



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Monday, June 13, 2016
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

Approval of the May 3, 2016 Planning and Zoning meeting minutes.

REPORTS

UNFINISHED BUSINESS

Item No. 1 - Resolution No. 2016-14
Magic Moments

Request for a conditional use permit to allow a daycare facility in the Central Business District located at 756 West Avenue.

NEW BUSINESS

Item 2 - Redemption Worship Center
Conditional Use Permit

Request for a conditional use permit to allow a church in the C-2 General Commercial zoning district, located at 1203 W. Highway 50, Suite A.

Item 3 - Pinecrest Lakes Academy
Conditional Use Permit

Request for a conditional use permit to allow a school facility in the M-1 Industrial zoning district, located at 205 Hatteras Avenue.

Item 4 - Citrus Tower Blvd. Self Storage
Comprehensive Plan Amendment

Request for a comprehensive plan amendment to change the future land use from Lake County Regional Office to City of Clermont Industrial, located at 423 Citrus Tower Blvd.

Item 5 - Citrus Tower Blvd. Self Storage
Rezoning

Request to change the zoning from UE Urban Estate to C-2 General Commercial, located at 423 Citrus Tower Blvd.

Item 6 - Citrus Tower Blvd. Self Storage
Conditional Use Permit

Request for conditional use permit to allow a self-storage facility occupying more than 20,000 square feet of floor space located at 423 Citrus Tower Blvd.

Item 7 - Ordinance No. 2016-26
Field Monumentation

Request to amend Chapter 110 Subdivisions, Section 110-263 Field Monumentation of the Land Development Code.

Item 8 - Ordinance No. 2016-27
Automotive Dealerships

Request to amend Chapter 122 Zoning, Section 122-223 Permitted Uses and Section 122-224 Conditional Uses of the Land Development Code.

CITY OF CLERMONT
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6:30 PM, Monday, June 13, 2016
City Hall – 685 W. Montrose Street, Clermont, FL
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 the Development Services at 352-241-7302.

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

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The meeting of the Planning and Zoning Commission was called to order Tuesday May 3, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, Cuqui Whitehead, Tony Hubbard, and Jack Martin. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held March 15, 2016 were approved as written.

MINUTES of the Planning and Zoning Commission meeting held April 5, 2016 were approved as written.

REPORTS

Commissioner Whitehead stated that she has been elected as President of the Caribbean American Association of Lake County. She stated that she would like to invite everyone to a festival on June 11, 2016 at Waterfront Park.

Chairman Jones stated that there has been a request to postpone the Magic Moments conditional use permit to the June meeting.

Development Services Director Hollerand stated that the June meeting will be held on Monday, June 13, 2016 due to the renovations to the a/v system in the Council Chambers.

Commissioner Whitehead moved to table the Magic Moments conditional use permit to Monday, June 13, 2016; seconded by Commissioner Proli. The vote was unanimous to recommend tabling the request.

1. REQUEST FOR REZONING

REQUEST: To change the zoning from C-2 General Commercial and Urban Estate to Planned Unit Development

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres from C-2 General Commercial and Urban Estate to a Planned Unit Development zoning for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The property is located south of Highway 50, west of Miss Florida Avenue and north and south of Hooks Street. The eastern 17 acres of the project, north of Hooks Street, was contained in a previously approved Conditional Use Permit for a Planned Unit Development known as Hills of Clermont, and was permitted for C-2 General Commercial uses within Urban Estate zoning. The property is currently vacant. The property south of Hooks Street

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is currently used as retention and open space. The western 13-acre portion, also vacant, is not part of the Hills of Clermont Planned Unit Development and is currently zoned C-2 General Commercial.

The applicant has requested 12 units per acre for the multi-family portion of the project. The allowing of the 12 units per acre will be addressed in the related Conditional Use Permit, Resolution 2016-15, since Planned Unit Development zoning is currently not recognized in Policy 1.9.2 of the City's Comprehensive Plan as a way to permit residential units greater than 8 units per acre. Staff will be making a text amendment to the policy to allow Planned Unit Development zoning under this policy.

The applicant has proposed two options, Option A and Option B. Option A proposes 6 acres of C-2 General Commercial along a portion of Highway 50, with 324 multi-family units on 27 acres. Option B proposes 10.5 acres of C-2 General Commercial all along Highway 50 with 270 multi-family units on 22.5 acres.

The characteristics of the site, with site elevation changes over 100 feet from Highway 50 south to Hooks Street, make it very challenging to develop. A portion of the project was even identified in the "Strategic Economic Development Plan" (DEO grant funded study) citing topography as a challenge.

The applicant has identified several waivers to the Land Development Code to make the site developable to their proposal. The multi-family units will be constructed in buildings that will have multi-level construction that may have heights up to 63 feet (18 feet above code maximum) and retaining walls up to 25 feet in height (19 feet above code maximum). The applicant is requesting a maximum elevation change, through cut and fill, of up to 25 feet over the site due to excessive grades on the site. The applicant has identified cut changes over 15% of the site exceeding greater than 10 feet for the multi-family portion.

The applicant is asking for a reduced landscape buffer along Highway 50 due to the severe topography of the site dropping off towards Hooks Street. The applicant has indicated a 7-foot-wide buffer with 30% more plantings will be installed. Staff has not seen evidence that the proposed landscape buffer will accomplish the visual and noise attenuation of a required 20-foot buffer. The applicant is requesting the driveways from Highway 50 to be below the centerline of Highway 50 due to the elevation change on the site for the commercial portion. The applicant has indicated they will work with the City Engineer to approve proposed grading to ensure adequate outfall and protection is in place to prevent runoff into the finished floor of the buildings.

The applicant is also requesting a variance to utilize 9 feet by 18 feet parking spaces instead of 10 feet by 20 feet. The applicant indicated the request was due to maximizing available parking while significantly reducing unnecessary environmental pollutant runoff, increasing green spaces throughout. The applicant is proposing to gate the multi-family portion of the project and is requesting a variance to allow the gating of this area of the project.

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On the coversheet, it was noted that the Planned Unit Development will allow all permitted C-2 uses (inclusive of 1 retailer less than 100,000 square feet but greater than 20,000 square feet). Staff has not seen any proposed buildings with square footages attached to the uses. Without further details of the building exceeding 20,000 square feet, staff is unable to support this request.

A large portion of the existing commercial area is changing to multi-family use, which warrants a traffic study and school concurrency report. The applicant did supply an initial growth impact report from the Lake County School Board indicating the project would have an estimated impact of 92 students for the 324-unit Option A. A traffic study and school reservation would be performed prior to site plan approval.

The conceptual overall site plans prepared by B&S Engineering Consultants, LLC, dated April 22, 2016, shows Option A (Sheet C-2.2) with 10 large buildings and some smaller buildings along with the parking areas and the commercial portion of the site. Option B (Sheet C-2.3) shows 8 large buildings and some smaller buildings along with the parking areas and the larger commercial portion of the site.

The applicant has proposed two options for the site for consideration. After reviewing both options, staff believes Option B is more consistent with the existing comprehensive plan and development in the area. Staff recommends approval of Option B, however; staff cannot support the excessive retaining wall heights, topography changes, reduced landscape buffer, and reduced parking stall dimensions, as requested by the applicant.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a conditional use permit to allow for multi-family residential

PROJECT: The Vue

Planning Manager Henschel presented the staff report as follows:

The applicant, AC-Fulcrum, is requesting a rezoning on 42 +/- acres for a mixed use, Planned Unit Development project consisting of a multi-family apartment complex, general commercial uses, retention area and open space. The applicant has requested 12 units per acre for the multi-family portion of the project. With the recent addition of the Planned Unit Development zoning to the City's Land Development Code, this request may have been handled through that process. However, it was brought to staff's attention that an incompatibility exists in the City's Comprehensive Plan that needs to be addressed. Policy 1.9.2 states "Residential development shall be limited to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit." This policy does not state Planned Unit Development zoning.

Staff has concluded that the policy can be easily amended to make the Planned Unit Development zoning compatible with this policy. The addition of "or Planned Unit Development." at the end of the policy would correct the incompatibility. Unfortunately, the time

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necessary to make this change is a several months long process since it is a text amendment to the Comprehensive Plan. Staff will be moving forward on making this change.

In order to assist with the applicant's request in a timely manner, it was noted that the applicant could still seek a Conditional Use Permit for the 12 units per acre. Therefore, the applicant is requesting a conditional use permit to allow 12 units per acre for the project while all the other details of the project will be contained in the Planned Unit Development zoning ordinance. This would allow the applicant to move forward on the project and be consistent with the Comprehensive Plan.

Staff has reviewed the Planned Unit Development proposal and the total number of units for the multi-family portion is 324 units. Staff has placed this cap on the multi-family portion in the Conditional Use Permit and will also be in the Planned Unit Development ordinance. Staff recommends approval of Resolution 2016-15 to allow 12 units per acre for the project, not to exceed an overall unit count of 324 units.

Cecelia Bonifay, 420 S. Orange Avenue, Orlando, attorney with Akerman representing The Vue, stated that the City received a grant to create a strategic plan to help property owners develop difficult topography sites. She stated that although the City codes are good requirements, they do not fit a site such as this one. She stated that waivers are necessary to develop this property. She stated that on Option A and Option B drawing, the yellow coloring shows the portion of the site that will need additional cut and fill. She stated that the applicant wants to make The Vue senior housing which will decrease the trip generation on traffic and eliminate the demand on the schools. She stated that there are no potential tenants for the commercial uses at this time.

Commissioner Whitehead asked if the applicant is preferring Option A or Option B.

Ms. Bonifay stated that the applicant is open to the decision and staff is recommending Option B. She stated that the difference is Option A has six acres of commercial, two units of multi-family near Highway 50 with the remaining eight units below. She stated that Option B has a 10 acres of commercial area, removing the two multi-family units near Highway 50 and all the multi-family located below the commercial area.

Commissioner Solis asked if the rest of the area meets the City's cut and fill code.

Mr. Henschel stated that the cut and fill area that is not meeting City's code is highlighted in yellow on both Option A and Option B site plans.

Major Stacy, B&S Engineering Consultants, 2221 Lee Road, Winter Park, stated that the site is a challenge. He stated that they are experienced with topographic challenges. He stated that the 25-foot retaining walls and grade difference is between the commercial and multi-family. He stated that the wall preserves the character of the landscape. He stated that with senior living they have to meet ADA requirements and reduce significant elevation changes. He stated that they have to be able to get a fire truck in and out of the site which is a governing factor for what they are

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doing with this site. He stated that the reason for the reduced parking stalls is to allow more open space to transition between the grade levels.

Commissioner Proli asked why develop this type of project for this property rather than going with single family homes. She stated that she is concerned about over-crowding the schools, traffic, police, and fire due to the growth in the city. She stated that the citizens would rather have more commercial than residential.

Commissioner Solis stated that the city needs more residential in order to get more commercial.

Commissioner Smith asked if the applicant is willing to proceed with Option B.

Ms. Bonifay stated that the applicant is willing to proceed with Option B. She stated that they have received a capacity letter from the school board and there is capacity. She stated that there is a requirement for a traffic study to be completed.

Jonathan Moore, 2419 Albert Lee Pkwy, Winter Park, stated that the site is difficult. He stated that the cost would be enormous to do single-family units on this property. He stated that the multi-family buildings are laid out to match the topography.

Commissioner Solis asked if this property could be developed at all following the City's standards.

Mr. Henschel stated that it would be very difficult.

Commissioner Solis stated that it's a question of do we want a vacant piece of property for a long time or do we want to work with someone who is willing to work with the property.

Commissioner Smith suggested to allow smaller parking stalls at the top portion of the site and make them larger as they build down the site.

Janet Justice McKenzie, 2546 Holly Berry Circle, Southridge Subdivision, stated that she had the same issue a year ago with another development wanting to build apartments across from their subdivision. She spoke in opposition to the development.

Pastor Sandy Edwards, 2554 Holly Berry Circle, stated that she is opposed to the development and is requesting the Commission to deny the application.

Sam Durance, 2466 Holly Berry Circle, stated that the project that was denied a year ago was much smaller than this project. He stated that they are not opposed to commercial, however he doesn't agree with multi-family. He submitted letters of opposition from his neighbors.

Ms. Bonifay stated that the property south of Hooks Street next to their subdivision will not be developed so there will be a buffer between this project and their subdivision.

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Commissioner Solis asked if there is an entrance from Highway 50.

Ms. Bonifay stated that there will be a right-in, right-out from Highway 50. She stated that the gated entrance for the multi-family will be from Hooks Street.

Commissioner Hubbard asked if the density count included the parcel to the south of Hooks Street.

Mr. Henschel stated that a portion of that property was prorated to be included.

Ms. McKenzie stated that she wanted to state again that the neighbors were assured that this property would remain commercial.

Commissioner Smith stated that was for a different parcel.

Mr. Henschel stated that was for a parcel in Hills of Clermont PUD for workforce housing.

Commissioner Proli stated that she has concerns about the height.

Commissioner Martin stated that there are two things he has been thinking about lately. He stated that one is the character and nature of Clermont and the other is about specific parcels such as this one. He stated that the character and nature of Clermont has been changing over the years. He stated that the City has developed a good downtown master plan. He stated that Clermont's character and nature seems to be flowing toward a Winter Park, Windermere, Pebble Beach, California character. He stated that now there are numerous auto sales along Highway 50. He stated that he sees more and more high density residential, however high density isn't the character and nature that Clermont was growing into. He stated that they have to help shape the character of Clermont. He stated that if they don't have an image, then they are allowing the character and nature to change into something they don't want. He stated that he is not in favor of this project because he wants something more like Winter Park, Windermere, or Pebble Beach.

Chairman Jones asked the applicant if they would compromise on the waivers that are being requested.

Mr. Moore stated this Commission has given him feedback as to what they want so he can now go back to see where they can compromise on requests. He stated that with this property it will be impossible to develop without any waivers.

Commissioner Whitehead moved to recommend approval of the rezoning for Option B and to negotiate the waivers; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

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Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 4-3 to recommend approval, with Commissioners Proli, Hubbard, and Martin opposing.

3. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Commercial to Low Density Residential

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

The applicant, Mattamy Homes, is requesting adoption of a future land use change for 28.6 acres that would be added to its residential subdivision, WaterBrooke. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Low Density Residential. The City's Low Density Residential allows up to 3 dwelling units per acre. The City's Low Density Residential does not permit commercial or industrial uses, as allowed by the County's future land use. The conversion from commercial and industrial uses to residential uses would be more logical in this area of the City since residential development has already occurred to the west of Hancock Road and is currently planned to the east of this parcel with the existing WaterBrooke development. Existing commercial uses are located a little more than 1-mile north along SR 50.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting 1100 units on total 568.6 acres, which equates to 1.93 units per acre. This number is below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use.

Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in July.

Staff recommends approval of the transmittal of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to the City's Low Density Residential.

4. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to Planning Unit Development

PROJECT: WaterBrooke

Senior Planner Kruse presented the staff report as follows:

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The applicant, Mattamy Homes, is requesting to add 28.6 +/- acres to the existing residential subdivision, WaterBrooke. The property is located at the southwest corner of the approved subdivision and fronts Hancock Road. The property is currently in Lake County with a future land use of Regional Commercial and a Planned Industrial zoning. The applicant is requesting annexation and a change in zoning to allow single family and multi-family residential in the City. In addition, with the City's recent adoption of Planned Unit Development zoning, the applicant is requesting a change in zoning from a Conditional Use Permit for a Planned Unit Development in Urban Estate to Planned Unit Development zoning for the entire WaterBrooke subdivision. The WaterBrooke subdivision was approved by Council in October of 2015.

With the additional acreage added to the WaterBrooke subdivision, the applicant is requesting an increase from 950 units to 1100 units on a total of 568.6 acres, which equates to 1.93 units per acre. The additional land has allowed the applicant the ability to rearrange some of the units in the overall project and provide another access point. In doing so, the overall density will increase from 1.76 units per acre to 1.93 units per acre, or approximately 9% increase. This number is still below the 3 dwelling units per acre allowable under the City's Low Density Residential future land use. The applicant has provided a school concurrency report for the additional units indicating school capacity is available. All the conditions in the existing Conditional Use Permit will be in the Planned Unit Development ordinance with the exception of a change for an increase in total number of units and an updated Exhibit B to show the additional acreage to the overall project.

Staff has reviewed the applicant's request for a rezoning from Urban Estate (default zoning upon annexation) and the existing Conditional Use Permit in Urban Estate to Planned Unit Development zoning. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a Planned Unit Development. Staff recommends approval of Ordinance 2016-20 for a Planned Unit Development.

Cecelia Bonifay, Akerman, representing Mattamy Homes, stated that the applicant is requesting to add 28.6 acres to expand the boundaries to WaterBrooke subdivision. She stated that they are requesting to increase the number of units to 1100, but will still be below 3 units per acre at 1.93 units per acre. She stated that this will complement the existing residential that is already in the area.

Commissioner Proli stated that she is concerned about the traffic that will be added to the area.

Ms. Bonifay talked about the various locations where entrances and exits for WaterBrooke will be located and the expansion of Hartle Road.

Commissioner Martin moved to recommend approval of the large-scale comprehensive plan amendment; seconded by Commissioner Whitehead. The vote was unanimous to recommend approval.

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Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

5. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to conditional use permit (Resolution 1316) to allow for an expansion to the existing Wal-Mart building.

PROJECT: Wal-Mart

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting an amendment to the existing Wal-Mart Conditional Use Permit (Resolution 1316) to allow for an increase in building square footage. Currently, the existing Wal-Mart located at 1450 Johns Lake Rd. is limited to 218,685 square feet. The applicant is requesting to build a 3,905 square foot expansion to the east side of the building. The proposed expansion, which will be for liquor sales, will not be accessible from inside the main building. Combining the existing allowable square footage of 218,685 and the proposed addition of 3,905 square feet, the new proposed building size will be limited to 222,590 square feet.

The proposed use is a permitted use under the Land Development Code, Section 122-223, for C-2 uses and requires an amendment to the Conditional Use Permit for the increased square footage of the project. The proposed amendment has been addressed in the attached Resolution 2016-12 language. Strikethroughs indicate deletions and underlines indicate additions.

This same request was previously considered at the December 9, 2014 City Council meeting with a final decision of denial. The applicant has the right to reapply after a period of one year for this location. The year timeframe has been completed and the applicant is reapplying for the same amendment as before. Based upon the submitted information and the Land Development Code, staff recommends approval of Resolution 2016-12 for an increase of 3,905 square feet.

Jonathan Huels, 215 N. Eola Drive, Orlando, an attorney with Lowndes law firm, stated that they concur with staff's recommendation.

Commissioner Proli asked what the hours will be for the liquor store.

City Attorney Mantzaris stated that they will have to follow city code which is from 7 a.m. to 2 a.m.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

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6. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an amendment to a conditional use permit (2012-28) to allow for an additional vehicle access point.

PROJECT: Real Life Christian Center

Planning Manager Henschel presented the staff report as follows:

The applicant is requesting an amendment to the existing Resolution # 2012-28 to allow an additional access point onto their church facility. The large church parcel fronts on approximately 2,700 feet of right away frontage along three rights-of-way with only two access points. One access driveway is located on Cross Ridge Rd., and the other access driveway is located on Steves Road. The original site plan approved with Resolution 2012-28 only allowed these two access points.

With the church growing and having large services, there are times when these access points are very congested, both on site, and within the rights-of-way. The church has identified a way to alleviate much of these traffic concerns by adding a third driveway on Citrus Tower Blvd.

Currently the church has approximately 1,500 feet along Citrus Tower Blvd without any driveways. By allowing one driveway to be located along their southern border, access onto their site will allow a flow-through traffic pattern that will ease the traffic congestion on the other two rights-of-way.

Steve Bush, 11532 Lake Katherine Circle, Clermont, stated that he is the administrative minister of Real Life Church. He stated that the attendance has increased by at least 15%. He stated that the two access points are becoming congested and they propose a new access point to relieve the other entrances. He stated that it will have a right-in and right-out access.

Commissioner Whitehead moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

Chairman Jones requested staff to research other communities' ordinances for zoning codes to improve Clermont's land use regulations. He stated that he would like to see changes made to help the development of the severely sloped properties and hold a workshop in the future.

There being no further business, the meeting was adjourned at 8:32 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist



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AGENDA ITEM

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Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Resolution No. 2016-14 Magic Moments		
Requested Action		
Move to recommend approval of Resolution 2016-14.		
Staff Report		
This request was originally scheduled for May hearings, but due to an issue with adjacent property owner notifications, it was tabled to the June 13, 2016 Planning & Zoning Commission meeting. The applicant is requesting a conditional use permit (CUP) to allow a daycare facility in the Central Business District (CBD). Childcare centers are designated as a conditional use within the CBD zoning district. The proposed location of 756 West Avenue was previously approved in 2009 for a CUP for an "at risk" youth counseling center to operate seven days a week from 9 a.m. to 9 p.m. Magic Moments, the current applicant, is proposing to occupy the 2,100-square-foot building for their Schooler Program (ages 5-12) which is currently operated at 855 West DeSoto Street. The 855 West DeSoto Street location is also the home of the Veterans of Foreign Wars (VFW) building. The VFW currently has an agreement with Magic Moments to allow this Schooler Program to operate out of their building. The VFW is also growing and would like to occupy more of their building space, thereby displacing the Magic Moments Schooler Program. Magic Moments has identified this new location and building as an ideal location to relocate their Schooler Program of approximately 46 students. A condition in the CUP will require that the student count be provided to the City upon request to ensure compliance with a cap of 48 students. One improvement with this location will be that the bus pick up and drop off will be handled on site within the parking lot rather than on DeSoto Street as is currently done at the VFW building. Hours of operation will remain from 12 p.m. to 6:30 p.m. Monday through Friday during the school year and from 9 a.m. to 6:30 p.m. during summer months.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Resolution	CUP 2016-14 Magic Moments.doc
2.	Location Map	Location Map.docx
3.	Conditions	Conditions.doc
4.	Application	Application.pdf
5.	Legal ad	2016 Magic Moments CUP legal ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2016-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR A DAYCARE
FACILITY IN THE CENTRAL BUSINESS DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 13, 2016 approved this Conditional Use Permit to allow a daycare facility in the Central Business District at the following location:

LOCATION
756 West Avenue

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

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

This application for a Conditional Use Permit to allow a daycare facility in the Central Business District; be granted subject to the following conditions:

CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Marshal for life safety requirements, all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.

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RESOLUTION NO. 2016-14

6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. 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.
8. The Conditional Use Permit must be executed and filed in the Office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. 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.
10. Should a business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the school, the school would not contest a Variance Application to allow said use within 500 feet of the school. Also, the school shall not be opposed to any existing business within 500 feet selling alcoholic beverages for onsite consumption.
11. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
12. Should the daycare use become an infringement upon the other businesses within the area, the City reserves the right to reopen the Conditional Use Permit for additional review and conditions.
13. Should the daycare use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required. A student count shall be provided to the City for inspection when requested for compliance with this condition.

Section 2 – Land Use

1. 756 West Avenue may be used as a daycare facility in addition to any permitted Central Business District uses.
2. The student population shall be a maximum of 48 students, and five staff members; or as required by Florida state staffing requirements.

CITY OF CLERMONT
RESOLUTION NO. 2016-14

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

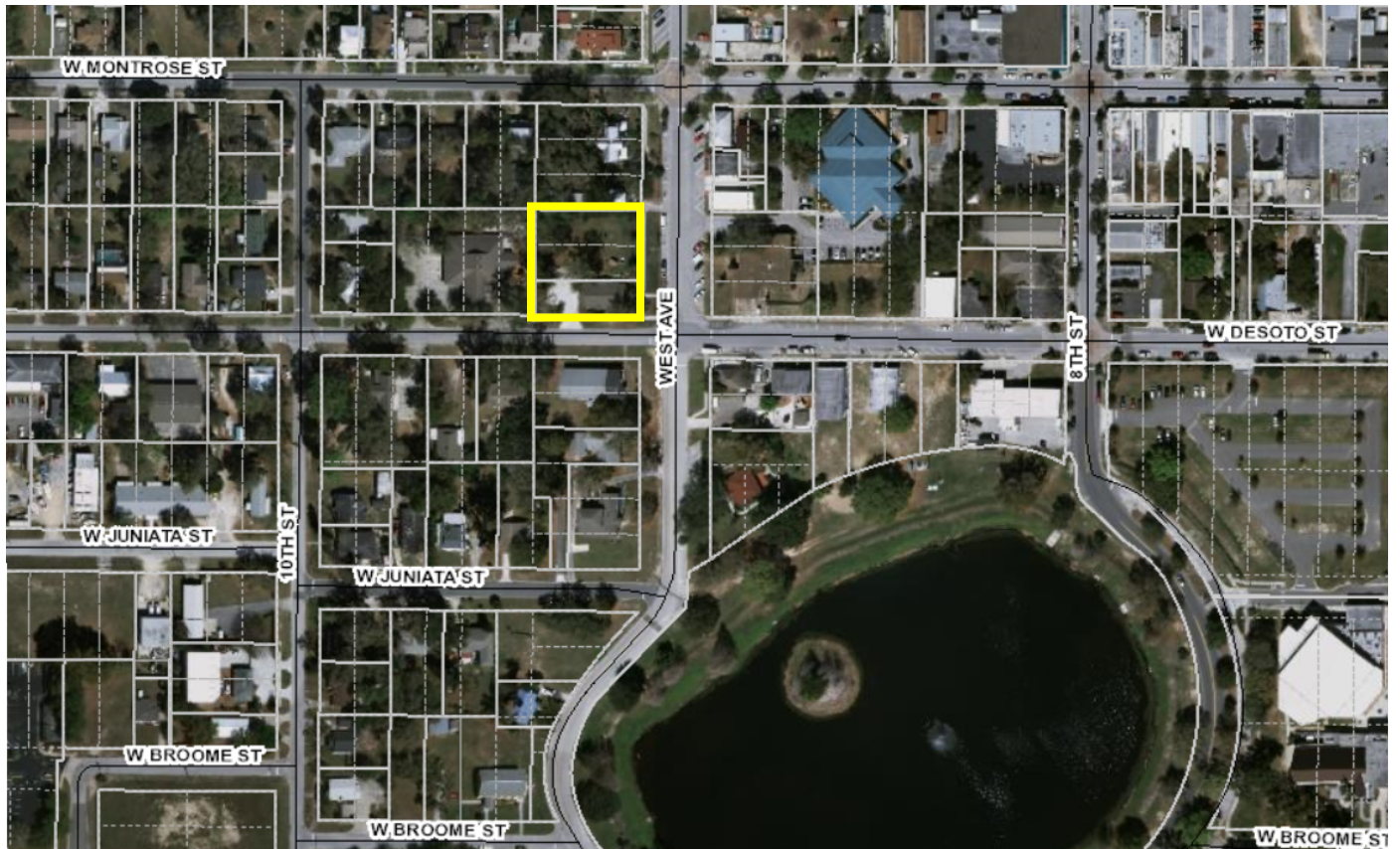
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map:



Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Marshal for life safety requirements, all requirements must be met prior to any Certificate of Occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. 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.
8. The Conditional Use Permit must be executed and filed in the Office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. 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.
10. Should a business that sells alcoholic beverages for onsite consumption wish to locate within 500 feet of the school, the school would not contest a Variance Application to allow said use within 500 feet of the school. Also, the school shall not be opposed to any existing business within 500 feet selling alcoholic beverages for onsite consumption.
11. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
12. Should the daycare use become an infringement upon the other businesses within the area, the City reserves the right to reopen the Conditional Use Permit for additional review and conditions.

13. Should the daycare use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required. A student count shall be provided to the City for inspection when requested for compliance with this condition.

Section 2 – Land Use

1. 756 West Avenue may be used as a daycare facility in addition to any permitted Central Business District uses.
2. The student population shall be a maximum of 48 students, and five staff members; or as required by Florida state staffing requirements.



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 04/08/2016

FEE: _____

PROJECT NAME (if applicable): _____

APPLICANT: Magic Moments Learning Center, Inc.

CONTACT PERSON: Sam L Allison

Address: P.O.Box 120103

City: Clermont State: FL Zip: 34712

Phone: (352) 255-4326 Fax: _____

E-Mail: sallison1@cfl.rr.com

OWNER: (will be if CUP approved) Magic Moments Learning Center, Inc.

Address: P.O. Box 120103

City: Clermont State: FL Zip: 34712

Phone: (352) 394-0533 Fax: (352) 243-6810

Address of Subject Property: 756 West Ave, Clermont, FL 34711

General Location: Northwest corner of West Ave- DeSoto St
intersection.

Legal Description (include copy of survey): CLERMONT LOT 6 BLK 96 PB 8
PG 17 | ORB 3724 PG 823

Land Use (City verification required): CLUBS, LODGES, UNION HALLS (7700)

Zoning (City verification required): CBD



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

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

Magic Moments Learning Center, Inc. is proposing to relocate their Schooler Program (ages 5-12) from their current location (the VFW building @ 855 W.DeSoto St.) to the building located at 756 West Ave. While the VFW has been kind enough to allow us to use the upper floor of their building for the last 15 years, their membership has grown to the point that they now wish to use the upper floor, resulting in our program being displaced. We are currently licensed for a capacity of 48 children at the VFW. The 756 West Ave location has the square footage to accommodate a maximum of 48, but the number would probably be closer to 45 or 46, depending upon how we are able to configure the rooms. Maximum number of teachers (employees) for this group would be 5. Initial planning is for parent pickup to be accessed from the east (West Ave) side of the building, with parking on both sides of West Ave. Initial planning is for our buses to drop off in the on-site parking lot on the west side of the building, to keep from having to block traffic while unloading in the street (as we must now at the VFW). Playground areas will be in the lot to the north of the building, as well as the playgrounds at Magic Moments Too.

Sam L Allison

Applicant Name (print)

X 

Applicant Name (signature)

P A L Holdings LLC | LORETTA LACEK MGR

Owner Name (print)

X 

Owner Name (signature)

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

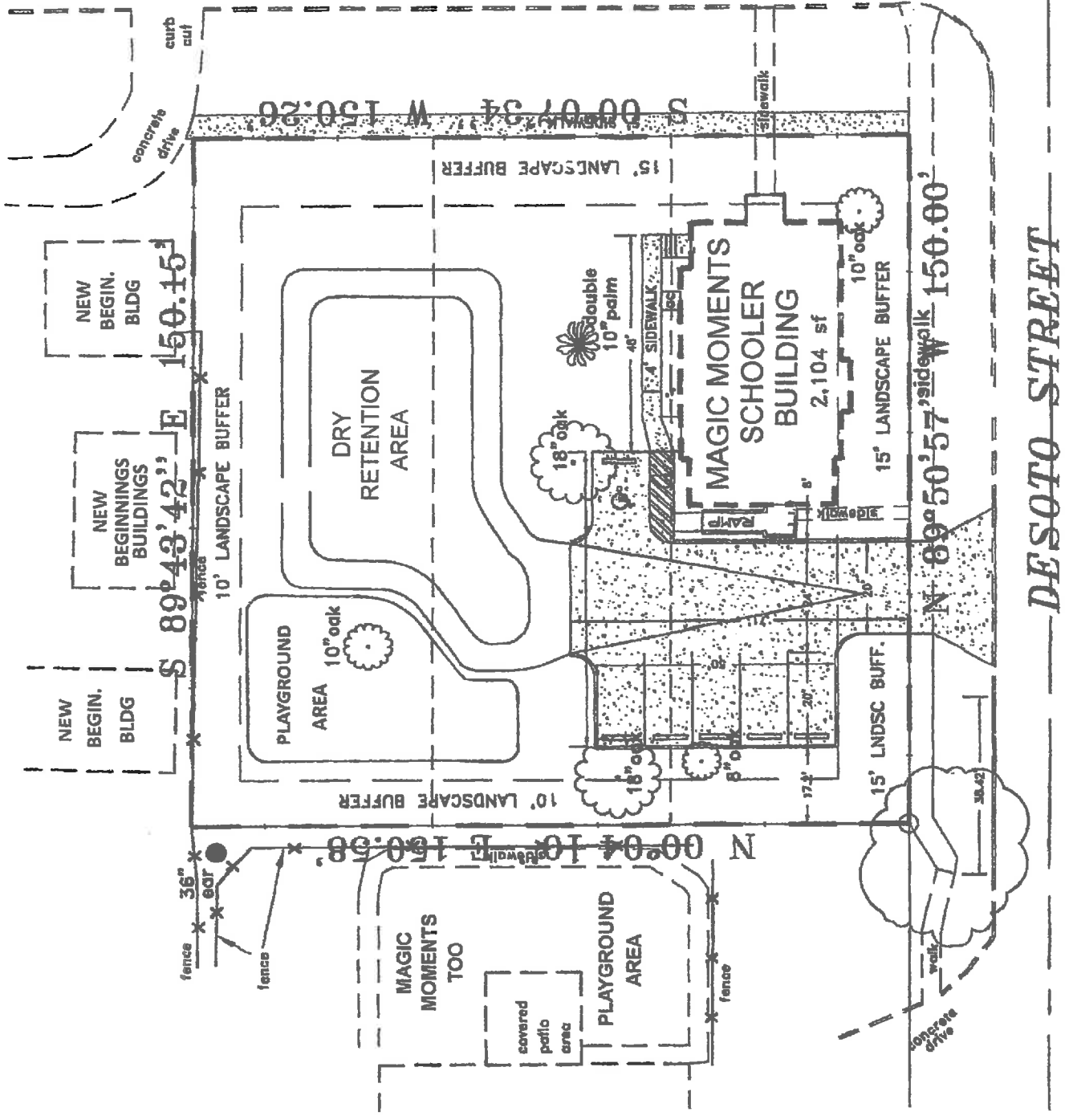
IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED UNTIL CORRECTIONS ARE MADE.

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



756 West Avenue
Clermont, FL

WEST AVENUE



Site Plan for Proposed Magic Moments Schooler Building

Property Record Card

General Information

Owner Name:	P A L HOLDINGS LLC	Alternate Key:	3872029
Mailing Address:	160 NAUTICA MILE DR CLERMONT, FL 34711 Update Mailing Address	Parcel Number:	24-22-25-010009600600
		Millage Group and City:	00C1 (Clermont)
		Total Millage Rate:	18.65210
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	756 WEST AVE CLERMONT FL 34711 Update Property Location	Property Name:	— Submit Property Name
		School Locator:	School and Bus Map
Property Description:	CLERMONT LOT 6 BLK 96 PB 8 PG 17 ORB 3724 PG 823		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	CLUBS, LODGES, UNION HALLS (7700)	0	0		7500	SF	\$0.00	\$90,000.00

Commercial Building(s)

Building 1

Commercial	Building Value: \$105,137.00							
Summary	Section(s)							
Year Built: 1920	Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
Total Square Footage: 1995								
Full Bathrooms: 0	1	FINISHED LIVING AREA (FLA)	8	1	1995	0%	0%	
Half Bathrooms: 2		Interior Finish			Percent		Sprinkler	A/C
Elevators: 0		(77C)			100.00 %	No		Yes
Elevator Landings: 0								
Escalators: 0								
Residential Units: 0								
Kitchens: 0								
Fireplaces: 0								
Structure Type: Concrete Block or Masonry Walls								
Exterior Walls: 08 : 100.00 %								

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request to allow a daycare facility in the Central Business District.

LOCATION

756 West Avenue

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

This request will be considered by the Planning & Zoning Commission on Tuesday, May 3, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, May 24, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
April 26 and May 17, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Redemption Worship Center Conditional Use Permit		
Requested Action		
Recommend approval of Resolution 2016-20.		
Staff Report		
The applicant is requesting a conditional use permit (CUP) to establish a church in the C-2 General Commercial zoning district. Under Section 122-224 (12) of the land development code, churches are an allowable use in the C-2 district with a CUP. The location is in the existing Emerald Lakes Shopping Plaza. The church proposes to occupy Unit A within the plaza. The unit is approximately 3,280 square feet, including an office, storage room and restrooms. This unit was previously approved for a church facility under Resolution 1560, which expired in 2011. The Redemption Worship Center currently has a congregation of approximately 30 and plans to have meetings on Wednesday evenings and Sundays. Since the church is in an established plaza and the hours of operation do not occur at peak business hours for a majority of the other tenants, parking does not seem to be a main concern. In addition, half of the businesses are closed on Sundays. However, if parking does become an issue, the applicant understands and agrees that the City may require additional parking or rescind the CUP. Staff has reviewed the 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 request for a church in the C-2 zoning district with the conditions contained in Resolution 2016-20.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Resolution 2016-20	CUP RES 2016-20.doc
2.	Map and Exhibits	Redemption WC Exhibits.pdf
3.	Application	Application.pdf
4.	CUP 1560	CUP 1560.pdf
5.	Legal ad	Redemption Worship Center Legal Ad.docx

CITY OF CLERMONT
RESOLUTION NO. 2016-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CHURCH IN THE C - 2 GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 13, 2016 recommended approval of this Conditional Use Permit to allow for a church in the C-2 General Commercial zoning district; at the following location:

LOCATION:
1203 Highway 50, Suite A
Emerald Lakes Plaza
AK 1303761

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

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

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

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this conditional use permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.

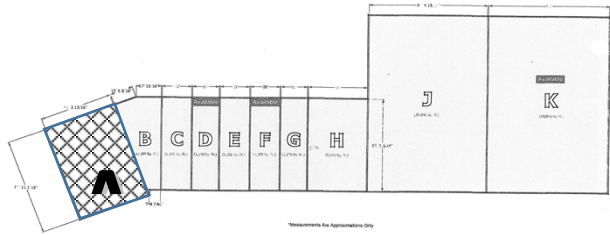
CITY OF CLERMONT
RESOLUTION NO. 2016-20

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. 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.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. 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.
10. No business, including non-profit, can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
12. Should the church use cease operations for a period greater than 1 year, a new Conditional Use Permit shall be required.
13. Should any business; existing or future, that sells alcoholic beverages for on or off-site consumption wish to locate within 500 feet of the church, the church would not contest such use.

CITY OF CLERMONT
RESOLUTION NO. 2016-20

Section 2 – Land Use

1. 1203 Highway 50, Suite A, may be used as a church in addition to any permitted C-2 uses.



CITY OF CLERMONT
RESOLUTION NO. 2016-20

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

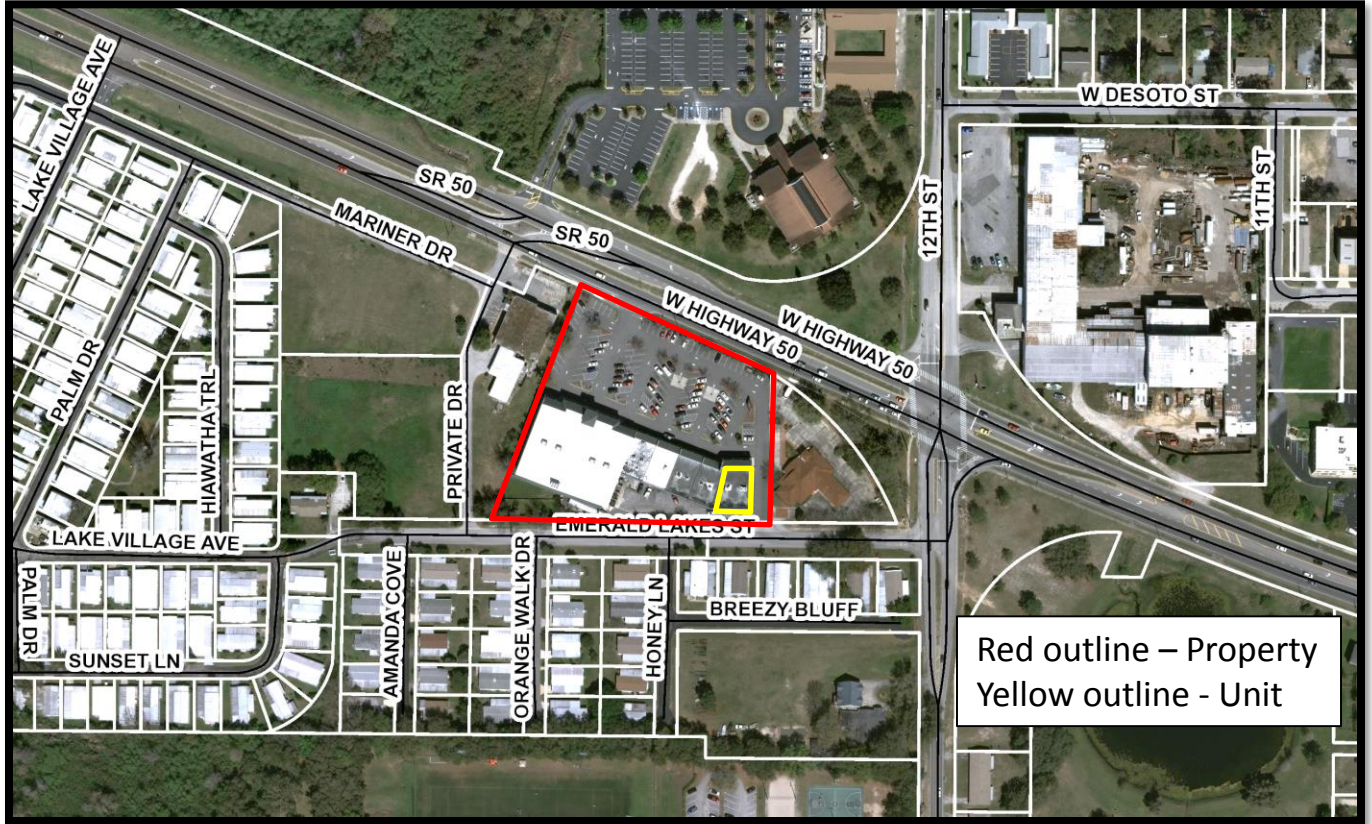
ATTEST:

Tracy Ackroyd Howe, City Clerk

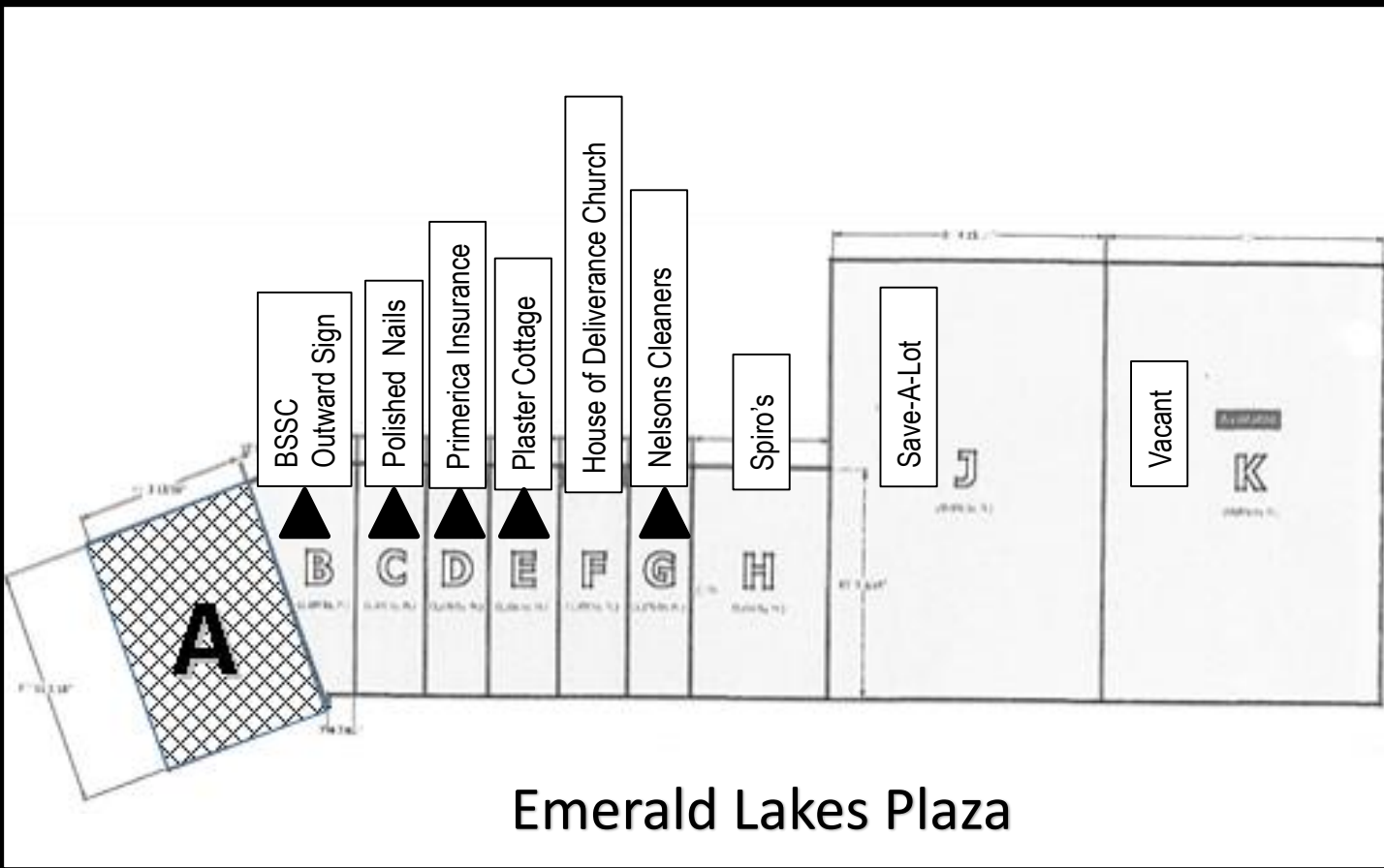
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Redemption Worship Center



Redemption Worship Center



Businesses closed on Sunday



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 4/28/2016

FEE: \$350

PROJECT NAME (if applicable): Redemption Worship Center

APPLICANT: Henry E. Rubin

CONTACT PERSON: Henry E. Rubin

Address: 12544 Hammock Pointe Circle

City: Clermont State: FL Zip: 34711

Phone: 321-247-2471 Fax: _____

E-Mail: redemptionwc@gmail.com

OWNER: Oceanfront Properties

Address: 900 Washington St

City: Hollywood State: FL Zip: 33019

Phone: _____ Fax: _____

Address of Subject Property: 1203 West Highway 50, Suite A, Clermont, FL 34711

General Location: Emerald Lakes Plaza 1203 Highway 50, Suite A, Clermont FL

Legal Description (include copy of survey): 1303761

Land Use (City verification required): Commercial

Zoning (City verification required): C-2

Redemption Worship Center



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

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

Our proposal is to operate a house of worship ~~and to hold monthly outdoor events for fundraising and for community events.~~ We are a new church, looking to move from the Days Inn Conference Room. Services are Sunday's and Wednesday evening Bible Study.

3,280 SF

Approx. 30 people

Henry P. Rubin
Applicant Name (print)

ARWALDO BAELOS
Owner Name (print)

x
Applicant Name (signature)
x
Owner Name (signature)

***** NOTICE *****

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY 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

**CITY OF CLERMONT
RESOLUTION
NO. 1560**

Page 1

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW A CHURCH FACILITY IN A
C-2 GENERAL COMMERCIAL DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held February 5, 2008 recommended for approval of this Conditional Use Permit to allow a church facility in a C-2 General Commercial District at the following location:

LOCATION

Emerald Lakes Plaza, Units A & F – South of Highway 50, west of 12th Street

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

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

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

CONDITIONS:

Section 1 - General Conditions

**CITY OF CLERMONT
RESOLUTION
NO. 1560**

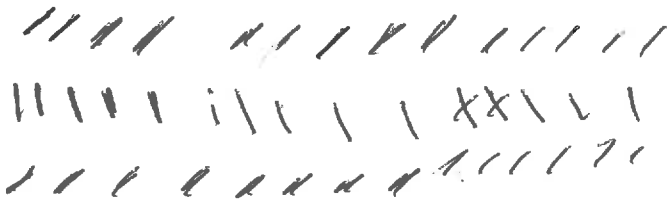
Page 2

5. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a certificate of occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. 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.
8. The Conditional Use Permit must be executed and filed in the office of the City Manager within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. This Conditional Use Permit shall have a life of three years from the time the applicant signs and returns this document to the office of the City Manager.
10. Should a business that sells alcoholic beverages for package or onsite consumption wish to locate within 500 feet of the church, the church would not contest a variance application to allow said use within 500 feet of the church. Also, the church shall not be opposed to any existing business within 500 feet selling alcoholic beverages for package or onsite consumption.

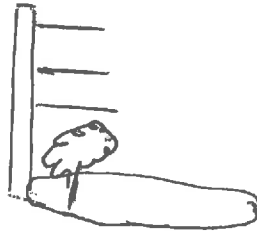
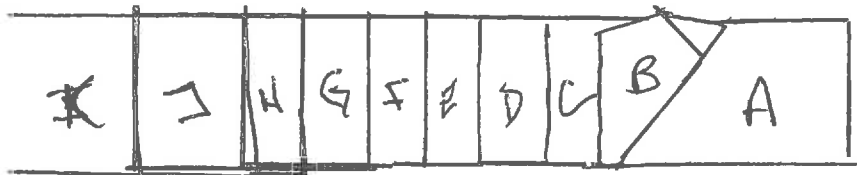
Section 2 – Land Use

1. 1203 Highway 50, Units A & F may be used as a church facility, in addition to any permitted C-2 General Commercial District uses. Units F and B may be switched with

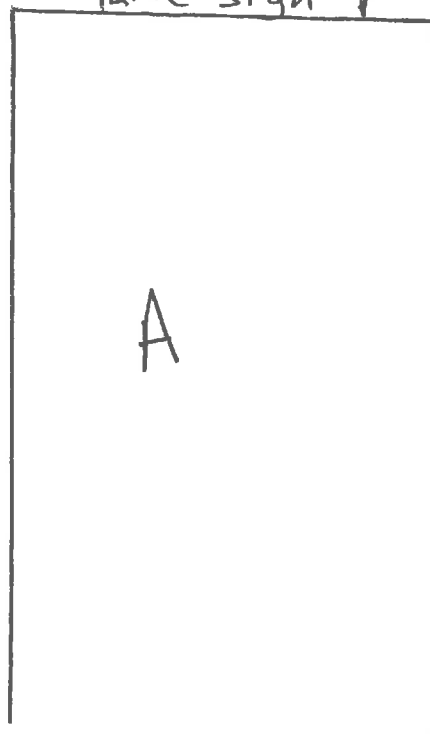
How 50



12th Street

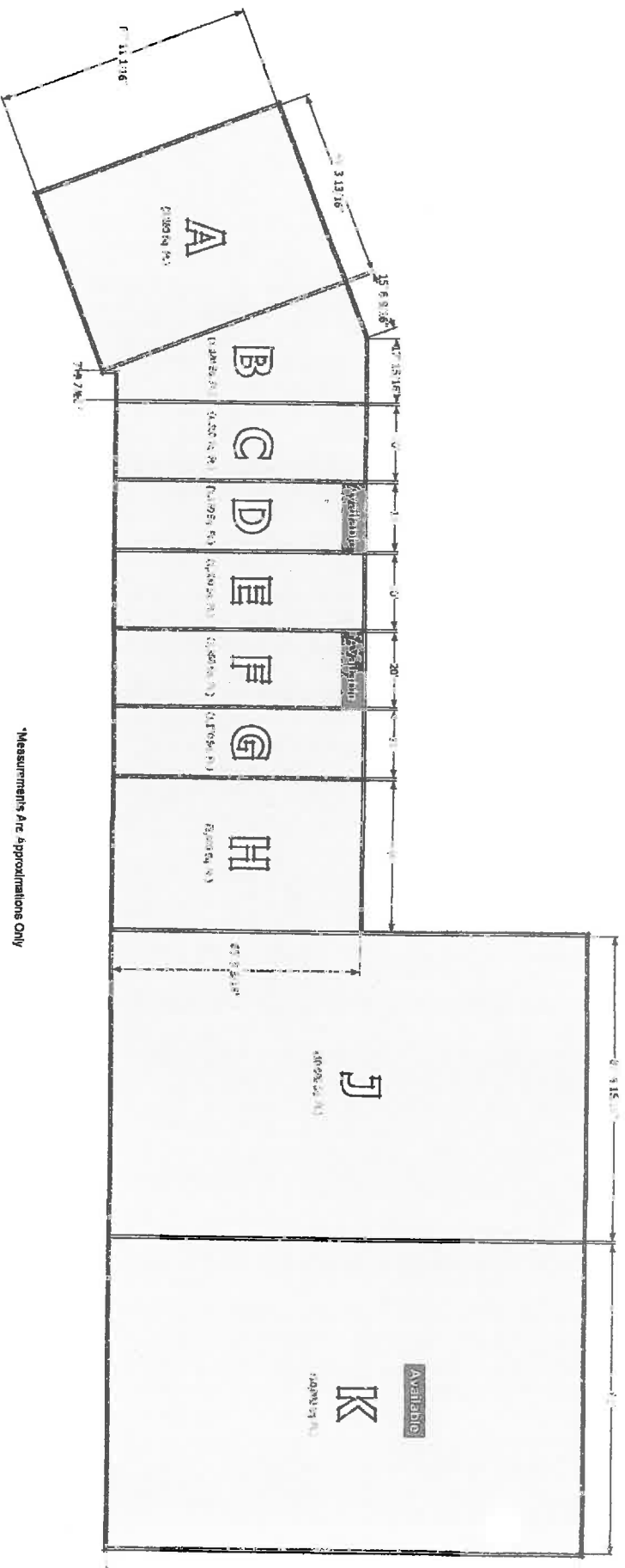


Lite sign



Emerald Lakes Plaza*

1208 W Highway 50 Clearwater, FL 34611



*Measurements Are Approximations Only

Redemption Workshop Center



CITY OF CLERMONT

Planning & Zoning

CONDITIONAL USE PERMIT

Article IX of the City Zoning Ordinance provides that the Conditional Use Permit shall not become effective for any reason unless and until the following events have occurred:

1. Permittees shall have agreed to each and every condition by properly executing and signing the Conditional Use Permit.
2. Such Conditional Use Permit executed as indicated shall have been filed in the office of the City Manager within ninety (90) days of its approval by City Council. Upon expiration of this period, the permit shall become null and void, and the permittees must apply for rehearing.
3. In the event of failure of the permittee to fulfill development in substantial accordance with the plans as submitted to the Planning and Zoning Commission and the City Council; comply with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or meet any of the terms of the Conditional Use Permit, the permit may be revoked after due public hearings before the Planning and Zoning Commission and the City Council.

PERMITTEE: Heart House Community Church
Edward W. Griffith
15009 Green Valley Blvd.
Clermont, FL 34711

CONDITIONAL USE PERMIT FOR: To allow a church facility in the C-2 General Commercial zoning district.

LOCATION: Emerald Lakes Plaza, Units A & F – South of Highway 50, west of 12th Street.

ZONING: C-2 General Commercial

RESOLUTION: No. 1560

EXECUTION DATE: This CUP must be signed and returned to the office of the City Manager by **May 26, 2008** or this permit shall expire and become null and void.

CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Marshall for life safety requirements, all requirements must be met prior to any certificate of occupancy being issued.
5. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a certificate of occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. 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.
8. The Conditional Use Permit must be executed and filed in the office of the City Manager within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. This Conditional Use Permit shall have a life of three years from the time the applicant signs and returns this document to the office of the City Manager.
10. Should a business that sells alcoholic beverages for package or onsite consumption wish to locate within 500 feet of the church, the church would not contest a variance application to allow said use within 500 feet of the church. Also, the church shall not be opposed to any existing business within 500 feet selling alcoholic beverages for package or onsite consumption.

Section 2 – Land Use

1. 1203 Highway 50, Units A & F may be used as a church facility, in addition to any permitted C-2 General Commercial District uses. Units F and B may be switched with City staff approval, if needed.

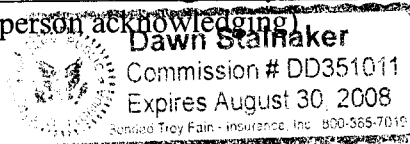
I, the undersigned, do hereby agree to each and every condition of this Conditional Use Permit.

Edward W. Griffith 3-3-08
Edward W. Griffith Date
Applicant

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 3rd day of March, 2008, by Edward W. Griffith.
(name of person acknowledging)

Dawn Stalnaker
Signature of Notary Public



Who is personally known to me or who has produced _____ as identification.

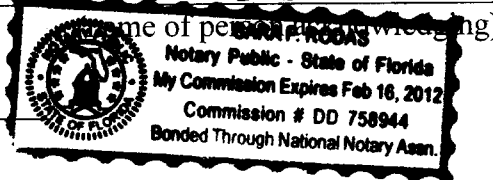
Arnaldo S. Debarros
Oceanfront Properties, Inc. - Property Owner

_____ Date

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 14 day of March, 2008, by Arnaldo S. Debarros.

Sue Rodas
Signature of Notary Public



Who is personally known to me or who has produced FLDL as identification.

Received in the office of the City Manager on March 3, 2008
Date

Jane S. Larose
Admin. Asst. to the City Manager

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a church facility in the C-2 General Commercial zoning district, at the following location:

LOCATION

1203 W. Highway 50, Suite A
Emerald Lakes Plaza
AK 1303761

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

This request will be considered by the Planning & Zoning Commission on Monday, June 13, 2016 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, June 28, 2016 at 6:30 P.M.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 6 and June 21, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Monday, June 13, 2016														
Agenda Item Name														
Pinecrest Lakes Academy Conditional Use Permit														
Requested Action														
Recommend approval of Resolution 2016-21.														
Staff Report														
The applicant is requesting to allow a private school facility within the M-1 Industrial zoning district. School facilities are designated as requiring a conditional use permit (CUP) within the M-1 zoning district. The applicant is proposing to utilize 1,600 square feet (Suite 103) of retail/office space available at 205 Hatteras Ave. This building was constructed as a 7,000-square-foot retail/office building within the M-1 Industrial zoning district. The school program is part of a recently approved charter issued to Pinecrest Academy Inc. by Lake County Schools. The proposed location will allow for 18 to 20 students and a staff of four. School hours are proposed as Monday through Friday, 8 a.m. to 4 p.m. Staff recommends approval of the CUP.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table><tr><td>1.</td><td>Resolution</td><td>CUP RES 2016-21.doc</td></tr><tr><td>2.</td><td>Location Map</td><td>Location Map 2.docx</td></tr><tr><td>3.</td><td>Application</td><td>Application.pdf</td></tr><tr><td>4.</td><td>Legal ad</td><td>Pinecrest Legal Ad.docx</td></tr></table>			1.	Resolution	CUP RES 2016-21.doc	2.	Location Map	Location Map 2.docx	3.	Application	Application.pdf	4.	Legal ad	Pinecrest Legal Ad.docx
1.	Resolution	CUP RES 2016-21.doc												
2.	Location Map	Location Map 2.docx												
3.	Application	Application.pdf												
4.	Legal ad	Pinecrest Legal Ad.docx												

**CITY OF CLERMONT
RESOLUTION NO. 2016-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR A SCHOOL FACILITY
IN THE M-1 INDUSTRIAL ZONING DISTRICT**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 13, 2016 recommended approval of this Conditional Use Permit to allow for a school facility in the M-1 Industrial zoning district; at the following location:

LOCATION:
205 Hatteras Avenue
AK 3734181

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

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

This application for a Conditional Use Permit to allow for a school facility in the M-1 Industrial zoning district; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.

CITY OF CLERMONT
RESOLUTION NO. 2016-21

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. 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.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. 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.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
12. Should the school use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.
13. Should any business; existing or future, that sells alcoholic beverages for on or off-site consumption wish to locate within 500 feet of the school, the school would not contest such use.

Section 2 – Land Use

1. The property is approved for use as a school facility as well as uses permitted with the M-1 zoning district.
2. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.

CITY OF CLERMONT
RESOLUTION NO. 2016-21

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

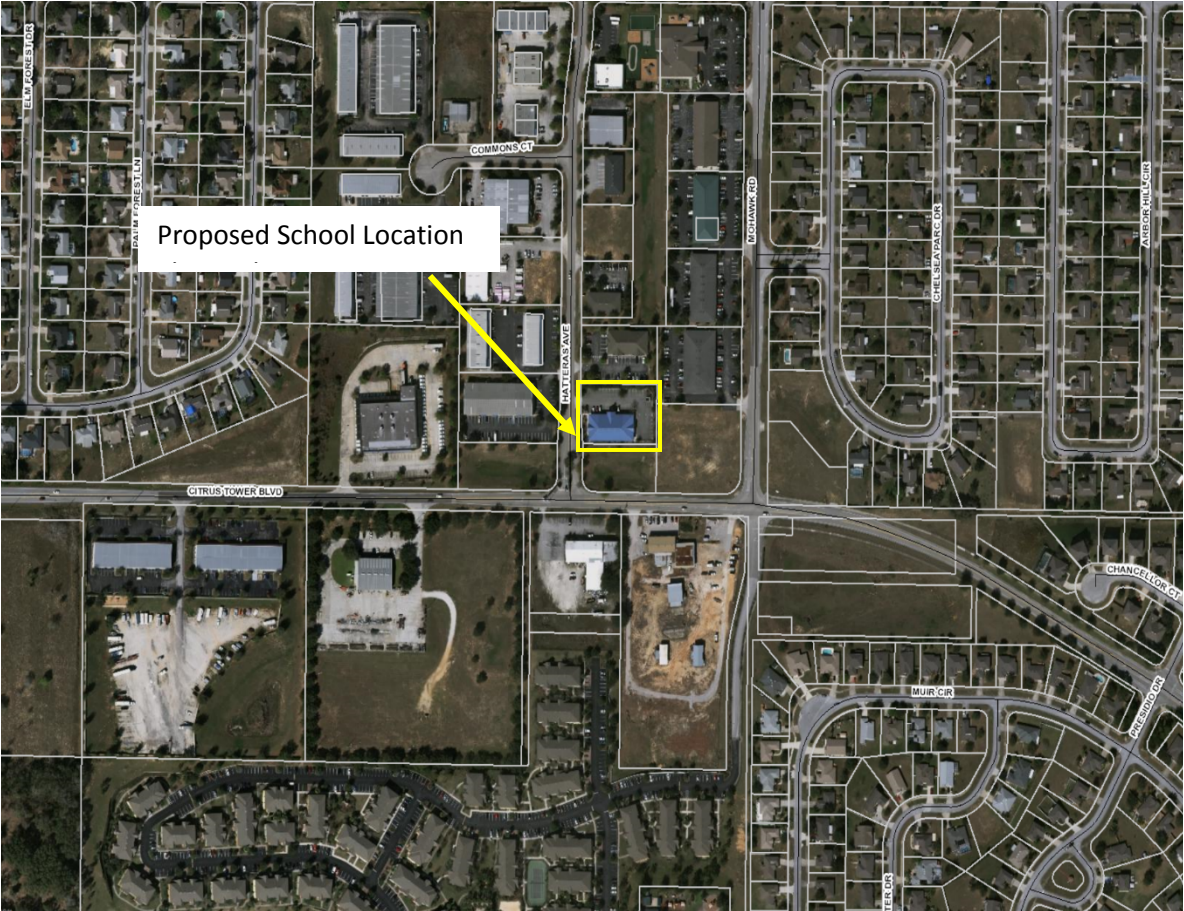
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Maps





**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: May 2, 2016

FEE: 300.00

PROJECT NAME (if applicable): Pinecrest Lakes Academy

APPLICANT: Pinecrest Academy, Inc

CONTACT PERSON: Rolando Llanes / FERNANDO BARROSO 407-754-6311

Address: 8323 NW 12th St.

City: Miami State: Florida Zip: 33126

Phone: 305-593-9959 Fax: _____

E-Mail: RLlanes@CivicaGroup.com

OWNER: Schultz Street Investments, LLC

Address: 1201 S Orlando Ave., Ste. 100

City: Winter Park State: Florida Zip: 32789

Phone: _____ Fax: _____

Address of Subject Property: 205 Hatteras Ave., Clermont, FL 34711

General Location: _____

NE Corner of Hatteras Ave. and Citrus Tower Blvd.

Legal Description (include copy of survey): Lot 13, CLERMONT
COMMONS, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 37, PAGE 60, PUBLIC
RECORDS OF LAKE COUNTY, FLORIDA.

Land Use (City verification required): OFFICE 1 STORY (1700)

Zoning (City verification required): M-1 Industrial District

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

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a school facility in the M-1 Industrial zoning district, at the following location:

LOCATION

205 Hatteras Avenue
AK 3734181

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

This request will be considered by the Planning & Zoning Commission on Monday, June 13, 2016 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, June 28, 2016 at 6:30 P.M.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 6 and June 21, 2016



AGENDA ITEM

Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Citrus Tower Blvd. Self Storage Comprehensive Plan Amendment		
Requested Action		
Recommend approval of Ordinance 2016-24.		
Staff Report		
The applicant, Jan-Mar, LLC, is requesting a small-scale comprehensive plan amendment for the subject property. The property is approximately five acres in size. This request is being heard concurrently with requests for annexation, rezoning and a conditional use permit. The applicant wishes to redevelop the property and have City services available. The small-scale comprehensive plan amendment would change the future land use from Lake County's Regional Office to the City's Industrial designation. While the applicant and staff initially looked at the Commercial future land use designation for the parcel, due to limitations in the floor area ratio of 0.25 and the end use of a self-storage facility being greater than this, this would have been inconsistent with the comprehensive plan for Commercial. The Industrial future land use allows up to a 1.0 floor area ratio and is consistent with the existing adjacent future land use to the north and partially to the west. The High Density Residential to the southwest and south is also a consistent use with the Industrial future land use. Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Regional Office to Industrial in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance	CPA Ord. 2016-24.doc
2.	Maps	Citrus Tower Self Storage.pdf
3.	Application	CPA application.pdf
4.	Survey	Survey.pdf
5.	Legal ad	Citrus Tower Self Storage CPA legal ad.docx

CITY OF CLERMONT
ORDINANCE No. 2016-24

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

PARCEL NO. 1:

The eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

AND

CITY OF CLERMONT
ORDINANCE No. 2016-24

PARCEL NO. 2:

The west ½ of Tract 5, Section 20, Township 22 South, Range 26, East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, less the west 268.72 thereof.

Also less and except the following described lands:

Commence at the north ¼ corner of Section 20, Township 22 South, Range 26 East, Lake County, Florida, thence run south 89°56'13" west for a distance of 15.03 feet; thence run south 00°31'11" east for a distance of 15.00 feet to a point on the west line of a 15.00 feet wide right of way lying on the east side of Tract 5 as shown on the plat of Lake Highlands Company, in Section 20, Township 22 South, Range 26 East, Lake Highlands Company according to the plat thereof, as recorded in Plat Book 3, Page 30 Public Records of Lake County, Florida, said point being the point of beginning; thence continue south 00°31'11" east along said west line of a 15.00 feet wide right of way for a distance of 653.63 feet to the south line of said Tract 5; thence run S 89°57'52" west along said south line for a distance of 60.36 feet; thence leaving said south line run north 00°31'11" west for a distance of 250.70 feet to the beginning of a tangent curve concave to the southeast and have a radius of 530.00 feet; thence run northeasterly along the arc of said tangent curve for a distance of 147.92 feet through a central angle of 15°59'26" to a point of tangency; thence run N 14°00'19" for a distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run north 53°44'01" west for a distance of 30.97 feet to the south right of way line of Mohawk Road; thence run north 89°56'13" east along said south right of way line for a distance of 34.47 feet to the point of beginning.

Containing 5.33 Acres +/-

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM LAKE COUNTY REGIONAL OFFICE
TO CITY OF CLERMONT INDUSTRIAL

Section 2.

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

Section 3.

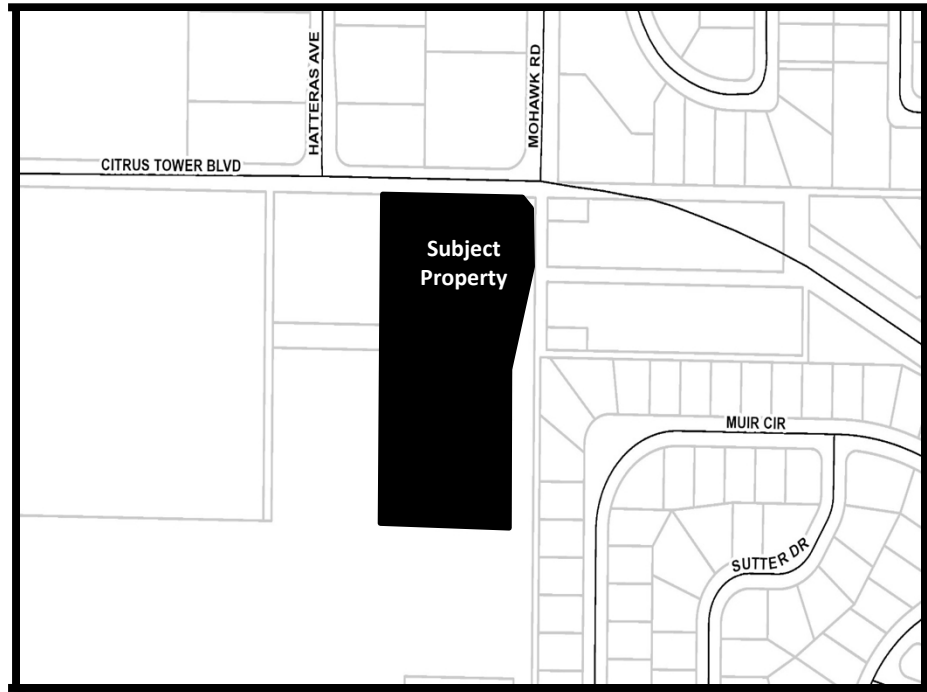
All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

CITY OF CLERMONT
ORDINANCE No. 2016-24

Section 4.

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.

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-24

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Citrus Tower Blvd Self Storage

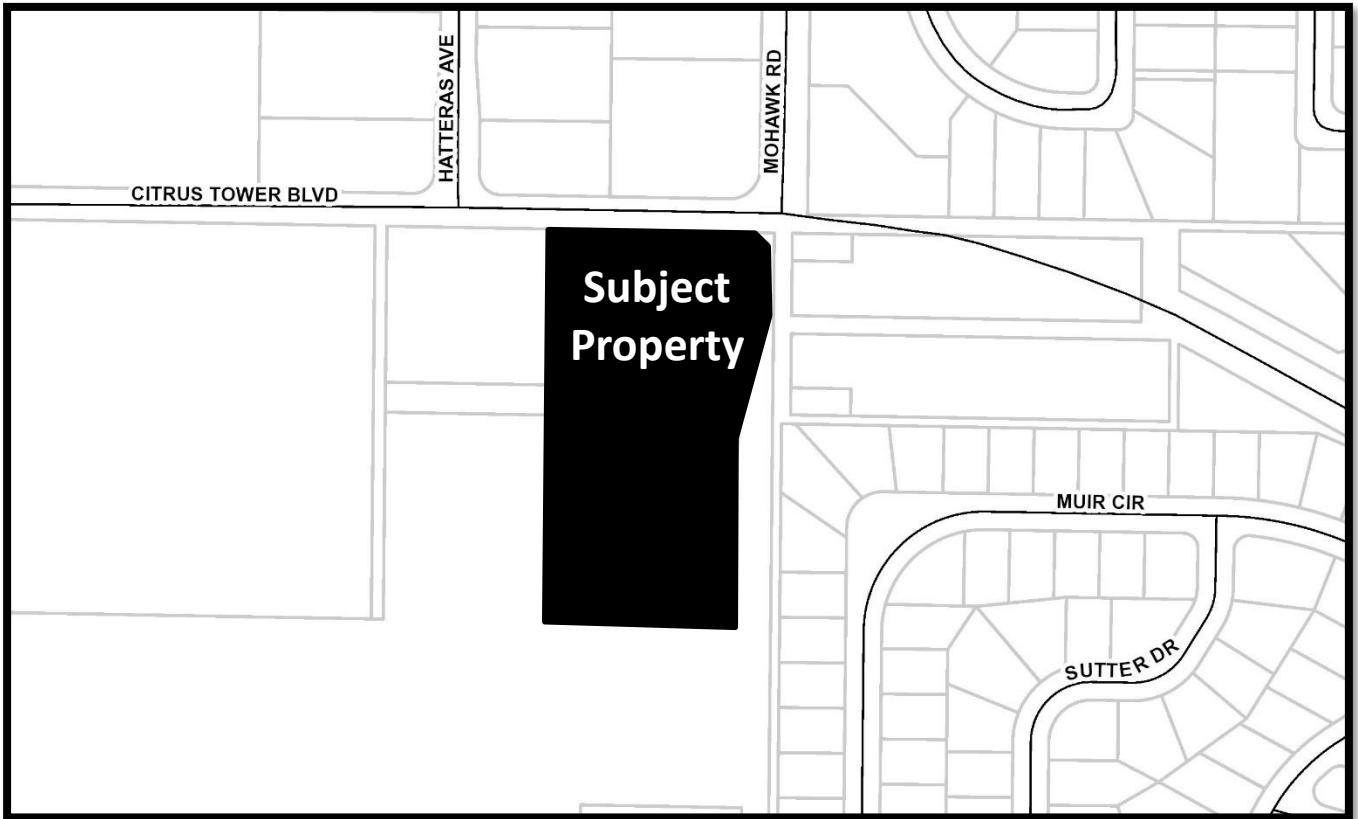


Exhibit – Future Land Use
Citrus Tower Blvd Self Storage

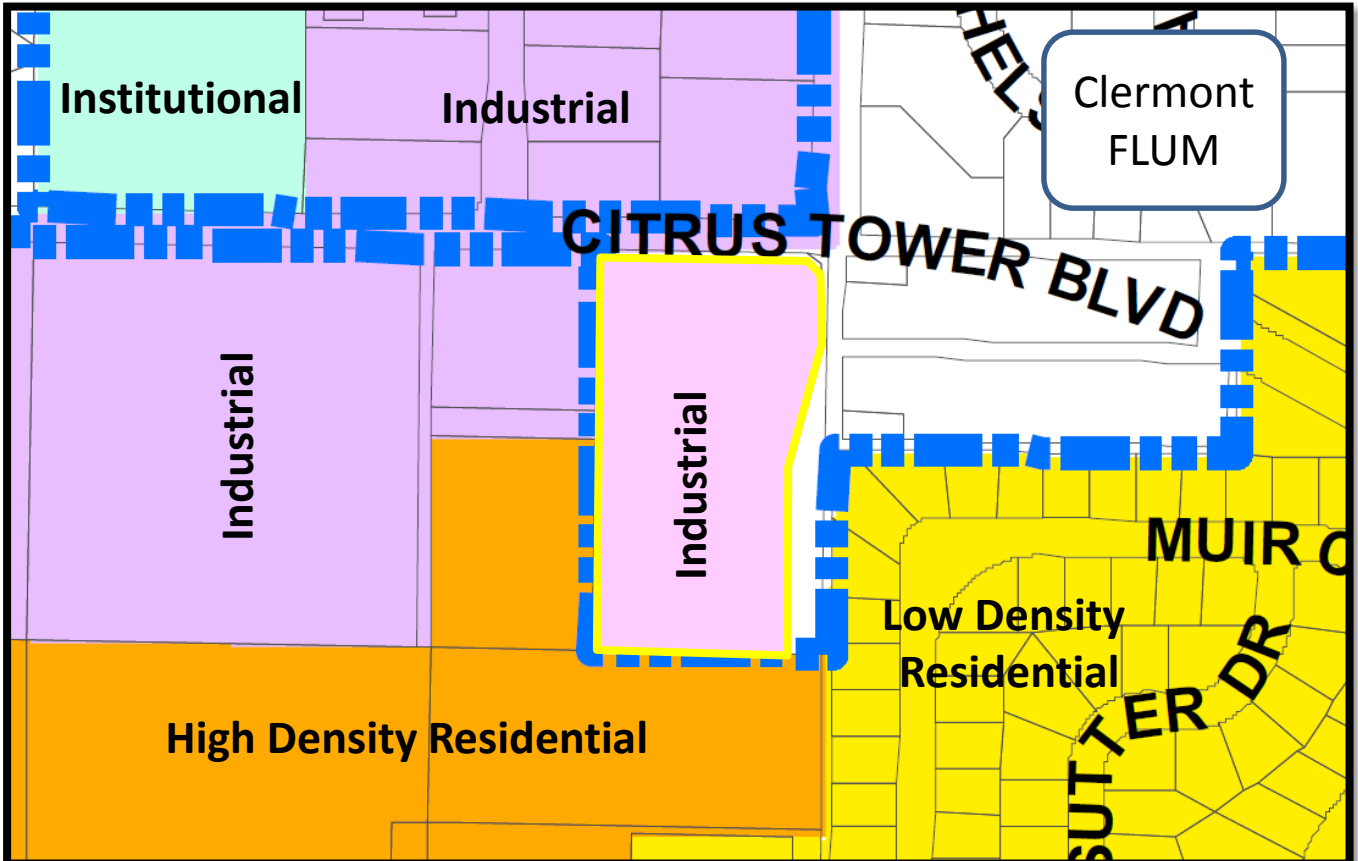
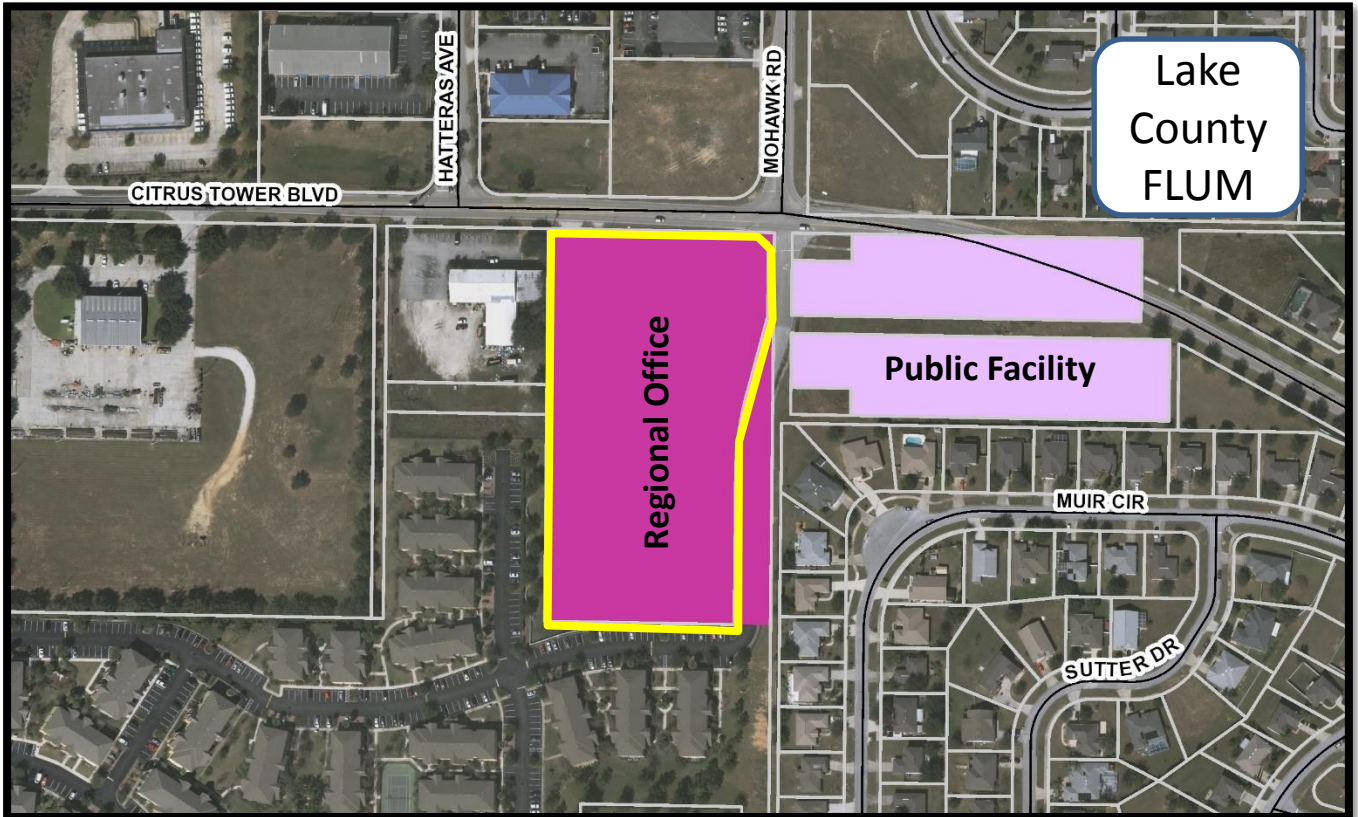
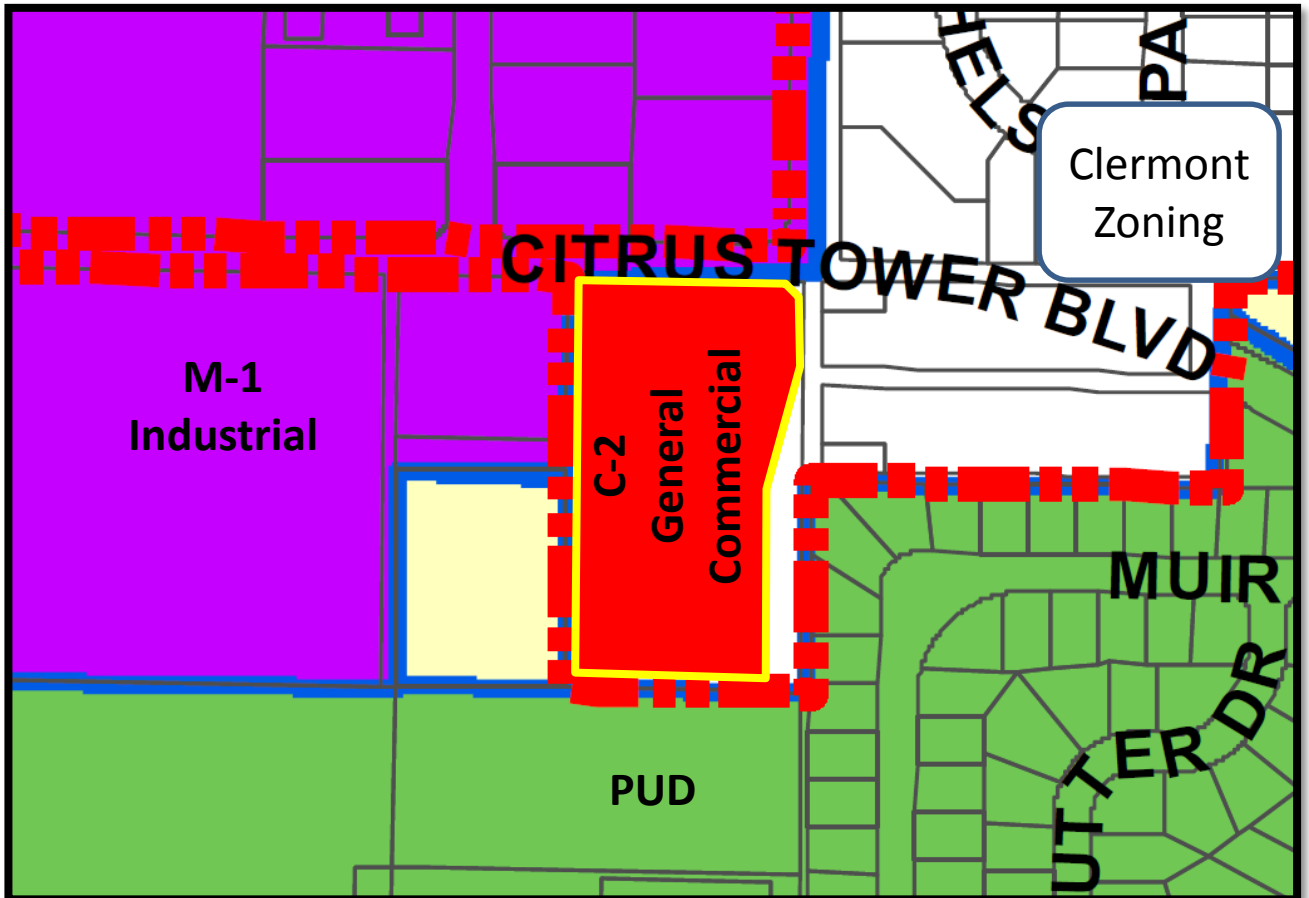


Exhibit – Zoning
Citrus Tower Blvd Self Storage





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: April 28, 2016

FEE: \$500.00

Project Name (if applicable): Citrus Tower Boulevard Self Storage

Applicant: Jan-Mar, LLC

Contact Person: Robert Thompson, Managing Partner

Address: 11905 Egret Bluff

City: Clermont State: FL Zip: 34711

Phone: 321-689-5785 Fax: _____

E-Mail: rt1958@earthlink.net

OWNER: Little Raskals Partnership

Address: 8687 Bunch Flower Court

City: Westerville State: OH Zip: 43082

Phone: 407-758-1945 Fax: _____

E-Mail: aaronblake@gmail.com

General Location: 423 Citrus Tower Boulevard, Clermont, FL

Legal Description (include copy of survey): See Attached & Survey

Property size (in acres or square feet): _____

Flood hazard area (yes) _____ and approx. acreage 5.33 +/- (no) X

Existing (Actual) Land Use: Industrial

Existing Zoning: UE

Existing Future Land Use: Industrial

Proposed Future Land Use: C-2 (General Commercial)

Type of development proposed: Commercial (self storage)

Proposed density (dwelling units/acre) or intensity: _____

Proposed Zoning District: Commercial

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

Owner desires annexation in order to utilize city utilities for new business.

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

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

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

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

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

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Robert Thompson

_____ , who being

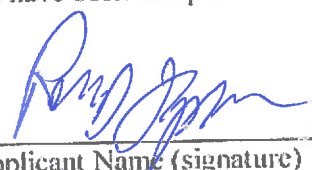
by me first duly sworn on oath, deposes and says:

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

Robert Thompson

Affiant - Applicant Name (print)

X

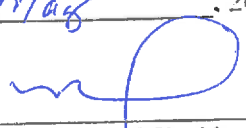


Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 2nd day of May, 2016.

X



Notary Public, State of Florida at Large



My Commission Expires: 09/21/18

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Charlene Lieb, who being

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

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Lake County to City of Clermont for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Robert D. Thompson to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

CHARLENE LIEB
Affiant - Applicant Name (print)

X Charlene Lieb
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 2 day of May, 2016.



ADAM TROWBRIDGE
Notary Public, State of Ohio
My Commission Expires Oct. 14, 2019

X [Signature]
Notary Public, State of Florida at Large
State of Ohio

My Commission Expires: 10-14-19

Parcel 1: The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

Parcel 1:
The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plot of Lake Highland Company, recorded in Plot Book 3, Page 30, Public Records of Lake County, Florida.

Parcel 2:
The West 1/2 of Tract 5, Section 20, Township 22 South, Range 26 East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, LESS the West 266.72 feet thereof.

Also less and except the following described lands:

Commence at the North 1/4 corner of Section 20, Township 22 South, Range 28 East, Lake County, Wisconsin; thence S 89°16'13" E along the West line of said Section 20, Township 22 South, Range 28 East, Lake County, Wisconsin, for a distance of 630.0 feet; thence S 03°31'11" E for a distance of 15.00 feet to the point on the West line of a 15.00 feet wide right of way lying on the East side of Tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 20, Township 22 South, Range 28 East, Lake Highlands Company, according to a plat recorded in the office of the Register of Deeds for Lake County, Wisconsin, under the name of LAKE HIGHLANDS COMPANY, Record No. 7033-11-1; thence N 88°58'13" E along said West line of a 15.00 feet wide right of way for a distance of 633.63 feet to the South line of said Tract 5, thence run S 89°37'32" W along said South line for a distance of 60.36 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 530.00 feet; thence follow said curve for a distance of 147.92 feet through a dense growth of trees to the center of tangency thence run N 14°00'18" for a distance of 120.34 feet Northwesterly along the arc of said tangent curve for a distance of 147.92 feet through a dense growth of trees to the South right of way line of Mohawk Road; thence run N 89°58'13" E along said South right of way line for a distance of 35.47 feet to the Point of Beginning.

Surveyor's Certification
I hereby certify to Jan-Mor LLC that this Map of Boundary Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL
PURPOSES ONLY AND IS NOT VALID.

JEFFREY P. RHODEN PSM #5322

STATE OF FLORIDA
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RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL
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LEGEND:

O	denotes sat 1/2" iron rod & cap marked LB 8900
BFP	denotes back flow preventer
Ebox	denotes electric box
LP	denotes light pole
ohw	denotes overhead wires
SSMH	denotes sanitary sewer manhole
STMH	denotes storm manhole
UP	denotes utility pole

Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

Drawn by JPR	<i>Rhodens Land Surveying, Inc.</i> LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255
Scale: 1"=30'	

LEGEND:

○	Denotes sat 1/2" iron rod & cap marked "B-8980"
BFP	denotes back flow preventer
Ebox	denotes electric box
LP	denotes light pole
ohw	denotes overhead wires
SSARH	denotes sanitary sewer manhole
STMH	denotes storm manhole
UP	denotes utility pole

Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

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Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

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Scale: 1"=30'	

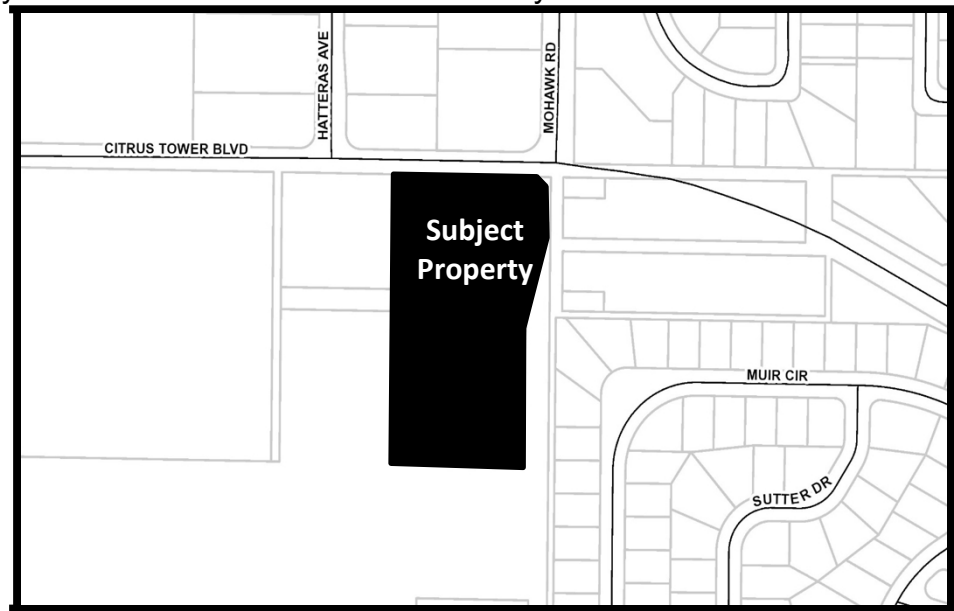
CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE

Small-Scale Comprehensive Plan Amendment

ORDINANCE NO. 2016-24

The City of Clermont will hold public hearings on Monday, June 13, 2016 at 6:30 p.m. at the Planning and Zoning Commission; Tuesday, June 14, 2016 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, June 28, 2016 (final reading of the adoption ordinance) at 6:30 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 5.33 +/-acre parcel below from Lake County Regional Office to City of Clermont Industrial. Alternate Key 1647746.



Location: 423 Citrus Tower Boulevard
Ordinance #2016-24:

An ordinance of the City of Clermont, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the small-scale comprehensive plan amendment; setting forth the purpose and intent of the small-scale comprehensive plan amendment; providing for the adoption of the small-scale comprehensive plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 241-7302 if you have any questions.

The proposed amendment may be inspected at the City's Development Services department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings will need a record of the proceedings and may need to ensure a verbatim record is made.

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

Tracy Ackroyd Howe, MMC

Daily Commercial
June 3 and June 14, 2016

City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date																	
Monday, June 13, 2016																	
Agenda Item Name																	
Citrus Tower Blvd. Self Storage Rezoning																	
Requested Action																	
Recommend approval of Ordinance 2016-25.																	
Staff Report																	
The applicant, Jan-Mar, LLC, is requesting a rezoning of the subject property. This request is being heard concurrently with requests for annexation, small-scale comprehensive plan amendment, and a conditional use permit. Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to C-2 General Commercial in order to redevelop the property as a self-storage facility. Under Section 122-224, self-storage facilities are a conditional use in the C-2 district. The property historically has been used for industrial uses, such as a truss manufacturing plant, and was zoned Planned Industrial in Lake County. Because the applicant's intention is to use the property for commercial instead of industrial uses, the requested zoning is C-2. The Industrial future land use allows general commercial activities, as stated in Policy 1.10.2 of the comprehensive plan. The applicant has applied for a conditional use permit for the self-storage facility since it is a conditional use under the C-2 district and will have one building with more than 20,000 square feet of floor space. Staff has reviewed the applicant's proposal and concurs that general commercial at this location is consistent with the uses in the area, such as Family Dollar across the street and other commercial uses along Citrus Tower Boulevard in the vicinity. Therefore, staff recommends approval of the rezoning to C-2 General Commercial.																	
Additional Analysis																	
Fiscal Impact Summary																	
Fiscal Impact	Fund Number and Description	Available Budget Amount															
Exhibits Attached (copies of original agreements)																	
<table><tr><td>1.</td><td>Ordinance</td><td>REZ ORD 2016-25.doc</td></tr><tr><td>2.</td><td>Maps</td><td>Citrus Tower Self Storage.pdf</td></tr><tr><td>3.</td><td>Application</td><td>REZ application.pdf</td></tr><tr><td>4.</td><td>Survey</td><td>Survey.pdf</td></tr><tr><td>5.</td><td>Legal ad</td><td>Citrus Tower Self Storage REZ legal ad.docx</td></tr></table>			1.	Ordinance	REZ ORD 2016-25.doc	2.	Maps	Citrus Tower Self Storage.pdf	3.	Application	REZ application.pdf	4.	Survey	Survey.pdf	5.	Legal ad	Citrus Tower Self Storage REZ legal ad.docx
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3.	Application	REZ application.pdf															
4.	Survey	Survey.pdf															
5.	Legal ad	Citrus Tower Self Storage REZ legal ad.docx															

CITY OF CLERMONT
ORDINANCE No. 2016-25

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

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

SECTION 1:

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

LEGAL DESCRIPTION

PARCEL NO. 1:

The eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

AND

PARCEL NO. 2:

The west ½ of Tract 5, Section 20, Township 22 South, Range 26, East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, less the west 268.72 thereof.

Also less and except the following described lands:

Commence at the north ¼ corner of Section 20, Township 22 South, Range 26 East, Lake County, Florida, thence run south 89°56'13" west for a distance of 15.03 feet; thence run south 00°31'11" east for a distance of 15.00 feet to a point on the west line of a 15.00 feet wide right of way lying on the east side of Tract 5 as shown on the plat of Lake Highlands Company, in Section 20, Township 22 South, Range 26 East, Lake Highlands Company according to the plat thereof, as recorded in Plat Book 3, Page 30 Public Records of Lake County, Florida, said point being the point of beginning; thence continue south 00°31'11" east along said west line of a 15.00 feet wide right of way for a distance of 653.63 feet to the south line of said Tract 5; thence run S 89°57'52" west along said south line for a distance of 60.36 feet; thence leaving said south line run north 00°31'11" west for a distance of 250.70 feet to the beginning of a tangent curve concave to the southeast and have a radius of 530.00 feet; thence run northeasterly along the arc of said tangent curve for a distance of 147.92 feet through a central angle of 15°59'26" to a point of tangency; thence run N 14°00'19" for a

CITY OF CLERMONT
ORDINANCE No. 2016-25

1

distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run north 53°44'01" west for a distance of 30.97 feet to the south right of way line of Mohawk Road; thence run north 89°56'13" east along said south right of way line for a distance of 34.47 feet to the point of beginning.

Containing 5.33 Acres +/-

From: UE Urban Estate
To: C-2 General Commercial

SECTION 2:

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

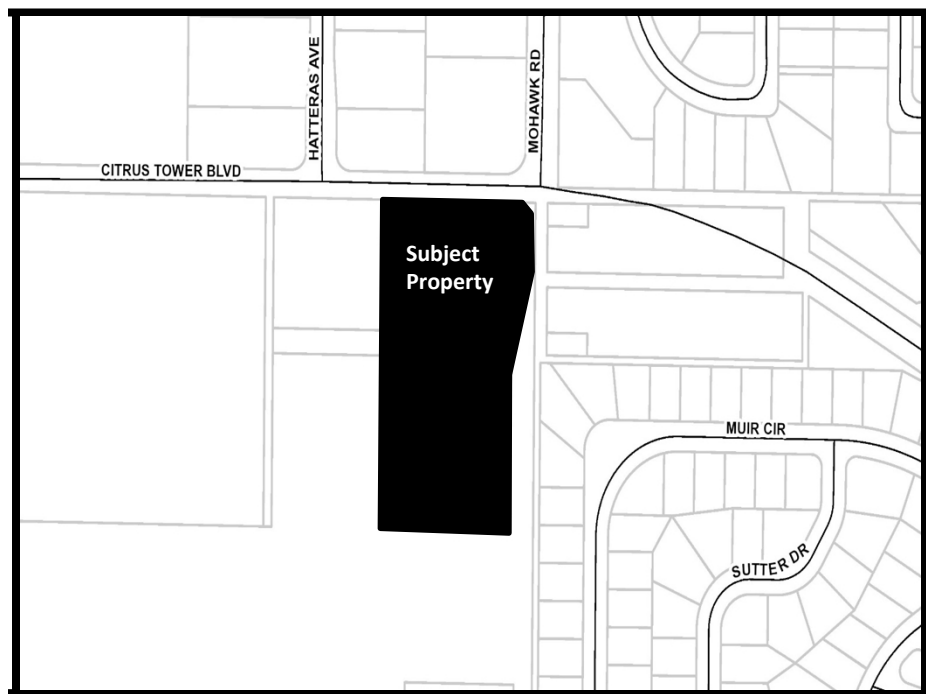
SECTION 3:

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

SECTION 4:

The provisions of this Ordinance shall be effective as provided by law.

Location map:



CITY OF CLERMONT
ORDINANCE No. 2016-25

2

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Citrus Tower Blvd Self Storage

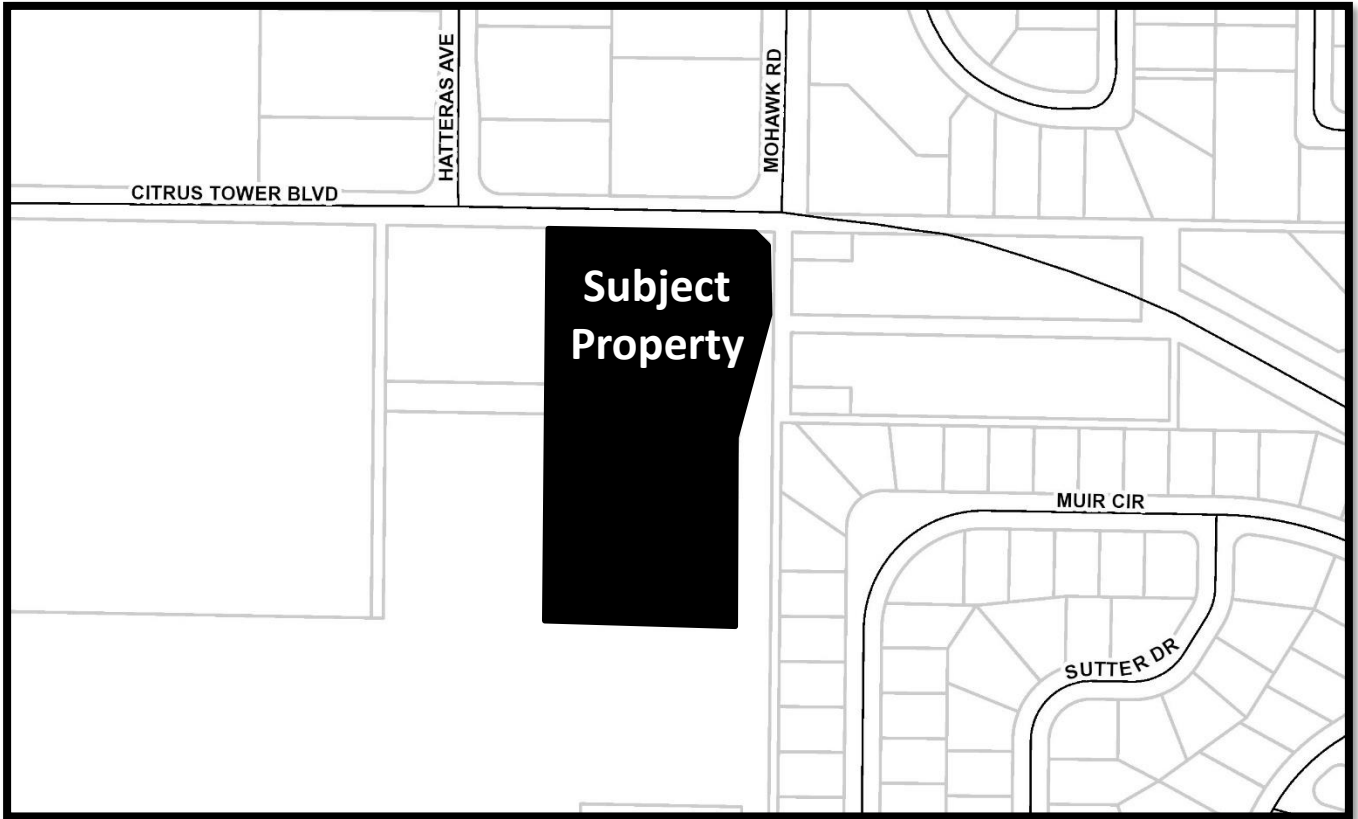


Exhibit – Future Land Use
Citrus Tower Blvd Self Storage

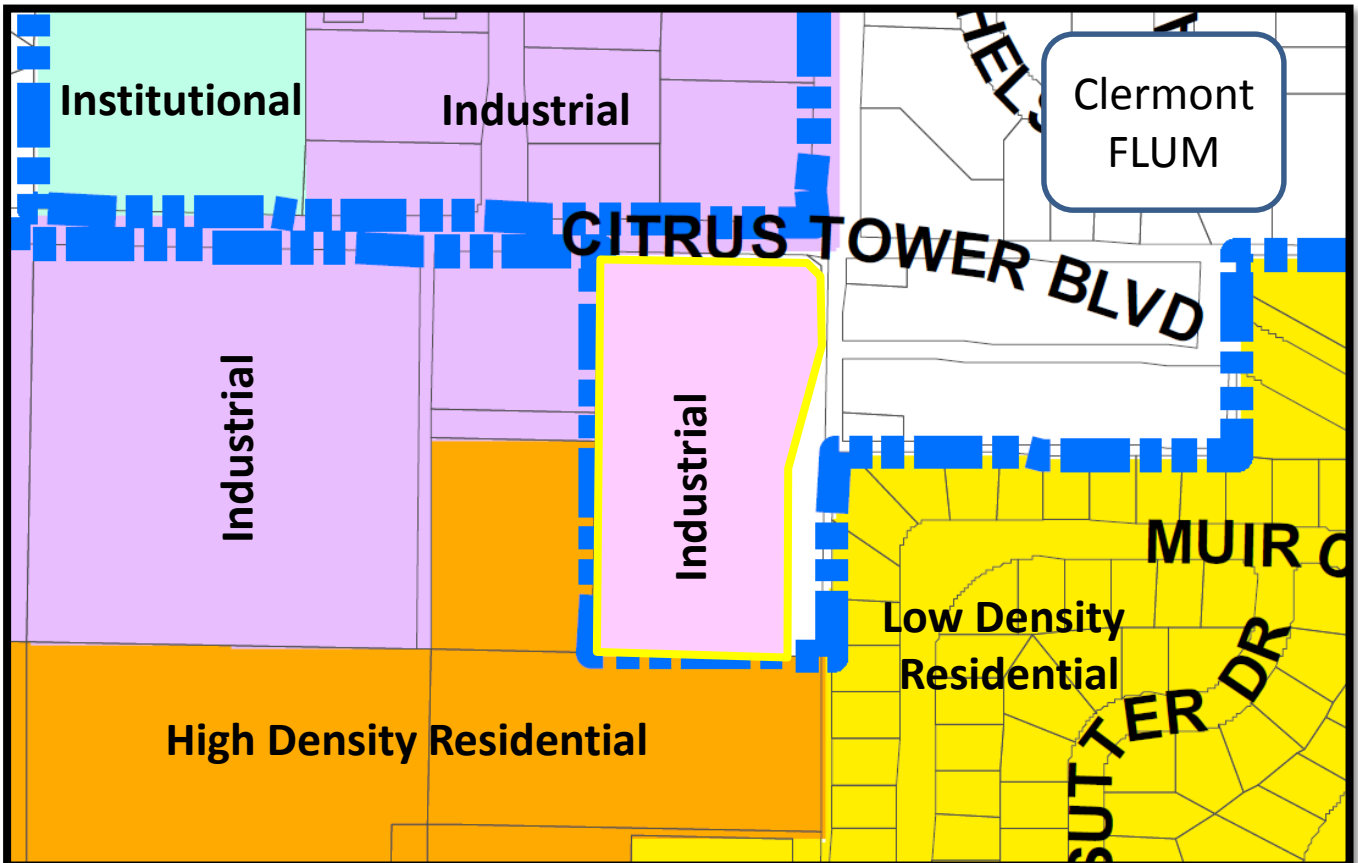
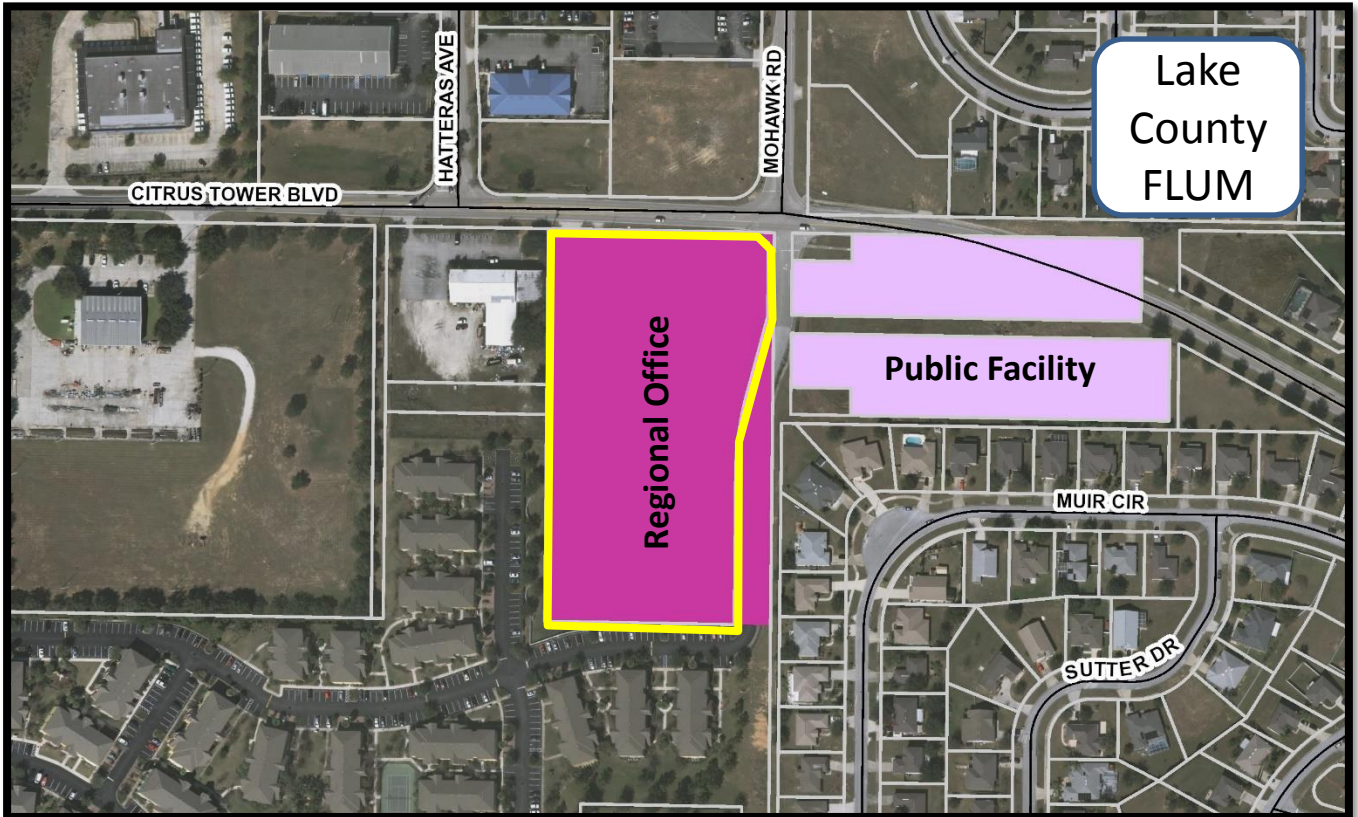
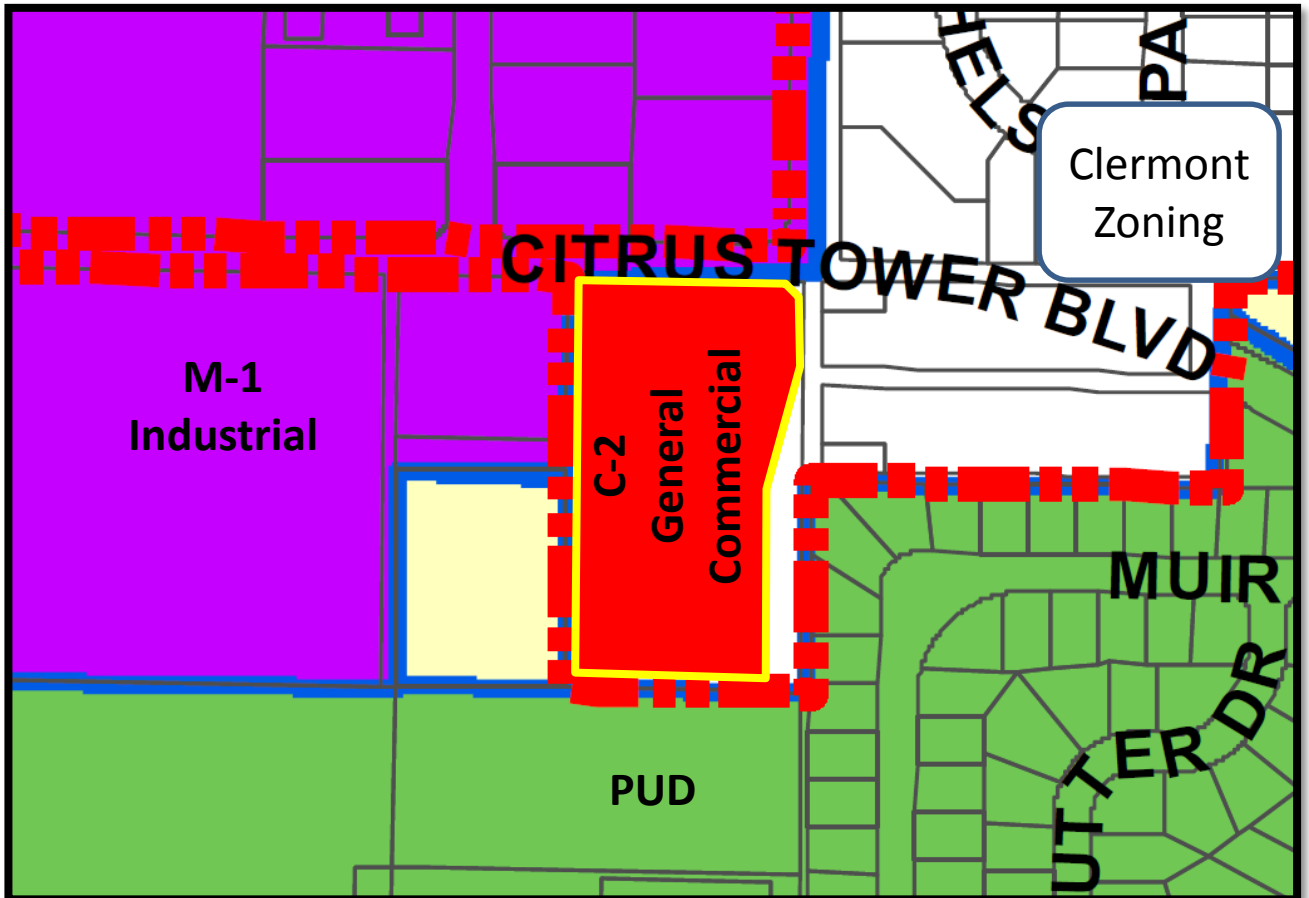


Exhibit – Zoning
Citrus Tower Blvd Self Storage





CITY OF CLERMONT
REZONING
APPLICATION

DATE: April 27, 2016

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): Citrus Tower Boulevard Self Storage

APPLICANT: Jan-Mar, LLC

CONTACT PERSON: Robert Thompson

Address: 11905 Egret Bluff

City: Clermont State: FL Zip: 34711

Phone: 321-689-5785 Fax: _____

E-Mail: rt1958@earthlink.net

OWNER: Little Raskals Partnership

Address: 8687 Bunch Flower Court

City: Westerville State: OH Zip: 43082

Phone: 407-758-1945 Fax: _____

Address of Subject Property: 423 Citrus Tower Boulevard, Clermont, FL

Legal Description (include copy of survey): See Attached & Survey

Acreage: 5.33 +/- acres Land Use: Industrial
(City verification required)

Present Zoning: UE Proposed Zoning: C-2, General Commercial
(City verification required)

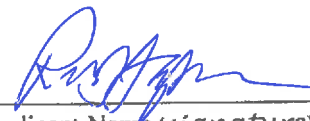
CITY OF CLERMONT
REZONING
APPLICATION
Page 2

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

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

Annexation from Lake County in order to utilize city utilities for new business.

Robert D. Thompson
Applicant Name (print)

x 
Applicant Name (signature)

CHARLENE KIEB
Owner Name (print)

x 
Owner Name (signature)

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

Parcel 1: The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

Parcel 1:
The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plot of Lake Highland Company, recorded in Plot Book 3, Page 30, Public Records of Lake County, Florida.

Parcel 2:
The West 1/2 of Tract 5, Section 20, Township 22 South, Range 26 East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, LESS the West 266.72 feet thereof.

Also less and except the following described lands:

Commence at the North 1/4 corner of Section 20, Township 22 South, Range 28 East, Lake County, Wisconsin; thence S 89°16'13" E along the West line of said Section 20, Township 22 South, Range 28 East, Lake County, Wisconsin, for a distance of 630.0 feet; thence S 03°31'11" E for a distance of 15.00 feet to the point on the West line of a 15.00 feet wide right of way lying on the East side of Tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 20, Township 22 South, Range 28 East, Lake Highlands Company, according to a plat recorded in the office of the Register of Deeds for Lake County, Wisconsin, under the name of LAKE HIGHLANDS COMPANY, Record No. 2033-11-1, at the POINT OF BEGINNING; thence S, continue S 03°31'11" E along said West line of a 15.00 feet wide right of way for a distance of 633.63 feet to the South line of said Tract 5, thence run S 89°37'32" W along said South line for a distance of 60.36 feet to the beginning of a tangent curve concave to the Southeast and having a radius of 530.00 feet; thence follow said curve for a distance of 147.92 feet through a dense growth of trees to the center of tangency thence run N 14°00'19" E for a distance of 120.34 feet Northwesterly along the arc of said tangent curve to the center of tangency; thence run S 89°58'13" E along said South right of way line for a distance of 35.47 feet to the Point of Beginning.

Surveyor's Certification
I hereby certify to Jan-Mor LLC that this Map of Boundary Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL
PURPOSES ONLY AND IS NOT VALID.

JEFFREY P. RHODEN PSM #5322

STATE OF FLORIDA
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RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
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LEGEND:

O	denotes sat 1/2" iron rod & cap marked LB 8900
BFP	denotes back flow preventer
Ebox	denotes electric box
LP	denotes light pole
ohw	denotes overhead wires
SSMH	denotes sanitary sewer manhole
STMH	denotes storm manhole
UP	denotes utility pole

Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

Drawn by JPR	<i>Rhodens Land Surveying, Inc.</i> LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255
Scale: 1"=30'	

LEGEND:

○	Denotes sat 1/2" iron rod & cap marked "B-8980"
BFP	denotes back flow preventer
Ebox	denotes electric box
LP	denotes light pole
ohw	denotes overhead wires
SSARH	denotes sanitary sewer manhole
STMH	denotes storm manhole
UP	denotes utility pole

Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

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LEGEND:

○	Denotes sat 1/2" iron rod & cap marked "B-8980"
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Field Date	Prepared for:	00160.003
03/20/18	Jan-Mar LLC	

Drawn by JPR	<i>Rhodens Land Surveying, Inc.</i> LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255
Scale: 1"=30'	

LEGAL NOTICE

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

ORDINANCE NO. 2016-25

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

423 Citrus Tower Boulevard, Alternate Key 1647746

LEGAL DESCRIPTION

PARCEL NO. 1:

The Eastern one-half (1/2) of Tract 5, Section 20, Township 22 South, Range 26, East, according to the plat of Lake Highlands Company, recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida.

AND

PARCEL NO. 2:

The West ½ of Tract 5, Section 20, Township 22 South, Range 26, East, Lake Highlands Company, according to the plat thereof, as recorded in Plat Book 3, Page 30, Public Records of Lake County, Florida, LESS the West 268.72 thereof.

Also less and except the following described lands:

Commence at the North ¼ corner of Section 20, Township 22 South, Range 26 East, Lake County, Florida, thence run S 89°56'13" W for a distance of 15.03 feet; thence run S 00°31'11" E for a distance of 15.00 feet to a point on the West line of a 15.00 feet wide right of way lying on the East side of Tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 20, Township 22 South, Range 26 East, LAKE HIGHLANDS COMPANY according to the plat thereof, as recorded in Plat Book 3, Page 30 Public Records of Lake County, Florida, said point being the POINT OF BEGINNING; thence continue S 00°31'11" E along said West line of a 15.00 feet wide right of way for a distance of 653.63 feet to the South line of said Tract 5; thence run S 89°57'52" W along said South line for a distance of 60.36 feet; thence leaving said South line run N 00°31'11" W for a distance of 250.70 feet to the beginning of a tangent curve concave to the Southeast and have a radius of 530.00 feet; thence run Northeasterly along the arc of said tangent curve for a distance of 147.92 feet through a central angle of 15°59'26" to a point of tangency; thence run N 14°00'19" for a distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run N 53°44'01" W for a distance of 30.97 feet to the South right of way line of Mohawk Road; thence run N 89°56'13" E along said South right of way line for a distance of 34.47 feet to the Point of Beginning.

Containing 5.33 Acres +/-

FROM UE Urban Estate
TO C-2 General Commercial

This request will be considered by the Planning & Zoning Commission on Monday, June 13, 2016 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, June 28, 2016 at 6:30 p.m. for final enactment.

All meetings will be held at City Hall, located at 685 W. Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Daily Commercial
June 6 and June 14, 2016

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Citrus Tower Blvd. Self Storage Conditional Use Permit		
Requested Action		
Recommend approval of Resolution 2016-23.		
Staff Report		
This request is being considered concurrently with requests for annexation, rezoning and a comprehensive plan amendment. The applicant, Jan-Mar, LLC, is requesting a conditional use permit (CUP) for a self-storage facility with more than 20,000 square feet of floor space. Section 122-224 of the land development code (LDC) requires a CUP for residential storage facilities. The applicant is proposing to redevelop the site to include seven buildings, ranging in size from 3,900 square feet up to 24,750 square feet. The overall square footage is 90,900. The lot size is a little over five acres. The floor area ratio, based upon the conceptual plan, is approximately 42 percent (or FAR of 0.42). The site will be developed to the LDC and will meet the architectural standards. The applicant has indicated that the site will be gated and secured. Fencing along or adjacent to roadways shall be ornamental metal or decorative vinyl/pvc. No outside storage will be allowed. Interior lighting to the site will be available, but will be constructed to stay within the site. The site shall be developed in substantial accordance with the conceptual plan prepared by Rabco Corporation, dated May 10, 2016. Staff has reviewed the 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 request for a self-storage facility over 20,000 square feet in the C-2 zoning district with the conditions contained in Resolution 2016-23.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution 2016-23 CUP RES 2016-23.doc		
2. Maps Citrus Tower Self Storage.pdf		

3.	Conceptual Site Plan	Citrus Tower SS Conceptual Layout.pdf
4.	Application	CUP application.pdf
5.	Legal ad	CUP Citrus Tower Self Storage legal ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2016-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A SELF-STORAGE FACILITY OCCUPYING MORE THAN 20,000 SQUARE FEET OF FLOOR SPACE

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 13, 2016 recommended approval of this Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space; at the following location:

LOCATION:
423 Citrus Tower Boulevard
AK 1647746

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

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

This application for a Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.

CITY OF CLERMONT
RESOLUTION NO. 2016-23

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
7. 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.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the Permit shall become null and void.
9. 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.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by The Rabco Corporation, dated May 10, 2016, Exhibit A. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
12. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 – Land Use

1. This permit is for a self-storage facility not to exceed 90,900 square feet of floor area.
2. The site may also be used for any permitted use in the C-2 General Commercial zoning district.

CITY OF CLERMONT
RESOLUTION NO. 2016-23

3. The site shall be developed according to the Land Development Code and will meet the Architectural Standards.
4. The site shall be gated and will be secured from the General Public. Any fencing along or adjacent to roadways shall be ornamental metal or decorative PVC/vinyl.
5. No outside storage will be allowed.
6. Interior lighting on the site shall be directed downward into the site and shall not spill over into adjacent properties.
7. No outside speaker systems will be allowed.
8. All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.

CITY OF CLERMONT
RESOLUTION NO. 2016-23

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Citrus Tower Blvd Self Storage

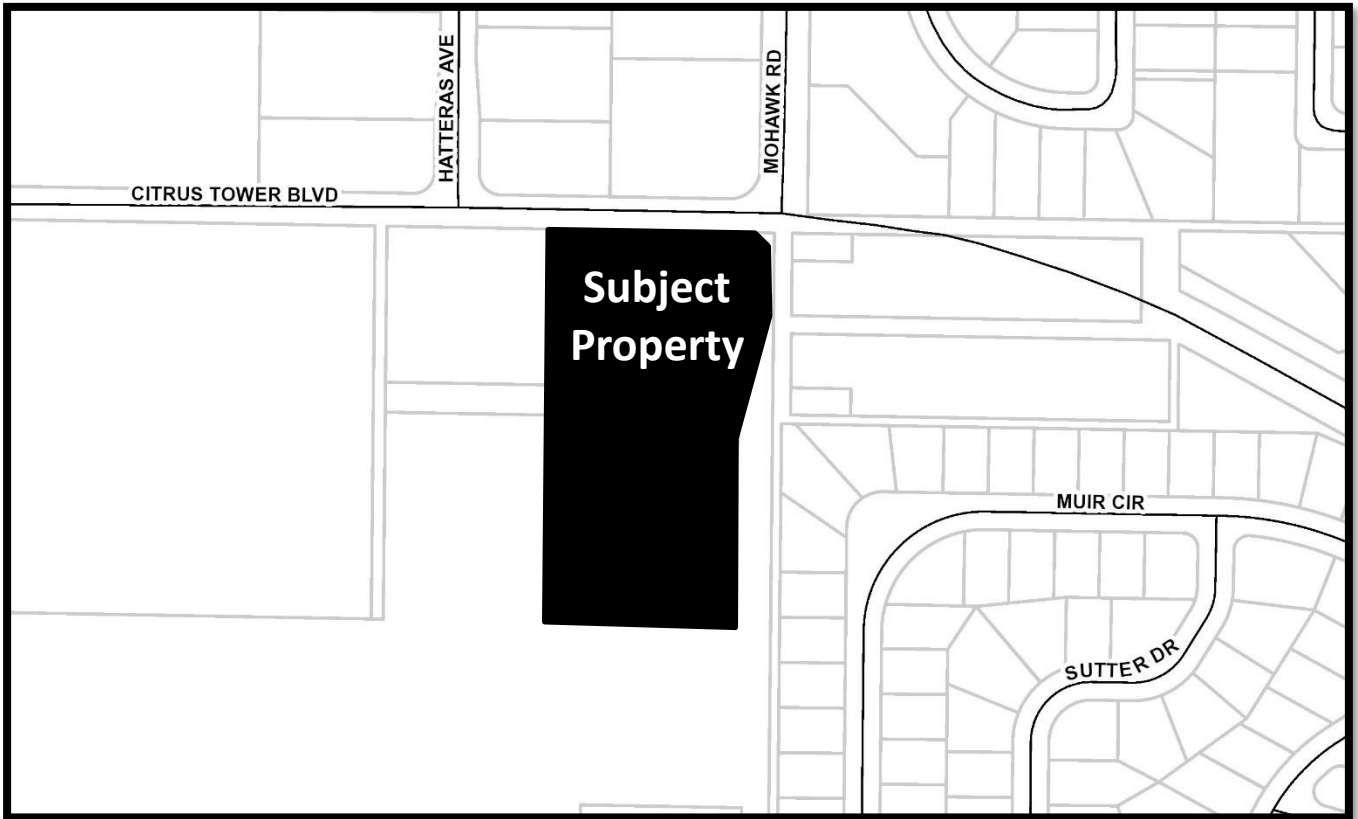


Exhibit – Future Land Use
Citrus Tower Blvd Self Storage

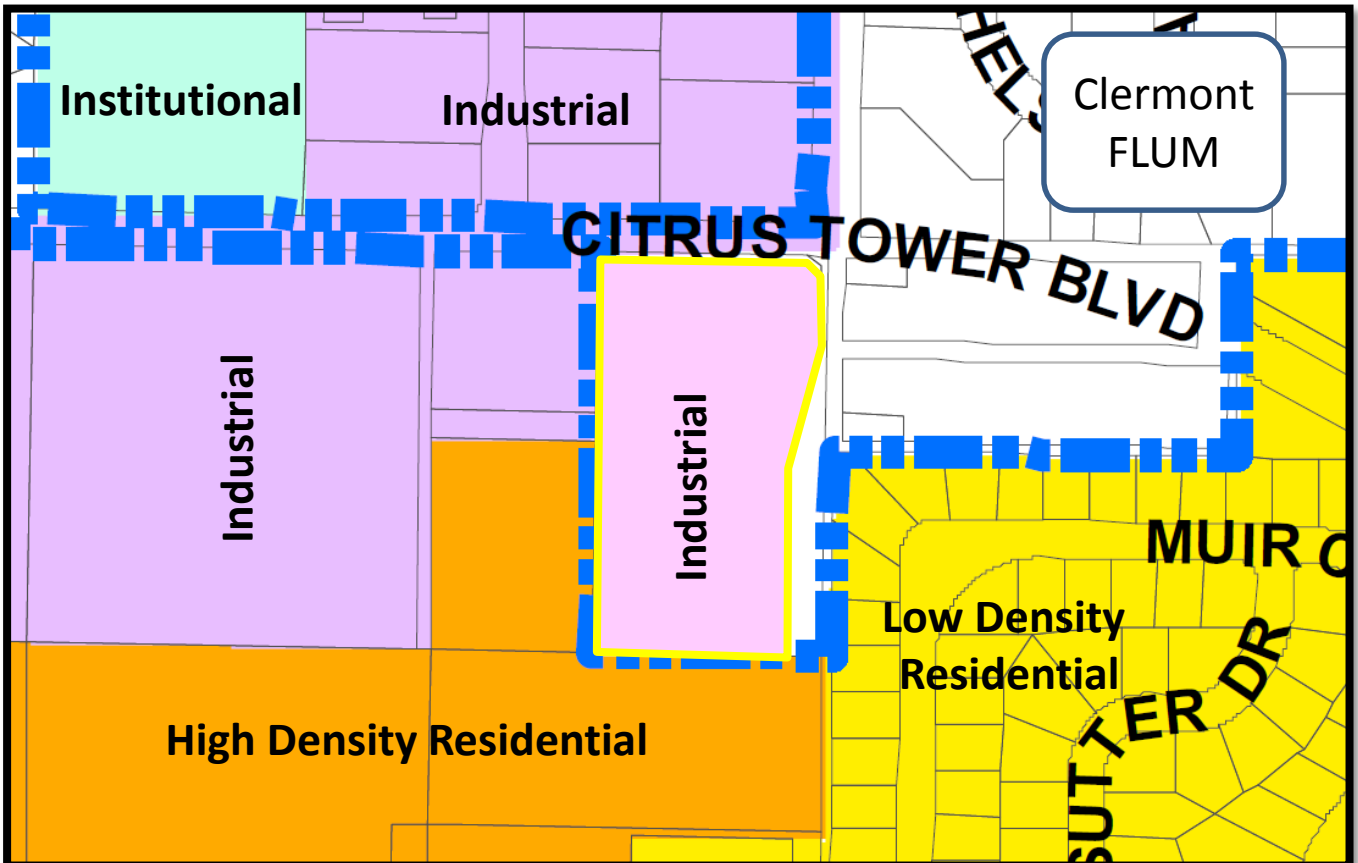
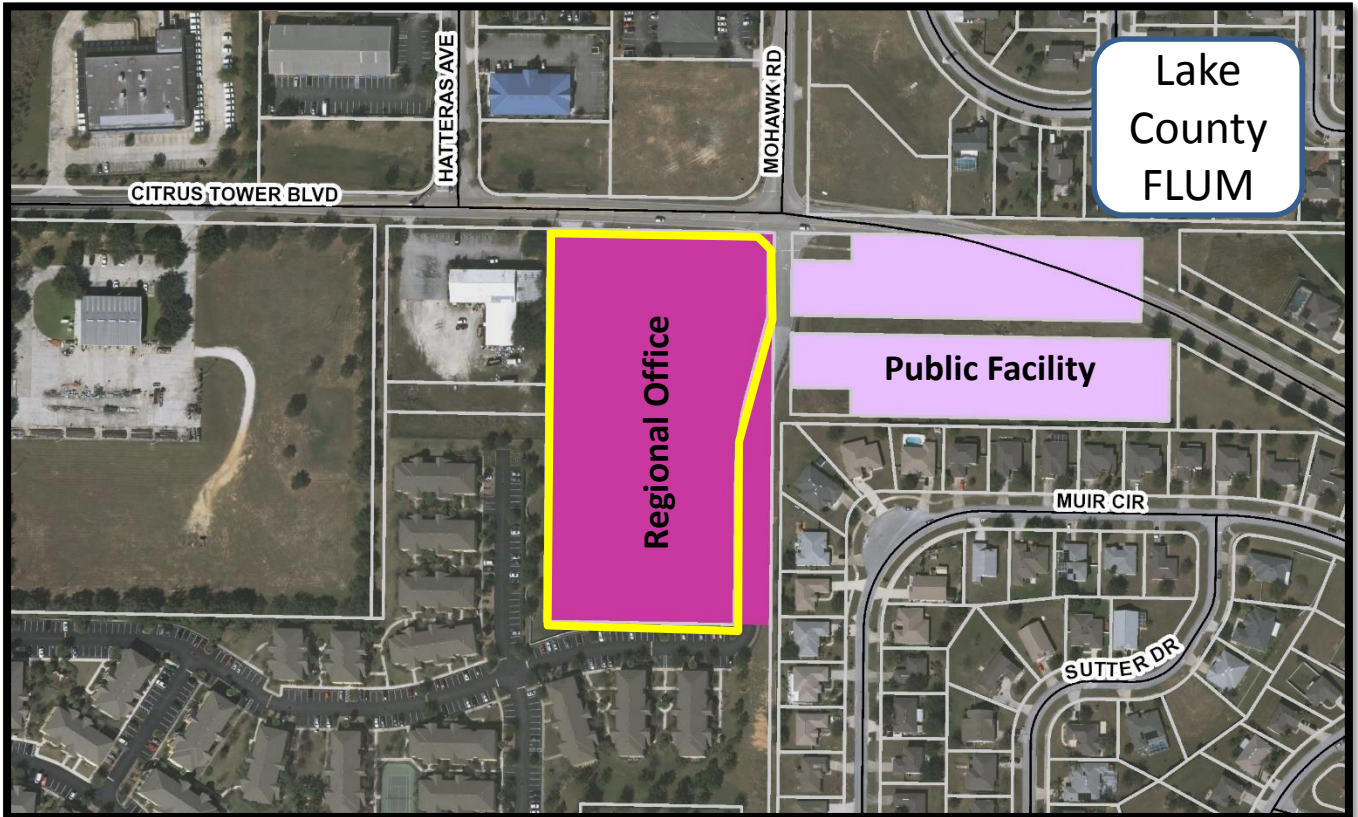
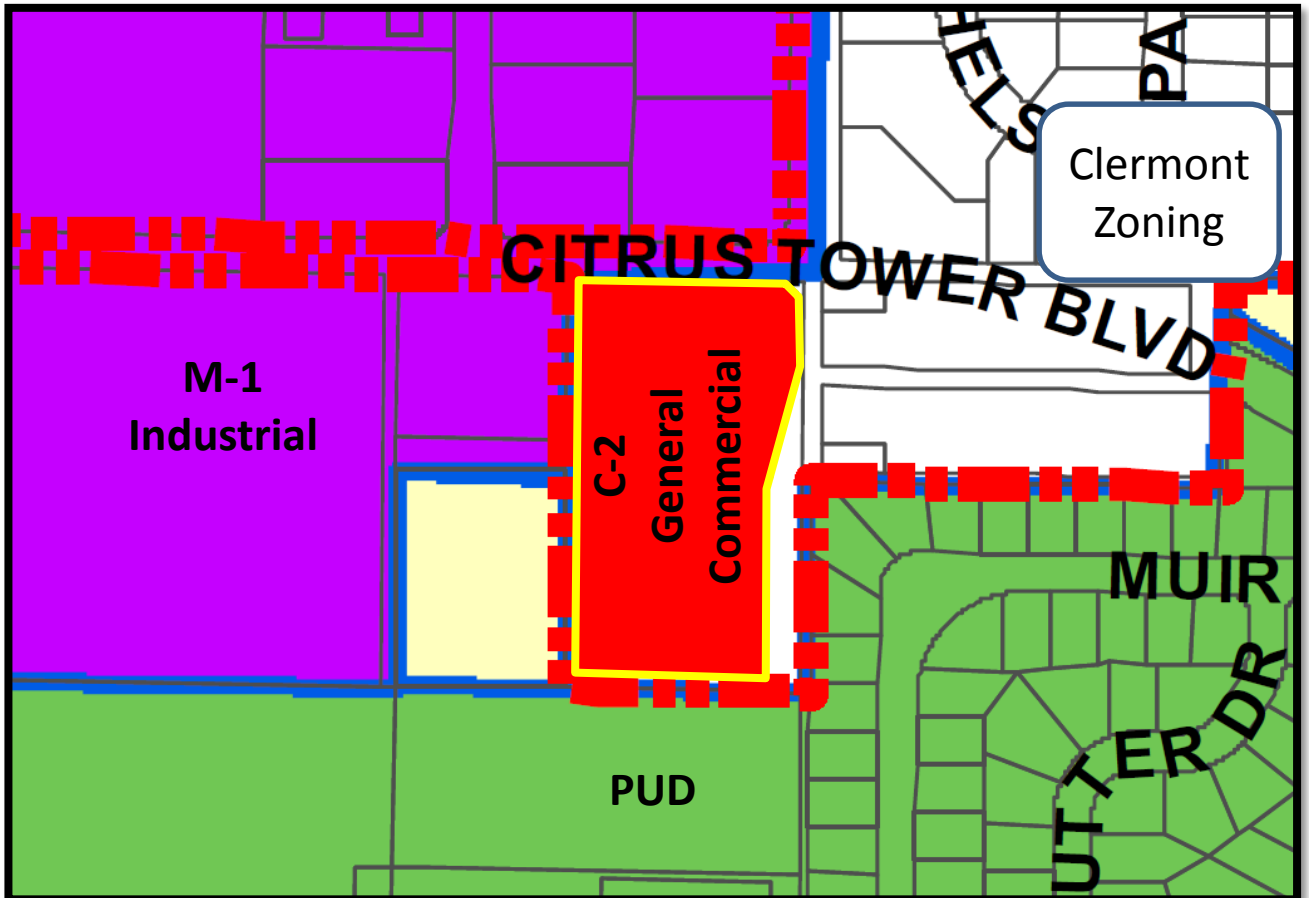


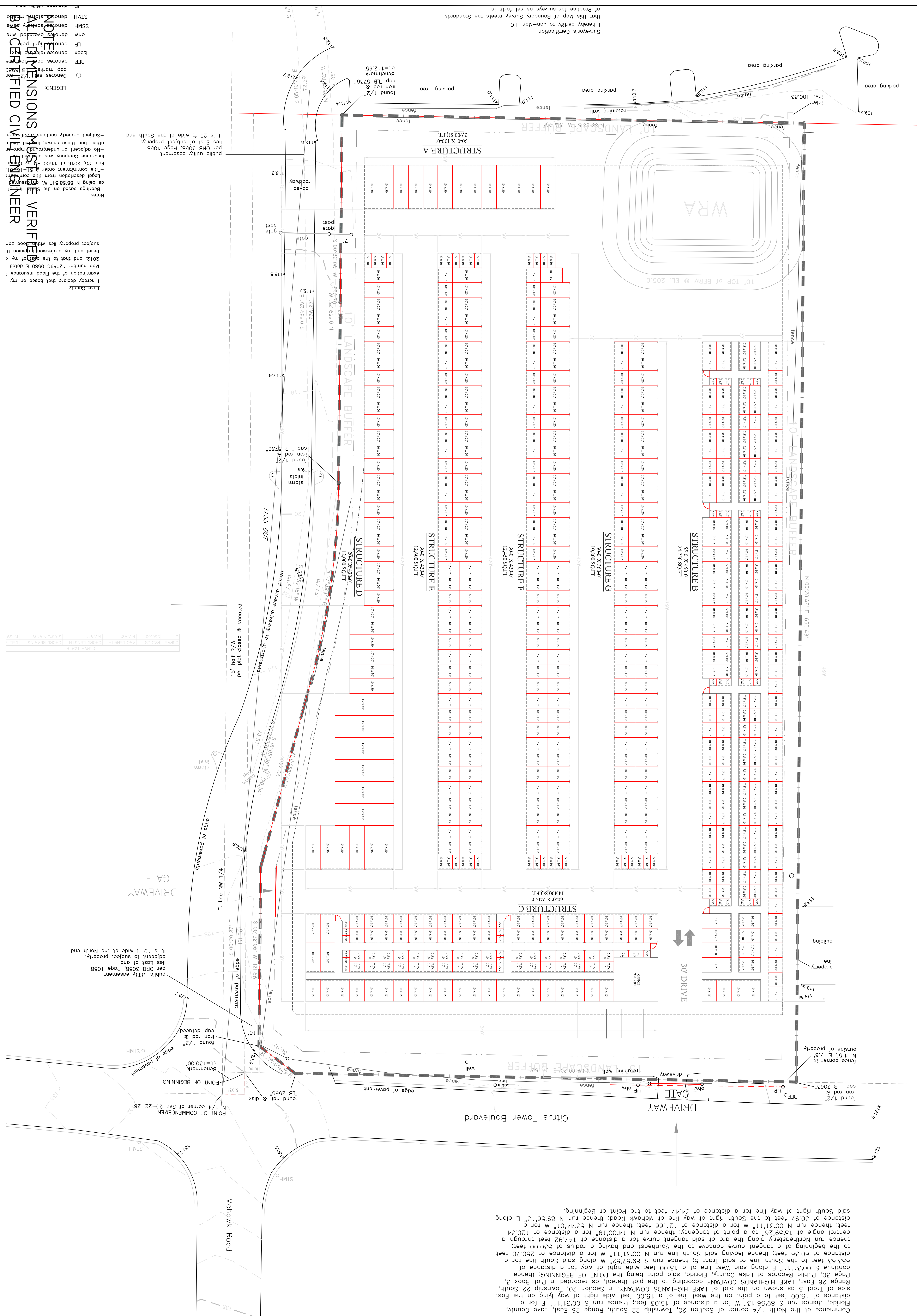
Exhibit – Zoning
Citrus Tower Blvd Self Storage



Also less and except the following described lands:

LESS the West 268.72 feet thereof.

Florida, thence run S 89°56'13" E for a distance of 15.00 feet to a point on the West line of a 15.00 feet wide right of way lying on the East side of tract 5 as shown on the plat of LAKE HIGHLANDS COMPANY, in Section 22, Township 22 South, Range 26 East, LAKE HIGHLANDS COMPANY according to the plat thereof, as recorded in Plot Book 5, Page 30, Public Records of Lake County, Florida, said point being the POINT OF BEGINNING; thence S 03°01'11" E along said West line of a 15.00 feet wide right of way for a distance of 653.65 feet to the South line of said tract 5; thence run S 89°57'52" E along said South line for a distance of 2550.70 feet; thence leaving said South line run N 00°31'11" W for a distance of 2550.70 feet; to the beginning of a tangent curve concave to the Southeast and having a radius of 550.00 feet; a central angle of 0°59'26" to a point of tangency; thence run N 14°00'19" E for a distance of 120.34 feet; thence run N 00°31'11" W for a distance of 121.66 feet; thence run N 55°34'01" W for a distance of 50.97 feet to the South right of way line of Mohawk Road; thence run N 89°56'13" E along said South right of way line for a distance of 57.47 feet to the Point of Beginning.





CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: June 1, 2016

FEE: \$500.00

PROJECT NAME (if applicable): Citrus Tower Boulevard Self Storage

APPLICANT: Jan -Mar, LLC

CONTACT PERSON: Robert Thompson, Managing Partner

Address: 11905 Egret Bluff

City: Clermont State: FL Zip: 34711

Phone: 321-689-5785 Fax: _____

E-Mail: rt1958@earthlink.net

OWNER: Little Raskals Partnership

Address: 8687 Bunch Flower Court

City: Westerville State: OH Zip: 43082

Phone: 407-758-1945 Fax: _____

Address of Subject Property: 423 Citrus Tower Boulevard, Clermont, FL

General Location: _____

Legal Description (include copy of survey): _____

Land Use (City verification required): Commercial (as requested)

Zoning (City verification required): C-2 Commercial (as requested)

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

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a self-storage facility occupying more than 20,000 square feet of floor space.

LOCATION

423 Citrus Tower Blvd
Southwest corner of Citrus Tower Blvd. and Mohawk Road
Alternate Key 1647746

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

This request will be considered by the Planning & Zoning Commission on Monday, June 13, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 28, 2016 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 6 and 21, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Ordinance No. 2016-26 Field Monumentation		
Requested Action		
Recommend approval of Ordinance 2016-26.		
Staff Report		
This administrative request is to update the Land Development Code (LDC) section pertaining to the setting of concrete markers to mark lots in subdivisions. Under Section 110-263, Field Monumentation, a request has been made to allow developers to set metal rods instead of concrete markers to mark lots in subdivisions. The use of concrete markers is not only an added expense in material, but also increases the time to set the concrete markers for developers. This change is consistent with the standards in other municipalities. Developers are required to comply with Chapter 177, Florida Statutes, that states the monument must be composed of a durable material, a minimum length of 18 inches, a minimum cross-section area of 0.2 square inches, identified with a durable marker or cap bearing registration number, and be detectable with conventional instruments for locating ferrous or magnetic objects. Staff believes the added time and expense of the concrete markers are not justified, and therefore recommends approval of this LDC change.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance ORD 2016-26 plat markers.doc		
2. Legal ad 2016-26 plat markers legal ad.doc		

CITY OF CLERMONT
ORDINANCE No. 2016-26

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 110 SUBDIVISIONS, SECTION 110-263 FIELD MONUMENTATION; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on June 13, 2016 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 110 Subdivisions, Section 110-263 Field Monumentation, of the City of Clermont's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont, Florida as follows:

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. 110-263. - Field monumentation.

The developer shall cause a state registered surveyor to install monuments based on the requirements of F.S. Chapter 177, and provide other locations and information as follows:

- (1) Permanent reference monuments shall be set at each block corner before the recording of the plat. All lot corners shall be staked with concrete markers or metal rods unless a more permanent marker is required. Property markers shall be set at all points of curvature change. Markers shall be set prior to plat recording on all lands dedicated for public use, and prior to deeding or building construction on all other properties.
- (2) Permanent control points shall be set prior to the recording of the plat, or expiration of the bond guaranteeing improvements.

CITY OF CLERMONT
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- (3) The surveyor shall establish the elevation in feet above National Geodetic Vertical Datum for at least two permanent benchmarks in the subdivision, and transmit the data to the City Engineer.

CITY OF CLERMONT
ORDINANCE No. 2016-26

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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

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

ORDINANCE NO. 2016-26

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 110 SUBDIVISIONS, SECTION 110-263 FIELD MONUMENTATION; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Monday, June 13, 2016 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, June 28, 2016 at 6:30 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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.

Tracy Ackroyd Howe,
MMC
City Clerk

Daily Commercial
June 6 and June 14, 2016



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Monday, June 13, 2016		
Agenda Item Name		
Ordinance No. 2016-27 Automotive Dealerships		
Requested Action		
Recommend approval of Ordinance 2016-27.		
Staff Report		
This administrative request is to update the Land Development Code (LDC) section pertaining to automotive dealerships. Currently, the General Commercial C-2 zoning Section 122-223 of the LDC allows for automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales as permitted uses within the zoning district. Permitted uses do not require City Council approval when developing a site. Staff is proposing to move these permitted uses to conditional uses within the code. With the recent influx of automotive dealerships in the area, staff believes City Council review is appropriate and recommends approval of Ordinance 2016-27.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance Ord. 2016-27 auto dealerships.doc		
2. Legal ad 2016-27 auto dealerships legal ad.doc		

CITY OF CLERMONT
ORDINANCE No. 2016-27

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-223 PERMITTED USES; SECTION 122-224 CONDITIONAL USES; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on June 13, 2016 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 122 Zoning, Section 122-223 Permitted Uses, and Section 122-224 Conditional Uses, of the City of Clermont's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont, Florida as follows:

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. 122-223. - Permitted uses.

(a) *Generally.* Permitted uses in the C-2 district are as follows:

- (1) Retail businesses: Any retail business or service, including the sale of goods and services for resale, as long as it is incidental to and in conjunction with a retail business.
- (2) Personal service establishments, such as but not limited to beauty shops or barber shops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaning establishments. Permanent makeup service may be allowed as an accessory use; with a business tax receipt and with medical supervision, within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.

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- (3) Professional offices, doctors' offices, banks, loan companies, insurance and real estate offices, and similar businesses.
 - (4) ~~Automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales.~~
 - (5) Recreation facilities, theaters, including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges and tourist attractions.
 - (6) Restaurants and lounges.
 - (7) Buildings, structures or uses maintained or operated by the City.
 - (8) No retail establishment may occupy more than 100,000 square feet.
 - (9) Lodges and clubs.
 - (10) Laundries.
 - (11) Hotels and motels.
 - (12) Convenience stores and gas stations.
 - (13) Shopping centers; Any group of businesses with shared parking or in which the total land area of the development is less than ten acres.
 - (14) Nursery schools, kindergartens or child care centers; provided the outdoor play area is enclosed by a fence at least four feet high and all state requirements are met.
- (b) *Floor space.* Any business establishment or structure proposing to occupy more than 20,000 square feet of floor space shall require a Conditional Use Permit. The floor area ratio for any structure shall not exceed that identified by policies of the adopted Comprehensive Plan.
 - (c) *Uses to be enclosed; outdoor storage.* All uses must be conducted within a completely enclosed building; except for outdoor storage, which must be screened from a public street and adjacent property.
 - (d) *Sidewalk use.* Restaurant or food service business establishments may utilize the outside private sidewalk area adjacent to the business for patron use, to include non-fastened small tables and chairs or benches during business hours only.

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ORDINANCE No. 2016-27

Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table or chairs shall not be allowed. All such uses shall be approved by the applicable City administrator. Number and size limitations are as follows:

- (1) Limited to 50 percent of restaurant frontage as approved by the Development Services department.
 - (2) Maximum number of tables and chairs; four tables with a maximum of four chairs each.
 - (3) Maximum table width; four feet.
 - (4) Umbrellas may be utilized provided they adhere to the four-foot clearance for Americans with Disabilities Act access and do not have any advertising.
- (e) Restaurants or similar food service business establishments with larger outdoor seating area available that can be isolated may be permitted with the following provisions:
- (1) Site Plan approval is required by the Site Review Committee. Location and any separation from other uses; sidewalks, parking, and landscape for example, must be demonstrated and maintained.
 - (2) Outdoor seating cannot exceed more than half the total square feet or number of seats, whichever is less, of the indoor seating area.
 - (3) All sidewalks and pedestrian access areas shall maintain Americans with Disabilities Act accessibility.
 - (4) No advertising shall be permitted on table umbrellas or fencing material unless approved by the City administrative official.
 - (5) Required landscaping must be maintained in accordance with the city Land Development Code.

Sec. 122-224. - Conditional uses.

- (a) Conditional uses in the C-2 district are as follows:
- (1) Manufacturing, provided such manufacturing employs not more than five persons and is incidental, complementary to, and in conjunction with a retail business or service.

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- (2) Residential storage warehouses where storage facility uses are exclusively for storing excess personal property generally stored in residential accessory buildings. This shall not include the storage of manufacturing or commercial products.
- (3) Shopping centers; any group of businesses with shared parking or in which the total land area of the development is ten acres or more.
- (4) Agricultural service operations.
- (5) Public or semipublic facilities or structures not operated by the City and not listed as a permitted use.
- (6) Utility facilities; such as electric transformers, gas regulator stations, and so forth.
- (7) Recreational vehicle parks.
- (8) Hospitals, clinics, and nursing homes.
- (9) Automobile and truck repair garages; and painting, welding and bodyshops.
- (10) Dwelling units, provided that the requirements of the R-3 zone are met, mobile home parks per Article V of this Chapter, and Planned Unit Developments per Article IV of this Chapter.
- (11) Kennels or veterinary clinics, provided that all animal services and confinement areas; including runs, are in air conditioned and sound-attenuated buildings.
- (12) Churches, funeral homes and cemeteries.
- (13) Retail establishments more than 100,000 square feet.
- (14) Private schools.
- (15) Bus terminals, major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.
- (16) Bed and breakfast inns.
- (17) Automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales.

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- (b) In case of uncertainty of the classification of any use, uses may be permitted which; after consideration by the Planning and Zoning Commission and approval of the City Council, are not more obnoxious to the district than the uses provided in this Section. All conditional uses must be provided per Chapter 86, Article III, Division 3.

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ORDINANCE No. 2016-27

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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 28th day of June, 2016.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

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ORDINANCE NO. 2016-27

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-223 PERMITTED USES; SECTION 122-224 CONDITIONAL USES; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

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