



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, September 3, 2024**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES**

Approval of the August 6, 2024 Meeting

**REPORTS
NEW BUSINESS**

Item 1 - Ordinance No. 2024-038
Family Christian Center of Clermont Rezoning

Request to rezone from R-1-A Single
Family Low Density Residential to
Planned Unit Development with C-2
General Commercial Uses.

Item 2 - Resolution No. 2024-028R
Fine Ink Studios CUP

Consider a Conditional Use Permit to
allow a tattoo and piercing
establishment in a PUD.

**DISCUSSION OF NON-AGENDA ITEMS
ADJOURN**

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

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

Please be advised that if you intend to show any document, picture, video or items to the 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 Clerk for the City's records.

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION
MINUTES
AUGUST 6, 2024

CALL TO ORDER

Vice-Chair Niemiec called the meeting of the Planning and Zoning Commission to order on Tuesday, August 6, 2024 at 6:30 p.m.

MEMBERS PRESENT: Vice-Chair Niemiec, Member Bain, Member Colby, Member Grube, and Member Norton

MEMBERS ABSENT: Chair Krzyminski and Member Guerrero

ALSO PRESENT: Development Services Director Henschel, Planning Manager Kruse, Senior Planner McGruder, City Attorney Mantzaris, and Planning Coordinator Heard

MOMENT OF SILENCE – In Honor of Fallen Master Deputy Sheriff Bradley Link

PLEDGE OF ALLEGIANCE

MINUTES

MOTION TO APPROVE the July 2, 2024 Minutes of the Planning and Zoning Commission meeting made by Commissioner Grube, seconded by Commissioner Bain. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

NEW BUSINESS

Item 1 – Resolution No. 2024-027R The Dream Academy Conditional Use Permit

Senior Planner McGruder presented as follows:

The applicant is requesting a Conditional Use Permit to allow for a private school in the C-2 General Commercial Zoning District as required by the Land Development Code, Section 125-337. The private school will be located at 102 South US Highway 27, an existing vacant building previously used for a retail establishment. The Dream Academy currently operates at another location in Clermont and would like to relocate to expand and increase the student enrollment for the school. The private school maximum enrollment shall not exceed 80 special needs students per academic year. The Dream Academy is a therapeutic school servicing students from Kindergarten to 8th grade. The school currently has 15 employees and will be required to ensure parking is sufficient for any future growth. A Trip Generation Analysis was conducted by Traffic Planning and Design, Inc., which concludes that the previous use of retail generates a total PM Peak Hour Trips of 82 trips and the private school total PM Peak Hour generates 26 trips. Therefore, the applicant is requesting an exemption from the required Traffic Impact Analysis.

The hours of operation will be 8:30 am to 2:30 pm, Monday through Friday. The students will be transported by their parents and utilize the existing onsite parking. The parents will be required to park their vehicles and safely walk the students to the building. The academy will operate on a

calendar which is consistent with the Lake County Public Schools. The applicant will be required to obtain all local, state, and federal permits required for the private school.

Staff has reviewed the application and finds that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the Conditional Use Permit to allow for a private school facility in the C-2 General Commercial zoning district with the conditions contained in Resolution No. 2024-027R.

Luzel Garcia, *Applicant, The Dream Academy, 2400 S. Hwy 27, Suite 4111*, stated their school serves children with moderate to severe autism and neurological disorders. They have been servicing the community since 2017, and they want to continue providing for children with disabilities.

The floor was opened for public comments.

Auston Pownall, *665 Villa Court*, asked questions with regard to the age of the children, the location of pick up/drop off, and the vicinity of the outdoor recess area. He stated his primary concerns are the noise level and traffic on Bloxam Avenue.

With no further speakers present, the floor was closed.

Luzel Garcia answered the age range of the students are kindergarten through eighth grade, the parents normally drop off and pick up which creates no traffic, and the recess will be indoors.

Commissioner Colby had no questions, and stated this is a really good project needed in the community.

Commissioner Grube asked staff how many parking spaces there currently are. **Senior Planner McGruder** stated 40 to 45 spaces. **Commissioner Grube** indicated he sees no problems.

Commissioner Bain asked the applicant what their current enrollment numbers are for students and staff, and what the anticipated count will be if the enrollment number goes up to 80 students. **Luzel Garcia** said currently they have 52 students enrolled with 15 staff members. If they reach the maximum 80 students, they would anticipate a total of 20 staff members. Discussion ensued regarding the access points.

Commissioner Norton asked about the cross-access points. **Dale Ladd**, *1135 East Avenue*, said he is the current owner of this property and the adjacent property. He explained the frontage road on US Hwy 27 does not have an access to US Hwy 27. However, in the future US Hwy 27 is planned to intersect with Hunt Street, which will provide access to US Hwy 27. He further clarified that there are 62 parking spaces. **Commissioner Norton** discussed the frontage road and whether there is a way to regulate it in the future. **Dale Ladd** clarified the back part of the building is 5,000 square feet with elevated ceilings, which is compatible for an indoor playground.

Vice-Chair Niemiec asked where their current location is, and how long they have been there. **Luzel Garcia** answered they are currently in Hillside Terrace and have been there since 2017.

MOTION TO RECOMMEND APPROVAL of Resolution No. 2024-027R The Dream Academy Conditional Use Permit (CUP); Moved by Commissioner Colby, Seconded by Commissioner Grube. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

REPORTS FROM THE COMMISSION – Vice-Chair Niemiec stated he missed the reports at the beginning of the agenda and asked the commissioners whether they have any reports. No reports were stated.

Item 2 – Ordinance No. 2024-031 Old Highway 50 LSCPA for Transmittal

Planning Manager Kruse presented as follows:

The applicant, Daly Design Group, is requesting an amendment to the Future Land Use Map as part of the annexation process into the City of Clermont. This will go along with a rezoning request to the R-3 zoning designation. The property, 123 +/- acres, is located entirely within the Clermont Utility Service Area and is adjacent to the City limits. The project is located within the City's Joint Planning Area (JPA) and Interlocal Service Boundary Agreement (ISBA). The City can provide adequate public facilities and services, with water and wastewater service being available at the end of the fourth quarter of 2025.

The applicant previously proposed several different development layouts with increased intensities and densities, which did not meet the City's requirements or the requirements within the JPA with Lake County. These proposals did not receive approval within Lake County or the City. The applicant has revised the development plan and has submitted for annexation, a large scale comprehensive plan amendment and a rezoning for the property that is located south of the Florida Turnpike and is bisected by Old Highway 50, just north of Plaza Collina.

The applicant is requesting the City to designate the property with a future land use of Clermont Low Density Residential, which permits up to 3 dwelling units per acre (3 du/ac). The property currently is designated as Urban Low Density within Lake County, which permits up to 4 dwelling units per acre (4 du/ac). This amendment would be an overall reduction in density.

The property has historically been used for agricultural purposes. The applicant has provided a conceptual site layout showing the lots would conform to the R-3 Residential/Professional District. The lots will be a minimum of 75 feet wide and 100 feet deep, with a minimum square footage of 7,500 square feet per lot. Since the property consists of approximately 53 acres of wetlands and 70 acres of uplands, the total number of lots will be 130 single-family lots, with a density of 1.85 dwelling units per acre within the upland portion. The applicant is not requesting any variance requests as part of the proposed development.

Due to the required review by the State of Florida Department of Economic Opportunity (DEO) for the amendment to the Comprehensive Plan, this application is being presented to the Planning and Zoning Commission and the City Council to make a recommendation for transmittal. If transmitted, then DEO and other State agencies will review and provide comments prior to a public hearing on the adoption of this amendment. The anticipated adoption hearing will be in November of 2024.

The development proposal for this parcel does not conflict with the Low Density Residential future land use within the City's Comprehensive Plan. The application is consistent with Objective 1.1, Policy 1.6.1, 1.12.3, and 1.16.2 of the City of Clermont Comprehensive Plan. The property is within the City's service area, and the City is able to provide services. Staff supports the applicant's request for a change from Lake County Urban Low Density to City of Clermont Low Density Residential and recommends approval of Ordinance 2024-031.

Tom Daly, Applicant, Daly Design Group, 913 N. Pennsylvania Ave., Winter Park, stated this is the initial step to process a land use change to be consistent with the City's designation, and said he is present to answer any questions.

The floor was opened for public comments.

Doug Richter, 17351 Winter Road, Montverde, asked questions regarding the following: Traffic impacts for the three villages, turn lanes, increased water usage, impervious surface areas and retention, open space, and further inquired who will maintain the roads.

Tom Daly answered a Traffic Impact Analysis was submitted, which has three points of access off of Old Hwy 50. The stormwater system will meet all requirements. At this point no homebuilder has been selected. He is not aware if this proposed development will be gated for private road maintenance or not.

With no further speakers present, the floor was closed.

Commissioner Colby stated there are some very valid concerns; however, the project needs to move to the next steps in order to further develop. He had no questions.

Commissioner Grube stated this should be transmitted to bring it back for further discussion.

Commissioner Bain indicated he believes reducing the size from County, four (4) dwellings per acre, to City, three (3) dwellings per acre, is beneficial for the city and the community. He pointed out for the public to look at Page 63 from the Daly Design Group's report for information on the stormwater report. He had no questions for the applicant.

Commissioner Norton asked for clarification on the dwellings per acre, and if Old Highway 50 would stay within the County. **Planning Manager Kruse** stated Old Highway 50 will stay within the County.

Vice-Chair Niemiec stated he likes the three (3) dwellings per acre and is in support of this project.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-031 Old Highway 50 LSCPA for Transmittal; Moved by Commissioner Grube, Seconded by Commissioner Bain. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

Item 3 – Ordinance No. 2024-035 Hooks Street Self-Storage Phase 2 SSCPA

Item 4 – Ordinance No. 2024-036 Hooks Street Self-Storage Phase 2 Rezoning

Item 5 – Resolution No. 2024-025R Hooks Street Self-Storage Phase 2 Conditional Use Permit *(Items 3 - 5 were heard together.)*

Senior Planner McGruder presented as follows:

The applicant is requesting a voluntary annexation, small scale comprehensive plan amendment, rezoning and Conditional Use Permit for a vacant parcel located east of US Highway 27 and north of Hooks Street. The subject property is contiguous to the City of Clermont boundaries and is approximately 2.29 +/- acres, which is located within the City's utility service area, ISBA, and JPA.

The small scale comprehensive plan amendment would change the Future Land Use designation from Lake County's Regional Commercial to City Commercial. The proposed development is consistent with the comprehensive plan goals, objective and policies and the intent of the Commercial Land Use Category. The Future Land Use Policy 1.9.5 indicates, Residential Self-Storage Facilities shall be allowed as a Conditional Use Permit and shall be limited to 1.00 Floor Area Ratio. This shall not include the storage of manufactured or commercial products. The commercial land use category is established to assure the availability of sufficient office and commercial sites to serve the needs of the existing and projected population. Staff recommends approval of Ordinance 2024-035 to change the future land use designation from Lake County Regional Commercial to City Commercial.

The proposed rezoning request would change the current zoning from Lake County R-6 Urban Residential District to City C-2 General Commercial zoning. The C-2 Commercial zoning category is compatible with the uses and improvements of the surrounding area, and is consistent with the City's Comprehensive Plan goals, objectives and policies. The applicant proposes the rezoning to allow for a self-storage facility with a Conditional Use Permit. The project will be compatible with the surrounding development pattern and not out of character with the adjacent properties. The adjacent parcel zoning located to the north is Planned Unit Development (PUD) with C-2 General Commercial permitted uses, and R-6 Urban Residential. The project will be required to meet all the land development regulations, and any buildings must be designed to comply with the Clermont Architectural Design Standards. Staff recommends approval of Ordinance 2024-036 to change the zoning from Lake County R-6 Urban Residential District to City C-2 General Commercial zoning.

The applicant is also requesting a Conditional Use Permit (CUP) to allow for a self-storage facility with more than 20,000 square feet of floor space. The Land Development Code, Section 125-337 requires a Conditional Use Permit for any building structure that occupies more than 20,000 square feet and to allow for residential storage facilities in the C-2 General Commercial zoning district. On February 27, 2024, the City Council approved a Conditional Use Permit for a self-storage facility on the adjacent parcel located to the west. The applicant is requesting to combine the two parcels and construct a larger building on the properties.

The applicant has requested an exemption to a Tier 1 Traffic Impact Analysis Report by Walsh Engineering indicating the proposed self-storage facility is projected to generate 218 daily trips,

of which 23 trips will occur during the PM Peak Hour. The proposed development will provide an enclosed three-story building that will be up to 150,000 square feet with approximately 1,150 units for the collective lots. The building will be designed to comply with the Clermont Architectural Design Standards. The proposed self-storage facility will be gated and secured. Any fencing along or adjacent to roadways shall be ornamental metal or decorative vinyl/pvc. No outside storage will be allowed.

Staff has reviewed the CUP application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the Conditional Use Permit for a self-storage facility over 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution No. 2024-025R.

Michael Rankin, *Representing the Applicant, LPG Urban & Regional Planners LLC, 1162 Camp Ave., Mt. Dora*, explained after the City Council approved their prior application for the self-storage adjacent to this property, the applicant wanted to buy this parcel in order to develop both parcels to create a larger self-storage facility. He further explained the project in more detail, and stated the developer wants to build a landscaped, well-maintained facility where people want to bring their stuff, not have to bring their stuff.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Norton asked if this site will have to be replatted if this site is ever sold. **Michael Rankin** stated it should not have to be required to be replatted.

Commissioner Bain asked staff why the three-story building, parking lot and retention wall are not in the resolution. He further asked whether the special condition in the applicant's report requesting the retaining walls be allowed greater than six feet, but no higher than 8 or 12 feet are allowed in the C-2 zoning or whether that is a special exception. **Senior Planner McGruder** explained those regulations are contained in the C-2 zoning; and further, the special condition is a waiver that is permitted as a condition.

Commissioner Grube stated he does not see any issues with this.

Commissioner Colby asked what their intentions are with outdoor lighting, 24 access, cameras and the like. **Michael Rankin** explained dark sky lighting will be utilized along with cameras and a decorative gate. He clarified the facility could be a 24-hour facility, but that has not been decided at this time.

Vice-Chair Niemiec asked staff what the maximum height is allowed to be for this building. **Senior Planner McGruder** stated the maximum height is 55 feet.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-035 Hooks Street Self-Storage Phase 2 Small Scale Comprehensive Plan Amendment (SSCPA); Moved by Commissioner Bain, Seconded by Commissioner Grube. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-036 Hooks Street Self-Storage Phase 2 Rezoning to Clermont C-2 General Commercial District; Moved by Commissioner Bain, Seconded by Commissioner Grube. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

Commissioner Bain asked whether staff is in support of the special condition six (6) to 12 foot retention wall. **Development Services Director Henschel** stated staff is in support.

MOTION TO RECOMMEND APPROVAL of Resolution No. 2024-025R Hooks Street Self-Storage Phase 2 Conditional Use Permit (CUP); and further, recommend approval of a special condition of an eight (8) foot retention wall; Moved by Commissioner Bain, Seconded by Commissioner Grube. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

Item 6 – Ordinance No. 2024-037 Land Development Code (LDC) Amendment Chapter 117 Signs – To Allow Murals in the Central Business District (CBD)

Development Services Director Henschel presented as follows:

Staff is proposing changes to the Land Development Code for mural signs. Currently, murals are only allowed within the Downtown Central Business District (CBD). This area does not extend south of Highway 50. This code change would allow murals to be located within the Community Redevelopment Agency (CRA) district, which is an area slightly larger than the CBD district. The CRA district does extend to the south side of Highway 50 encompassing approximately 30 additional businesses fronting Highway 50. No other changes to the code are proposed.

The floor was opened for public comments. With no speakers present, the floor was closed.

Commissioner Norton asked if there are any parcels in the CBD that are not within the CRA. **Development Services Director Henschel** stated all CBD parcels are within the CRA. He explained the City Council directed city staff to bring this amendment forward because of a recent variance that was brought before them.

Commissioner Bain stated he supports this amendment and thinks murals are good for the community and for the city.

Commissioner Grube stated he is fine with this.

Commissioner Colby stated he has no questions.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-037 Land Development Code (LDC) Amendment Chapter 117 Signs to Allow Murals in the Central Business District (CBD); Moved by Commissioner Grube, Seconded by Commissioner Colby. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

UNFINISHED BUSINESS

Item 7 – Resolution No. 2024-021R US Highway 27 Self-Storage & Car Wash Conditional Use Permit (CUP)

MOTION TO TABLE Resolution No. 2024-021R US Highway 27 Self-Storage & Car Wash Conditional Use Permit (CUP) to the October 1, 2024 Planning and Zoning Commission meeting; Moved by Commissioner Bain, Seconded by Commissioner Grube. Motion passed 5-0 with Chair Krzyminski and Member Guerrero absent.

DISCUSSION OF NON-AGENDA ITEMS – *None*

ADJOURNMENT – 7:41 pm

Max Krzyminski, Chairman

ATTEST:

Kathy Heard, Planning Coordinator



AGENDA ITEM

Meeting Date	
Tuesday, September 3, 2024	
Agenda Item Name	
Ordinance No. 2024-038 <i>Family Christian Center of Clermont Rezoning</i>	
Requested Action	
Recommend approval of Ordinance 2024-038.	
Staff Report	
The applicant, Family Christian Center (FCC), is in the process of seeking a loan in order to facilitate the construction of improvements and buildings within their 36 acre property located west of the Steves Road and US 27 intersection. In the process of securing a loan, it was noted that if the property was allowed C-2 General Commercial uses, the appraised value of the property would increase and the loan terms would be more favorable for the church. FCC has no plans to utilize the property for any C-2 General Commercial uses, but is seeking a rezoning to allow C-2 General Commercial uses in order to secure a more favorable loan. The planned improvements consist of an additional recreational facility, repurpose the current recreational buildings, and expand the church sanctuary. These improvements and uses have already been approved by City Council through issuance of various Conditional Use Permits' the church has obtained the past 26 years. The church was originally approved by City Council under CUP Resolution 1045 in December 1998. Since that time, the church facility has expanded and amended their CUP several times (Resolutions 1365, 1384, 1434, and 2010-04) to include additional uses and buildings on the property. These include, but not limited to; educational components (K-12 school and Pastor College), public park, multi-use building, recreational fields, multi-level parking garage and a 90,000 square foot sanctuary.  A Planned Unit Development (PUD) zoning is being requested since it would allow development flexibility for the project. The proposed PUD Ordinance 2024-038 has applicable conditions from the Conditional Use Permits along with the addition of specific conditions for protection of the City and neighbors. The specific conditions include a 75 foot natural buffer be maintained along the southern and western property boundary along with any C-2 General Commercial uses will have to be reviewed and approved by the City Council at a public hearing. In addition, the building height will be limited to the height under the current zoning at 45 feet. No additional uses or new buildings are being requested as part of this application. The property would also be regulated under the City's Land Development Code.	

While this application request is uncommon, a review of the City' Land Development Code reveals that churches can be allowed in any zoning district, either permitted, such as C-1 Light Commercial; or through a conditional use permit. The current zoning of the property is R-1-A Single Family Low Density with a conditional use permit to allow the existing church facility. A rezoning to a Planned Unit Development with the existing applicable conditions included along with C-2 General Commercial uses and specific conditions do not appear to change the overall characteristics or function of the church facility. The property does front and access from an arterially roadway, US 27, and it is currently signalized. C-2 General Commercial uses line the US 27 roadway. The proposed rezoning is not inconsistent with any provision of the Comprehensive Plan. With the addition of the specific condition that any C-2 General Commercial use site plan be required to go through the public hearing process and be approved by City Council adds a level of protection to the City and neighbors. Staff recommends approval of Ordinance 2024-038.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	2024-038 - FCC PUD Rezoning (08.26.2024)	2024-038 - FCC PUD Rezoning (08.26.2024).pdf
2.	FCC Location Map	FCC Location Map.pdf
3.	Surrounding Map	Surrounding Map.pdf
4.	Survey	Survey.pdf
5.	Statement In Support	Statement In Support.pdf
6.	Application	Application.pdf
7.	Property Record Card AK 1453429	Property Record Card AK 1453429.pdf
8.	2024-038 FCC PUD RZ - Legal Ad PZ	2024-038 FCC PUD RZ - Legal Ad PZ.pdf



CITY OF CLERMONT
ORDINANCE NO. 2024-038

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:

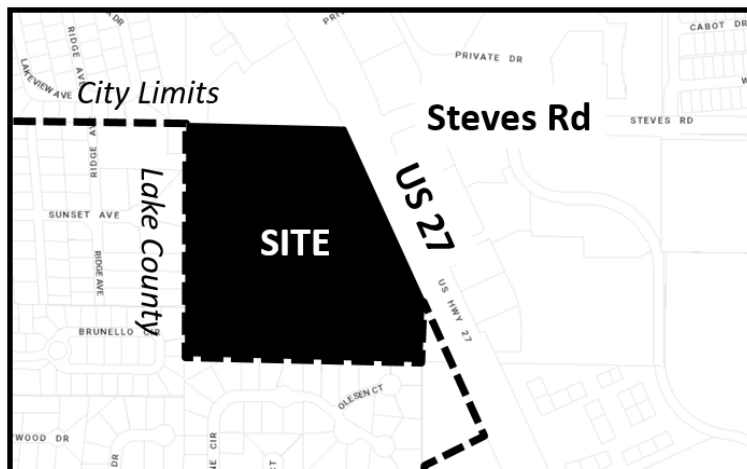
The Official Zoning Map of the City of Clermont, Lake County, Florida, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

Tracts 8 and 9, and that part of Tracts 7 and 10 lying West of Highway No. 27, according to Lake Highlands Plat of Section 32, Township 22 South, Range 26 East, all in Lake County, Florida.

LOCATION:

2500 South US Hwy 27
Family Christian Center of Clermont
West of the Steves Road and US Hwy 27 intersection
Alternate Key 1453429
36 +/- Acres



PROPERTY REZONING

FROM: R-1-A Single Family Low Density Residential
TO: Planned Unit Development (PUD) with C-2 General Commercial Uses



CITY OF CLERMONT
ORDINANCE NO. 2024-038

SECTION 2: GENERAL 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. Formal construction plans incorporating all conditions stated in this ordinance 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 shall be installed by the developer in the utility easements, if required by the City, 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.
5. The development shall comply with all applicable City, County and Florida Department of Transportation access management requirements. A future traffic study may be required; if determined by the City, County, or State, and the Owner shall timely complete all required mitigation and other improvements, as may be applicable.
6. All Fire Department Access for the Project shall be provided in Accordance with the Florida Fire Prevention Code.
7. All utilities shall be designed and installed as per the City's specifications or as amended and approved by City staff.

SECTION 3: LAND USES AND SPECIFIC CONDITIONS

This application for a Planned Unit Development is to allow for the Family Christian Center Church Facility and C-2 General Commercial Uses on the property described above (hereinafter the "Property"); be granted subject to the following conditions:

1. The property shall be developed to allow for the Family Christian Center Church facility for the following purposes, as previously approved under Resolution 2010-04:
 - A. Education Programs to include pre-school through 12th grade, after care program, Christian College, library, summer programs (to include camps & Vacation Bible School), church programs to include food outreach ministry, thrift store, vocational training center, and other special events.



CITY OF CLERMONT
ORDINANCE NO. 2024-038

- B. Recreation Amenities: Public Park which can include, but not limited to, a play ground, water recreation, volley ball courts, tennis courts, swimming pool, baseball diamond, multi-use recreational field with goals, exercise paths, maintenance/storage building not to exceed 5,000 square feet, pavilions, and picnic area. Some of these venues may require an admission fee or cost to participate. These funds will go directly into the Family Christian Center of Clermont, Inc. non-profit (501c3) corporation.
- C. Five multi-use modular buildings to be used for education and administration.
- D. Open outside area to be used for multiple fund raising events (Christmas Tree & Pumpkin sales, etc). Applicable permits will be secured for each event.
- E. Multi-use modular buildings totaling 9,000 square feet to be used for education, administration, church services, and special events.
- F. 67,000 square feet multi-use building (Phased Implementation): May be used for pre-school, school, special events, food services/restaurant, fitness/recreational facility, (rock wall, trampoline, arcade, etc.). Some of these venues will require an admission fee or cost to participate. These funds will go directly into the Family Christian Center of Clermont, Inc. non-profit (501c3) corporation.
- G. 90,000 square feet Church Sanctuary to be used for church services and special events. Support facilities to include: kitchen, cafeteria, bookstore, reception area, pre/post production, audio/video reproduction.
- H. 70,000 square foot multi-use building for Education Programs: pre-school through 12th grade, after care program, Christian College, administration. (Phased Implementation).
- I. 20,000 square foot Storage Facility (maximum): Used for Grounds/Building Maintenance/Storage (Phased Implementation). Multiple buildings allowed, but shall not exceed maximum square footage. Excludes recreation maintenance/storage listed above.
- J. 1,500 Unit Parking Garage (multiple levels).
- K. 100,000 square feet flex building: Recreational and game uses, gymnasium, special events, concerts, cafeteria, bookstore, office space.



CITY OF CLERMONT
ORDINANCE NO. 2024-038

2. A seventy-five (75) foot natural buffer shall be left along the south and west property boundaries, unless existing buildings currently intrude into such buffer, in which case such building intrusion shall be allowed but not extended or increased. Vegetation and tress within the 75-foot buffer shall not be disturbed except as allowed herein. The intent of the buffer is to provide maximum visual and sound barriers to neighboring properties. Disturbance of the 75-foot buffer shall be minimized, and limited to minimal trimming and clearing of trees and brush needed to prevent hazards to persons or property, or in the event of storm damage and/or dead trees and vegetation.
3. Recreation facilities bordering the southern and western property lines shall post the operating hours to be dawn to dusk, but not later than 9:00 P.M. during the summer.
4. A six-foot opaque fence shall be provided at/near the southern property line for the open areas adjacent to the playground activity area. A six-foot black chain link fence shall be provided along the southern property line. Gate access provided for maintenance as needed.
5. The site may be used for C-2 General Commercial uses only if the site plan is reviewed and approved by the City Council, at a public hearing noticed and advertised in the manner that rezonings are noticed within the City.
6. Any site development shall be required to comply with the Clermont Land Development Regulations and all building must be designed to meet the Clermont Architectural Design Standards.
7. Maximum building height shall be up to 45 feet, measured at the highest point.
8. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.

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.



CITY OF CLERMONT
ORDINANCE NO. 2024-038

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. Recording fees will be at the expense of the applicant.

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. 2024-038

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 8th day of October, 2024.

CITY OF CLERMONT

Tim Murry, Mayor

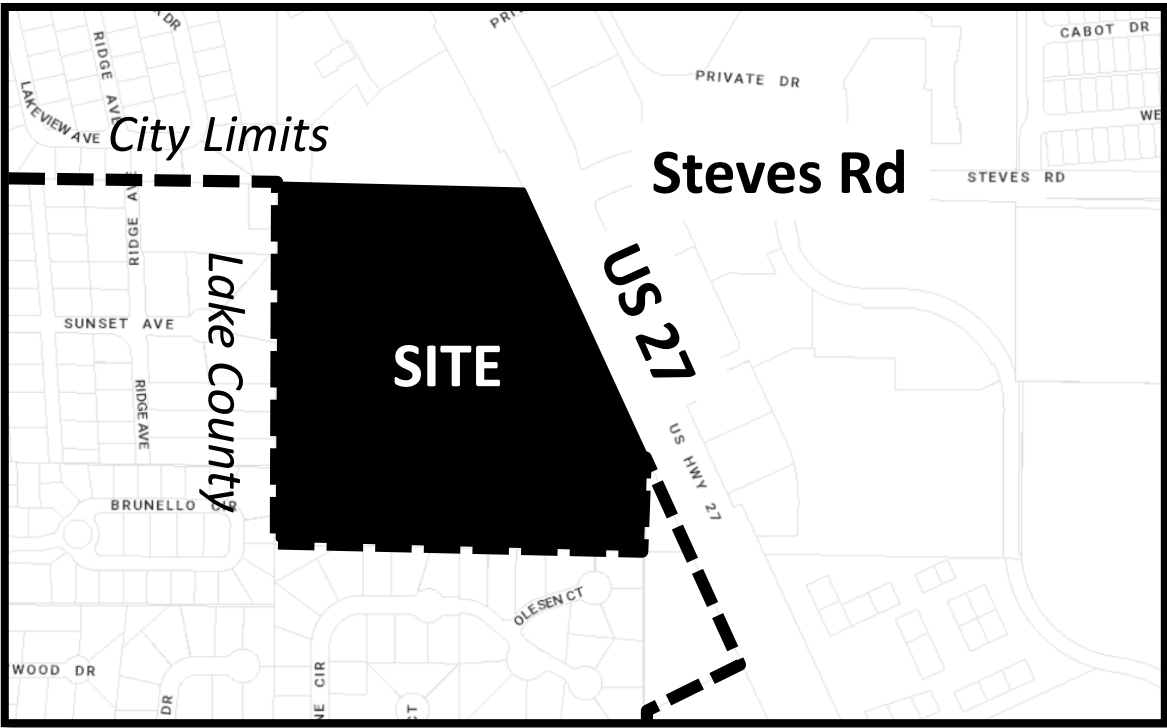
ATTEST:

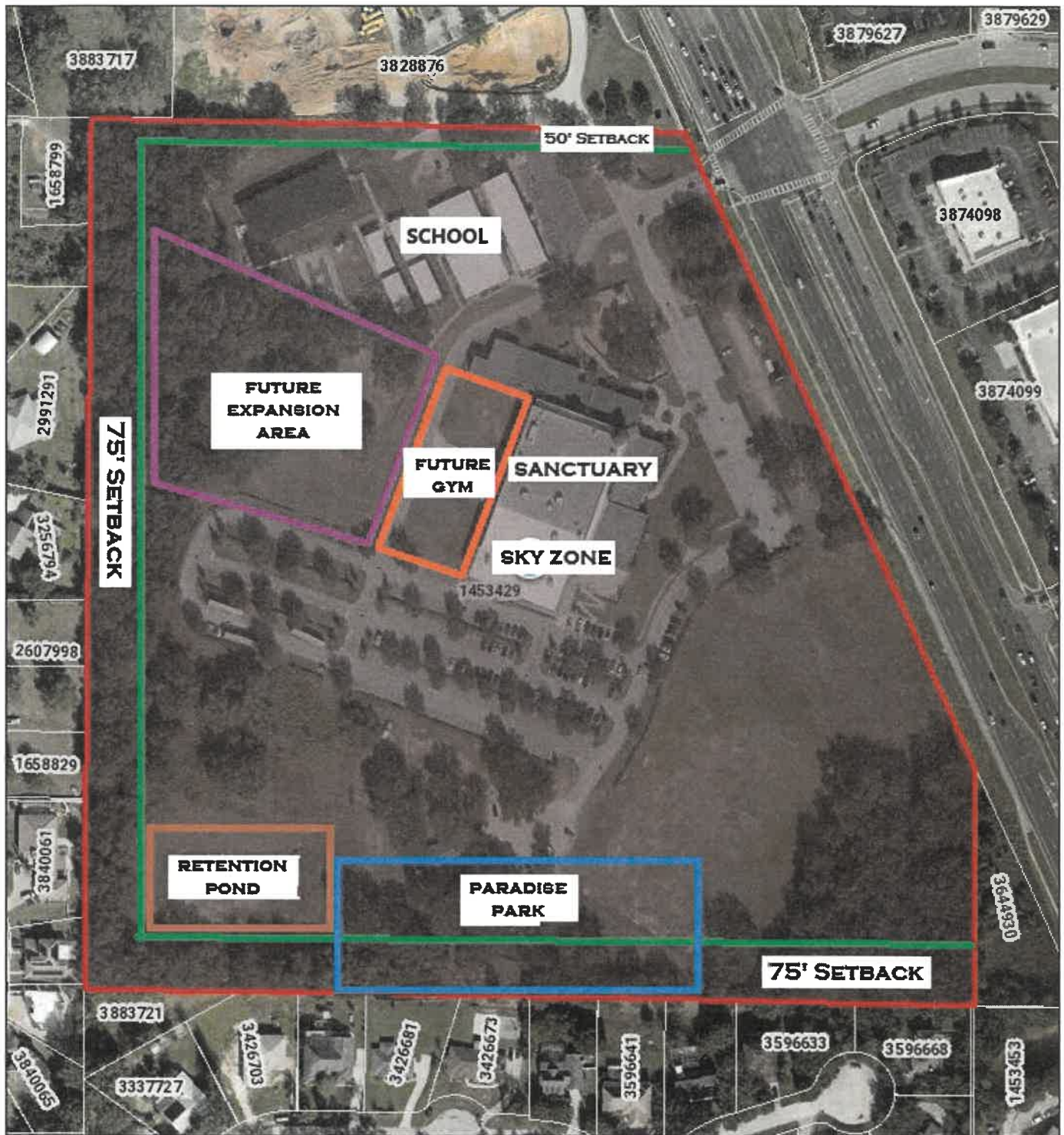
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Family Christian Center of Clermont, Inc.





July 1, 2024

pointLayer



Override 1

polygonLayer



Override 1



County Boundary

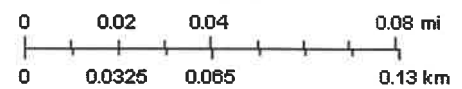


Surrounding Counties

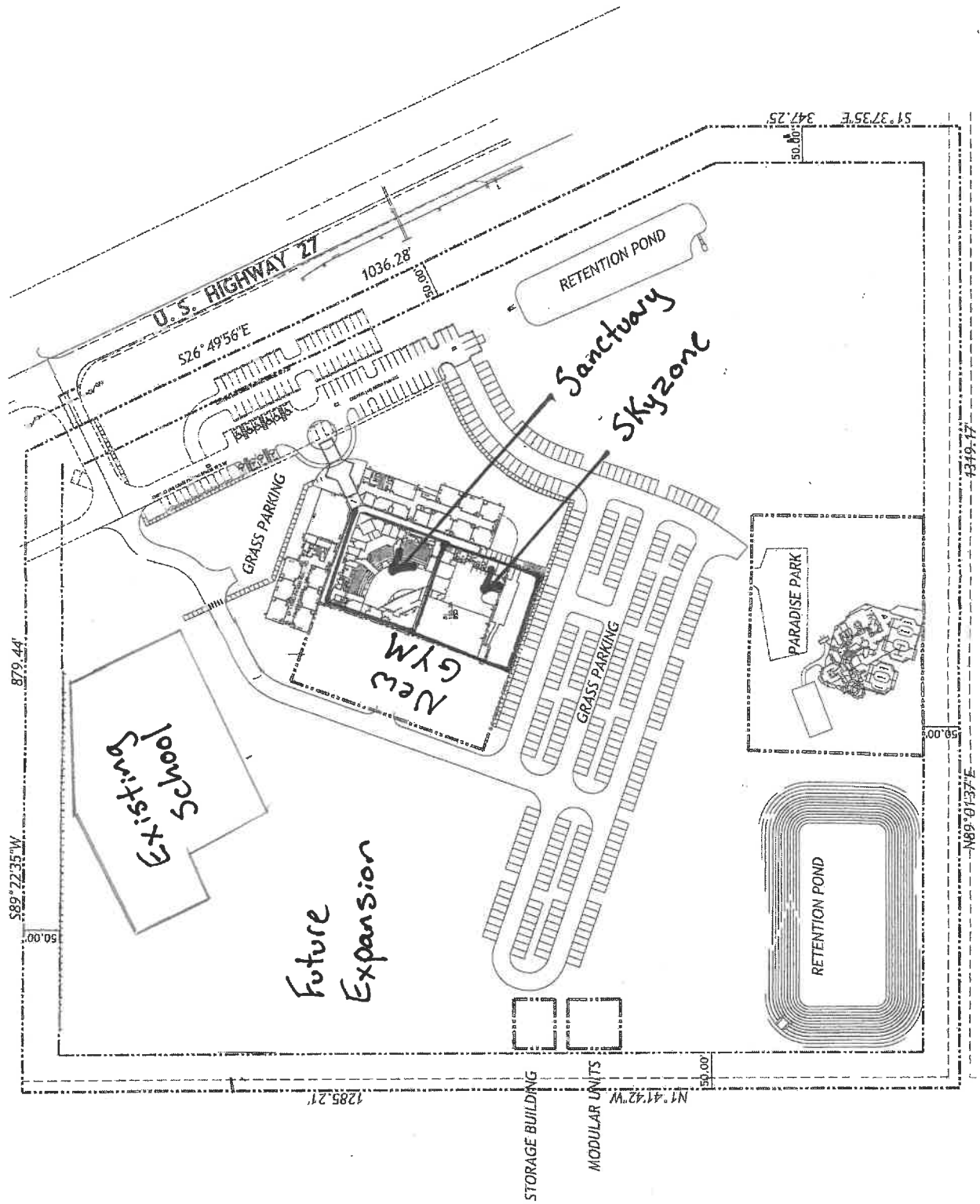
Tax Parcels Alternate Key

Tax Parcels

1:2,500



Lake BCC



**STATEMENT IN SUPPORT
PUD LUPA/ZONING APPLICATION
FAMILY CHRISTIAN CENTER**

- 1. Applicant/ Agent:** Jimmy D. Crawford, Esq.
Crawford, Modica & Holt, Esq.
702 West Montrose St.
Clermont, Florida 34711
Phone: 352/432-8644
Email: jcrawford@cmnlawyer.com
- 2. Owners:** Family Christian Center of Clermont, Inc. ("FCC")
2500 S. HIGHWAY 27
CLERMONT, FL 34711
- 3. Location:** See attached legal description; generally, East side of US 27 at Steves Road intersection (hereafter called the "Property")
- 4. Description of Change/Zoning Request.**

The Property is currently used, and is planned to be used, as a religious, educational, and recreational facility consistent with the requirements of Clermont Conditional Use Permit Resolution 2010-04.

FCC wishes to construct an additional recreational facility, and repurpose the current recreational buildings and use areas for more direct religious purposes, including expansion of the church sanctuary. To do, a loan is required. FCC has found great reluctance among lenders, and onerous loan terms for those lenders that would consider such a loan to a religious facility.

However, if the Property were also allowed some C-2 uses, the appraised value of the Property would rise significantly, allowing FCC to obtain a loan on satisfactory terms.

While FCC has no plans to utilize the Property for ANY C-2 uses, we understand the concern that the City and our neighbors may have. Therefore we are proposing a Planned Unit Development zoning category that would allow FCC the flexibility to utilize the enhanced appraised value to obtain a loan, while providing the City and our neighbors with the protections that are needed to ensure benefit to the City and neighbors, and protection of property values.

Specific PUD Conditions we request for protection of City and neighbors:

- a. A seventy-five foot natural buffer shall be left along the south and west property boundaries, unless existing buildings currently intrude into such buffer, in which case such building intrusion shall be allowed but not extended or increased. Vegetation and trees within the 75-buffer shall not be

disturbed except as allowed herein. The intent of the buffer is to provide maximum visual and sound barriers to neighboring properties. Disturbance of the 75' buffer shall be minimized, and limited to minimal trimming and clearing of trees and brush needed to prevent hazards to persons or property, or in the event of storm damage and/or dead trees and vegetation.

- b. No site plans for C-2 uses of any nature shall be approved until such site plan is reviewed and approved by the City Council, at a public hearing noticed and advertised in the manner that rezonings are noticed within the City.

5. Waivers Requested in PUD.

None.

6. Statement of Justification/Need/Changed Conditions.

See Section 4 above. Also, the growth of South Lake County and Clermont has increased, and is expected to further increase, the need for residents' recreational, education, and spiritual and religious services and facilities.

FCC has been a proud partner with the City of Clermont for almost two decades. The FCC campus and purposes have grown to include not only a church, but also a K-12 school, Sky Zone Trampoline Park, Paradise Park Recreation Facility (open to all) and a vibrant Food Pantry ministry that serves any person in need.

FCC is in significant need of expansion to continue to serve the growing population of Clermont and the FCC ministry. As explained above, to do so, a loan must be obtained, and to achieve viable loan terms, FCC needs to legitimately increase the value of the Property. This zoning request fulfills that need.

7. Land Use Plan and Code Consistency and Support.

The project is consistent with and furthers Clermont Comprehensive Plan Goal 1 as it provides that the character, magnitude and location of all land uses within the project provide a system for orderly growth and development that achieves a balanced natural, physical and economic environment and enhances the quality of life of all residents.

The project is consistent with and furthers Clermont Comprehensive Plan Policy 1-7.2 by providing for orderly growth through Planned Developments.

The project is consistent with and furthers Policy 1.11.4 by providing a use of site and building design that emphasizes beauty, aesthetics, human comfort, creating a sense of place, special placement of civic uses and sites and human-scale architecture and amenities, especially at street level.

While not a City-owned facility, the project is consistent with and furthers the Recreation and Open Space Element by providing public recreational amenities.

The project is not inconsistent with any provision of the Clermont Comprehensive Plan.

The project will result in an orderly and logical development pattern and is an infill non-residential project along US 27.

Estimated demand on public facilities has been provided with other applications. The City will provide water, sewer, trash, emergency services.



CITY OF CLERMONT
REZONING
APPLICATION

DATE Jul 1, 2024		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Family Christian Center of Clermont			
Applicant Crawford, Modica & Holt			
Contact Person Jimmy D. Crawford			
Address 702 W. Montrose Street	City Clermont	State Florida	Zip 34711
Telephone 352-432-8644	Fax		
Email jcrawford@cmhlawyers.com / ewysocki@cmhlawyers.com			
OWNER INFORMATION			
Owner's Name Family Christian Center of Clermont, Inc.			
Owner Address 2500 S. Highway 27	City Clermont	State Florida	Zip 34711
Telephone 352-516-3497	Email pastorrick@fcclive.com		
PROPERTY INFORMATION			
Address of Subject Property 2500 S. Highway 27	City Clermont	State Florida	Zip 34711
Legal Description (include copy of survey) CLERMONT, LAKE HIGHLANDS 32-22-26 TRACTS 7 & 10 W OF HWY, TRACTS 8, 9 PG 24 ORB1702 PG 414			
Acreage 36	Land Use (City verification required) Single Family Low Density		
Present Zoning (City verification required) R-1- A	Proposed Zoning C-2		



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?
See Statement of Support

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

Jimmy D. Crawford

Applicant Name (print)

x _____
Applicant Name (signature)

Family Christian Center of Clermont, Inc.

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



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?

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

Jimmy Crawford

Applicant Name (print)

[Signature]

Applicant Name (signature)

Family Christian Center of
Clermont, Inc.

Owner Name (print)

x Rick Van Wagoner

Owner Name (signature) President

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

PROPERTY RECORD CARD

General Information

Name:	FAMILY CHRISTIAN CENTER OF CLERMONT INC	Alternate Key:	1453429
Mailing Address:	PO BOX 120037 CLERMONT, FL 34712-0037 Update Mailing Address	Parcel Number:	09-22-26-1405-007-00000
		Millage Group and City:	000C Clermont
		2023 Total Certified Millage Rate:	17.3304
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	2500 S US HIGHWAY 27 CLERMONT FL, 34714	Property Name:	FAMILY CHRISTIAN CENTER SKYZONE Submit Property Name
		School Information:	School Locator & Bus Stop Map School Boundary Maps
Property Description:	CLERMONT, LAKE HIGHLANDS 32-22-26 TRACTS 7 & 10 W OF HWY, TRACTS 8, 9 PB 3 PG 24 ORB 1702 PG 414		

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	CHURCH (7100)	0	0		36.000	Acre	\$740,520.00	\$740,520.00

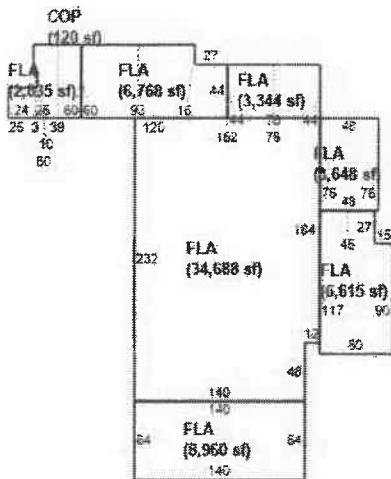
[Click here for Zoning Info](#) [FEMA Flood Map](#)

Commercial Building(s)

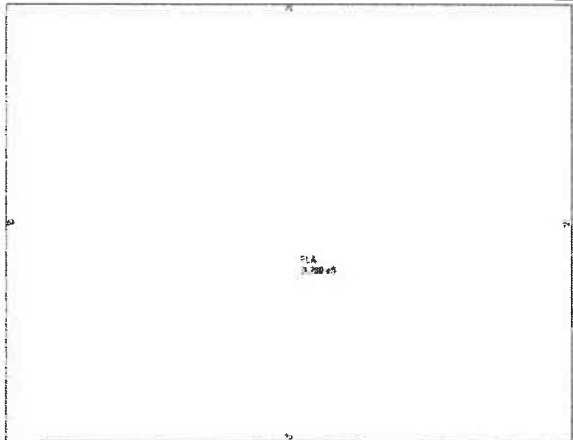
Building 1

Commercial	Building Value: \$4,969,887.00 Building Use: AUDITORIUM ENCLOSED (32D) Structure Type:		
Summary		Section(s)	
Year Built:	2002	Section Type	No. Stories Ground Floor Area
Total Effective Area:	66978	COMMERCIAL CANOPY (COP)	1.00 120
Full Bathrooms:	0	FINISHED LIVING AREA (FLA)	1.00 66858
Half Bathrooms:	4	View Larger	
Elevators:	0		
Elevator Landings:	0		
Residential Units:	0		
Kitchens:	0		

Fireplaces: 0

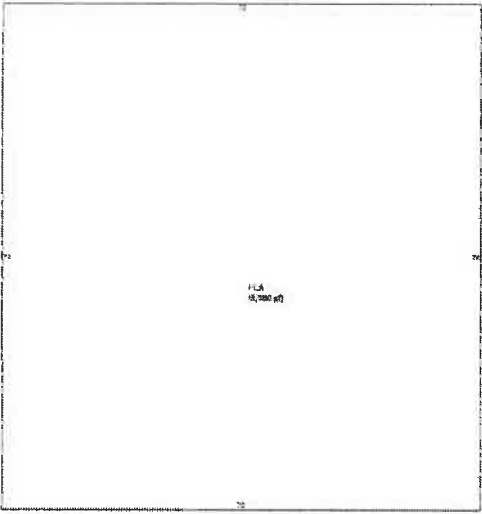


Building 2

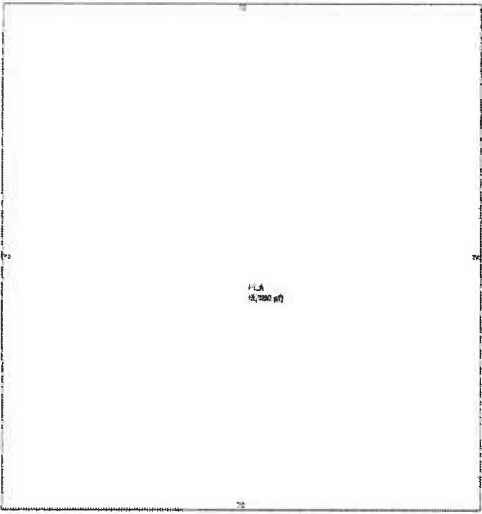
Commercial	Building Value: \$241,072.00 Building Use: CHURCH (71C) Structure Type:		
Summary	Section(s)		
Year Built:	2004	Section Type	No. Stories Ground Floor Area
Total Effective Area:	3780	FINISHED LIVING AREA (FLA)	1.00 3780
Full Bathrooms:	2		
Half Bathrooms:	0		
Elevators:	0		
Elevator Landings:	0		
Residential Units:	0		
Kitchens:	0		
Fireplaces:	0	View Larger	

Building 3

Commercial	Building Value: \$314,602.00 Building Use: CHURCH (71C) Structure Type:
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Summary		Section(s)		
Year Built:	2004	Section Type	No. Stories	Ground Floor Area
Total Effective Area:	5180	FINISHED LIVING AREA (FLA)	1.00	5180
Full Bathrooms:	2			
Half Bathrooms:	0			
Elevators:	0			
Elevator Landings:	0			
Residential Units:	0			
Kitchens:	0			
Fireplaces:	0			
		View Larger		

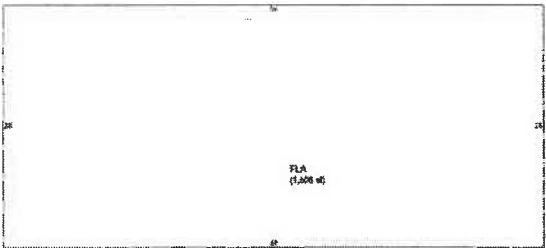
Building 4

Commercial		Building Value: \$504,344.00 Building Use: CHURCH (71C) Structure Type:		
Summary		Section(s)		
Year Built:	2015	Section Type	No. Stories	Ground Floor Area
Total Effective Area:	6472	COMMERCIAL CANOPY (COP)	1.00	194
		FINISHED LIVING AREA (FLA)	1.00	6278
Full Bathrooms:	0			
Half Bathrooms:	4			
Elevators:	0			
Elevator Landings:	0			
Residential Units:	0			
Kitchens:	0			
Fireplaces:	0			
		View Larger		

706P
1994-03

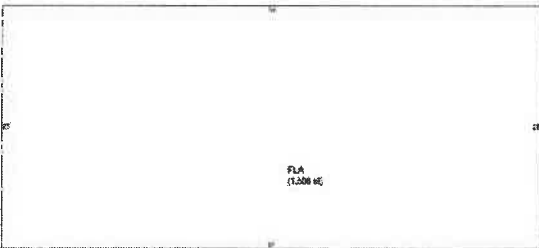


Building 5

Commercial	Building Value: \$136,520.00 Building Use: CHURCH (71C) Structure Type:		
Summary		Section(s)	
Year Built:	2015	Section Type	No. Stories
Total Effective Area:	1508	FINISHED LIVING AREA (FLA)	1.00
Full Bathrooms:	0	Ground Floor Area	1508
Half Bathrooms:	2	 View Larger	
Elevators:	0		
Elevator Landings:	0		
Residential Units:	0		
Kitchens:	0		
Fireplaces:	0		

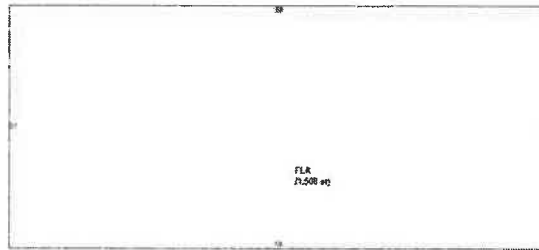
Building 6

Commercial	Building Value: \$136,520.00 Building Use: CHURCH (71C) Structure Type:
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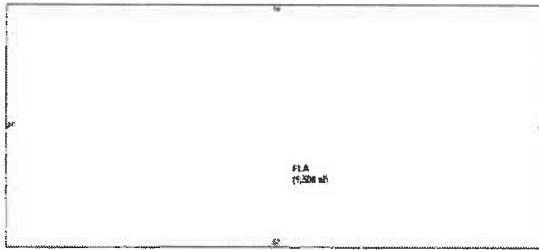
Summary		Section(s)		
Year Built:	2015	Section Type	No. Stories	Ground Floor Area
Total Effective Area:	1508	FINISHED LIVING AREA (FLA)	1.00	1508
Full Bathrooms:	0			
Half Bathrooms:	2			
Elevators:	0			
Elevator Landings:	0			
Residential Units:	0			
Kitchens:	0			
Fireplaces:	0			

Building 7

Commercial	Building Value: \$136,520.00 Building Use: CHURCH (71C) Structure Type:			
Summary		Section(s)		
Year Built:	2015	Section Type	No. Stories	Ground Floor Area
Total Effective Area:	1508	FINISHED LIVING AREA (FLA)	1.00	1508
Full Bathrooms:	0			
Half Bathrooms:	2			
Elevators:	0			
Elevator Landings:	0			
Residential Units:	0			
Kitchens:	0			
Fireplaces:	0			

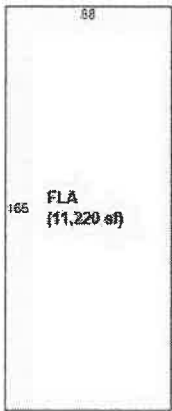


Building 8

Commercial		Building Value: \$136,520.00 Building Use: CHURCH (71C) Structure Type:		
Summary		Section(s)		
Year Built:	2015	Section Type	No. Stories	Ground Floor Area
Total Effective Area:	1508	FINISHED LIVING AREA (FLA)	1.00	1508
Full Bathrooms:	0	 View Larger		
Half Bathrooms:	2			
Elevators:	0			
Elevator Landings:	0			
Residential Units:	0			
Kitchens:	0			
Fireplaces:	0			

Building 9

Commercial		Building Value: \$1,243,525.00 Building Use: CHURCH (71C) Structure Type:		
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Summary		Section(s)	
Year Built:	2022	Section Type	No. Stories Ground Floor Area
Total Effective Area:	11220	FINISHED LIVING AREA (FLA)	1.00 11220
Full Bathrooms:	4		
Half Bathrooms:	0		
Elevators:	0		
Elevator Landings:	0		
Residential Units:	0		
Kitchens:	0		
Fireplaces:	0		
		View Larger	

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
1	PAVING (CPAV2)	1080	SF	2002	\$1,512.00
2	PAVING (CPAV1)	10350	SF	2002	\$8,384.00
3	PAVING (CPAV2)	1455	SF	2015	\$2,770.00
4	DECK - WOOD (CDEC2)	252	SF	2015	\$794.00
5	DECK - WOOD (CDEC1)	2820	SF	2015	\$5,926.00
6	FENCE (CFEN1)	2616	SF	2017	\$2,863.00
7	UTILITY BLDG FINISHED (CUBF4)	459	SF	2008	\$4,160.00
8	OPEN PORCH FINISHED (CFOP4)	1107	SF	2008	\$13,664.00
9	PLUMBING FIXTURE (CPLB3)	2	UT	2008	\$963.00
10	UTILITY BLDG FINISHED (CUBF3)	533	SF	2018	\$4,897.00
11	FENCE (CFEN1)	3576	SF	2022	\$4,943.00
12	DECK - WOOD (CDEC3)	1800	SF	2022	\$9,780.00
13	UTILITY BLDG FINISHED (CUBF3)	400	SF	2023	\$2,520.00

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1702 / 414	03/1999	Trustees Deed	Unqualified	Vacant	\$660,000.00
1175 / 504	07/1992	Quit Claim Deed	Unqualified	Vacant	\$1.00
1175 / 501	07/1992	Quit Claim Deed	Unqualified	Vacant	\$1.00
1175 / 498	07/1992	Quit Claim Deed	Unqualified	Vacant	\$1.00
1175 / 495	07/1992	Quit Claim Deed	Unqualified	Vacant	\$1.00

796 / 1159 12/1983 Warranty Deed Unqualified Vacant \$1.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2024 WORKING VALUES that are subject to change until certified.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$8,623,206	\$8,623,206	\$0	5.0364	\$0.00
SCHOOL BOARD STATE	\$8,623,206	\$8,623,206	\$0	3.2080	\$0.00
SCHOOL BOARD LOCAL	\$8,623,206	\$8,623,206	\$0	2.9980	\$0.00
LAKE COUNTY WATER AUTHORITY	\$8,623,206	\$8,623,206	\$0	0.2940	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$8,623,206	\$8,623,206	\$0	0.1793	\$0.00
CITY OF CLERMONT	\$8,623,206	\$8,623,206	\$0	5.0600	\$0.00
LAKE COUNTY MSTU AMBULANCE	\$8,623,206	\$8,623,206	\$0	0.4629	\$0.00
LAKE COUNTY VOTED DEBT SERVICE	\$8,623,206	\$8,623,206	\$0	0.0918	\$0.00
				Total: 17.3304	Total: \$0.00

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More	View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More	View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More	View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000)	Learn More	View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More	View the Law
Widow / Widower Exemption (up to \$5,000)	Learn More	View the Law
Blind Exemption (up to \$500)	Learn More	View the Law
Disability Exemption (up to \$5,000)	Learn More	View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Disability Exemption (\$5,000)	Learn More	View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More	View the Law
Deployed Servicemember Exemption (amount varies)	Learn More	View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More	View the Law
Conservation Exemption (amount varies)	Learn More	View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More	View the Law
✓ Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More	View the Law
Economic Development Exemption	Learn More	View the Law
Government Exemption (amount varies)	Learn More	View the Law

LEGAL NOTICE

On Tuesday, September 3, 2024 at 6:30 PM the Clermont Planning and Zoning Commission will consider the enactment of the following proposed ordinance.

ORDINANCE NO. 2024-038

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.

LOCATION

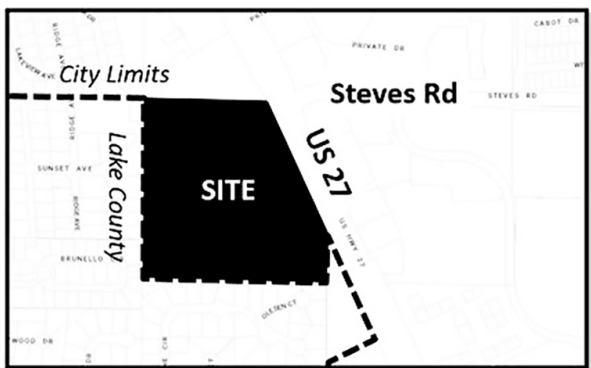
2500 South US Hwy 27

Family Christian Center of Clermont

West of the Steves Road and US Hwy 27 intersection

Alternate Key 1453429

36 +/- Acres



PROPERTY REZONING

**From: R-1-A Single Family Low Density Residential
To: Planned Unit Development (PUD) with C-2 General
Commercial uses**

LEGAL DESCRIPTION

TRACTS 8 AND 9, AND THAT PART OF TRACTS 7 AND 10 LYING WEST OF HIGHWAY NO. 27, ACCORDING TO LAKE HIGHLANDS PLAT OF SECTION 32, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ALL IN LAKE COUNTY, FLORIDA.

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

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

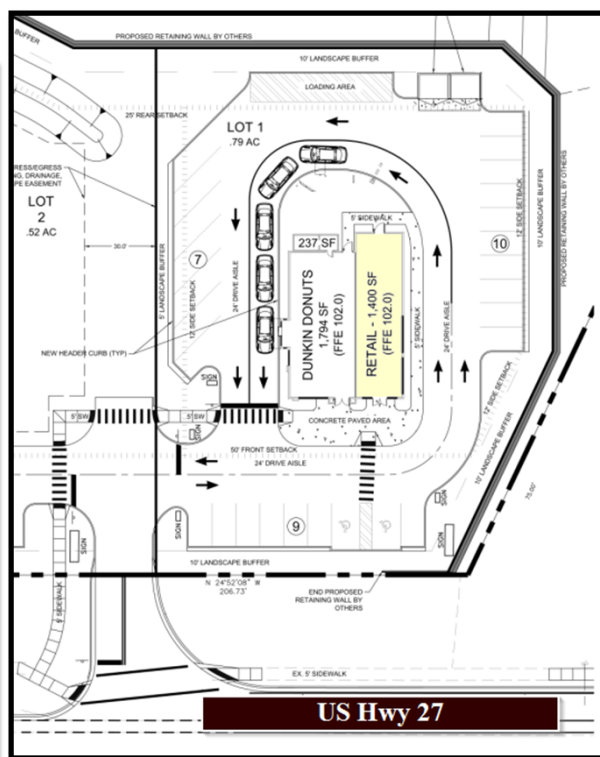
All interested parties will be given an opportunity to express their views on this matter.

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.

AGENDA ITEM

Meeting Date	
Tuesday, September 3, 2024	
Agenda Item Name	
Resolution No. 2024-028R <i>Fine Ink Studios CUP</i>	
Requested Action	
Recommend approval of Resolution 2024-028R.	
Staff Report	

The applicant, Fine Ink Studios, is requesting the ability to open and operate a professional tattoo and piercing studio within an existing building located at 3301 South US Highway 27. The current building has Dunkin Donuts operating in one of the suites, and this business would like to operate in the other suite. The suite was previously used by Owens Ice Cream Factory and is approximately 1,400 square feet in size. The overall development is known as Governor's Lake and the zoning is a Planned Unit Development (Ordinance 2020-24) allowing C-1 Light Commercial uses.



A review of the Land Development Code indicates that permanent makeup services are an allowed accessory use; under medical supervision, within an existing salon, beauty shop, barbershop, medical office or similar use. The permanent makeup service is for eyeliner, eyebrow and mouth/lip liner definition. The applicant is proposing a full service, professional tattoo establishment, and the use does not align with the permanent makeup service definition under the Land Development Code. A full service tattoo establishment is not a permitted use under any of the zoning designations and can only be considered through a Conditional Use Permit.

The applicant has indicated within their CUP application, that they currently operate 20 tattoo establishments in the Orlando area and wish to expand to Clermont. The applicant has provided hours of operation for the establishment, limited to mainly between 11 AM to 10 PM, except closing earlier on Sunday through Wednesday. The establishment anticipates having 4 to 7 employees working full-time or split shift. Most of the customers will be by appointment with the ability to accept walk-ins based upon work volume. A review of the state regulations show that the tattoo and piercing industry, artists and establishments are regulated through the Florida Department of Health (FDOH). FDOH has several license requirements, such as a licensed establishment, tattoo artist, and completing a department approved bloodborne pathogen and communicable disease training course. In addition, a biomedical waste generator permit shall also be obtained for the establishment.

Staff has reviewed the CUP application in accordance to Sec. 101-212 of the Land Development Code. The granting of the conditional use permit does not appear to be in conflict with the City's Comprehensive Plan. The proposed use is similar in nature to personal service use, such as hair salons, beauty shops, nail salons and dry cleaners. The hours of operation are similar to personal service uses as well, and the CUP addresses the hours of operation in the conditions. The Florida Department of Health has strict rules and regulations that govern the tattoo and piercing establishments. Staff has not identified any detriments to the health, safety or general welfare of people residing or working in the vicinity. The proposed use is located in a commercial zoning district, which would be considered a desirable location. Staff recommends approval of Resolution 2024-028R.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

1.	2024-028R - Fine Ink CUP (08.26.2024)	2024-028R - Fine Ink CUP (08.26.2024).pdf
2.	Fine Ink Studios Map	Fine Ink Studios Map.pdf
3.	Application	Application.pdf
4.	Legal Ad - Fine Ink Studios PZ	Legal Ad - Fine Ink Studios PZ.pdf



CITY OF CLERMONT
RESOLUTION NO. 2024-028R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A TATTOO ESTABLISHMENT IN A PLANNED UNIT DEVELOPMENT (ORDINANCE 2020-24) CONSISTING OF C-1 LIGHT COMMERCIAL USES; 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 on September 3, 2024, recommended approval of this Conditional Use Permit to allow for a tattoo establishment, at the following location:

LOCATION:

3301 S. US HWY 27
South of Citrus Tower Blvd, east of US 27, adjacent to Dunkin Donuts
Alternate Key 3921295
(Formerly Owens Ice Cream Factory)

WHEREAS, from the evidence presented at the public hearing and after consideration of the factors set forth in Sec. 101-212 (c) 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:

This application for a Conditional Use Permit to allow for a tattoo establishment, be granted subject to the following conditions:

SECTION 1: GENERAL CONDITIONS

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Upon approval of the resolution, the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.



CITY OF CLERMONT
RESOLUTION NO. 2024-028R

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. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall 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.
5. No business can occupy any portion of the site unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
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. The tattoo establishment shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to a Certification of Occupancy being issued.
9. The tattoo establishment shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. 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.
11. Should the tattoo establishment use cease operation for a period of greater than 90 days, a new Conditional Use Permit shall be required.



CITY OF CLERMONT
RESOLUTION NO. 2024-028R

SECTION 2: LAND USES AND SPECIFIC CONDITIONS

1. This Conditional Use Permit is to allow for a tattoo and piercing establishment within the retail suite location, yellow highlighting on Exhibit A, which is 1,400 +/- square feet.
2. The hours of operation for the tattoo establishment will be:
Monday to Wednesday: 11:00 AM to 8:00 PM
Thursday to Saturday: 11:00 AM to 10:00 PM
Sunday: 11:00 AM to 6:00 PM
3. The tattoo establishment shall be licensed under the authority of 381.00789 Florida Statutes and shall operate in accordance with the requirements of Section 381.00771-381.00791, Florida Statutes, and Chapter 64E-28, Florida Administrative Code. The body piercing portion of the establishment will be regulated under the authority of 381.0075, Florida Statutes and Chapter 64E-19, Florida Administrative Code.
4. No outdoor entertainment, loudspeakers or music shall be allowed.
5. No outdoor events shall be allowed.
6. The property shall be designed and developed to comply with the Clermont Land Development Regulations and Codes.
7. The property shall also be governed by the existing PUD Ordinance 2020-24, as amended.

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. 2024-028R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of September, 2024.

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 – Fine Ink Studios



Yellow Outline:
Subject Property



CITY OF CLERMONT
CONDITIONAL USE PERMIT
 APPLICATION

CUP2407-0001

Date 7-15-24		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable)			
Applicant Fine Ink Studios			
Contact Person Daryl Baer			
Address 10934 W. Colonial Dr		City Ocoee	State Fl. Zip 34761
Telephone 407-271-0545			
Email darylmbaer@hotmail.com			
PROPERTY OWNER INFORMATION ☐ (Check box if owner information is same as applicant)			
Property Owner Name Pepper Estates LLC			
Owner Address 100 meulo Park Dr Ste 302		City Edison	State NJ Zip 08337
Telephone 407-426-7702		Email	
PROPERTY INFORMATION			
Address of Subject Property 3301 S Highway 27 St B		Alternate Key 3921295	Zip 34711
General Location Corner of 27 & Citrus Tower Blvd. Next to Duncan Donuts Owens ICE Cream Factory Former Tenant			
Legal Description & Alternate Key (include copy of survey) Pepper Estates LLC Alt Key 3921295			
Land Use (City verification required) Restaurant - Drive In (2200)			
Zoning (City verification required)			



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.

We are planning to open a high-end spa like professional tattoo & piercing studio. We are the 151 tattoo franchise in the U.S. We have 20 locations in the Orlando area & 3 in the Tampa area. Based on our research we have many clients from the Clermont area that visit our locations in Ocoee, Orlando & 4 Corners. We strongly believe there is a need for this type of business in Clermont.

Daryl Baer
Applicant Name (print)

Daryl Baer
Applicant Name (signature)

Owner Name (print)

Owner Name (signature)

*****NOTICE*****

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

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

02/08/2024

Five Ink Studio's

- Hours of Operation M-W 11am-8pm
Th-Sat 11am-10pm
Sun 11am-6pm
- We take appointments & walk-ins are welcomed
- We would have 4-7 Employees working full or split shifts
- We sell retail items such as jewelry & after care products

Account Number:	526733
Customer Name:	City Of Clermont-Legals
Customer Address:	City of Clermont-Legals Po Box 120219 Clermont FL 34712-0219
Contact Name:	Christina Perry
Contact Phone:	
Contact Email:	cperry@clermontfl.org
PO Number:	

Date:	08/08/2024
Order Number:	10466466
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	08/19/2024 - 08/19/2024	Govt Public Notices
LEE dailycommercial.com	1	08/19/2024 - 08/19/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$77.84
Tax Amount	\$0.00
Service Fee 3.99%	\$3.11
Cash/Check/ACH Discount	-\$3.11
Payment Amount by Cash/Check/ACH	\$77.84
Payment Amount by Credit Card	\$80.95

Order Confirmation Amount	\$77.84
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Ad Preview

LEGAL NOTICE

On Tuesday, September 3, 2024 at 6:30 PM, the Clermont Planning and Zoning Commission will consider a request for a Conditional Use Permit (2024-028R) to allow for a tattoo establishment in a Planned Unit Development (Ordinance 2020-24) consisting of C-1 Light Commercial uses.

LOCATION

3301 S. US HWY 27
South of Citrus Tower Blvd, east of
US 27, adjacent to Dunkin Donuts
Alternate Key 3921295
(Formerly Owens Ice Cream
Factory)

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

This application 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 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
10466466 8/19/2024