



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, October 1, 2024**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES**

Approval of the September 3, 2024 Minutes

REPORTS

UNFINISHED BUSINESS

Item 1 - Resolution No. 2024-021R
US Highway 27 Self-Storage & Car Wash CUP
(Tabled from July 2nd & August 6, 2024 P&Z
Meetings)
WITHDRAWN

Consider a Request for a Conditional Use Permit (CUP) to Allow a Residential Storage Warehouse and a Car Wash in the C-2 General Commercial Zoning District on Vacant Property Adjacent to US HWY 27 & the Hooks Street Off Ramp.

Item 2 - Resolution No. 2024-028R
Fine Ink Studios CUP
(Tabled from Sept. 3, 2024 P&Z Meeting)
WITHDRAWN

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

NEW BUSINESS

Item 3 - Ordinance No. 2024-032
Old Hwy 50 Property Rezoning

Consider a rezoning request for 123+/- acres along Old Hwy 50 R-3 Residential/Professional District.

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
SEPTEMBER 3, 2024

CALL TO ORDER

Chair Krzyminski called the meeting of the Planning and Zoning Commission to order on Tuesday, September 3, 2024 at 6:30 p.m.

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

MEMBERS ABSENT: Members Colby, Guerrero and Norton

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

PLEDGE OF ALLEGIANCE

MINUTES

MOTION TO APPROVE the August 6, 2024 Minutes of the Planning and Zoning Commission meeting made by Commissioner Grube, seconded by Vice-Chair Niemiec. Motion passed 4-0 with Members Colby, Guerrero and Norton absent.

REPORTS FROM THE COMMISSION

Vice-Chair Niemiec welcomed the Chair back.

Chair Krzyminski mentioned he enjoyed attending the Farmers Market on Sunday.

NEW BUSINESS

(Items heard out of agenda order.)

Item 2 – Resolution No. 2024-028R Fine Ink Studios Conditional Use Permit

Planning Manager Kruse announced the applicant has requested this item to be tabled to the next Planning and Zoning Commission meeting scheduled for October 1, 2024.

MOTION TO TABLE 2024-028R Fine Ink Studios Conditional Use Permit to the October 1, 2024 Planning and Zoning Commission meeting; Moved by Commissioner Bain; Seconded by Commissioner Grube. Motion passed 4-0 with Members Colby, Guerrero and Norton absent.

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

Planning Manager Kruse presented as follows:

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 Steve's 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

Page - 1

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's 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.

Jimmy Crawford, Esquire, Crawford, Modica & Holt, Clermont, stated he is present representing the owner/applicant, Pastor Rick Van Wagner, who was present. He explained the applicant reached out to the surrounding neighbors who expressed concerns that are addressed as conditions in the ordinance. One of the concerns were the tree buffers on the south and western portion of the lot to which the applicant has now increased the buffers to 75 feet. He further stated the applicant would only utilize the C-2 option if that commercial site plan is approved by City Council at a public hearing. He further shared a Letter of Support from an adjacent neighborhood called Tuscany Estates at the Lakes. He asked the Board for their support.

The floor was opened for public comments.

Pastor Rick Van Wagner, Applicant, 4228 Palm Meadow Circle, stated he has been the pastor at the church for almost 31 years. They bought this property in 1999, and they are seeking to increase the appraised value in order to build a new gymnasium and cafeteria for the school. He stated he is in support of bringing forth any commercial projects through the public hearing process.

Sami Yakovetic, 4480 Powderhorn Place Drive, stated she supports this project because it is already surrounded by commercial zoning. She further stated if an assisted living facility were to be brought forth, she asked the City of Clermont to create some type of oversight to oversee residents from being abused or neglected.

Steven Miller, 12933 Sunset Avenue, stated they live adjacent to the west side where the parking garage was approved to be located, and he asked if this zoning change has anything to do with the parking garage. **Chair Krzyminski** stated it does not. **Pastor Van Wagner** explained the parking garage was approved years ago, which the church is not currently pursuing.

With no further speakers present, the floor was closed.

Commissioner Bain asked staff if this parcel is ever sold, could the buyer put in any commercial use that is allowed. **Planning Manager Kruse** explained it is stated in the ordinance that the applicant must apply and go through the public hearing process with City Council for approval. **Commissioner Bain** asked the attorney whether the gymnasium is allowed under the current zoning. **Jimmy Crawford** answered in the affirmative. **Commissioner Bain** concluded that the C-2 zoning makes sense for this parcel; however, whether or not the City should have a role in a business gaining better loan terms is a question he is unsure of. **City Attorney Mantzaris** stated almost every rezoning request provides a financial benefit to the property owner; and further, staff's recommendation of approval stems from the surrounding zonings being C-2.

Commissioner Grube asked the city attorney what power the City would have to deny a commercial site plan after the property is zoned C-2. **City Attorney Mantzaris** explained the City Council would have authority to adjust the site plan for compatibility.

Vice-Chair Niemiec stated he likes the extra setbacks and asked whether notices were mailed to surrounding homes. **Planning Manager Kruse** explained notices were mailed out to adjacent neighbors within 200 feet, which exceeds the City's requirements. **Vice-Chair Niemiec** asked what the loan is for. **Pastor Van Wagner** stated the loan will go towards the existing buildings and a new gymnasium and cafeteria for the school.

City Attorney Mantzaris asked the applicant how they intend to show the 75 foot buffer expansion. **Jimmy Crawford** said it will be specified in the ordinance; and further, when they submit the site plan for review, it will be shown on the site plan.

Chair Krzyminski asked about the terms of the loan in value between the current zoning and if it were a C-2 zoning. **Pastor Van Wagner** said the loan is reduced in half if the parcel is changed to C-2 zoning; and further, he stated the church has taken this through a rigorous process and has

explored other banks. **Chair Krzyminski** indicated he is trying to find a way to feel more comfortable about this, and asked the applicant if they would be willing to do a deed restriction for 25 years or for the duration of the loan. **Pastor Van Wagner** stated he would need to consult with the bank; and further, as an alternative, he asked for consideration of 31 years of service and loyalty to the community. **Jimmy Crawford** expressed he has never seen that type of restriction placed on a zoning request and was opposed to it. **Chair Krzyminski** stated he has never seen a zoning change without a site plan.

Pastor Van Wagner announced he notified adjacent neighbors by email, because he cares about their neighbors, and he wants to be a good neighbor. **Steven Miller**, *12933 Sunset Avenue, adjacent neighbor to the west*, stated they are not opposed to this request; and further, the first he heard of this was from the postcard from the City.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2024-038 Family Christian Center of Clermont Rezoning; Moved by Vice-Chair Niemiec, Seconded by Commissioner Bain. Motion denied 2-2 with Chair Krzyminski and Member Grube opposing and Members Colby, Guerrero and Norton absent.

DISCUSSION OF NON-AGENDA ITEMS – *None*

ADJOURNMENT – 7:22 pm

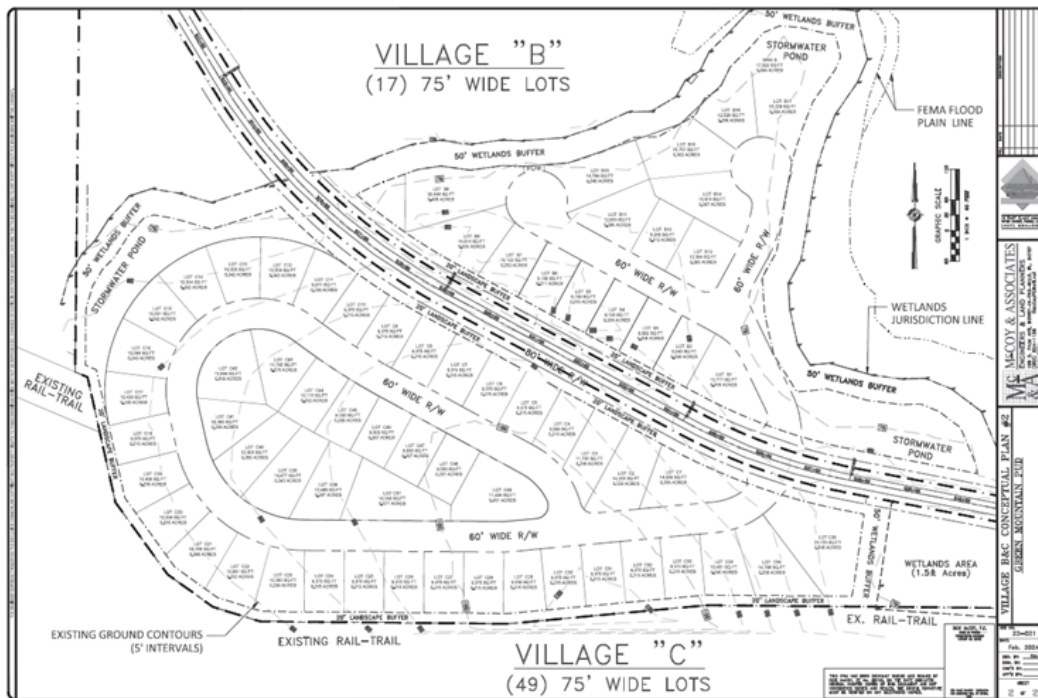
Max Krzyminski, Chairman

ATTEST:

Kathy Heard, Planning Coordinator

AGENDA ITEM

Meeting Date	
Tuesday, October 1, 2024	
Agenda Item Name	
Ordinance No. 2024-032 <i>Old Hwy 50 Property Rezoning</i>	
Requested Action	
Recommend approval of Ordinance 2024-032	
Staff Report	
The applicant, Daly Design Group, is requesting a rezoning as part of the annexation process into the City of Clermont for the 123 +/- acre property. The property is located adjacent to Old Highway 50, south of the Florida Turnpike and North of the Lake County Bike Trail. 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. In order to develop the property, the applicant needs central water and sewer from the City. The applicant is requesting R-3 Residential/Professional District Zoning.	
 Yellow Outline: Subject Property	
The applicant has provided a conceptual lot layout showing the lots dispersed throughout 3 village locations. 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, the total number of lots will be 130 single-family lots, with a density of 1.85 dwelling units per acre. This is a reduction under the previously considered conceptual plans that have been presented and less than the current Lake County Future Land Use Designation of Urban Low that permits up to 4 dwelling units per acre.	



Staff has reviewed the application and proposed project in regard to the City’s Land Development Code. The applicant is not requesting any variances at this time for the development of this project and is not a Planned Unit Development. School concurrency shall be met as a requirement prior to site plan approval and final platting. The applicant has submitted a traffic impact analysis which indicates the project is not expected to cause any roadways to exceed its Level of Service (LOS). A further traffic review will be conducted during the site plan review process. The project will be required to meet all the Land Development Regulations for roadway widths, landscaping, setbacks, etc. Since the project will be developed under the R-3 Residential/Professional District Zoning, staff is able to support the request and recommends approval of Ordinance 2024-032.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2024-032 Old Hwy 50 Rezoning (09.11.2024)	2024-032 Old Hwy 50 Rezoning (09.11.2024).pdf	
2. Location Map with Villages	Location Map with Villages.pdf	
3. Conceptual Plan R-3 Zoning	Conceptual Plan R-3 Zoning.pdf	
4. TMC TIA Summary	TMC TIA Summary.pdf	
5. Green Mountain Review Kittelson	Green Mountain Review Kittelson.pdf	
6. 1_Application	1_Application.pdf	
7. 2024-032 RZ Old HWY 50 Property Ad PZ	2024-032 RZ Old HWY 50 Property Ad PZ.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2024-032

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

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 24; THENCE RUN NORTH 89°27'45" WEST ALONG SOUTH LINE OF SOUTHWEST QUARTER OF SAID SECTION 24 FOR A DISTANCE OF 2689.54 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 00°37'34" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 FOR A DISTANCE 525.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°37'34" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 986.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF OLD HIGHWAY 50 (COUNTY ROAD 50), ACCORDING TO MAP BOOK 9, PAGES 1 THROUGH 27 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE RUN ALONG SAID SOUTHERLY RIGHT OF WAY THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 30°57'07" EAST FOR A DISTANCE OF 505.32 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF SOUTH 46°20'03" EAST, AND A CHORD DISTANCE OF 607.92 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'50" FOR A DISTANCE OF 615.28 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61°42'58" EAST FOR A DISTANCE OF 533.09 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF SOUTH 70°24'00" EAST, AND A CHORD DISTANCE OF 346.03 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°22'05" FOR A DISTANCE OF 347.36 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 79°05'03" EAST FOR A DISTANCE OF 695.91 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1432.39 FEET, WITH A CHORD BEARING OF



CITY OF CLERMONT
ORDINANCE NO. 2024-032

SOUTH 82°26'58" EAST, AND A CHORD DISTANCE OF 168.17 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°43'50" FOR A DISTANCE OF 168.26 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 85°48'52" EAST FOR A DISTANCE OF 333.13 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE RUN SOUTH 01°51'26" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 93.74 FEET; THENCE DEPARTING OF SAID EAST LINE RUN SOUTH 78°45'21" WEST FOR A DISTANCE OF 16.58 FEET; THENCE RUN NORTH 89°27'41" WEST FOR A DISTANCE OF 347.93 FEET; THENCE RUN NORTH 81°23'27" WEST FOR A DISTANCE OF 284.88 FEET; THENCE RUN NORTH 89°27'45" WEST FOR A DISTANCE OF 800.93 FEET; THENCE RUN SOUTH 84°40'34" WEST FOR A DISTANCE OF 391.68 FEET; THENCE RUN NORTH 89°27'45" WEST FOR A DISTANCE OF 485.78 FEET; THENCE RUN NORTH 72°52'24" WEST FOR A DISTANCE OF 97.00 FEET; THENCE RUN NORTH 54°21'37" WEST FOR A DISTANCE OF 109.53 FEET; THENCE RUN NORTH 35°52'17" WEST FOR A DISTANCE OF 174.17 FEET; THENCE RUN NORTH 12°34'19" WEST FOR A DISTANCE OF 250.75 FEET; THENCE RUN NORTH 67°01'23" WEST FOR A DISTANCE OF 26.34 FEET TO THE POINT OF BEGINNING.

CONTAINING: 25.684 ACRES, MORE OR LESS

TOGETHER WITH:

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 24; THENCE RUN NORTH 01°51'26" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24 FOR A DISTANCE 177.19 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF OLD HIGHWAY 50 (COUNTY ROAD 50), ACCORDING TO MAP BOOK 9, PAGES 1 THROUGH 27 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE RUN ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING BEARINGS AND DISTANCES: NORTH 85°48'52" WEST FOR A DISTANCE OF 215.79 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1909.86 FEET, WITH A CHORD BEARING OF NORTH 82°26'57" WEST, AND A CHORD DISTANCE OF 224.21 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°43'49" FOR A DISTANCE OF 224.34 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 79°05'03" WEST FOR A DISTANCE OF 725.84 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF NORTH 70°24'00" WEST, AND A CHORD DISTANCE OF 346.03 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°22'05" FOR A DISTANCE OF 347.36 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 61°42'58" WEST FOR A DISTANCE OF 541.90 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF NORTH 46°20'02" WEST, AND A CHORD DISTANCE OF 607.92 FEET; THENCE RUN NORTHWESTERLY ALONG



CITY OF CLERMONT
ORDINANCE NO. 2024-032

THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'50" FOR A DISTANCE OF 615.28 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 30°57'07" WEST FOR A DISTANCE OF 2229.26 FEET TO A POINT ON THE SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 91 (FLORIDA TURNPIKE), ACCORDING TO FLORIDA DEPARTMENT RIGHT OF WAY MAP F.P. NO. 435784-1/435785-1; THENCE RUN ALONG SAID SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 66°36'38" EAST FOR A DISTANCE OF 951.88 FEET; THENCE RUN SOUTH 00°53'19" WEST FOR A DISTANCE OF 15.75 FEET; THENCE RUN SOUTH 00°37'34" WEST FOR A DISTANCE OF 5.91 FEET; THENCE RUN SOUTH 66°36'38" EAST FOR A DISTANCE OF 1072.51 FEET; THENCE RUN NORTH 23°23'22" EAST FOR A DISTANCE OF 20.00 FEET; THENCE RUN SOUTH 66°36'38" EAST FOR A DISTANCE OF 105.21 FEET; THENCE RUN SOUTH 39°52'17" WEST FOR A DISTANCE OF 411.95 FEET; THENCE RUN SOUTH 04°09'25" EAST FOR A DISTANCE OF 491.24 FEET; THENCE RUN NORTH 90°00'00" EAST FOR A DISTANCE OF 389.94 FEET; THENCE RUN NORTH 14°51'30" EAST FOR A DISTANCE OF 683.34 FEET; THENCE RUN SOUTH 66°36'38" EAST FOR A DISTANCE OF 1364.27 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5879.58 FEET, WITH A CHORD BEARING OF SOUTH 66°46'48" EAST, AND A CHORD DISTANCE OF 34.77 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°20'20" FOR A DISTANCE OF 34.77 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 24; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE RUN SOUTH 01°51'26" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1338.14 FEET TO THE POINT OF BEGINNING.

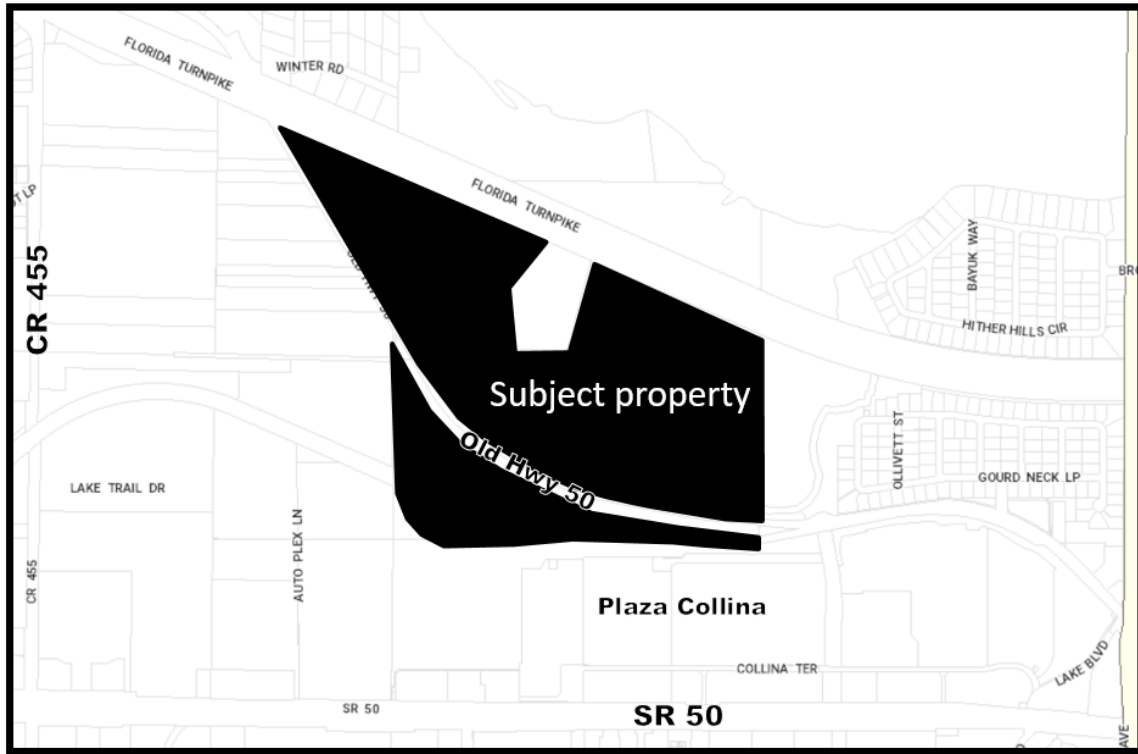
CONTAINING: 97.879 ACRES, MORE OR LESS

CONTAINING: 123.563 TOTAL ACRES, MORE OR LESS

LOCATION

Old Highway 50
South of the Florida Turnpike and North of the Lake County Bike Trail
Alternate Keys 1037387 2514809 1109051 3037243 3832862 3884751

LOCATION MAP



PROPERTY REZONING

From: Lake County A Agriculture & R-3 Medium Residential
To: City of Clermont R-3 Residential/Professional District

SECTION 2: CONFLICT

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

SECTION 3: SEVERABILITY

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



CITY OF CLERMONT
ORDINANCE NO. 2024-032

SECTION 4: ADMINISTRATIVE CORRECTION

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

SECTION 5: RECORDING

This Ordinance shall be recorded in the Public Records of Lake County, Florida. Recording fees will be at the expense of the Applicant.

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. 2024-032

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 12th day of November 2024.

CITY OF CLERMONT

Tim Murry, Mayor

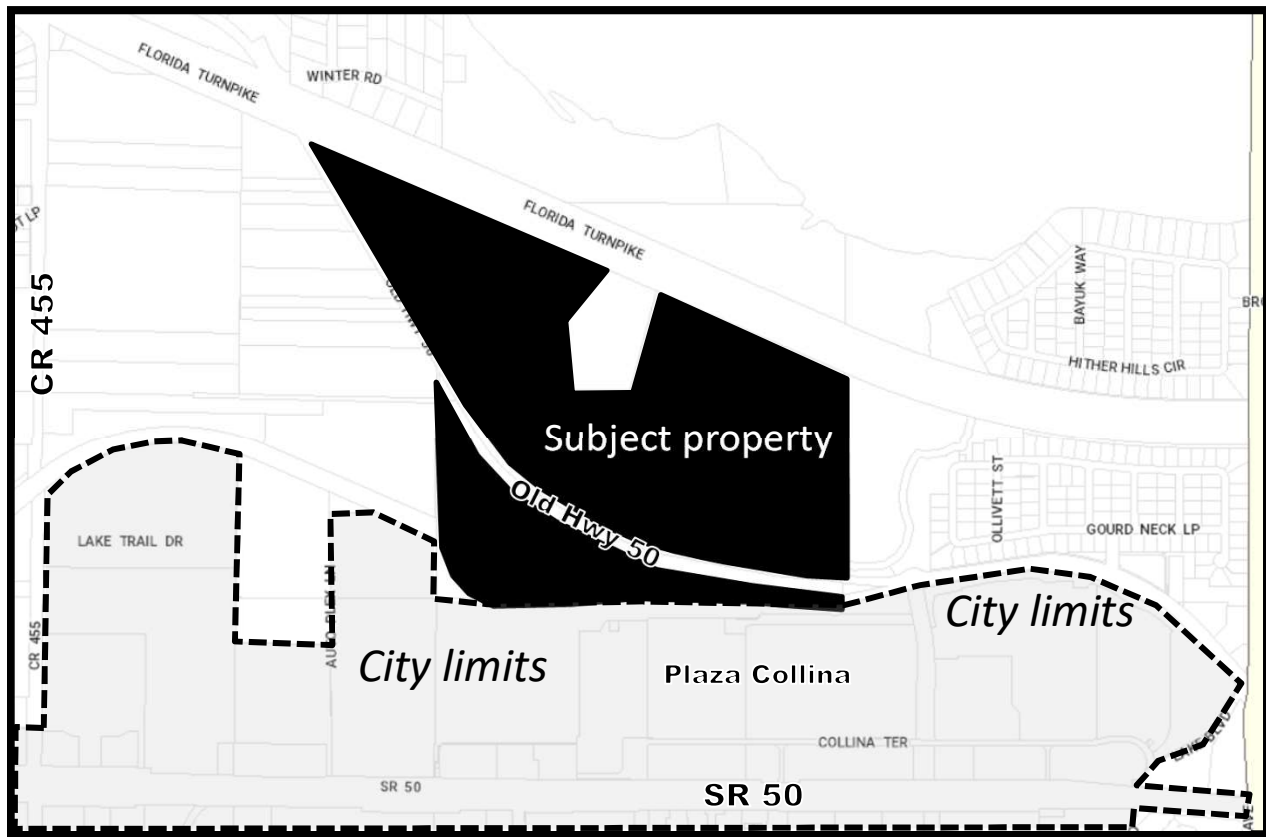
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Old Hwy 50 Property



VILLAGE "A" (64) 75' WIDE LOTS

FLORIDA TURNPIKE (STATE ROAD 91)
RIGHT OF WAY WIDTH VARIES PER RIGHT OF
WAY MAP F.P. NO. 435784-1/435785-1
NOT PLATTED

75'x 135' TYPICAL LOT SIZE

25' FRONT & REAR BLDG. SETBACK, TYPICAL

1,600'± HIGH ROAD
(7.3± Acres in LOTS)

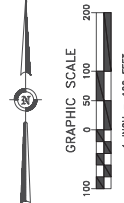
135' MINIMUM LOT DEPTH, TYPICAL

SUBDIVISION
ENTRANCE

1,450'± LOW ROAD
(10.7± Acres in LOTS)

EXISTING GROUND CONTOURS
(5' INTERVALS)

30'x 30' LIFT STATION TRACT



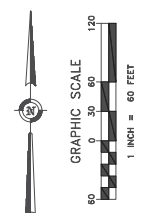
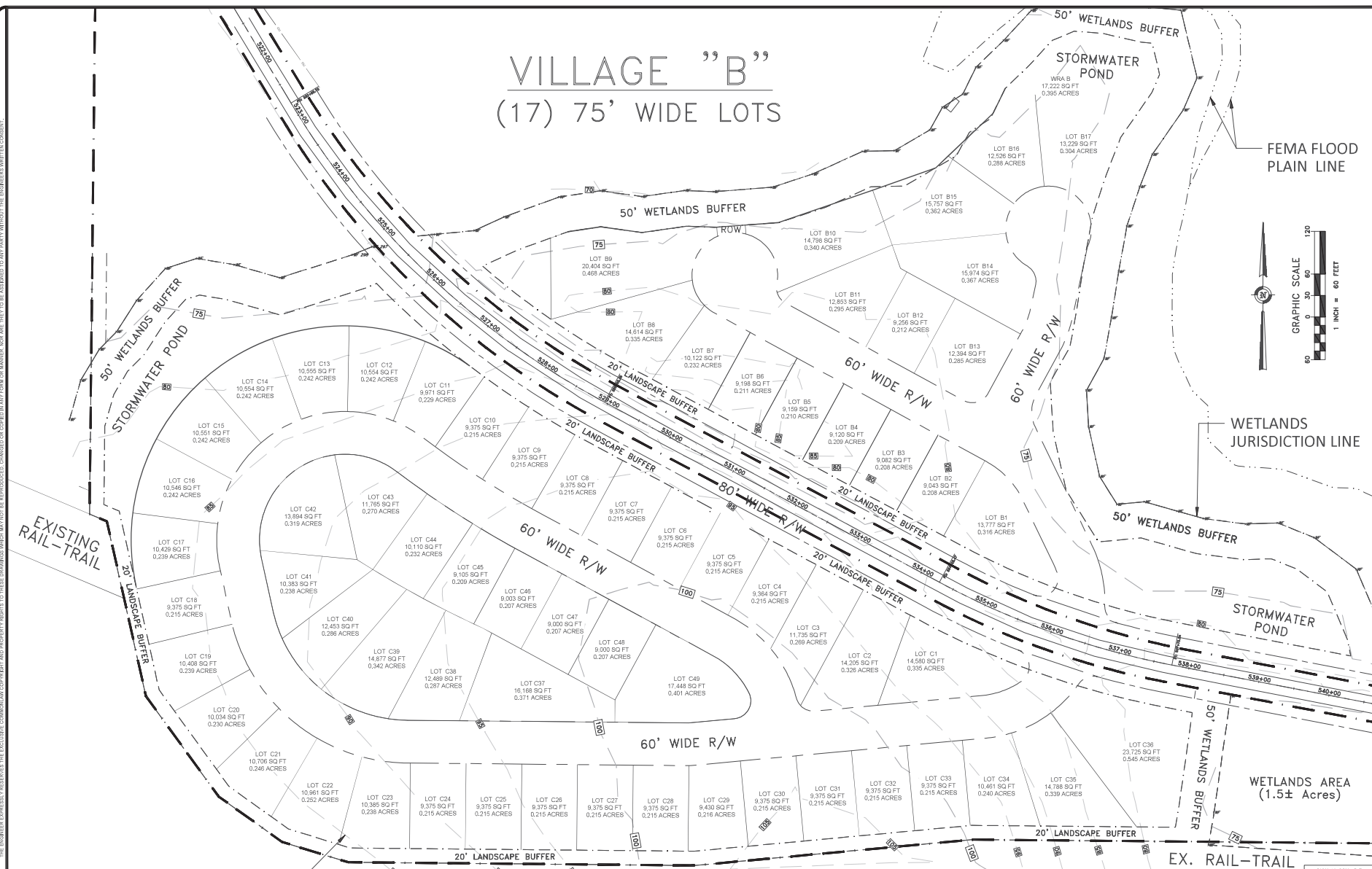
REVISIONS	
NO.	DATE
18 EAST PLANT STREET NEW ORLEANS, LOUISIANA 70119 (504) 584-1136 info@mc-cooy.com	
McCOY & ASSOCIATES ENGINEERS & LAND PLANNERS 108 S. PALM AVE. SUITE 1136 NEW ORLEANS, LA 70119 (504) 584-1136 info@mc-cooy.com	
VILLAGE "A" CONCEPTUAL PLAN #1 GREEN MOUNTAIN PUD	
JOB NO. 22-021 DATE Feb. 2024 DES. BY: RMC DWN. BY: CHK'D BY: APP'D BY:	SHEET 1 of 2

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

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

NOT VALID WITHOUT SIGNATURE
 AND EXPIRED SEAL OF STATE
 OF FLORIDA

VILLAGE "B" (17) 75' WIDE LOTS



VILLAGE "C" (49) 75' WIDE LOTS

REVISIONS	
NO.	DATE
MC COOY & ASSOCIATES ENGINEERS & LAND PLANNERS 108 S. PALM AVE. SUITE 1126 TAMPA, FL 33604 TEL: 813.251.1126 FAX: 813.251.1126 WWW.MCCOYFLORIDA.COM	
VILLAGE B&C CONCEPTUAL PLAN #2 GREEN MOUNTAIN PUD	
JOB NO.	22-021
DATE	Feb. 2024
DES. BY:	EMC
DRAWN BY:	
CHECKED BY:	
APPROVED BY:	
SHEET 2 OF 2	

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

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

Green Mountain
Project № 24178.01.01
May 2024

**Transportation Facility Analysis
City of Clermont & Lake County
Florida**

Prepared for:
Pinecastle Investment Properties, LLC
5300 S. Orange Avenue
Orlando, Florida 32809



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

EXECUTIVE SUMMARY

Project Information

Name: Green Mountain

Location: Old Highway 50 (CR 50) west of Orange County Line

Jurisdiction: City of Clermont and Lake County, Florida

Description: Future Land Use Amendment for 43.33 acres

Current: Lake County Urban Low Density - 173 Single Family Units

Proposed: City of Clermont Low Density Residential - 130 Single Family Units

Findings

Trip Generation: The amendment will result in the following reduction of traffic:

Daily:	386 trips
PM Peak:	39 trips

Roadway Capacity: All roadway segments are currently operating within the adopted LOS standard, except for the segment of SR 50 from CR 455 to Orange County Line.

The proposed amendment is not projected to cause any roadway to exceed its LOS.

The proposed development will undergo further review through the site plan process during subsequent development approvals.



MEMORANDUM

Date:	August 22, 2024	Project #: 24449.46
To:	Mr. John Kruse City of Clermont 685 W. Montrose St. Clermont, FL 34711	
From:	Stephanie Shealey, PE, PTOE, PTP & Emmanuel Masindoki, PE, RSP1	
Project:	Green Mountain	
Subject:	Traffic Study Review	

This memorandum documents the review of the traffic study prepared for the Green Mountain project by Traffic & Mobility Consultants in May 2024. The project is located on Old Highway 50, south of Florida's Turnpike. The current Future Land Use (FLU) designation for the property is Lake County Urban Low Density. The applicant seeks to amend this designation to City of Clermont Low Density Residential.

The provided analysis confirms that the proposed future land use change as part of the annexation of this property within the City of Clermont reduces the potential development intensity of the parcel and thus reduces the potential impact to transportation within the City.

As stated in the analysis, a full traffic impact analysis will need to be prepared during the site plan review process.

Guidance for Future Traffic Impact Study

1. **Area of Influence/Study Area:** Please ensure that the study includes all roadways within the area of influence of the project site and follows the Lake Sumter MPO guidelines for roadways and intersections included in the study area. Please include a map showing the radius of the area of influences and the roadways included in the analysis.
2. **Lake County CMP Database:** Please ensure the traffic study uses the most recent version of the Lake County CMP database available at time of submittal of the traffic study.



CITY OF CLERMONT REZONING APPLICATION

DATE		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) OLD HWY 50 PROPERTY			
Applicant DALY DESIGN GROUP			
Contact Person WILLIAM MAKI			
Address 913 N PENNSYLVANIA AVE		City WINTER PARK	State FL Zip 32789
Telephone 407.740.7373		Fax NA	
Email BMAKI@DALYDESIGN.COM			
OWNER INFORMATION			
Owner's Name ROBERT HARRELL (PINECASTLE INVESTMENT PROPERTIES, LLC)			
Owner Address 5300 SOUTH ORANGE AVE		City ORLANDO	State FL Zip 32809
Telephone 407.947.8406		Email BHPINC@BELLSOUTH.NET	
PROPERTY INFORMATION			
Address of Subject Property OLD HWY 50		City WINTER GARDEN	State FL Zip 34787
Legal Description (include copy of survey) SEE ATTACHED DOCUMENT			
Acreage 123.56		Land Use (City verification required) LK COUNTY - URBAN LOW DENSITY	
Present Zoning (City verification required) LK COUNTY - A-1 AND R-3		Proposed Zoning CLERMONT R-3	



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?

THE APPLICANT IS REQUESTING TO REZONE THE PROPERTY FROM LAKE COUNTY A-1 & R-3 TO CLERMONT R-3 IN ORDER TO DEVELOP A MAXIMUM 130 UNIT SINGLE FAMILY RESIDENTIAL COMMUNITY

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

WILLIAM MAKI

Applicant Name (print)

A handwritten signature of William Maki, consisting of a stylized 'W' and 'M'.

Applicant Name (signature)

ROBERT HARRELL

Owner Name (print)

A handwritten signature of Robert Harrell, written in a cursive style.

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

A Parcel of land lying in Sections 23 and 24, Township 22 South, Range 26 East, Lake County, Florida. Being more particularly described as follows:

Commence at the South quarter corner of said Section 24; Thence run North 89°27'45" West along South line of Southwest quarter of said Section 24 for a distance of 2689.54 feet to the Southwest corner of the Southwest quarter of said Section 24; Thence departing said South line run North 00°37'34" East along the East line of the Southeast quarter of said Section 23 for a distance 525.12 feet to the point of beginning; Thence continue North 00°37'34" East along said East line for a distance of 986.76 feet to a point on the Southerly right of way of Old Highway 50 (County Road 50), according to map book 9, pages 1 through 27 of the public records of Lake County, Florida; Thence departing said East line run along said Southerly right of way the following bearings and distances: South 30°57'07" East for a distance of 505.32 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1145.92 feet, with a chord bearing of South 46°20'03" East, and a chord distance of 607.92 feet; thence run Southeasterly along the arc of said curve through a central angle of 30°45'50" for a distance of 615.28 feet to a point of tangency; Thence run south 61°42'58" East for a distance of 533.09 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1145.92 feet, with a chord bearing of South 70°24'00" East, and a chord distance of 346.03 feet; Thence run Southeasterly along the arc of said curve through a central angle of 17°22'05" for a distance of 347.36 feet to a point of tangency; Thence run South 79°05'03" East for a distance of 695.91 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1432.39 feet, with a chord bearing of south 82°26'58" East, and a chord distance of 168.17 feet; Thence run Southeasterly along the arc of said curve through a central angle of 06°43'50" for a distance of 168.26 feet to a point of tangency; Thence run South 85°48'52" East for a distance of 333.13 feet to a point on the East line of the Southwest quarter of said Section 24; Thence run South 01°51'26" West along said east line for a distance of 93.74 feet; Thence departing of said east line run South 78°45'21" West for a distance of 16.58 feet; Thence run North 89°27'41" West for a distance of 347.93 feet; thence run North 81°23'27" West for a distance of 284.88 feet; Thence run North 89°27'45" West for a distance of 800.93 feet; Thence run South 84°40'34" West for a distance of 391.68 feet; Thence run North 89°27'45" West for a distance of 485.78 feet; Thence run North 72°52'24" West for a distance of 97.00 feet; Thence run North 54°21'37" West for a distance of 109.53 feet; Thence run North 35°52'17" West for a distance of 174.17 feet; Thence run North 12°34'19" West for a distance of 250.75 feet; Thence run North 67°01'23" West for a distance of 26.34 feet to the point of beginning.

containing: 25.684 acres, more or less

together with:

A parcel of land lying in Sections 23 and 24, Township 22 South, Range 26 East, Lake County, Florida. being more particularly described as follows:

Commence at the South quarter corner of said section 24; Thence run North 01°51'26" East along the East line of the Southwest quarter of said Section 24 for a distance 177.19 feet to a point on the Northerly right of way of old highway 50 (County Road 50), according to Map Book 9, Pages 1 through 27 of the Public Records of Lake County, Florida and the point of beginning; Thence departing said East line run along said Northerly right of way line the following bearings and distances: North 85°48'52" West for a distance of 215.79 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1909.86 feet, with a chord bearing of North 82°26'57"

West, and a chord distance of 224.21 feet; Thence run Northwesterly along the arc of said curve through a central angle of 06°43'49" for a distance of 224.34 feet to a point of tangency; Thence run North 79°05'03" West for a distance of 725.84 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1145.92 feet, with a chord bearing of North 70°24'00" West, and a chord distance of 346.03 feet; Thence run Northwesterly along the arc of said curve through a central angle of 17°22'05" for a distance of 347.36 feet to a point of tangency; Thence run North 61°42'58" West for a distance of 541.90 feet to the point of curvature of a curve, concave Northeasterly having a radius of 1145.92 feet, with a chord bearing of North 46°20'02" West, and a chord distance of 607.92 feet; Thence run Northwesterly along the arc of said curve through a central angle of 30°45'50" for a distance of 615.28 feet to a point of tangency; Thence run North 30°57'07" West for a distance of 2229.26 feet to a point on the Southerly limited access right of way line of State Road 91 (Florida Turnpike), according to Florida department right of way map f.p. no. 435784-1/435785-1; Thence run along said Southerly limited access right of way line the following bearings and distances: South 66°36'38" East for a distance of 951.88 feet; Thence run South 00°53'19" West for a distance of 15.75 feet; Thence run South 00°37'34" West for a distance of 5.91 feet; Thence run South 66°36'38" East for a distance of 1072.51 feet; Thence run North 23°23'22" East for a distance of 20.00 feet; Thence run South 66°36'38" East for a distance of 105.21 feet; Thence run South 39°52'17" West for a distance of 411.95 feet; Thence run South 04°09'25" East for a distance of 491.24 feet; Thence run North 90°00'00" East for a distance of 389.94 feet; Thence run North 14°51'30" East for a distance of 683.34 feet; Thence run South 66°36'38" East for a distance of 1364.27 feet to the point of curvature of a curve, concave Northeasterly having a radius of 5879.58 feet, with a chord bearing of South 66°46'48" East, and a chord distance of 34.77 feet; Thence run Southeasterly along the arc of said curve through a central angle of 00°20'20" for a distance of 34.77 feet to a point on the East line of the Southwest 1/4 of said Section 24; Thence departing said Southerly right of way line run South 01°51'26" West along said East line for a distance of 1338.14 feet to the point of beginning.

Containing: 97.879 acres, more or less

Containing: 123.563 total acres, more or less

LEGAL NOTICE

On Tuesday, October 1, 2024 at 6:30 PM the Clermont Planning & Zoning Commission will consider the enactment of the following proposed ordinance.

ORDINANCE NO. 2024-032

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.

LOCATION

Old Highway 50
South of the Florida Turnpike and North of the Lake County Bike Trail
Alternate Keys 1037387 2514809 1109051 3037243 3832862 3884751



PROPERTY REZONING

**From: Lake County A Agriculture & R-3 Medium Residential
To: City of Clermont R-3 Residential/Professional District**

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH QUARTER CORNER OF SAID SECTION 24; THENCE RUN NORTH 89°27'45" WEST ALONG SOUTH LINE OF SOUTHWEST QUARTER OF SAID SECTION 24 FOR A DISTANCE OF 2689.54 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 00°37'34" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 FOR A DISTANCE 525.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°37'34" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 986.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF OLD HIGHWAY 50 (COUNTY ROAD 50), ACCORDING TO MAP BOOK 9, PAGES 1 THROUGH 27 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE RUN ALONG SAID SOUTHERLY RIGHT OF WAY THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 30°57'07" EAST FOR A DISTANCE OF 505.32 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF SOUTH 46°20'03" EAST, AND A CHORD DISTANCE OF 607.92 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'50" FOR A DISTANCE OF 615.28 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 61°42'58" EAST FOR A DISTANCE OF 533.09 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1145.92 FEET, WITH A CHORD BEARING OF SOUTH 70°24'00" EAST, AND A CHORD DISTANCE OF 346.03 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°22'05" FOR A DISTANCE OF 347.36 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 79°05'03" EAST FOR A DISTANCE OF 695.91 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1432.39 FEET, WITH A CHORD BEARING OF SOUTH 82°26'58" EAST, AND A CHORD DISTANCE OF 168.17 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°43'50" FOR A DISTANCE OF 168.26 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 85°48'52" EAST FOR A DISTANCE OF 333.13 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE RUN SOUTH 01°51'26" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 93.74 FEET; THENCE DEPARTING OF SAID EAST LINE RUN SOUTH 78°45'21" WEST FOR A DISTANCE OF 16.58 FEET; THENCE RUN NORTH 89°27'41" WEST FOR A DISTANCE OF 347.93 FEET; THENCE RUN NORTH 81°23'27" WEST FOR A DISTANCE OF 284.88 FEET; THENCE RUN NORTH 89°27'45" WEST FOR A DISTANCE OF 800.93 FEET; THENCE RUN SOUTH 84°40'34" WEST FOR A DISTANCE OF 391.68 FEET; THENCE RUN NORTH 89°27'45" WEST FOR A DISTANCE OF 485.78 FEET; THENCE RUN NORTH 72°52'24" WEST FOR A DISTANCE OF 97.00 FEET; THENCE RUN NORTH 54°21'37" WEST FOR A DISTANCE OF 109.53 FEET; THENCE RUN NORTH 35°52'17" WEST FOR A DISTANCE OF 174.17 FEET; THENCE RUN NORTH 12°34'19" WEST FOR A DISTANCE OF 250.75 FEET; THENCE RUN NORTH 67°01'23" WEST FOR A DISTANCE OF 26.34 FEET TO THE POINT OF BEGINNING.

CONTAINING: 25.684 ACRES, MORE OR LESS

TOGETHER WITH:

A PARCEL OF LAND LYING IN SECTIONS 23 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING: 97.879 ACRES, MORE OR LESS

CONTAINING: 123.563 TOTAL ACRES, MORE OR LESS

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