C-2 General Commercial uses:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the PUD Concept Plan prepared by Highland Engineering, LLC dated 04-05-2022. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.



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4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS:

The lot references below is made in reference to the PUD Concept Plan prepared by Highland Engineering LLC, dated 04-05-2022. The previous reference to parcels 7 through 13 (south side of the property) was for the Master Site Plan developed by Z Development dated 08/01/16 under ordinance 2017-24.

1. A total of up to 289 multi-family dwelling units may be permitted on lot 5 adjacent to Hooks Street, consisting of 24.13 acres, not to exceed a density of 12 units per acre within the project.
2. The remaining lots 1-4 and 6-8, adjacent to Highway 50 will be permitted for C-2 General Commercial use.
3. Phasing of Development: The project may be developed in one or more phases.
4. The project may have a maximum cut of up to 28 feet over 34% of the project area, as indicated on the PUD Concept Plan. These changes will be submitted to the City Engineer at the time of final engineering.
5. The project may have a maximum fill of up to 19 feet over 4% of the project area, as indicated on the PUD Concept Plan. These changes will be submitted to the City Engineer at the time of final engineering.
6. Setbacks for Multi-family and Commercial

From Highway 50	50 feet from the property line
From Hooks Street:	50 feet from the property line
Side:	12 feet from the property line
Rear:	25 feet from the property line
7. Maximum building height will be 55 feet, measured at the highest point for the multi-family portion.
8. Driveway access and parking for the C-2 General Commercial portion may be below the centerline of Highway 50 and will be subject to the approval of the City Engineer.
9. Retaining wall heights up to 10 feet in height are allowed to deal with the extreme grades on the site.



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10. Parking space dimensions shall be allowed at a minimum 9 feet wide by 18 feet deep for 30 percent of parking requirements.
11. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm. The landscape buffer shall be a minimum of 10 feet in width and shall have the 30 percent more landscape required for Multi-family and C-2 uses.
12. Automotive dealerships and/or auto parts sales shall not be an allowed use within this Planned Unit Development without an amendment.
13. Cross-access easements with the adjoining eastern property owner from the existing Duke Energy curb cut along Highway 50 shall be provided subject to Duke Energy approval.
14. Required landscape buffering within the Duke Energy easement may be omitted with proper documentation from Duke Energy.
15. An environmental assessment addressing habitat and species shall be submitted to the City during the construction plan approval stage of the overall development. Applicable permits for any gopher tortoises and associated burrow commensal species or other endangered species found on the property must be received from the appropriate regulatory agencies prior to the initiation of the development activity.
16. The Developer shall be required to submit a tree inventory and proposed tree removal and replacement plan at the time of site plan submittal so that due consideration may be given for preservation and protection of trees during the site plan design process.
17. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
18. This Planned Unit Development shall become null and void if substantial construction work on the multi-family portion of the Project (Lot 5) has not begun within two (2) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the C-2 General Commercial Zoning Designation. It is recognized that the commercial portions of the project (Lots 1-4, 6-8) may be constructed at a later phase and date, and therefore; the substantial construction work time limits contained herein shall not apply to Lots 1-4 and 6-8.
19. Trash compactors may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project, subject to City Manager approval, or designated staff.
20. The buildings shall be constructed in a manner that shall meet the City of Clermont's Architectural Standards and as represented in the provided elevations.



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21. If required by the City of Clermont, Lake County or Florida Department of Transportation, as a result of the traffic impact analysis, the developer shall be responsible for any proportionate fair share improvements or payments. The proportionate fair share improvements or payments shall be completed prior to the first Certificate of Occupancy.
22. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
23. The project shall be developed according to C-2 General Commercial Zoning Designation in the Land Development Code, unless expressly stated above.
24. To avoid any confusion in the future with entitlements, this ordinance shall repeal and replace Ordinance 2016-17 and 2017-24.
25. The property management office shall prominently display a notification sign informing potential tenants of the sounds resulting from activities by the adjacent schools, such as but not limited to; daytime PE classes, night games, bands playing, bus noise, etc. The sign shall be a minimum of 11 inches x 17 inches. In addition, as part of the rental contract, similar language shall also be included that the tenant acknowledges.

SECTION 4: 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 this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from the Section to which such holding shall apply.

SECTION 6: 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.



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SECTION 8: PUBLICATION AND EFFECTIVE DATE

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



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ORDINANCE NO. 2022-032

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of August 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

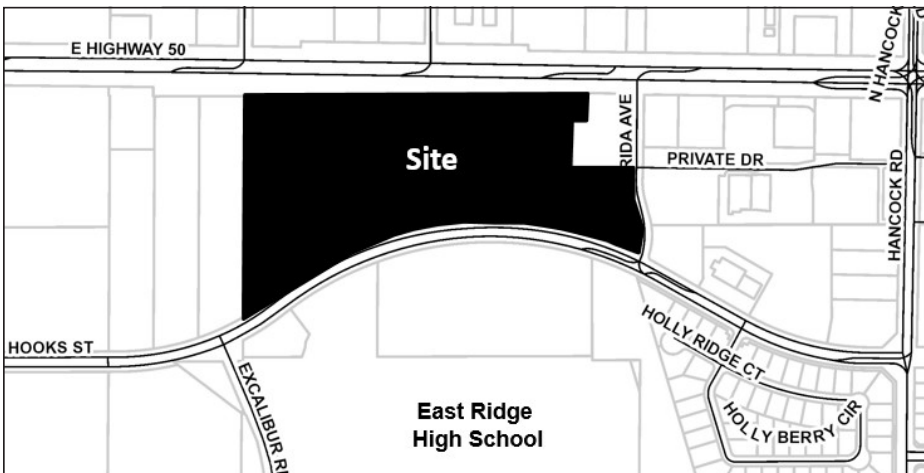
On Tuesday, August 2, 2022 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of following proposed ordinance and on Tuesday, August 23, 2022 at 6:30 PM at a public hearing the request will be held before the City Council for Final Adoption.

ORDINANCE NO. 2022-032

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 EFFECTIVE DATE.

LOCATION

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North of Hooks Street and East Ridge High School
Approx. 29.10 +/- Acres
Alternate Keys 3334566 & 1028272



LEGAL DESCRIPTION

LEGAL DESCRIPTION – AC COMMERCIAL
ALTERNATE KEY 333456

PARCEL 1

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AND

THE EAST ½ OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

PARCEL 2 (EASEMENT ESTATE)

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

PARCEL 3 (SOUTHERN PORTION)

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

PARCEL 5

THE EAST ½ OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WITH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 0°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 15.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 0°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 467.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'23", A DISTANCE OF 16.02 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°39'14" E, 16.02 FEET.

ALTERNATE KEY 1028272

THAT PORTION OF TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLANDS COMPANY'S PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, LYING NORTH OF HOOK STREET, AS RECORDED IN BOOK 2017, PAGE 1757, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PROPERTY REZONING

Amend PUD Ordinance to allow development (multi-family apartments) on parcels 7 through 13 (south side of project), as indicated in Section 3, item 14 contained in Ordinance 2017-24

All public meetings are held in the Clermont City Hall, Council Chambers located at 685 W. Montrose Street, Clermont, FL 34711.

This ordinance is available for public inspection in the Development Services Department, Monday through Friday between the hours of 8:00 AM and 5:00 PM.

All interested parties shall 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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-022R <i>Cross Ridge Exchange</i>		
Requested Action		
Recommend approval of Resolution No. 2022-022R		
Staff Report		
The applicant is requesting a Conditional Use Permit to allow for a mixed-use commercial development with up to the maximum of 115,000 total building square footage in the Lost Lake PUD zoning district. The Planned Unit Development allows C-2 General Commercial permitted use. The vacant parcel is approximately 12.17 acres and located between the Walmart and BJ Wholesale Club Retail Stores. The parcel was part of the Lost Lake Master Development Plan and one of the last remaining vacant properties in the PUD. The property's Future Land Use Designation is Master Planned Development. The overall Master Development Plan allows specific and designated permitted uses and developments for the overall approved Master Plan. The subject parcel is located within the assigned Commercial Village. The Conditional Use Permit will allow for the mixed-use development of up to 115,000 maximum total building square footage, which includes retail establishments, commercial offices, restaurants and other permitted uses allowed in the PUD Master Development Plan. The Conditional Use Permit is only required because of the proposed 115,000 total building square feet, the Land Development Regulations, Section 122-224, Conditional Use Permits are required for any commercial space and establishments over 20,000 square feet. The Master Planned Development Land Use allows a maximum Floor Area Ratio of 0.25. The proposed development shall be required to comply with the Clermont Codes and the PUD Development Standards and Conditions. The project design layout is proposing access points on US Highway 27 and Cross Ridge Road. <u>STAFF RECOMMENDATION:</u> When evaluating a request for a Conditional Use Permit, Section 86-144 of the Land Development Code requires specific development standards and provisions have been met. The staff has reviewed the submitted application and supporting documents and finds the proposed use does meet the general criteria for granting a Conditional Use Permit. The proposed development is compatible with the current development patterns and general character of the surrounding areas. The project is consistent with the Clermont Comprehensive Plan goals, objectives and policies. Therefore, staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2022-022R. <i>The Planning and Zoning Commission voted unanimously to recommend approval of Resolution 2022-022R.</i>		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. 2022-022R - Cross Ridge Exchange CUP	2022-022R - Cross Ridge Exchange CUP.pdf
2. Cross Ridge Exchange CUP -Staff Analysis Report	Cross Ridge Exchange CUP -Staff Analysis Report.pdf
3. LOCATION MAP	LOCATION MAP.pdf
4. 01 CUP Site Plan 6-29-2022	01 CUP Site Plan 6-29-2022.pdf
5. 02 CUP Landscape Plan 6-29-2022	02 CUP Landscape Plan 6-29-2022.pdf
6. CUP Application	CUP Application.pdf
7. Cross Ridge Exchange legal ad	Cross Ridge Exchange legal ad.pdf



CITY OF CLERMONT
RESOLUTION NO. 2022-022R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A MIXED-USE DEVELOPMENT WITH 115,000 MAXIMUM TOTAL BUILDING SQUARE FEET TO BE PERMITTED IN THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; 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 August 2, 2022 recommended approval of this Conditional Use Permit to allow for a mixed-use development with up to 115,000 total building square feet to be permitted for a Planned Unit Development (PUD) zoning district, at the following location:

LOCATION:

Lost Lake Reserve PUD
Vacant parcel located east of US 27 and west of Cross Ridge Road
(Alternate Key #3821846)

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 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 requested this Conditional Use Permit to allow for a mixed-use development with up to 115,000 maximum total building square footage be permitted in the Planned Unit Development (PUD) 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:

This application for a Conditional Use Permit to allow for a mixed-use development with up to the maximum of 115,000 total building square footage to be allowed in the Planned Unit Development (PUD) zoning district, which shall granted subject to the following conditions:



CITY OF CLERMONT
RESOLUTION NO. 2022-022R

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 Clermont City Clerk within 90 days of the 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.
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 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.



CITY OF CLERMONT
RESOLUTION NO. 2022-022R

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 for a mixed use commercial development with up to the maximum 115,000 total building square footage be located in the Planned Unit Development (PUD) zoning district.
2. The site may also be used for any other permitted uses identified in the Planned Unit Development.
3. The property shall be developed in substantial accordance with the conceptual site plan (Exhibit A) prepared by Knight Engineering Services, submitted with the CUP application. 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 conceptual site plans submitted with the Conditional Use Permit application are not the approved and final construction plans. The conceptual site plan does not grant any development entitlements or uses and is only used for conceptual purposes.
4. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the Clermont Codes of Ordinances. The design and construction of any buildings must be in compliance to the Clermont Architectural Design Standards.
5. Sidewalks are required adjacent to any street right-of-ways for the entire property boundaries; any sidewalk installation shall be coordinated with the appropriate City, County or State Agency prior to construction.
6. No outside speaker systems shall be permitted.
7. Site lighting shall be installed and operated to reflect downward onto the site and shall not spill over onto the adjacent properties.
8. All fencing shall be ornamental metal or decorative PVC/Vinyl. Any fences and walls shall provide aesthetically pleasing design features adjacent to residential development and public streets.
9. Any signage must comply with Clermont Sign Code, Section 102-Signs and requires a separate permit.
10. The clearance of any parcels of land shall require conformance to the requirements of the Endangered Species Protection Act.



CITY OF CLERMONT
RESOLUTION NO. 2022-022R

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. 2022-022R

DONE AND RESOLVED by the Mayor of the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August, 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 Staff Analysis Report

OWNER: Lost Lake Reserve LLC

APPLICANT: CRE13, LLC c. /o John Schmid

PROJECT NAME: Cross Ridge Exchange CUP

REQUESTED ACTION: A Conditional Use Permit (CUP) to allow for a mixed-use development with up to 115,000 total building square footage in the (PUD) Planned Unit Development zoning district.

SIZE OF PARCEL: Alternate Key 3821846

LOCATION: Vacant parcel located on the east side of US Highway 27 and Cross Ridge Road

EXISTING ZONING: "Lost Lake PUD-DRI (Resolution No. 2010-24)

EXISTING LAND USE: Vacant Commercial

FUTURE LAND USE CATEGORY: Master Planned Development

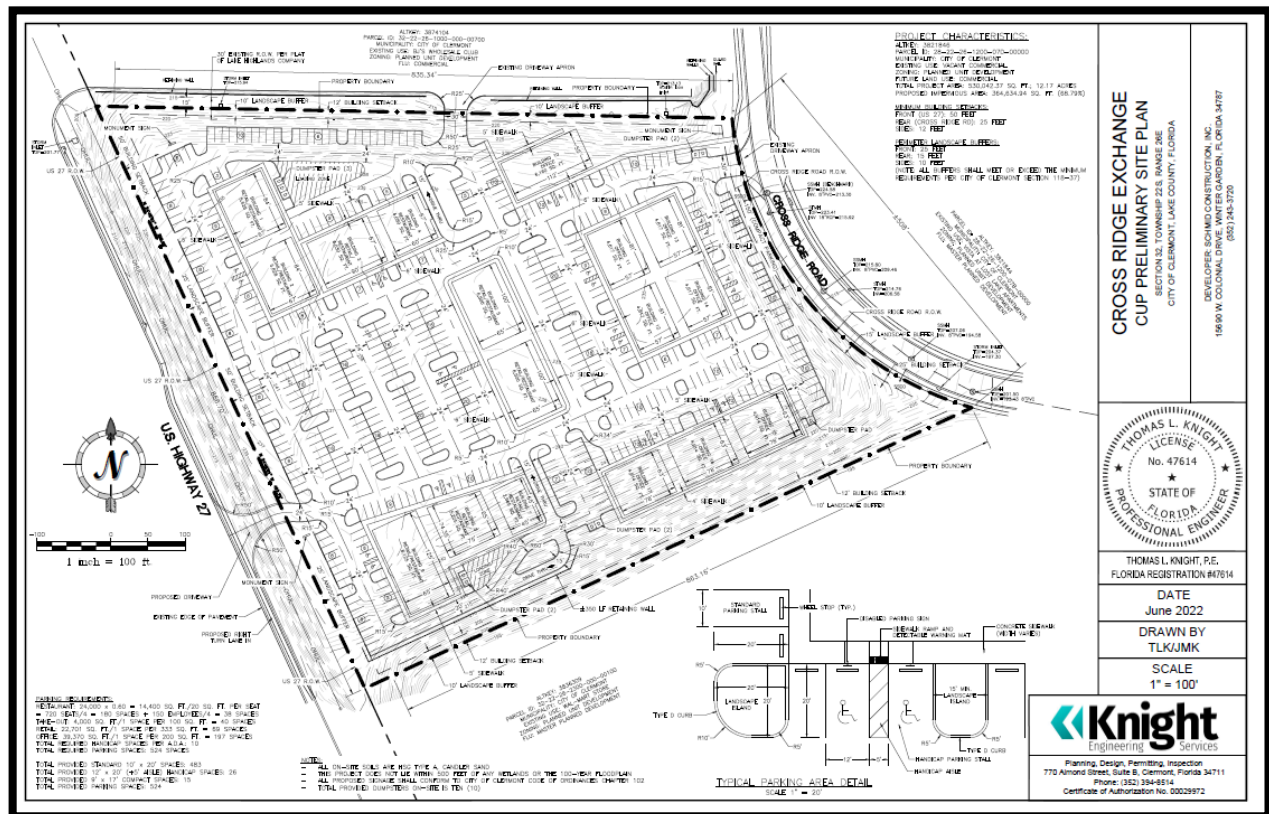
SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting a Conditional Use Permit to allow for a mixed-use commercial development with up to the maximum of 115,000 total building square footage in the Lost Lake PUD zoning district. The Planned Unit Development allows C-2 General Commercial permitted use in this PUD. The vacant parcel is approximately 12.17 acres and located between the Walmart and BJ Wholesale Club Retail Stores. The parcel was part of the Lost Lake Master Development Plan and one of the last remaining vacant properties in the PUD. The property Future Land Use Designation is Master Planned Development. The overall Master Development Plan allows specific and designated permitted uses and developments for the overall approved Master Plan, the subject parcel is located within the assigned Commercial Village.

The Conditional Use Permit will allow for the mixed-use development of up to 115,000 maximum total building square footage, which will include retail, commercial office, restaurants and other permitted uses allowed in the PUD Master Development Plan.

The Conditional Use Permit is only required because of the 115,000 total building square feet, the Land Development Regulations, Section 122-224-Conditional Use Permits are required for any commercial space and establishments over 20,000 square foot. The Master Planned Development maximum Floor Area Ratio is 0.25. The proposed development shall be required to comply with the Clermont Codes and PUD Development Standards. The project design layout is proposing access points on US Highway 27 and Cross Ridge Road.

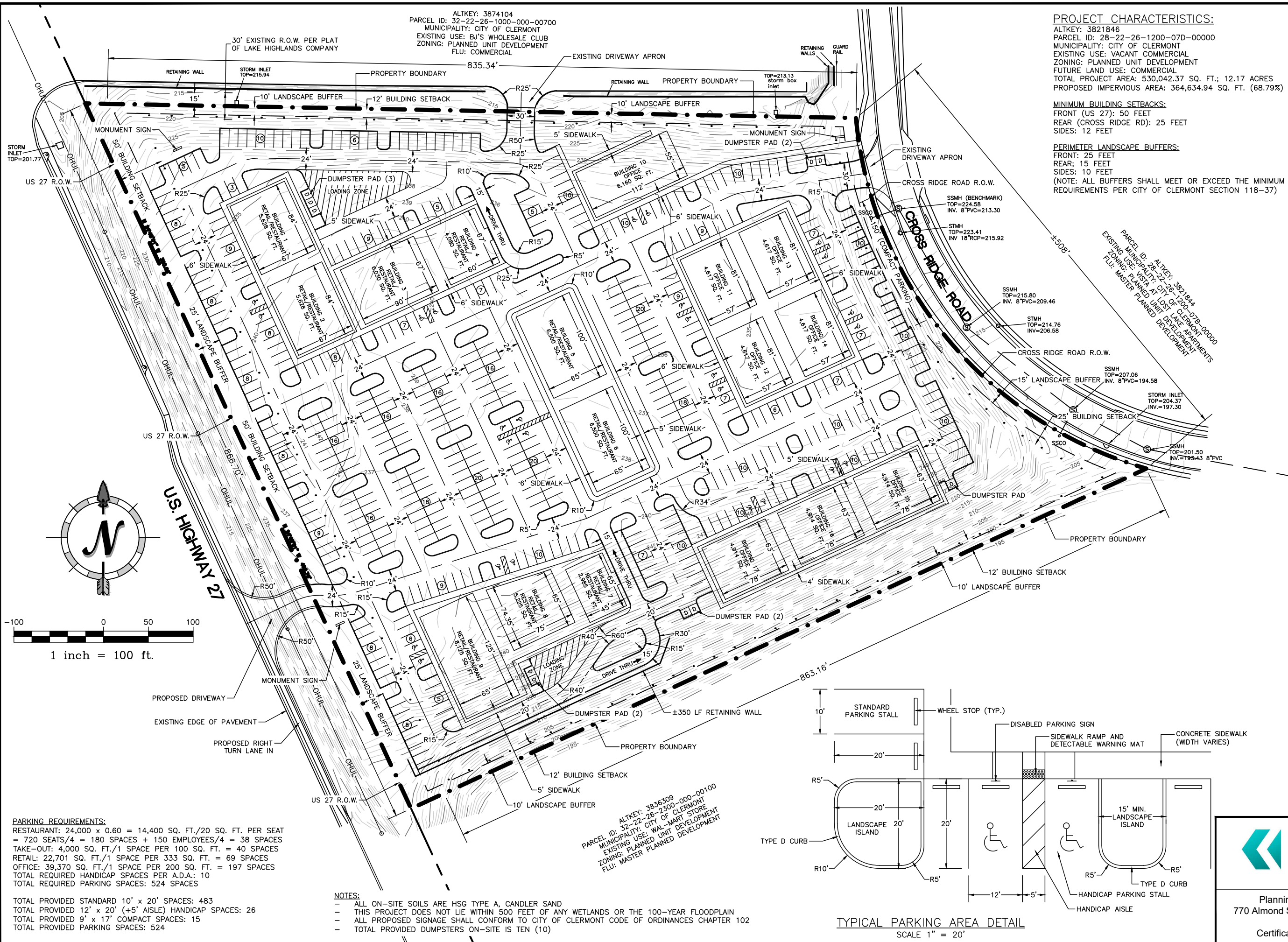


STAFF RECOMMENDATION:

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. The Development is compatible with the current development patterns and general character of the surrounding areas. The project is consistent with the Clermont Comprehensive Plan goals, objectives and polices

Therefore, Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2022-022R.





PARKING REQUIREMENTS:
RESTAURANT: 24,000 x 0.60 = 14,400 SQ. FT./20 SQ. FT. PER SEAT
= 720 SEATS/4 = 180 SPACES + 150 EMPLOYEES/4 = 38 SPACES
TAKE-OUT: 4,000 SQ. FT./1 SPACE PER 100 SQ. FT. = 40 SPACES
RETAIL: 22,701 SQ. FT./1 SPACE PER 333 SQ. FT. = 69 SPACES
OFFICE: 39,370 SQ. FT./1 SPACE PER 200 SQ. FT. = 197 SPACES
TOTAL REQUIRED HANDICAP SPACES PER A.D.A.: 10
TOTAL REQUIRED PARKING SPACES: 524 SPACES

TOTAL PROVIDED STANDARD 10' x 20' SPACES: 483
TOTAL PROVIDED 12' x 20' (+5' AISLE) HANDICAP SPACES: 26
TOTAL PROVIDED 9' x 17' COMPACT SPACES: 15
TOTAL PROVIDED PARKING SPACES: 524

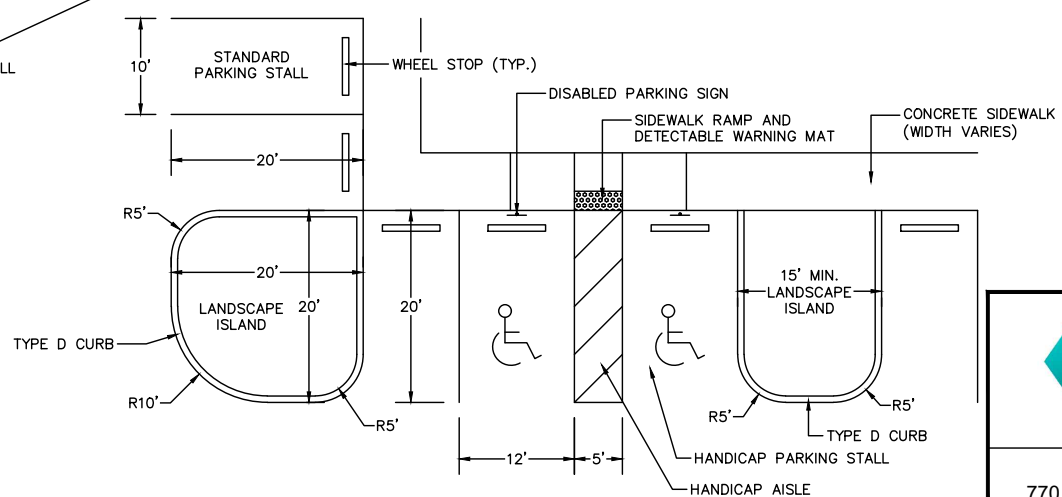
NOTES:
- ALL ON-SITE SOILS ARE HSG TYPE A, CANDLER SAND
- THIS PROJECT DOES NOT LIE WITHIN 500 FEET OF ANY WETLANDS OR THE 100-YEAR FLOODPLAIN
- ALL PROPOSED SIGNAGE SHALL CONFORM TO CITY OF CLERMONT CODE OF ORDINANCES CHAPTER 102
- TOTAL PROVIDED DUMPSTERS ON-SITE IS TEN (10)

ALTKEY: 3836309
PARCEL ID: 32-22-26-2300-000-00100
MUNICIPALITY: CITY OF CLERMONT
EXISTING USE: WAL-MART STORE
ZONING: PLANNED UNIT DEVELOPMENT
FLU: MASTER PLANNED DEVELOPMENT

PROJECT CHARACTERISTICS:
ALTKEY: 3821846
PARCEL ID: 28-22-26-1200-07D-00000
MUNICIPALITY: CITY OF CLERMONT
EXISTING USE: VACANT COMMERCIAL
ZONING: PLANNED UNIT DEVELOPMENT
FUTURE LAND USE: COMMERCIAL
TOTAL PROJECT AREA: 530,042.37 SQ. FT.; 12.17 ACRES
PROPOSED IMPERVIOUS AREA: 364,634.94 SQ. FT. (68.79%)

MINIMUM BUILDING SETBACKS:
FRONT (US 27): 50 FEET
REAR (CROSS RIDGE RD): 25 FEET
SIDES: 12 FEET

PERIMETER LANDSCAPE BUFFERS:
FRONT: 25 FEET
REAR: 15 FEET
SIDES: 10 FEET
(NOTE: ALL BUFFERS SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS PER CITY OF CLERMONT SECTION 118-37)

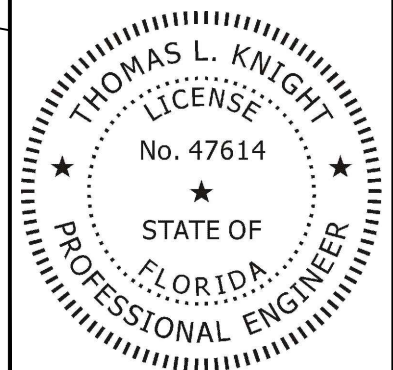


TYPICAL PARKING AREA DETAIL
SCALE 1" = 20'

CROSS RIDGE EXCHANGE CUP PRELIMINARY SITE PLAN

SECTION 32, TOWNSHIP 22S, RANGE 26E
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

DEVELOPER: SCHMID CONSTRUCTION, INC.
15690 W. COLONIAL DRIVE, WINTER GARDEN, FLORIDA 34787
(352) 243-3720



THOMAS L. KNIGHT, P.E.
FLORIDA REGISTRATION #47614

DATE
June 2022

DRAWN BY
TLK/JMK

SCALE
1" = 100'



Planning, Design, Permitting, Inspection
770 Almond Street, Suite B, Clermont, Florida 34711
Phone: (352) 394-8514
Certificate of Authorization No. 00029972



ALTKEY: 3874104
PARCEL ID: 32-22-26-1000-000-00700
MUNICIPALITY: CITY OF CLERMONT
EXISTING USE: BJ'S WHOLESALE CLUB
ZONING: PLANNED UNIT DEVELOPMENT
FLU: COMMERCIAL

LANDSCAPING REQUIREMENTS:
LANDSCAPING SHALL CONFORM TO ALL APPLICABLE SECTIONS OF CITY OF CLERMONT LDR CHAPTER 118, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

GENERAL NOTES:

- ALL TREES AND SHRUBS INSTALLED SHALL BE SELECTED FROM THE PREFERRED CANOPY TREE LIST, PREFERRED UNDERSTORY TREE LIST AND PREFERRED SHRUB LIST PROVIDED BY THE CITY OF CLERMONT
- LOW-VOLUME, PERMANENT IRRIGATION SHALL BE PROVIDED FOR ALL LANDSCAPING, INCLUDING RETENTION POND SIDE SLOPES AND AN IRRIGATION PLAN SHALL BE PROVIDED WITH FINAL LANDSCAPE PLANS
- ALL LANDSCAPING AND BUFFERS ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF CLERMONT SITE REVIEW COMMITTEE

ALTKEY: 3821844
PARCEL ID: 28-22-26-1200-078-00000
EXISTING MUNICIPALITY: CITY OF CLERMONT
EXISTING USE: VISTA AT CROSS RIDGE APARTMENTS
ZONING: PLANNED UNIT DEVELOPMENT
FLU: MASTER PLANNED DEVELOPMENT

CROSS RIDGE ROAD

U.S. HIGHWAY 27

PERIMETER LANDSCAPE BUFFER NOTES:

- THE LANDSCAPE BUFFER SHALL EXTEND ALONG THE ENTIRE LENGTH OF THE PROPERTY BOUNDARY
- BETWEEN ABUTTING PROPERTIES: A MINIMUM OF 3 TREES SHALL BE PROVIDED PER 100 LINEAR FEET; 2 OF WHICH SHALL BE CANOPY TREES ADJACENT TO RIGHTS-OF-WAY; 3 CANOPY TREES AND 5 UNDERSTORY TREES SHALL BE PROVIDED PER 100 LINEAR FEET; SHRUBS AND GROUND COVERS, EXCLUDING LAWN GRASS, SHALL COMPRISE AT LEAST 50% OF THE REQUIRED BUFFER AREA

LANDSCAPING IN VEHICULAR USE AREAS NOTES:

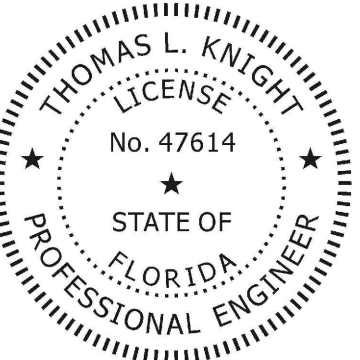
- SHRUBS SHALL FORM A CONTINUOUS THREE-FOOT HIGH LANDSCAPE SCREEN ADJOINING DRIVEWAYS AND PARKING AREAS
- THE PARKING ROW SHALL BE TERMINATED BY LANDSCAPED ISLANDS NO LESS THAN 10 FEET IN WIDTH, 20 FEET IN LENGTH AND 300 SQUARE FEET
- LANDSCAPE ISLANDS SHALL CONTAIN A MINIMUM OF ONE CANOPY TREE, SHRUBS AND/OR APPROVED GROUND COVER, AND SHALL BE BORDERED BY NON-MOUNTABLE CURBING
- LANDSCAPING SHALL NOT OBSTRUCT VISIBILITY BETWEEN THREE AND SIX FEET ABOVE GROUND LEVEL WITHIN THE SIGHT VISIBILITY TRIANGLE AT ALL SITE ACCESS POINTS
- LANDSCAPING SHALL NOT BE LOCATED CLOSER THAN THREE FEET FROM THE EDGE OF ANY ACCESSWAY PAVEMENT

ALTKEY: 3836309
PARCEL ID: 32-22-26-2300-000-00100
MUNICIPALITY: CITY OF CLERMONT
EXISTING USE: WAL-MART STORE
ZONING: PLANNED UNIT DEVELOPMENT
FLU: MASTER PLANNED DEVELOPMENT

CROSS RIDGE EXCHANGE CUP PRELIMINARY LANDSCAPE PLAN

SECTION 32, TOWNSHIP 22S, RANGE 26E
CITY OF CLERMONT, LAKE COUNTY, FLORIDA

DEVELOPER: SCHMID CONSTRUCTION, INC.
15690 W. COLONIAL DRIVE, WINTER GARDEN, FLORIDA 34787
(352) 243-3720



THOMAS L. KNIGHT, P.E.
FLORIDA REGISTRATION #47614

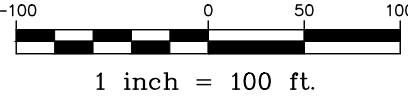
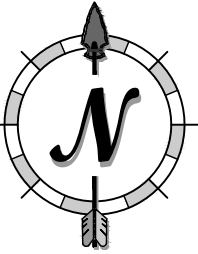
DATE
June 2022

DRAWN BY
TLK/JMK

SCALE
1" = 100'



Planning, Design, Permitting, Inspection
770 Almond Street, Suite B, Clermont, Florida 34711
Phone: (352) 394-8514
Certificate of Authorization No. 00029972





CITY OF CLERMONT

CONDITIONAL USE PERMIT

APPLICATION

Date 6/29/2022		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) Cross Ridge Exchange			
Applicant CRE13, LLC			
Contact Person John Schmid			
Address 15690 W. Colonial Dr		City Winter Garden	State FL Zip 34787
Telephone 407-467-9387		Fax 407-243-8220	
Email john@schmidconstruction.com			
OWNER INFORMATION ☒ (Check box if owner information is same as applicant)			
Owner's Name Lost Lake Reserve L.C.			
Owner Address PO Box 3737		City Lake Wales	State FL Zip 33589
Telephone 863-679-6707		Fax 863-679-6710	
PROPERTY INFORMATION			
Address of Subject Property S US Hwy 27		City Clermont	State FL Zip 34711
General Location S US Hwy 27 on the East side of the road directly between Walmart and BJ's Wholesale Club.			
Legal Description & Alternate Key (include copy of survey) Alt Key 3821846			
Land Use (City verification required) Lost Lake DRI - CUP			
Zoning (City verification required) C-2			



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.

Requesting the development of a mixed use retail, restaurant, office complex not to exceed 110,000 square feet in total building area. No buildings to be in excess of 25,000 square feet.

John Schmid

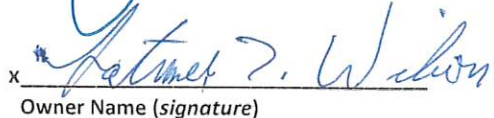
Applicant Name (print)

A handwritten signature in blue ink, appearing to read 'John Schmid', written over a horizontal line.

Applicant Name (signature)

Latimer T. Wilson, President

Owner Name (print)

A handwritten signature in blue ink, appearing to read 'Latimer T. Wilson', written over a horizontal line.

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

PROPERTY RECORD CARD

General Information

Name:	LOST LAKE RESERVE LC	Alternate Key:	3821846
Mailing Address:	PO BOX 3737 LAKE WALES, FL 33589-3737 Update Mailing Address	Parcel Number: ⓘ	28-22-26-1200-07D-00000
		Millage Group and City:	000C Clermont
		2021 Total Certified Millage Rate:	16.9475
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	S US HIGHWAY 27 CLERMONT FL, 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	CLERMONT, LOST LAKE SUB 32-22-26 TRACT 7D--LESS BEG AT INTERSECTION OF E'LY R/W LINE OF US HWY 27 WITH N R/W LINE OF JOHN'S LAKE RD, RUN N 25-09-24 W 7.86 FT, N 16-24-07 W 505.89 FT, N 25-09-25 W 510.74 FT, N 64-49-42 E 863.24 FT TO POINT ON A NON-TANGENT CURVE CONCAVE TO THE N, HAVING A RADIUS OF 450 FT & A CHORD BEARIING OF S 78-53-07 E, THENCE RUN SE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 09-05-22 A DIST OF 71.39 FT TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SW, HAVING A RADIUS OF 400 FT, THENCE RUN SE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 43-13-43 A DIST OF 301.79 FT TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NE, HAVING A RADIUS OF 500 FT, THENCE RUN SE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 28-08-44 A DIST OF 245.62 FT, THENCE RUN S 68-20-48 E A DIST OF 222.87 FT, S 23-20-57 E 71.15 FT TO W'LY R/W LINE FO PROPOSED CITRUS TOWER BLVD, S 21-40-04 W 420.33 FT, N 68-19-56 W 15 FT, S 21-40-04 W 260.35 FT TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SE, HAVING A RADIUS OF 1565 FT, THENCE RUN SW'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 03-35-20 A DIST OF 98.03 FT TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NW, HAVING A RADIUS OF 25 FT, RUN SW'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 81-20-57 A DIST OF 35.50 FT TO N R/W LINE OF JOHN'S LAKE RD & A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE S, HAVING A RADIUS OF 1320 FT, THENCE RUN SW'LY ALONG SAID N R/W LINE ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 34-35-06 A DIST OF 796.78 FT TO THE POINT OF TANGENCY, RUN S 64-50-35 W 84.55 FT TO POB--PB 50 PG 64-69 NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		10.790	Acre	\$0.00	\$2,255,110.00
2	VACANT COMMERCIAL UNBUILDABLE (1005)	0	0		1.000	Lot	\$0.00	\$100.00

[Click here for Zoning Info](#) ⓘ

[FEMA Flood Map](#)

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

Copyright © 2014 Lake County Property Appraiser. All rights reserved.
Property data last updated on March 21, 2022.

[Site Notice](#)



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

Detail by Entity Name

Florida Limited Liability Company
LOST LAKE RESERVE, L.C.

Filing Information

Document Number	L98000000855
FEI/EIN Number	59-3517222
Date Filed	06/23/1998
Effective Date	06/22/1998
State	FL
Status	ACTIVE

Principal Address

21299 US HWY 27
LAKE WALES, FL 33859

Changed: 04/30/2008

Mailing Address

P.O. BOX 3737
LAKE WALES, FL 33859

Changed: 01/21/2009

Registered Agent Name & Address

Weeder, Terri L
21299 US HWY 27
LAKE WALES, FL 33859

Name Changed: 01/15/2014

Address Changed: 04/30/2008

Authorized Person(s) Detail

Name & Address

Title MGR

LATT MAXCY CORPORATION
21299 US HWY 27
LAKE WALES, FL 33859

Annual Reports

Report Year	Filed Date
2020	02/18/2020
2021	01/27/2021
2022	03/21/2022

Document Images

03/21/2022 -- ANNUAL REPORT	View image in PDF format
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01/27/2017 -- ANNUAL REPORT	View image in PDF format
01/04/2016 -- ANNUAL REPORT	View image in PDF format
01/22/2015 -- ANNUAL REPORT	View image in PDF format
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02/07/2013 -- ANNUAL REPORT	View image in PDF format
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05/05/2004 -- ANNUAL REPORT	View image in PDF format
05/02/2003 -- ANNUAL REPORT	View image in PDF format
05/22/2002 -- ANNUAL REPORT	View image in PDF format
02/09/2001 -- ANNUAL REPORT	View image in PDF format
05/16/2000 -- ANNUAL REPORT	View image in PDF format
03/17/1999 -- ANNUAL REPORT	View image in PDF format
06/23/1998 -- Florida Limited Liabilites	View image in PDF format



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

Detail by Entity Name

Florida Profit Corporation
THE LATT MAXCY CORPORATION

Filing Information

Document Number	269505
FEI/EIN Number	59-1004757
Date Filed	05/01/1963
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	06/30/1995
Event Effective Date	NONE

Principal Address

21299 US HWY 27
LAKE WALES, FL 33859-6851

Changed: 05/02/2008

Mailing Address

P.O. BOX 3737
LAKE WALES, FL 33859-3737

Changed: 05/02/2008

Registered Agent Name & Address

Weeder, Terri L
21299 US HWY 27
LAKE WALES, FL 33859-6851

Name Changed: 01/15/2014

Address Changed: 04/16/2007

Officer/Director Detail

Name & Address

Title President

WILSON, LATIMER T

200 AIRPORT ROAD
FROSTPROOF, FL 33843

Title Director

WILSON, PATRICIA J
2200 N. SCENIC HWY
BABSON PARK, FL 33827

Title Chairman, VP, Executive Secretary

WILSON, CLAYTON G
65 MOUNTAIN LAKE ESTATES
LAKE WALES, FL 33853

Title Director

HENRY, CYNTHIA W
MOUNTAIN LAKE ESTATES
LAKE WALES, FL 33853

Annual Reports

Report Year	Filed Date
2020	02/18/2020
2021	01/27/2021
2022	03/21/2022

Document Images

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02/18/2020 -- ANNUAL REPORT	View image in PDF format
02/12/2019 -- ANNUAL REPORT	View image in PDF format
01/29/2018 -- ANNUAL REPORT	View image in PDF format
01/26/2017 -- ANNUAL REPORT	View image in PDF format
01/04/2016 -- ANNUAL REPORT	View image in PDF format
01/22/2015 -- ANNUAL REPORT	View image in PDF format
01/15/2014 -- ANNUAL REPORT	View image in PDF format
02/07/2013 -- ANNUAL REPORT	View image in PDF format
01/05/2012 -- ANNUAL REPORT	View image in PDF format
09/21/2011 -- ANNUAL REPORT	View image in PDF format
03/03/2011 -- ANNUAL REPORT	View image in PDF format
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04/16/2007 -- ANNUAL REPORT	View image in PDF format
05/16/2006 -- REINSTATEMENT	View image in PDF format
05/02/2005 -- ANNUAL REPORT	View image in PDF format
05/05/2004 -- ANNUAL REPORT	View image in PDF format

05/02/2003 -- ANNUAL REPORT	View image in PDF format
05/27/2002 -- ANNUAL REPORT	View image in PDF format
05/22/2001 -- ANNUAL REPORT	View image in PDF format
05/18/2000 -- ANNUAL REPORT	View image in PDF format
05/10/1999 -- ANNUAL REPORT	View image in PDF format
05/14/1998 -- ANNUAL REPORT	View image in PDF format
05/13/1997 -- ANNUAL REPORT	View image in PDF format
05/01/1996 -- ANNUAL REPORT	View image in PDF format
04/27/1995 -- ANNUAL REPORT	View image in PDF format

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:	Res. No. 2022-022R

Date:	07/13/2022
Order Number:	7529340
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	07/26/2022 - 08/16/2022	Bids & Proposals
LEE dailycommercial.com	2	07/26/2022 - 08/16/2022	Bids & Proposals

Total Order Confirmation	\$153.08
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Ad Preview

LEGAL NOTICE

On Tuesday, August 2, 2022 at 6:30 p.m. the Clermont Planning and Zoning Commission will consider a request for a Conditional Use Permit (CUP) and this request will be heard by the City Council at a public hearing on Tuesday, August 23, 2022 at 6:30 p.m. to allow a mixed-use development total building square footage to exceed the maximum permitted for the Planned Unit Development (PUD) zoning district, as required by the code for Section, 122-315, at the following location:

LOCATION:

Vacant parcel located on the east side of US Highway 27 and Cross Ridge Road (Alternate Key 3821846)

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

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 meetings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

July 26, 2022 and August 16, 2022

7529340



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Resolution No. 2022-023R <i>Headquarter Honda</i>		
Requested Action		
Recommend approval of Resolution No. 2022-023R		
Staff Report		
The applicant is requesting a Conditional Use Permit (CUP) to allow for the expansion of the existing automotive services building located in the C-2 General Commercial zoning district. The Land Development Regulations, Section 122-224, requires a Conditional Use Permit (CUP) for any type of automotive sales, services, garages, carwash, boats, paint and body shops, which also includes any expansions and building additions for the current auto dealerships. The property Land Use designation is Commercial. The requested Conditional Use Permit will allow for the construction of up to the maximum 9,000 total square feet service building addition at this location. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards for development of the proposed building expansion. The project will also be required to provide additional customer parking if necessary in conformance to the Clermont parking codes. 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 use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2022-023R, to allow for the expansion of the existing automotive services building located in the "C-2" General Commercial zoning district. <i>The Planning and Zoning Commission voted unanimously to recommend approval of Resolution 2022-022R.</i>		
Additional Analysis		
Fiscal Impact Summary		
.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2022-023R - Honda Garage CUP	2022-023R - Honda Garage CUP.pdf	
2. Staff Analysis Report	Staff Analysis Report.pdf	
3. LOCATION MAP	LOCATION MAP.pdf	
4. HONDA_SERVICE ADDITION_Site Plan_0628	HONDA_SERVICE ADDITION_Site Plan_0628.pdf	
5. HONDA_SERVICE ADDITION_Perspective 2_0628	HONDA_SERVICE ADDITION_Perspective 2_0628.pdf	
6. 2206_A2.0 ELEVATIONS 6.28-11x17	2206_A2.0 ELEVATIONS 6.28-11x17.pdf	

7.	Application	Application.pdf
8.	Honda legal ad	Honda legal ad.pdf



CITY OF CLERMONT
RESOLUTION NO. 2022-023R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR THE EXPANSION OF AN AUTOMOBILE REPAIR AND SERVICE BUILDING IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT; 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 August 2, 2022 recommended approval of this Conditional Use Permit to allow for an expansion of an existing automobile repair and service building in the C-2 General Commercial zoning district, at the following location:

LOCATION:
Headquarter Honda
17700 State Road 50
(Alternate Key #1037409)

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.

WHEREAS, the property owner has requested this Conditional Use Permit to allow for the expansion of an existing automobile repair and service building in the C-2 General Commercial 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:

This application for a Conditional Use Permit to allow for the expansion of an existing automobile repair and service building in the C-2 General Commercial zoning district shall be granted subject to the following conditions:



CITY OF CLERMONT
RESOLUTION NO. 2022-023R

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 Clermont City Clerk within 90 days of the 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.
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 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.



CITY OF CLERMONT
RESOLUTION NO. 2022-023R

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 for up to the maximum of 9,000 total building square foot expansion and service bay addition to the existing automobile services building located onsite. The existing auto service building that shall be used in conjunction and ancillary to the Headquarter Honda Automobile Dealership.
2. The site may also be used for any other permitted uses in the C-2 General Commercial zoning district.
3. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A), submitted with the CUP application. 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 conceptual site plans submitted with the Conditional Use Permit application are not the approved and final construction plans. The conceptual site plan does not grant any development entitlements or permitted uses and is only used for conceptual purposes.
4. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the C-2 General Commercial zoning district and Codes of Ordinances. All landscape buffers and required screening must be in accordance to the codes. All buildings and structures must comply with Clermont Architectural Design Standards.
5. Sidewalks are required adjacent to any streets-right-of way for the entire length of the subject property; any required sidewalk installation shall be coordinated with the appropriate City, County or State Agency prior to construction.
6. No outside speaker systems shall be permitted.
7. Site lighting shall be installed and operated to reflect downward onto the site and shall not spill over onto the adjacent properties.
8. All fencing shall be ornamental metal or decorative PVC/Vinyl. Any fences and walls shall provide aesthetically pleasing design features adjacent to residential development and public streets. The maximum wall and fence heights shall not exceed six (6) feet.
9. Any signage must comply with Clermont Sign Code, Section 102-Signs and will require a separate sign permit.



CITY OF CLERMONT
RESOLUTION NO. 2022-023R

10. The project shall be required to provide an enhanced landscape buffer that is consistent with the existing buffer for the Headquarter Honda Dealership. The landscape buffer shall also provide a 6-foot solid masonry wall with enhanced plant materials to create an opaque screening at the time of planting for the property boundaries that abuts any single-family development and properties with residential zoning.
11. The clearing of any land shall require conformance to the requirements of the Endangered Species Protection Act.

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. 2022-023R

DONE AND RESOLVED by the Mayor of the City Council of the City of Clermont, Lake County, Florida, this 23rd day of August, 2022.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

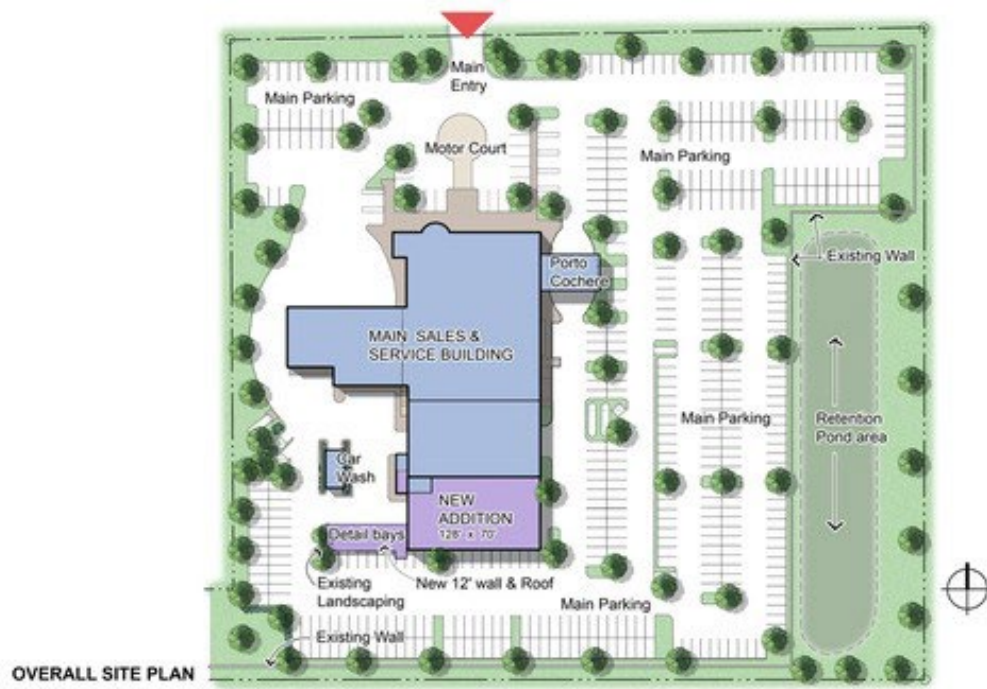
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to Form and Legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
RESOLUTION NO. 2022-023R

Exhibit A



HONDA SERVICE ADDITION
Conceptual Designs

28 June 2022



CITY OF CLERMONT Staff Analysis Report

OWNER: Headquarter Orlando Real Estate LLC

APPLICANT: Headquarter Honda Orlando LLC DBA

PROJECT NAME: Headquarter Honda Service Building Expansion

REQUESTED ACTION: Request for Conditional Use Permit (CUP) to allow for the existing automotive service building expansion not to exceed the maximum of 9,000 total building square foot increase/addition.

SIZE OF PARCEL: Alternate Key 1037409

LOCATION: 17700 State Road 50, Clermont FL

EXISTING ZONING: Clermont "C-2" General Commercial

EXISTING LAND USE: Existing Honda Automobile Dealership

FUTURE LAND USE CATEGORY: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting a Conditional Use Permit (CUP) to allow for the expansion of the existing automotive services building located in the C-2 General Commercial zoning district. The Land Development Regulations, Section 122-224, requires a Conditional Use Permit (CUP) for any type of automotive sales, services, garages, carwash, boats, paint and body shops, which also includes any expansions and building additions for the current auto dealerships. The property Land Use designation is Commercial.

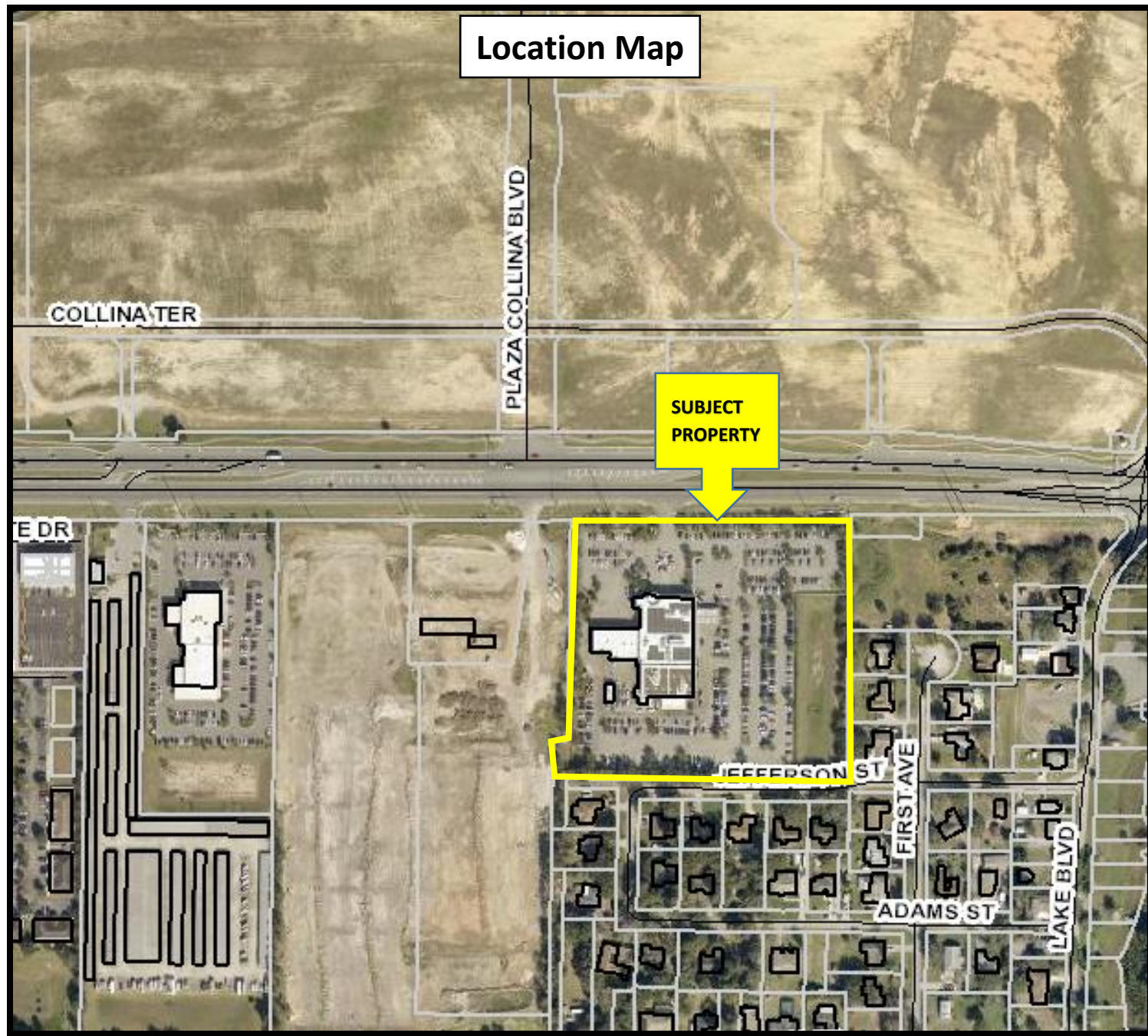
The requested Conditional Use Permit will allow for the construction of up to the maximum 9,000 total square feet service building addition at this location.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards for development of the proposed building expansion. The project will also be required to provide additional customer parking if necessary for conformance to the parking codes.

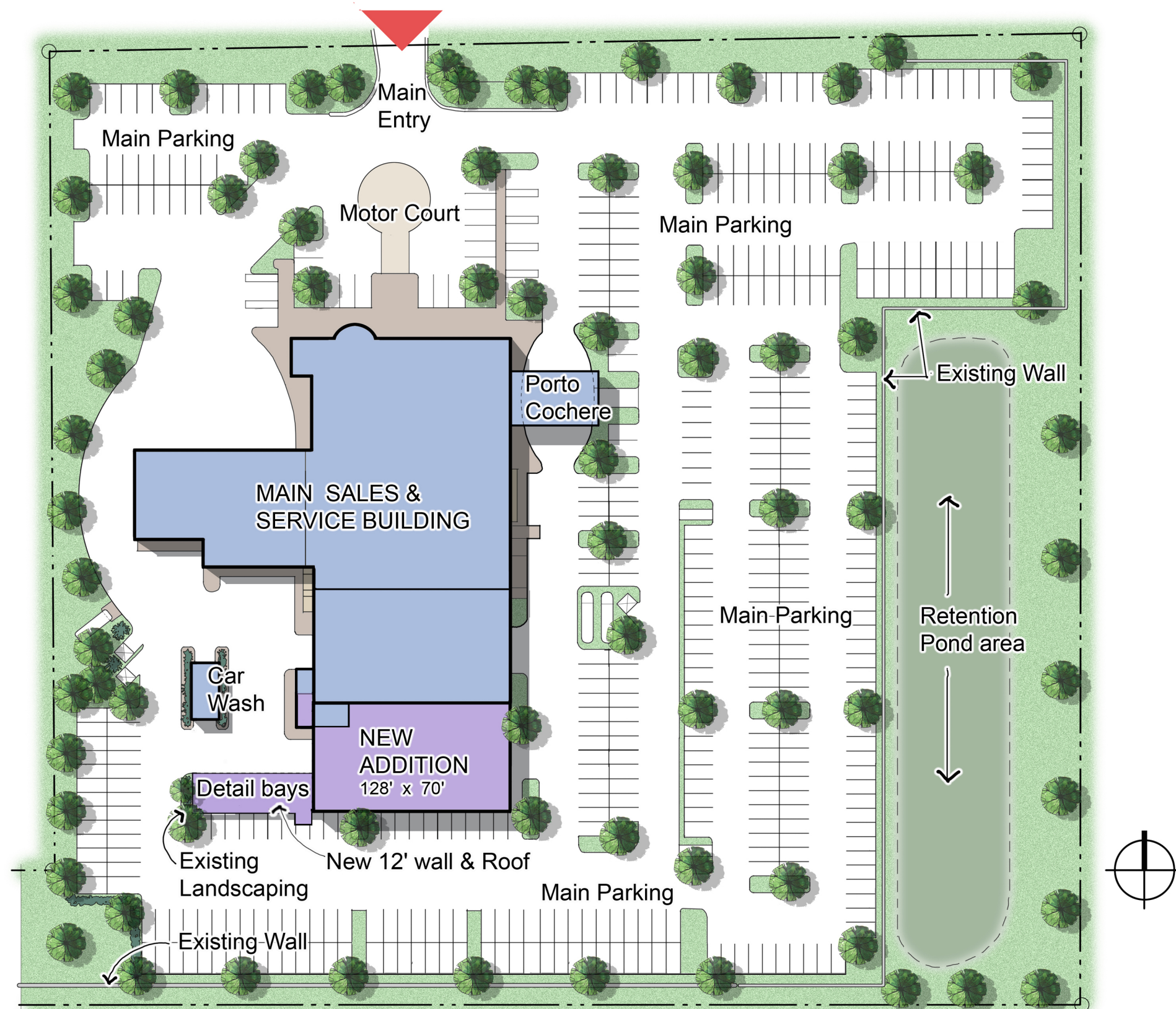
STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2022-023R, to allow for the expansion of the existing automotive services building located in the "C-2" General Commercial zoning district.



OVERALL SITE PLAN



HONDA SERVICE ADDITION

Conceptual Designs

28 June 2022

Sound measured from Car Wash fans at curb: 90 db.

Adding sound batts to front of car wash motors; potential sound reduction: 20 db.

Detailing relocated behind wall and under a roof: Reduces sound clutter.

Detail Car Wash to have a 10' screen wall: Reduces sound clutter.

Sound measured from Car Wash fans at property line: 63 db.



HONDA SERVICE ADDITION

Conceptual Designs

28 June 2022



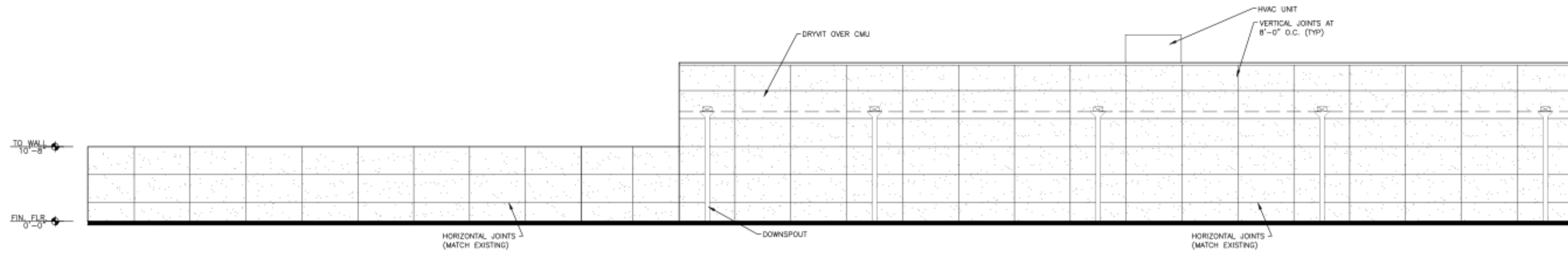
THOMAS DESIGN
INTERNATIONAL

1920 Elizabeth Ave
Orlando, FL 32804

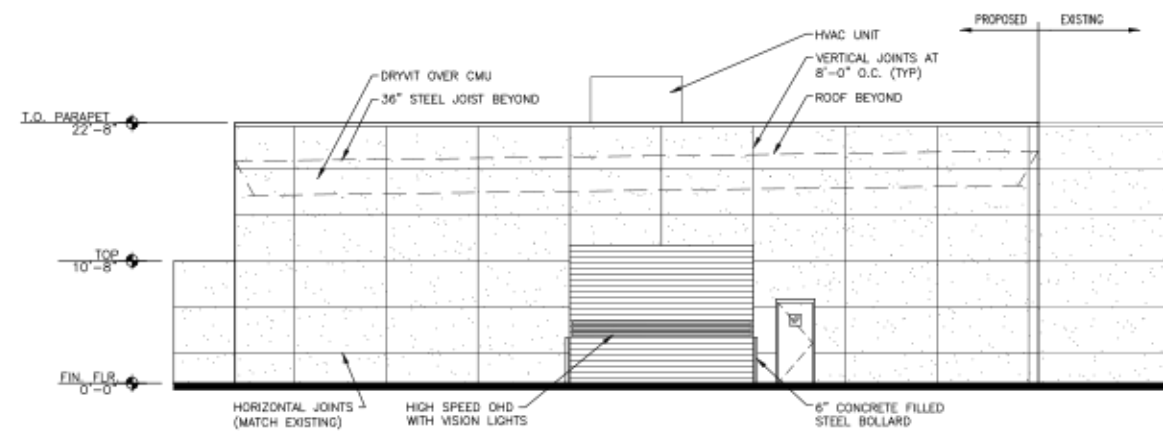
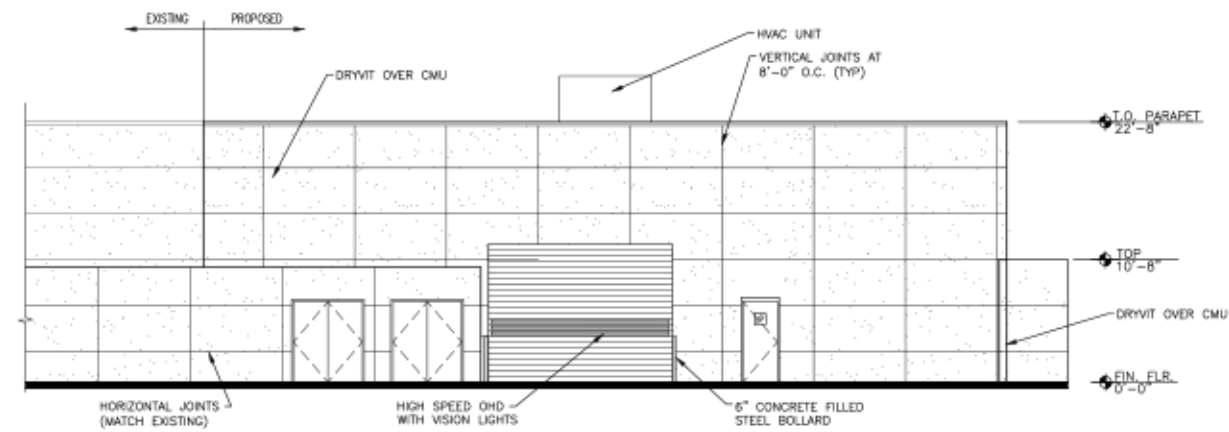
Tel. 407/423-4932

AR 010893

© 2022 THIS DESIGN DRAWING IS
PROTECTED UNDER COPYRIGHT LAWS,
THOMAS DESIGN INTERNATIONAL.



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



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

AN ADDITION TO
HEADQUARTER HONDA
SERVICE BUILDING

ELEVATIONS

PROJECT NUMBER: 2206
ISSUED: 0/0/22
DRAWN BY: SC
CHECKED BY: KWT
FILENAME: 2206_A2.0

A2.0



CITY OF CLERMONT CONDITIONAL USE PERMIT APPLICATION

Date JUNE 29, 2022		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) Addition to Headquarter Honda Service building			
Applicant Headquarter Orlando LLC DBA Headquarter Honda			
Contact Person Judy Farcus Serra			
Address 17700 SR 50	City Clermont	State FL	Zip 34711
Telephone 407-598-0307	Fax		
Email judy@headquarterauto.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 17700 SR 50	City Clermont	State florida	Zip 34711
General Location 1/2 block west of Lake Blvd on State road 50			
Legal Description & Alternate Key (include copy of survey) NE 1/4 OF W 1320 FT OF GOV LOT 1--LESS BEG AT INTERSECTION OF S R/W LINE OF SR 50 & E LINE OF W 660 FT OF GOV LOT 1, RUN S 01-00-01 E 518.83 FT, S 89-33-14 E 33.83 FT, N 0-51-20 E TO S R/W LINE OF SR 50, N 89-45-41 W 32.53 FT TO POB-- ORB 3719 PG 2141			
Land Use (City verification required) Auto Sales/Storage			
Zoning (City verification required) C-2 General commercial District			



**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.

Owner proposing to add approximately 9,000 sf to south side of existing Service bay building. Relocate existing Detailing operation on north side of new 10' height wall to reduce sound and clutter.

Judy Farcus Serra

Applicant Name (print)

x

Applicant Name (signature)

Jeronimo J. Esteve

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

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:	07/13/2022
Order Number:	7535066
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	48.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	2	07/26/2022 - 08/16/2022	Bids & Proposals
LEE dailycommercial.com	2	07/26/2022 - 08/16/2022	Bids & Proposals

Total Order Confirmation	\$150.16
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Ad Preview

LEGAL NOTICE

On Tuesday, August 2, 2022 at 6:30 p.m. the Clermont Planning and Zoning Commission will consider a request for a Conditional Use Permit (CUP) and this request will be heard by the City Council at a public hearing on Tuesday, August 23, 2022 at 6:30 p.m. to allow for the expansion of an existing automobile repair and services building located in the C-2 General Commercial zoning district, as required for Section 122-224, at the following location:

LOCATION:

Headquarter Honda Automotive
Dealership

17700 State Road 50
(Alternate Key 1037409)

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

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 meetings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

July 26, 2022 and August 16, 2022

7535066



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, August 23, 2022	
Agenda Item Name	
Variance Request <i>Mirror Lake Subdivision</i>	
Requested Action	
Recommend denial of requested variances.	
Staff Report	
The applicant, Nick Asma, is requesting six (6) variances to the Land Development Code to allow for construction of a 21 lot single-family residential subdivision. The vacant parcel is located on the south side of Old Highway 50, just west of the Greater Hills Subdivision. The zoning is R-1 Single Family Medium Density Residential with a Low Density Residential Land Use. The applicant is requesting the following variances: 1) To allow for a private street, rather than public – variance is required pursuant to the Clermont Land Development Code, Section 110-192(1). 2) To construct only one cul-de-sac at the end of the street with no intermediate cul-de-sac – as required by Section 110-192 (8). 3) To reduce the landscape buffer along the east property line to 5 feet instead of the 10 feet as required by Section 118-37. 4) To reduce the road right-of-way width to 50 feet, rather than 60 feet - as required by Section 110-193. 5) To construct a sidewalk on only one side of the street where homes will be located, rather than both sides of the street – as required by Section 110-194(3). 6) To reduce the front yard building setback to 20 feet, rather than 25 feet - as required by Section 122-125. The proposed 21-lot subdivision as designed would provide one access point off Old Highway 50. The applicant has indicated that because of existing topography changes and construction constraints, the six (6) variances are required to allow for development. The Council previously approved eight (8) variances in 2000, 2007 and 2008, and 2020 to allow for a 21 lot single-family development that was never constructed. City Code Section 86-171 indicates a variance to the Land Development Code may be granted as a hardship relief when strict compliance with the code would render a parcel incapable of reasonable use and development. Staff finds the subject parcel is vacant. Therefore, it may be designed with a less intense development which may not require variances to the land development codes. The property as designed may provide a challenge for fire and emergency vehicles access due to the request to allow a reduction of the right-of-way from the required 60 feet to a 50 feet width. The request to reduce the landscape buffer from 10 feet to five feet would provide less screening for the east side properties and may be seen as undesirable and intrusive to adjacent property owners. In addition, the request for a 50 foot wide right of way, instead of the 60 feet as required by the Code, may provide access challenges for Emergency Vehicles. Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance, staff has reviewed the application as submitted and finds the application does not meet a positive finding. Therefore, staff recommends denial of the variance request to the Land Development Code.	
Additional Analysis	
Fiscal Impact Summary	
.	

Fiscal Impact		Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)			
1.	New 86-174 Review Criteria- Mirror Lake Subdivision	New 86-174 Review Criteria- Mirror Lake Subdivision.pdf	
2.	Location Map	Location Map.pdf	
3.	Concept Plan	Geometry.pdf	
4.	Letter to City of Clermont	Letter to City of Clermont.pdf	
5.	Variance Application 7-11-2022	Variance Application 7-11-2022.pdf	
6.	Legal ad Mirror Lake	Legal ad Mirror Lake.pdf	

Mirror Lake Subdivision - Variance 2022

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 proposed development will not affect the use, enjoyment of adjacent properties. All proposed development is residential single-family construction which is consistent with the existing properties current use.

Staff comments: The applicant is requesting six (6) variances to the Land Development Code to allow for construction of a 21 lots single-family residential subdivision. The property zoning is R-1 Single Family Medium Density Residential. The development as proposed with the substantial number of variances requested including a reduction to the required landscape buffers that could negatively affect the adjacent property owners. A landscape buffer that meets the code would allow for an enhanced screen between the adjacent properties.

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: The single-family homes being proposed in this Development are in character with other properties in the same zoning category. The variance requested does not affect the use of the property but rather the logistics of construction due to site constraints.

Staff comments: The subject parcel zoning is R-1 Single Family Medium Density Residential, which requires a minimum front yard setback of 25 feet; the request would allow a 20-foot front yard setback. Although the property may have site constraints, the applicant may be able to develop a less intense development that could require fewer variances to the Land Development Code.

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 benefits of the variance requested are that the development can proceed. Without the variances, this development is not possible within current code. This development will benefit the surrounding properties and enhance the overall area.

Staff comments: The site as existing may provide some constraints for development, but the applicant may be able to develop the property in a less intense manner, which may not require the requested variances to the code.

Negative Finding

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

Applicant response: *The proposed development of the site is in a density compatible with zoning. All development approvals, including construction plans, have been based on these variances as approved previously.*

Staff comments: *The requested variances 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: *Yes, we are asking for the minimum number of variances possible while still being able to pursue the development plan as shown in the attached site plan and per the previously approved density and layout. We are actually requesting two less variances than were previously requested and approved for the same property. One of the listed variances is required to comply with St. Johns Water Management District.*

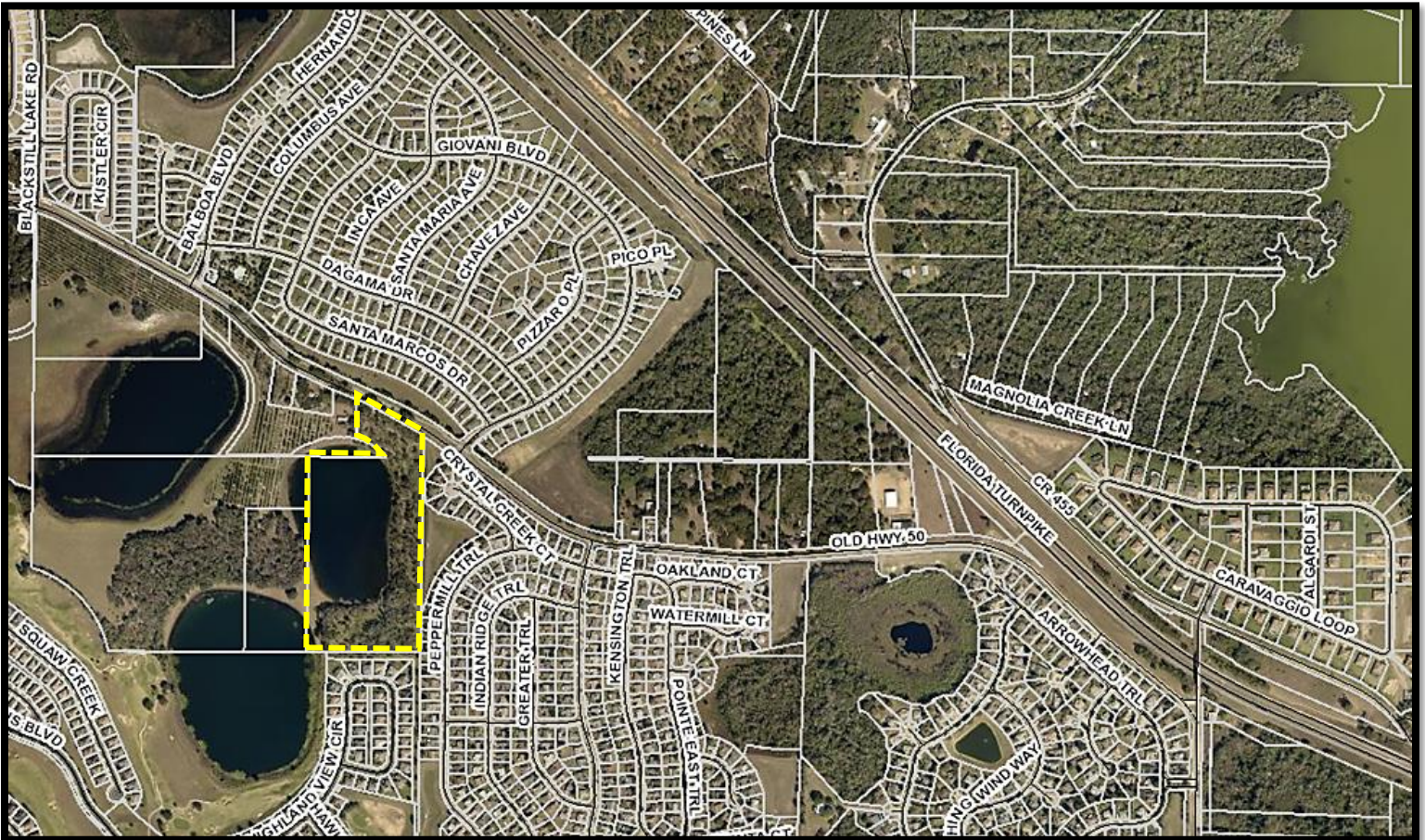
Staff comments: *The request for six (6) variances to the Land Development Code for a vacant lot that may have the ability of development and provide compliance to the Code. The request is not the minimum variance allowed to make reasonable use of the land. The applicant has the option of developing a less intense development, which may not require six variances to the Code.*

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 submitted and finds the application does not meet a positive finding. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

LOCATION MAP

Subject Property
Outline in Yellow





Asma & Asma, P.A.

Attorneys and Counselors at Law

William N. Asma
bill.asma@asmapa.com

C. Nick Asma
nick.asma@asmapa.com

July 18, 2022

Via electronic mail - planning@clermontfl.org

City of Clermont
Development Services Department
685 W. Montrose Street
Clermont, Florida 34712-0219

Re: Variance Application for:
Mirror Lake Subdivision, R-1, Single Family Medium Density Residential
Approximately one mile west of Hwy 455 on Old Hwy 50 west of the
Greater Hills rear entrance, and south of Verde Ridge
Owner: Mark Dias and Anne Sholes
Applicant: Nick Asma, Esquire, Asma & Asma P.A.

To whom it may concern:

On behalf of the Owner, Applicant submits the attached Variance Application for the Mirror Lake Subdivision Development.

By way of background, Mirror Lake is a proposed 21 lot, single cul-de-sac, gated subdivision with access off Old Highway 50. A total of eight variances were previously approved on the subject property in 2005, 2007 and 2008. Development approvals were ongoing through those years based on the approved variances. Final construction plan approval was obtained in November 2008 for a 24-lot single family residential project called Mirror Lake. The revised development plan reduces the lot count from 24 previously approved lots to 21 lots.

The development site is very steep and oddly shaped. Existing slopes range from 15-20% in the narrowest sections. Seventeen lots will be located on one side of the proposed roadway due to geometry constraints.

Ordinance 110-192(8) states "Cul-de-sac streets shall not exceed 1,200 feet in length, unless necessitated by topographic or environmental constraints." We believe that the site conditions meet these criteria and therefore a variance is not required, due to the extreme topography, demonstrated by a nearly 40' drop in elevation.

City of Clermont
Development Services Department
July 18, 2022
Page two

Additionally, a 15' minimum width, 25' average width undisturbed upland buffer along the lake is required by St. Johns River Water Management District.

The intent of this community is to add 21 luxury custom homes to the City of Clermont. The variances requested are more particularly enumerated below:

Applicant, on behalf of the Owner, respectfully requests the approval of the following variances in accordance with the Variance Application and attachments thereto.

1. To allow for a private gated street, rather than public – variance required pursuant to the Clermont Land Development Code, Section 110-192 (1).
2. To reduce the road right-of-way width to 50', rather than 60' – variance required pursuant to Clermont Land Development Code Section 110-193.
3. To construct a sidewalk on only one side of the street where homes will be located, rather than both sides of the street – variance required pursuant to Clermont Land Development Code Section 110-194(3).
4. To reduce the front building setback to 20', rather than 25' – variance required pursuant to Clermont Land Development Code Section 122-125 (1).
5. To construct only one cul-de-sac at the end of the street with no intermediate cul-de-sac – variance required pursuant to Clermont Land Development Code Section 110-192(8).
6. To reduce the landscape buffer along the east property line to 5', rather than 10' – variance required pursuant to Clermont Land Development Code Section 118-37 (d)(1).

In order for the development to proceed, approval of the above variances are necessary. If you require any further information in your evaluation of the requests, please do not hesitate to contact my office.

Sincerely,



Nick Asma

CNA:sm
Cc: client
Enclosures



CITY OF CLERMONT VARIANCE FILING INSTRUCTIONS

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

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

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

Notification of Public Hearing

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

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

Conditions of Approval and Denial

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



CITY OF CLERMONT VARIANCE FILING INSTRUCTIONS

Check List

The following information shall be provided:

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

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



CITY OF CLERMONT
VARIANCE
 APPLICATION

DATE 07/11/2022		FEE: \$600.00	
Project Name (if applicable) Mirror Lake Subdivison			
Applicant ASMA & ASMA, P.A.			
Contact Person Nick Asma, Esq.			
Address 884 S. Dillard Street	City Winter Garden	State Florida	Zip 34787
Telephone 407-656-5750	Fax 407-656-0486		
Email nick.asma@asmapa.com			
OWNER INFORMATION ☐ (Check box if information is same as Applicant)			
Owner's Name Mark Dias & Anne Sholes/ Mirror Lake Development, LLC			
Owner Address PO Box 770399	City Winter Garden	State Florida	Zip 34777
Telephone 407-488-9625	Email		
PROPERTY INFORMATION			
Address of Subject Property Old State Road 50	City Clermont	State Florida	Zip
General Location South side of SR 50 East of Blackstill Lake Road- just west of the entrance to Greater Hills and Verde Ridge.			
Legal Description & Alternate Key (include copy of survey) Alternate Key 2665459- See attached full legal description. Survey attached.			
Land Use (City verification required) Residential			
Zoning (City verification required) R-1			



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:
See Exhibit A attached listing applicable ordinances.

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

See Exhibit A attached and cover letter explaining the variance being requested. These variances were all previously approved for this development.

How does the Code create a hardship?

See Exhibit A attached and cover letter explaining how code confers specific hardships on the subject property due to specific topographic and geographic constraints such that lot depths are not sufficient to build houses.

The following justifications must be completed for any variance requested:

Variance requested – subject and code section: Multiple variances requested- see Exhibit A attached.

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;
The proposed development will not affect the use or enjoyment of adjacent properties. All proposed development is residential single family construction which is consistent with the adjacent properties current use.
- (2) The variance will allow a reasonable used of the property, which use in not out of character with other properties in the same zoning category;
The single family homes being proposed in this development are in character with other properties in the same zoning category. The variance requested does not affect the use of the property but rather the logistics of construction due to site constraints.
- (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;
The benefits of the variance requested are that the development can proceed. Without the variances, this development is not possible within current code. This development will benefit the surrounding properties and enhance the overall area.



CITY OF CLERMONT VARIANCE APPLICATION

(4) The granting of the variance is consistent with the city's comprehensive plan; and
The proposed development of the site is in a density compatible with zoning. All development approvals, including construction plans, have been based on these variances as approved previously.

(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.

Yes. We are asking for the minimum number of variances possible while still being able to pursue the development plan as shown in the attached site plan and per the previously approved density and layout. We are actually requesting two LESS variances than were previously requested and approved for the same property. One of the listed variances is required to comply with St. Johns Water MGMT District.

Applicant Name (print)

x _____
Applicant Name (signature)

Owner Name (print)

x _____
Owner Name (signature)

NOTICE

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

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



ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

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

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

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

Sec. 86-172. Application.

Sec. 86-173. Notice of public hearing.



Sec. 86-174. Review criteria and findings.

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

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

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

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

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

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

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:	08/01/2022
Order Number:	7603782
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	60.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/16/2022 - 08/16/2022	Govt Public Notices
LEE dailycommercial.com	1	08/16/2022 - 08/16/2022	Govt Public Notices

Total Order Confirmation	\$104.80
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Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request at a public hearing on Tuesday, August 23, 2022 at 6:30 PM for the following six (6) variances to the Land Development Codes: (1) To allow for a private street, rather than a public street, as required by Section 110-192, (2) To construct only one cul-de-sac at the end of the street with no intermediate cul-de-sac as required by Section 110-192, (3) To reduce the street right-of-way width to 50 feet instead of 60 feet as required by Section 110-193, (4) To reduce the landscape buffer along the east property line to 5 feet instead of 10 feet as required by Section 118-37; and (5) To reduce the front building yard setback to 20 feet instead of 25 feet as required by Section 122-125, and (6) To construct a sidewalk on one side of the street, instead of both sides as required by Section 110-194, at the following location:

LOCATION:

Vacant parcel located on Old Highway 50, east of Blackstill Lake Road (Mirror Lake Subdivision - Alternate Key #2665459)

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

All public hearings 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

August 16, 2022

L7603782 8/16/2022 11



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Variance Request 2388 Kaley Ridge Road		
Requested Action		
Recommend denial of the requested variances.		
Staff Report		
The applicant is requesting a variance to allow for the encroachment of pavers and concrete into the side and rear yard setbacks of the residential lot located at 2388 Kaley Ridge Road. The property is located in the Highland Ranch Planned Unit Development (Resolution No. 2016-10), located on Old Highway 50 and Southwest of the Florida Turnpike. The applicant has installed pavers and concrete on the sides and rear yards of the property up to the property lines. The pavers and concrete slabs have been installed without an approved permit. This property currently has an open Code Enforcement investigation. The existing single-family residential lot requires a 5-foot side yard setback and 20-foot rear yard setbacks. There are two primary types of pavement; pervious and impervious and pavers may be considered as pervious because of the ability to infiltrate water through them. The applicant has also placed concrete slabs underneath the pavers, which converts the pavers to impervious pavement. The Code, Section 122-342 requires uncovered patios to be located in the rear yard no closer than the side yard and not encroaching on any easements. The patio project does not exceed the maximum impervious surface ratio requirements for the lot. The applicant has presented supporting documents that include the HOA approval letter and pictures of the existing patio and fire pit areas. Staff finds that because the pavers and concrete are now installed right up to the property lines and located directly into the drainage easement, this could impede and prevent proper and sufficient drainage of the parcel. <u>STAFF RECOMMENDATION:</u> 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 this application as submitted and finds the application does not meet a positive finding of the provisions of the review criteria. Therefore, staff recommends <u>denial</u> 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.	2388 Kaley Ridge Road-Staff Analysis	2388 Kaley Ridge Road-Staff Analysis.pdf
2.	New 86-174 Review Criteria-2388 Kaley Ridge Road	New 86-174 Review Criteria-2388 Kaley Ridge Road.pdf
3.	Site plan	Site plan.pdf
4.	Photos	Photos.pdf
5.	HOA Approval	HOA Approval.pdf
6.	Application	Application.pdf



CITY OF CLERMONT

Staff Analysis Report

OWNER: Khuong Nguyen

APPLICANT: Khuong Nguyen

PROJECT NAME: 2388 Kaley Ridge Road – Side and Rear Yard Variance

REQUESTED ACTION: Consider a request for the following variance: (1) to allow for the encroachment of pavers onto the side and rear yard setbacks instead of the requirements of the Highland Ranch PUD (Resolution 2016-10).

SIZE OF PARCEL: Single Family Lot

LOCATION: 2388 Kaley Ridge Road – Highland Ranch PUD

EXISTING ZONING: Planned Unit Development (PUD)

EXISTING LAND USE: Single Family Residence

FUTURE LAND USE CATEGORY: Master Planned Development

ANALYSIS:

The applicant is requesting a variance to allow for the encroachment of pavers and concrete into the side and rear yard setbacks of the residential lot located at 2388 Kaley Ridge Road. The property is located in the Highland Ranch Planned Unit Development (Resolution No. 2016-10), located on Old Highway 50 and Southwest of the Florida Turnpike. The applicant has installed pavers and concrete on the sides and rear yards of the property up to the property lines. The pavers and concrete slabs have been installed without an approved permit.

The existing single-family residential lot requires a minimum 5-foot side yard setback and 20-foot rear yard setbacks. There are two primary types of pavement; pervious and impervious and pavers may be considered as pervious because of the ability to infiltrate water through them. The applicant has also placed concrete slabs underneath the pavers, which converts the pavers to impervious pavement. The Code, Section 122-342 requires uncovered patios to be located in the rear yard no closer than the side yard and not encroaching on any easements. The patio project does not exceed the maximum impervious surface ratio requirements for the lot. The applicant has presented supporting documents that includes the HOA approval letter and pictures of the existing patio and fire pit areas. .

Staff finds that because the pavers and concrete are now installed right up to the property lines and located directly into the drainage easement, this could impede and prevent proper and sufficient drainage of the parcel.

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 this application as submitted and finds the application does not meet a positive finding of the provisions of the review criteria. Therefore, staff recommends **denial** of the requested variance.

2388 Kaley Ridge Road -- Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: No response provided.

Staff comments: The proposed variance request to allow for pavers and concrete to encroach into the rear and side yard setback may create slow and improper drainage of water runoff that could negatively affect the adjacent neighbors.

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: No response provided.

Staff comments: The variance request is not out of character with other properties in this zoning district.

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: No response provided.

Staff comments: The requested variance to the land development code will not further any legitimate city objective.

Positive finding

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

Staff comments: The variance request is consistent with the comprehensive plan goals, objectives and policies for single family residential.

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: No response provided.

Staff comments: The requested variance is not the minimum allowed for reasonable use of the land. The proposed concrete and pavers may impede proper drainage and water runoff as required by the code.

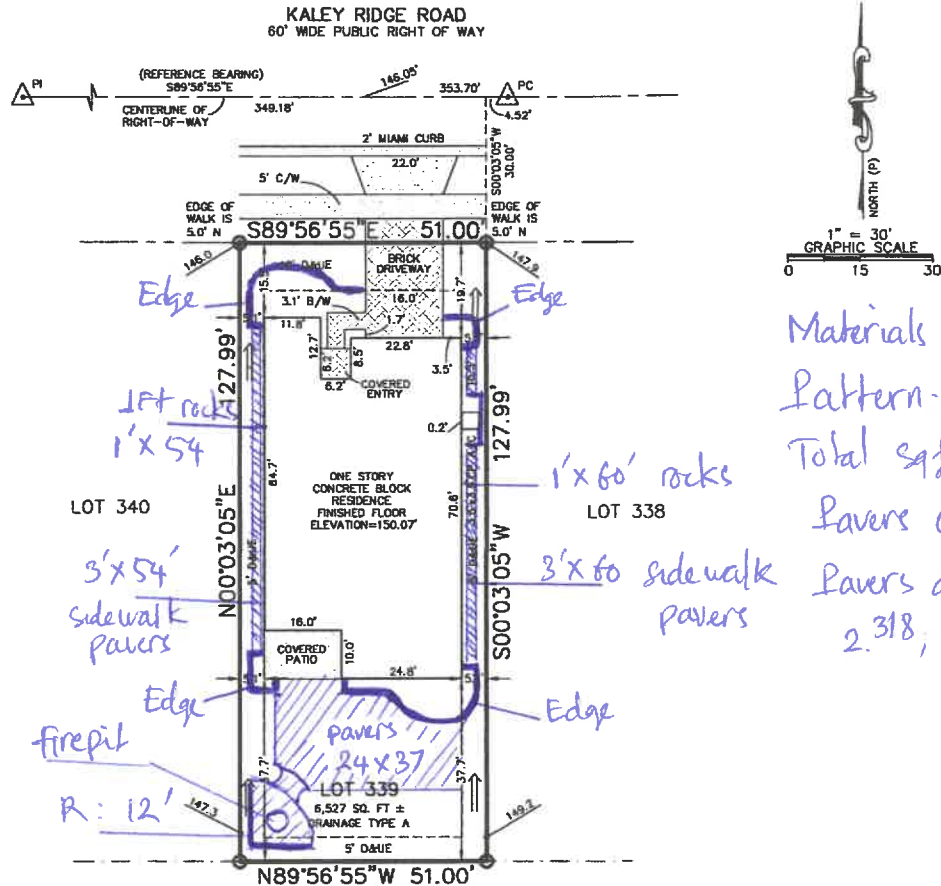
Negative finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on all Review Criteria and Findings requirements for granting a variance, staff has reviewed the application as presented and finds the application can meet a positive finding. Therefore, staff recommends denial of the variance request to the Land Development Code.

BOUNDARY & AS-BUILT SURVEY

DESCRIPTION: (AS FURNISHED)

LOT 339, HIGHLAND RANCH THE CANYONS PHASE 5 REPLAT
AS RECORDED IN PLAT BOOK 69, PAGES 93-98 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



ADDRESS:
2388 KALEY RIDGE ROAD
CLERMONT, FLORIDA 34715

FOR THE BENEFIT AND
EXCLUSIVE USE OF:

FIRST AMERICAN TITLE INSURANCE CO.
INSPIRED TITLE SERVICES, LLC
NGUYEN HANH NHAN BUI & AN QUOC NGUYEN & KHUONG DUC DUC NGUYEN
FIDELITY FUNDING MORTGAGE GROUP

Taylor Morrison Home Corporation

NOTES:

- ALL DIRECTIONS AND DISTANCES HAVE BEEN FIELD VERIFIED, INCONSISTENCIES HAVE BEEN NOTED ON THE SURVEY, IF ANY.
- PROPERTY CORNERS SHOWN HEREON WERE SET/FOUND ON 10-16-18, UNLESS OTHERWISE SHOWN.
- THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.
- BUILDING TIES SHOWN HEREON ARE NOT TO BE USED TO RECONSTRUCT THE BOUNDARY LINES.
- ELEVATIONS SHOWN HEREON ARE BASED ON LAKE COUNTY BENCHMARK LK 162 WITH AN ELEVATION OF 104.63' NGVD 1929 DATUM.

LEGEND:

—	CENTERLINE
---	RIGHT OF WAY LINE
→	DRAINAGE FLOW
142.9	EXISTING ELEVATION
A/C	AIR CONDITIONER
CONCRETE	CONCRETE
BRICK PAVERS	BRICK PAVERS
CBW	CONCRETE BLOCK WALL
CWA	CORNER NOT ACCESSIBLE
CP	CONCRETE PAD
CS	CONCRETE SLAB
C/W	CONCRETE WALK
B/W	BRICK WALK
F.E.M.A.	FEDERAL EMERGENCY MANAGEMENT AGENCY
F.I.R.M.	FLOOD INSURANCE RATE MAP
ID	IDENTIFICATION
LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
D&UE	DRAINAGE & UTILITY EASEMENT
D&NE	DRAINAGE & WALL EASEMENT
SSE	SANITARY SEWER EASEMENT
WE	WALL EASEMENT
UE	UTILITY EASEMENT
NGVD	NATIONAL GEODETIC VERTICAL DATUM
FOUND NAIL AND DISC	FOUND NAIL AND DISC
LB #8011	FOUND 1/2" IRON ROD AND CAP
LB #6353	PER PLAT
(P)	PER PLAT
PC	POINT OF CURVATURE
PCC	POINT OF COMPOUND CURVE
PCP	PERMANENT CONTROL POINT
PI	POINT OF INTERSECTION
PK	PARKER KALON
POC	POINT ON CURVE
POL	POINT ON LINE
PRC	POINT OF REVERSE CURVATURE
PRM	PERMANENT REFERENCE MONUMENT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
PT	POINT OF TANGENCY
SQ. FT.	SQUARE FEET
S/W	SIDEWALK
TYP	TYPICAL
UP	UTILITY PAD

FLOOD NOTE:

I HAVE EXAMINED THE F.I.R.M. COMMUNITY PANEL NO. 120133 0580 E, MAP NO. 1208905080E DATED DECEMBER 18, 2012, AND FOUND THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X, AREA OUTSIDE THE 100 YEAR FLOOD PLAIN. THE SURVEYOR MAKES NO GUARANTEES AS TO THE ABOVE INFORMATION. PLEASE CONTACT THE LOCAL F.E.M.A. AGENT FOR VERIFICATION.

BEARING BASIS:

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF KALEY RIDGE ROAD BEING S89°56'55"E, PER PLAT.

(FIELD DATE) 06-23-18

SCALE: 1" = 30 FEET

APPROVED BY: JB

JOB NO. 180339 LOT 339

DRAWN BY: DSB

REVISED:

CERTIFICATION 01-14-18 TDB

FINAL 10-18-18 DP

FOUNDATION 07-05-18 AAW

PLOT PLAN 05/08/18 K.W.

ASAM
AMERICAN
SURVEYING
& MAPPING INC.

CERTIFICATION OF AUTHORIZATION NUMBER LB#6363
3191 MAGUIRE BOULEVARD, SUITE 200
ORLANDO, FLORIDA 32803
(407) 426-7979
WWW.AMERICANSURVEYINGANDMAPPING.COM

I HEREBY CERTIFY, THAT THIS SURVEY, SUBJECT TO THE SURVEYOR'S NOTES CONTAINED HEREON MEETS THE APPLICABLE "MINIMUM TECHNICAL STANDARDS" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



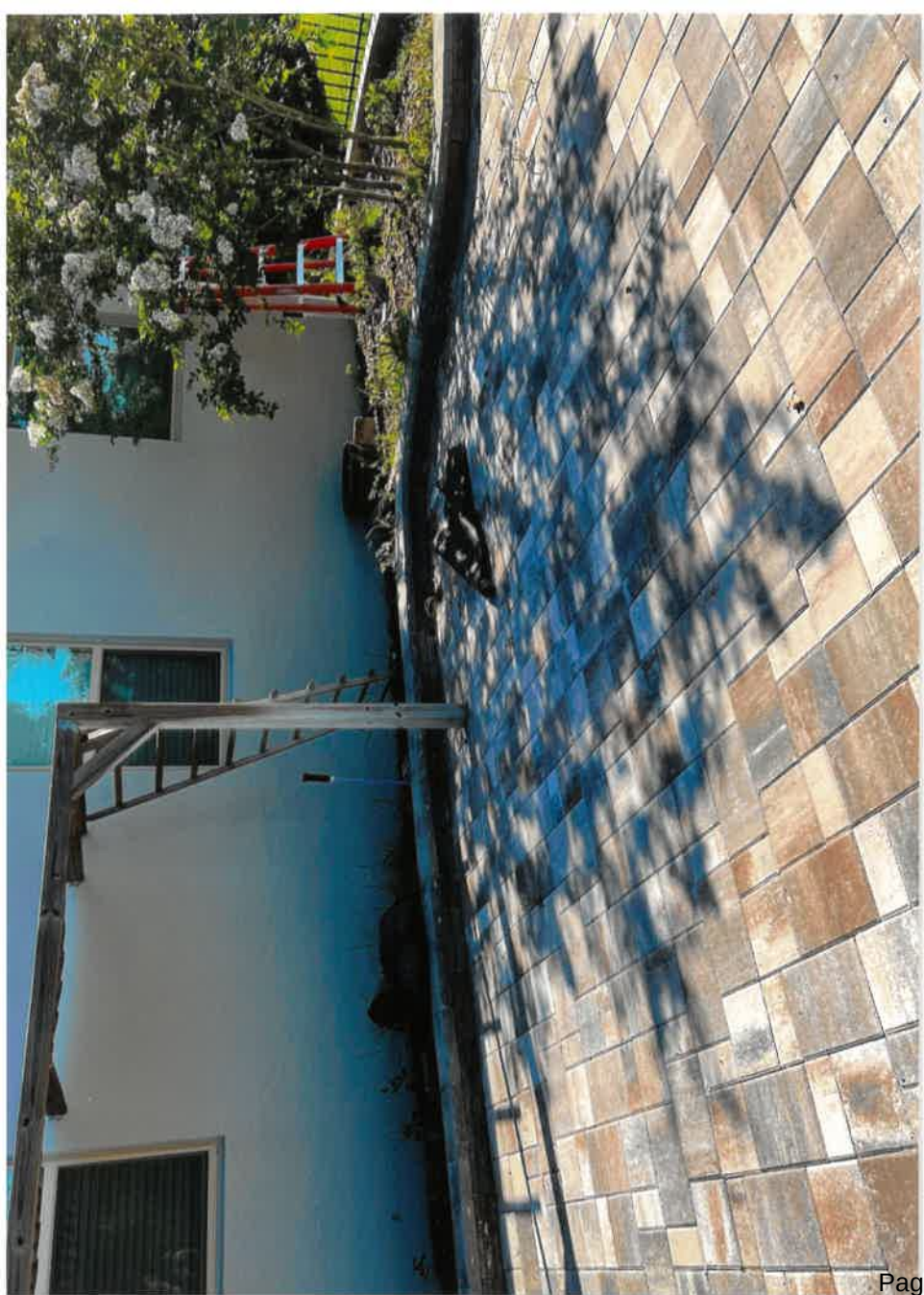
Digitally signed by James W. Boleman
DN: cn=James W. Boleman, o=American
Surveying & Mapping Inc., ou=18,
email=JamesW.Boleman@american
surveying.com, c=US
Date: 2018.01.15 12:01:35 -0500
Adobe Acrobat version: 11.0.23

FOR THE FIRM

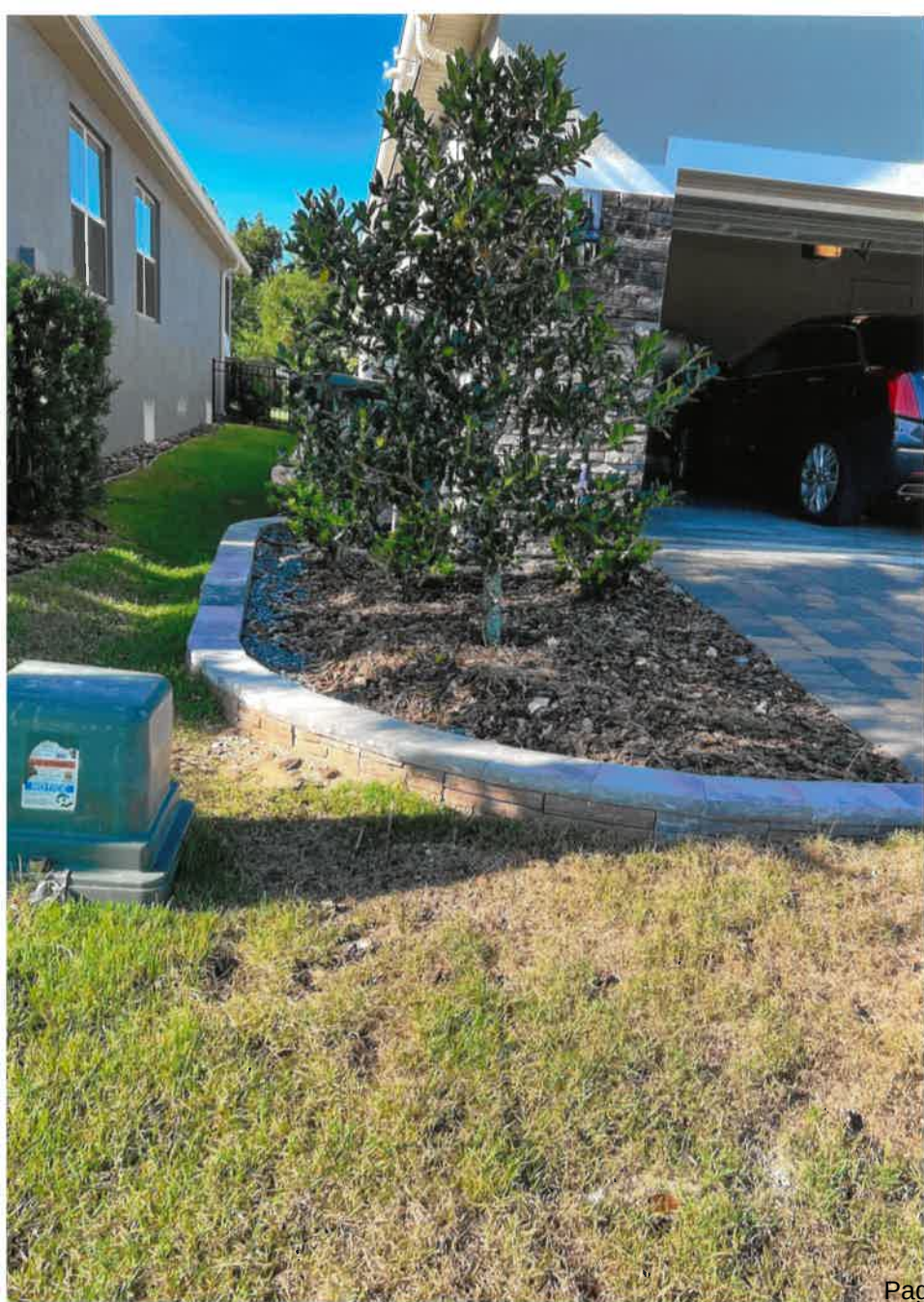
JAMES W. BOLEMAN PSM# 6485 DATE
THIS BOUNDARY & AS-BUILT SURVEY IS NOT VALID WITHOUT THE AUTHENTIC ELECTRONIC SIGNATURE AND THE AUTHENTIC ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.













EVERGREEN
LIFESTYLES MANAGEMENT

270 W Plant Street, Ste 340
Winter Garden, FL 34787

04/13/2022

An Quoc Nguyen, Nguyen Hanh Nhan Bui/ Khuong Duc Duy Nguyen
2388 Kaley Ridge Rd
Clermont, FL, 34715

RE: 2388 Kaley Ridge Rd

Submittal: Addition

Dear An Quoc Nguyen,

The Architectural Committee has reviewed and **APPROVED** the above listed application.

This approval is subject to all County, City, State and Federal permits, codes, statutes, laws, rules and regulations, which are the sole responsibility of the homeowner. This approval shall not be deemed a warranty or representation as to the quality of construction, installation, addition, alteration, repair, change or other work. Alterations/modifications may not be performed before property is closed and transferred to homeowners(s) of record per county records.

Homeowner must contact the HOA upon completion for inspection.

Should you have any questions, please feel free to contact me at 877-221-6919 or by email at ARCAApplication@Evergreen-LM.com. We thank you for your patience with this process.

Sincerely,

Evergreen Lifestyles Management
ARCAApplication@Evergreen-LM.com
For the Architectural Committee of
Canyons At Highland Ranch Homeowners Association, Inc.



EVERGREEN
LIFESTYLES MANAGEMENT

270 W Plant Street, Ste 340
Winter Garden FL 34787

04/08/2022

An Quoc Nguyen, Nguyen Hanh Nhan Bui/ Khuong Duc Duy Nguyen
2388 Kaley Ridge Rd
Clermont, FL 34715

RE: 2388 Kaley Ridge Rd

Submittal: Addition

Dear An Quoc Nguyen,

Thank you for your recent Architectural Review form submittal which was received on 04/08/2022. The CC&Rs for Canyons At Highland Ranch Homeowners Association, Inc.. allow the Architectural Committee 45 days from receipt of the submittal to provide an approval or rejection of the requested improvement(s). We will reach out to you should your application require additional supporting documents or photos. We realize this is a lengthy time frame and in all cases work to expedite the review process. Please understand, however, that the Committee must carefully review requests for the entire community.

The Committee will review your request for compliance with the approved community guidelines. Should the Committee find a minor deviation or omission in the submittal the Committee may, at their sole discretion, approve the submittal contingent upon certain changes or stipulations. You will receive written notification of the approval or rejection of your application. Alterations/modifications may not be performed before property is closed and transferred to homeowners(s) of record per county records.

Should you have any questions, please feel free to contact me at 877-221-6919 or by email at ARCAApplication@Evergreen-LM.com. We thank you for your patience with this process.

Sincerely,

Evergreen Lifestyles Management
Evergreen Community Standards
ARCAApplication@Evergreen-LM.com
For the Architectural Committee of
Canyons At Highland Ranch Homeowners Association, Inc.

**CANYONS AT HIGHLAND RANCH
HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL REVIEW APPLICATION**

Homeowner Name: KHUONG NGUYEN / NGUYEN BUI
Property Address: 2388 KALEY RIDGE RD, CLERMONT, FL 34715
Lot # 339 Type: Internal Lakefront Perimeter Conservation
Phone: 936 828 9425 Email: KHNGUYEN1120@YAHOO.COM

Please select the category of the request: (Only 1 Change Request Per Application)

- | | | | |
|---|--|---|--|
| ☐ Fence | ☐ Exterior Color Change | ☒ Landscaping | ☒ Pavers |
| ☐ Screen enclosure | ☐ Lawn Ornament | ☐ Patio | ☐ Roof |
| ☐ Swimming Pool | ☐ Solar Collectors | ☐ Gutters | ☐ Other |

*If requesting fence approval, be sure to indicate the color of your immediate neighboring or already existing fence and ensure positioning of fencing is **setback a minimum of 10ft from the front facade the home**. Additionally, if your lot type is a perimeter lot your fence must be 5 feet away from the sidewalk.

I hereby request consent to make the following change, alteration, renovation and/or addition to my property **(Describe the change, addition & installation and the location):** Asking to do Edges for my front and back of my landscaping. Additional pavers on sides and back of my house, also asking to do firepit at right corner in the backyard. Colors of stones will be matching with my existing driveway pavers stones.

THIS SECTION MUST BE COMPLETED

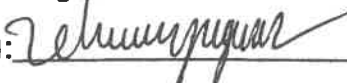
- ☒ The work will be performed by a contractor. (Please provide a copy of their license and proof of insurance.)
☐ The work will be performed by a homeowner. (Please read and initial statement below.)

The applicant a/k/a homeowner holds the association and its management agent harmless in the event that the applicant plans on initiating and performing the improvements themselves.

ALL applications must include the following documents / information in order to complete the application package and to be considered by the committee:

- ☐ Signed Application
- ☐ Official Property Survey with location of changes
- ☐ Drawings/Sketch with size/dimensions & colors
- ☐ Color Pictures with sample of materials for proposed change
- ☐ Color Samples
- ☐ Copy of contractors' contract or proposal indicating height, shape, materials & colors to be used
- ☐ Contractors Business License
- ☐ Contractors Insurance

In accordance with the Declaration of Covenants, Conditions and Restrictions and the Association's Rules and Regulations, Installation must conform exactly to the approval and the Association's guidelines. Any variance could result in violations and/or fines. I agree not to begin any property improvement(s) until I have been notified in writing of the approval. I understand that the responsible Board/Committee has up to forty-five days (depending on governing documents) to review and either approve or disapprove this Alteration Application. No response is an automatic DENIAL. If any change is made that has not been approved, the responsible Board/Committee has the right to ask me to remove the improvement from my property.

Signature of Owner(s):  Date: 03/30/2022

Date Received by Staff Member: 03/30/2022



CITY OF CLERMONT VARIANCE APPLICATION

DATE 07/05/2022		FEE:	
Project Name (if applicable)			
Applicant KHUONG NGUYEN			
Contact Person Khuong Nguyen			
Address 2388 Kaley Ridge Rd		City clermont	State FL Zip 34715
Telephone 936 828 9425		Fax	
Email khnguyen1120@yahoo.com			
OWNER INFORMATION ☒ (Check box if information is same as Applicant)			
Owner's Name			
Owner Address		City	State Zip
Telephone		Email	
PROPERTY INFORMATION			
Address of Subject Property 2388 Kaley Ridge Rd		City clermont	State FL Zip 34715
General Location			
Legal Description & Alternate Key (include copy of survey)			
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:

Building Permit required section 122-344
and section 122-74 - Lot and height requirements

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

I did edges for landscaping, pavers on both sides and backyard, I did firepit close to right corner of my backyard. This was my first time, that's why I didn't know I supposed to apply for city permit to do it. I'm sorry.

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.

KHUONG NGUYEN

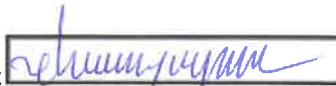
Applicant Name (print)

x 

Applicant Name (signature)

KHUONG NGUYEN

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

Prepared By and Return To:
Inspired Title Services, LLC
Attn: Maria Robertson
485 N. Keller Road, Suite 110
Maitland, FL 32751

Certified True & Correct
Copy of the Original

By: 

Order No.: ORL-FL-18126794FS

Property Appraiser's Parcel I.D. (folio) Number:
0922260004-000-00200

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this January 17, 2019 by Taylor Morrison of Florida, Inc., a Florida Corporation existing under the laws of Florida, and having its principal place of business at 2600 Lake Lucien Drive, Suite 350, Maitland 32751 (the "Grantor"), and Nguyen Hanh Nhan Bui and Khuong Duc Duy Nguyen, wife and husband and An Quoc Nguyen, a married man whose post office address is 2388 Kaley Ridge Road, Clermont, FL 34715, (the "Grantee"):

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, to it in hand paid, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sells, alien, remise, release, convey and confirm unto the Grantee, and Grantee's successors and assigns forever, all that certain parcel of land lying in County of LAKE, State of Florida, viz:

Lot 339 of HIGHLAND RANCH THE CANYONS PHASE 5 REPLAT, according to the Plat thereof as recorded in Plat Book 69, Pages 93 through 98, inclusive, of the Public Records of Lake County, Florida.

Subject to encumbrances, easements and restrictions of record and taxes for 2019.

TOGETHER WITH all the improvements, tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining with all rights and easements of record.

TO HAVE AND TO HOLD the above described premises, with appurtenances, unto the said Grantee, its successors and assigns, in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers duly authorized, the day and year first above written.

Taylor Morrison of Florida, Inc.

BY: [Signature]
Laura Dianne McPherson
Vice President

Grantor Address:
2600 Lake Lucien Drive, Suite 350
Maitland 32751

Signed, sealed and delivered in presence of:

[Signature]
Witness Signature

Michele Williams
Printed Name of First Witness

[Signature]
Witness Signature

Cindy Adams
Printed Name of Second Witness

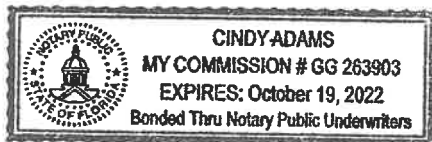
STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on 4 day of Jan, 2019, by Laura Dianne McPherson as Vice President on behalf of Taylor Morrison of Florida, Inc. existing under the laws of the State of Florida. He/she is personally known to me and did not take an oath.

[Signature]
Notary Public

Printed Name of Notary
My Commission Expires: _____

(Notarial Seal)



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:	3910733

Date:	08/02/2022
Order Number:	7604164
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	48.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/16/2022 - 08/16/2022	Govt Public Notices
LEE dailycommercial.com	1	08/16/2022 - 08/16/2022	Govt Public Notices

Total Order Confirmation	\$85.84
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Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request at a public hearing on Tuesday, August 23, 2022 at 6:30 PM for the following variances: (1) to allow for the encroachment into the side yard setbacks and the encroachments into the rear yard setbacks instead of the requirements for the (Highland Ranch PUD-Resolution No. 2016-10) and the Land Development Codes, Section 122-316 at the following location:

LOCATION

2388 Kaley Ridge Road
(Alternate Key 3910733)

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

All public hearings 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
August 16, 2022



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, August 23, 2022		
Agenda Item Name		
Variance Request 987 W. Magnolia Street		
Requested Action		
Recommend denial of the requested variance.		
Staff Report		
The applicant is requesting a variance to allow for the storage of a boat to be located in the front yard-building setback. The Land Development Code, Section 38-4, requires the parking and storage of any recreation vehicles and boats must be located behind the front yard building setback line for the property. In addition, the boat is currently being stored across the street on a vacant lakefront lot owned by the applicant. The property currently has an open investigation case with Code Enforcement. The existing single-family residential lot is located in the R-1 zoning district, which requires a minimum lot size of 10,000 square feet. The boat is being stored on a vacant lakefront lot that is located to the east of the primary parcel and owned by the applicant. The applicant has stated that the boat is parked on the vacant lot and in the front yard setback because the rear yard has too much of an inclined slope to allow parking in the rear yard setback, where it is permitted. Since the boat is parked on a vacant lot, staff is unable to support the variance request. <u>STAFF RECOMMENDATION:</u> 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 this application as submitted and finds the application does not meet a positive finding of the provisions of the 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.	987 West Magnolia Street- Staff Analysis	987 West Magnolia Street- Staff Analysis.pdf
2.	New 86-174 Review Criteria-987 West Magnolia Street	New 86-174 Review Criteria-987 West Magnolia Street.pdf
3.	LOCATION MAP	LOCATION MAP.pdf
4.	Picture of boat on trailer	Picture of boat on trailer.pdf
5.	Application	Application.pdf
6.	Legal ad - 987 W. Magnolia	Legal ad - 987 W. Magnolia.pdf



CITY OF CLERMONT

Staff Analysis Report

OWNER: Alexander Cooke

APPLICANT: Alexander Cooke

PROJECT NAME: 987 West Magnolia Street – Boat Storage Variance

REQUESTED ACTION: Consider a request for the following variance: (1) to allow for the boat storage on a vacant lot and be located within the front yard setback instead of the requirements of the Land Development Code, Section 38-4.

SIZE OF PARCEL: Single Family Lot

LOCATION: 987 West Magnolia Street

EXISTING ZONING: R-1 Single Family Medium Density Residential

EXISTING LAND USE: Single Family Residence

FUTURE LAND USE CATEGORY: Low Density Residential

ANALYSIS:

The applicant is requesting a variance to allow for the storage of a boat to be located in the front yard-building setback. The Land Development Code, Section 38.4, requires the parking and storage of any recreation vehicles and boats must be located behind the front yard building setback line for the property. In addition, the boat is currently being stored across the street on a vacant lakefront lot owned by the applicant. The property currently has an open investigation case with Code Enforcement.

The existing single-family residential lot is located in the R-1 zoning district, which requires a minimum lot size of 10,000 square feet. The boat is being stored on a vacant lakefront lot that is located to the north and owned by the applicant. The applicant has stated that the boat is parked on the vacant lot and in the front yard setback because the rear yard has too much of an incline slope to allow parking in the rear yard setback, where it is permitted.

Staff finds that because the boat is currently being stored on a vacant lot without a primary structure on the same lot and being stored within the front yard-building setback, may be considered a nuisance and out of character to the adjacent and surrounding properties.

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 this application as submitted and finds the application does not meet a positive finding of the provisions of the review criteria. Therefore, staff recommends **denial** of the requested variance.

987 West Magnolia Street -- 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 of negatively impact the standard of living of the citizens of the city;
Applicant response: No response provided.

Staff comments: The proposed variance request to allow for boat storage and parking on a vacant residential parcel is a violation of City Code Section 38.4, which requires boats to be stored in the rear yard building setback lines. Although the boat is located across the street on the lakefront parcel, the lot is considered within the front yard setback.

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: No response provided.

Staff comments: The boat storage and parking on the vacant lot may be viewed as in consistent to other properties located in this zoning district.

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: No response provided.

Staff comments: The requested variance to the land development code will not further any legitimate city objective.

Positive finding

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

Staff comments: The variance request is consistent with the comprehensive plan goals, objectives and policies for single family residential.

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;

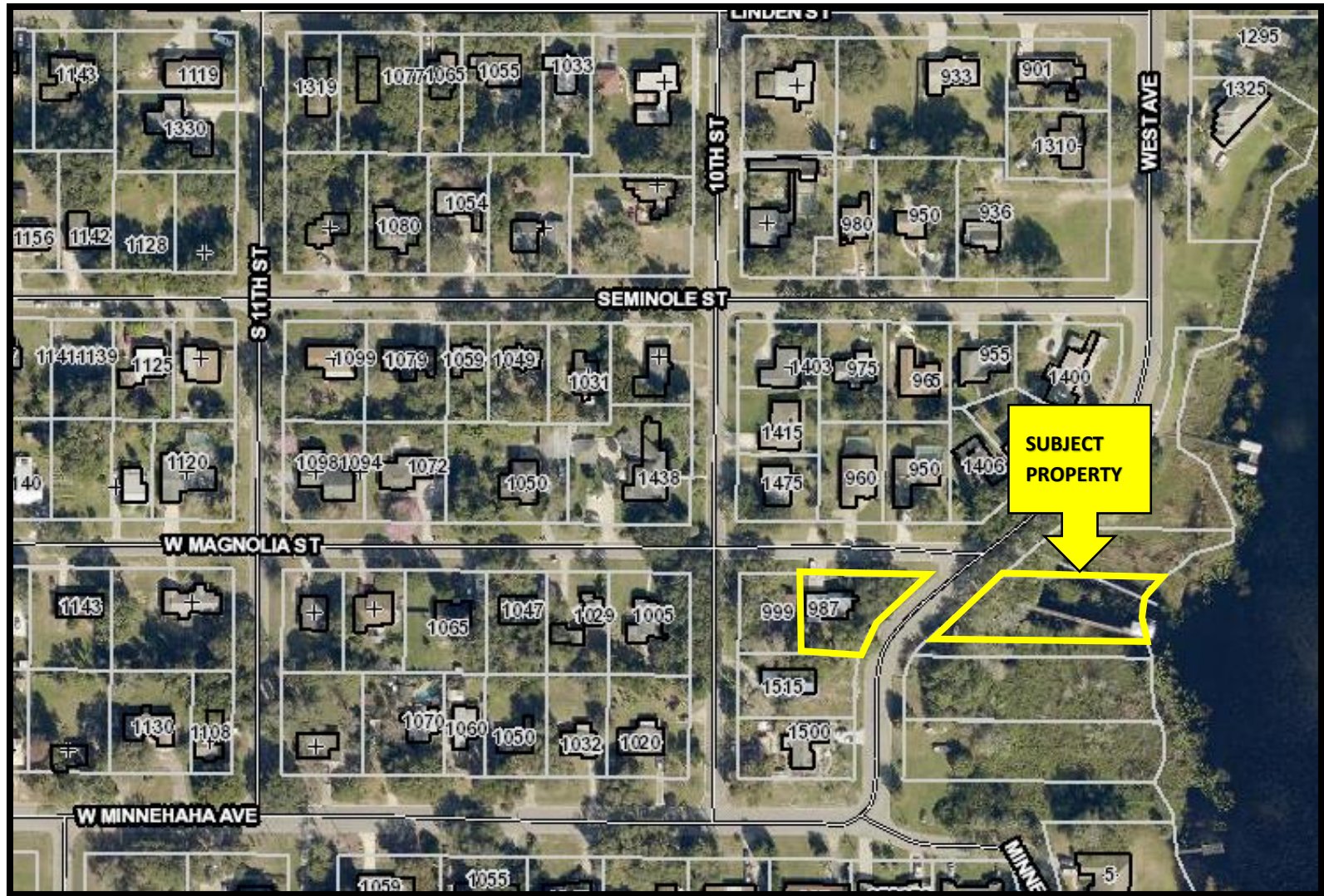
Applicant response: No response provided.

Staff comments: The requested variance is not the minimum allowed for reasonable use of the land. The boat storage may be considered a nuisance and out of character to the existing residential neighborhood.

Negative finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on all Review Criteria and Findings requirements for granting a variance, staff has reviewed the application as presented and finds the application can meet a positive finding. Therefore, staff recommends denial of the variance request to the Land Development Code.

LOCATION MAP



LOCATION MAP



Boat on Trailer





CITY OF CLERMONT VARIANCE APPLICATION

DATE 7-06-22		FEE:	
Project Name (if applicable)			
Applicant Alexander Cooke			
Contact Person Alexander Cooke			
Address 987 W. Magnolia St		City Clermont	State FL
Telephone 321 229 0923		Zip 34711	
Email alex.cooke@gmx.us		Fax	
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 W. Ave (Alt Key 3786320)		City Clermont	State FL
General Location Across W. Avenue from my residence at 987 W. Magnolia St.		Zip 34711	
Legal Description & Alternate Key (include copy of survey) Vacant residential on West Avenue Alt. Key 3786320 parcel # 2522250002 0000 2900			
Land Use (City verification required) Vacant residential			
Zoning (City verification required) R-1			



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:

Parking, storage of RV section 38-4

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

My boat has been stored in this location for 17 years. I can park it behind the 25' setback line. It is covered, registered, insured and in excellent condition (not an eyesore)

How does the Code create a hardship?

The embankment entering my back yard is at too much of an incline to tow a boat up and into it.

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Section 38-4, Parking of recreational vehicles

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.

Alexander Cooke

Applicant Name (print)

Alexander Cooke

Owner Name (print)

x [Signature]

Applicant Name (signature)

x [Signature]

Owner Name (signature)

NOTICE

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

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

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:	08/02/2022
Order Number:	7610720
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	43.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/16/2022 - 08/16/2022	Public Notices
LEE dailycommercial.com	1	08/16/2022 - 08/16/2022	Public Notices

Total Order Confirmation	\$77.94
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Ad Preview

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request at a public hearing on Tuesday, August 23, 2022 at 6:30 PM for the following variance: (1) to allow for an accessory use or structure be located on any lot without an established principal structure or use on the same lot within the applicable zoning district as required by the Land Development Codes, Section 122-341 and Chapter 38 at the following location:

LOCATION

987 W. Magnolia Street

(Alternate Key 2880082 & 3786320)

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

All public hearings 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

#7610720 8/16/2022