

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION
MINUTES
APRIL 7, 2026

CALL TO ORDER

Chair Colby called the meeting of the Planning and Zoning Commission to order on Tuesday, April 7, 2026, at 6:30 p.m.

MEMBERS PRESENT: Chair Colby, Vice-Chair Niemiec, Commissioner Tidona, Commissioner May, Commissioner Entsuah, Commissioner Hoisington, and Commissioner Cramer

ALSO PRESENT: Development Services Director Curt Henschel, Planning Manager John Kruse, Planner Nicholas Gonzalez, Planner Justine Day, City Attorney Christian Waugh, and Planning Coordinator Rae Chidlow

PLEDGE OF ALLEGIANCE

MINUTES

MOTION TO APPROVE the March 3, 2026, Minutes of the Planning and Zoning Commission meeting, made by Commissioner Niemiec, seconded by Commissioner Entsuah. Motion passed 7-0.

REPORTS

Commissioner Hoisington reports attending city council meetings last month, where there was discussion about possibly appointing a magistrate to oversee planning and zoning matters. She expressed concern and personal offense at comments criticizing the commission's demeanor and the suggestion that the commission might be dissolved. She emphasizes the importance of professionalism, mutual respect, and unity within the commission. She acknowledged that differing opinions are valid, and stressed that once a decision is made, it should stand collectively as a single recommendation to the council. She advocated for decisions to be based strictly on the information presented by staff and applicants, rather than speculation. She calls for maintaining a respectful, professional environment and ensuring that the commission continues to play an active role in the decision-making process.

Commissioner Cramer addressed recent concerns that the Planning and Zoning Commission may be contributing to negative perceptions of Clermont. He disagrees with this view, arguing that the board is part of the solution by asking questions, applying regulations consistently, and making thoughtful, defensible decisions. He emphasized that professionalism and tone are critical, especially in interactions with applicants. He said while tough questions are necessary, they should be delivered constructively rather than confrontationally. He highlighted the importance of maintaining high standards and accountability to build public confidence in the process, expressing a personal commitment to upholding those expectations.

Vice-Chair Niemiec had no report.

Commissioner Entsuah had no report.

Commissioner May expressed agreement with comments made by Commissioners Hoisington and Cramer, including opposition to the idea of a special magistrate. She noted attending a recent council meeting and shared updates about new businesses coming to Clermont, including Kingdom Sushi and Cava, viewing this growth as a good sign for the city. She commended the collaboration between Main Street and the City on a public-private partnership, specifically highlighting the first phase of new plantings on Montrose Street and expressing enthusiasm for future improvements. She emphasizes optimism about economic development and downtown enhancements, while offering praise for ongoing community efforts.

Commissioner Tidona shares recent traffic fatality data from Lake County, noting five deaths involving bicyclists, motorcyclists, and pedestrians, and reiterates the need for improved safety measures such as bike lanes and infrastructure changes. He highlighted a proposal in New York City called "Operation Open Streets," which aims to enhance walkability by widening sidewalks, reducing traffic, and adding trees, suggesting that similar ideas could benefit Clermont. He discussed a newly signed Florida law (House Bill 399) that limits local governments' ability to deny development projects based on broad compatibility concerns, requiring more specific justifications. He expressed concern that this law reduces the authority of local planning and zoning boards and could diminish their role in decision-making. He emphasizes external pressures that may weaken local control, while encouraging the commission to continue doing its best despite these challenges.

Chair Colby congratulates Clermont Main Street for planting Florida native trees and thanks the city for its strong support of local events, and success of the Pig on the Pond festival in bringing people downtown. He noted a scheduling conflict with the next meeting on May 5th, as both the chair and vice chair will be unavailable. He asked for guidance on how to handle leadership for that meeting.

City Attorney Christian Waugh suggested to determine at this meeting who would be the acting chair for the May 5th meeting.

MOTION TO APPROVE Commissioner Entsuah to sit in as the acting Chair for the May 5, 2026, Planning and Zoning Commission meeting, made by Commissioner Niemiec, seconded by Commissioner Cramer. Motion passed 7-0.

NEW BUSINESS

Item No. 1 – Resolution No. 2026-007R – Immanuel Temple Church Conditional Use Permit

Planner Justine Day presented as follows:

The applicant, Michael Latham with GatorSkitch, is requesting to amend and replace Resolution No. 760, to expand their existing church use to parcels designated with the R-3 Residential/Professional Zoning District. The properties are located east of the Bloxam Ave. and E. Montrose St. intersection and is approximately .933 +/- acres.

The church located on 709 E. Montrose St., designated on the map as area 3, is proposing to expand their use to construct a new 2,250 sq. ft. building on 743 E. Montrose St., depicted on the map as area 1. The existing building, located in area 1, has a nonconforming church use that has been operating in conjunction with the church since 1992, based on the information provided on Lake County Property Appraiser's website. The proposed expansion is being requested so that the church may be able to accommodate their anticipated growth.

The new sanctuary would provide approximately 130 seats and allow the church to separate its uses between buildings. The current sanctuary would be repurposed for Sunday School use, while 709 E. Montrose Street would support ancillary functions and provide for overflow parking when needed.

The applicant is requesting three waivers along with their request to redevelop the church in a way to make use of their size constrained parcels. The first would be to allow for off-site parking within a parcel outside of the Central Business District, required by LDC Section 115-17. This would allow the church to utilize all three sites to accommodate for the minimum parking requirements. Parking spaces would be placed mainly on the vacant parcel north of 743 E. Montrose St., designated as area 2 on the map. While 709 and 743 E. Montrose St. would provide seven stalls on each site.

The second and third waivers are requests to allow for a reduction to the minimum landscape requirements per LDC Sec. 123-43(d). The applicant is proposing to reduce the landscape buffer width from ten feet to five feet. As well as a reduction to the minimum number of plantings for the perimeter buffers. Both areas in which the reduction would occur would be along the side and rear property lines for 743 E. Montrose St. and the vacant parcel to the north. This would allow the applicant to improve the site while still complying with the applicable land development code requirements such as parking, stormwater, and accessibility, while still providing screening between the abutting properties.

Staff has reviewed the application and finds that the use would not be more obnoxious to the district due to the properties not having any substantial code case complaints made since the church has been in operation. The proposed expansion of the use does not appear to be detrimental to the health, safety, and welfare of the surrounding community; and The City's comprehensive plan supports Public Facilities/Institutional land uses, such as churches, within residential land use categories pending approval of a conditional use permit.

The city has received one letter of opposition from the property located in between 709 and 743 E. Montrose St. Since the letter has been received, the applicant and property owner have been in discussion regarding requested conditions to rescind their letter of opposition. While City staff has received the proposed conditions, the discussion has been handled privately, and staff is unaware if a compromise has been reached.

Staff has no evidence that the proposed use cannot meet the general criteria for granting a Conditional Use Permit, per LDC Sec. 101-212, and recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2026-007R.

Mike Latham, GatorSkitch, 1000 E. Highway 50, stated that he was present to answer any questions. He mentioned that there was an Elder from the Church and several Church members. He clarified that Mr. Forehand spoke with the property owner of 711 E. Montrose St. about the opposition and understood that they would rescind the opposition. He stated that Mr. Forehand is out of the country at this time and he was unsure of the outcome of their conversation. His understanding is that they did not want a fence on the commercial property (709 E. Montrose St.), but there would be a fence on the Church property (743 E. Montrose St.). He stated that they would have a 5-foot landscape buffer on either side.

Robert Hallee, 13118 Plum Lake Dr., Minneola, stated he was a Senior Deacon at the Immanuel Temple Church. He mentioned that he has been in this area since 1981 and has seen enormous growth and the Church is trying to accommodate the growth.

Hattie McGriff, representing her sister, Denise Ladner, who owns 711 E. Montrose St. She clarified the conditions that were requested. She stated they do not want the fence along the west side of the property, no decrease of the landscape buffer, and no hard surface parking.

Commissioner Niemiec asked for clarification about the fencing. He mentioned that the handicap parking would have to be concrete. He asked if Ms. Ladner resided at the home between parcels SPA1 and SPA3.

Ms. McGriff stated they did not want the fencing on the east side of SPA3 (709 E. Montrose St.). She stated that where their home was, they did not want to be between two parking lots. She mentioned that her sister did not reside at the home, but they have family members who do reside at the home and attend the Church.

Shelby Thomas, 10942 Crescent Ridge Loop, mentioned the traffic flow through E. Montrose St. is very high and several elderly living on that street. He asked what the Commission could do to help with speeders on that road.

Commissioner Entsuah asked that when a motion is made to add a recommendation of a speed table or bump.

Mr. Latham stated that in the civil design, it is their intention to add a crosswalk along with signs.

Commissioner Tidona asked when the services would be provided. He asked how many people walk to the Church. He questioned when the Spanish Ministry took place. He stated that there are 38 parking spaces, which does not allow for extra parking. He asked where the bus would park. He questioned traffic control before and after services.

Mr. Latham stated that there are two Wednesday services and a Sunday service.

Mr. Hallee stated that he is unaware of anyone who walks to the Church. He said they have a bus and members who drive to the Church. He stated that the Spanish Ministry convened on Friday nights and Sunday with about 45 members. He stated that the bus is parked at the Pastor's home in Lakeland. He mentioned that he has MLT DOT training for crossing guard and traffic control.

Commissioner May questioned if a separate conditional use permit would be needed for the parcel for parking, since the other two parcels have a use. She questioned the reduction of the landscape buffer.

Ms. Day stated that this conditional use permit would allow the use of parking for the vacant parcel.

City Attorney Christian Waugh stated that each parcel did not need its own conditional use permit.

Mr. Latham explained that the Church is a transient and there is no permanent staff to do maintenance or to water the landscape. He stated that the only thing they will do for SPA3 (709 E. Montrose St.) is add wheel stops to define the parking.

Commissioner Entsuah asked why they went with vertical parking rather than diagonal.

Mr. Latham stated that they wanted the parking and backing out to be the safest it can be for that area.

Commissioner Niemiec questioned if street parking was allowed. He asked the age of the children who attend the Church, if there is a pickup, and if there were any services other than the Wednesday, Friday, and Sunday services.

Ms. Day stated that there is street parking that is existing on E. Montrose St. already.

Mr. Hallee stated that the children were elementary-aged children and the parents attend the Church with the children. He said that other than the regular services, there are revivals and evangelistic meetings.

Commissioner Cramer wanted clarification that everyone agrees with keeping the landscape buffer as it is between 709 and 711 E. Montrose St.

Mr. Latham stated that it is correct.

Commissioner Hoisington stated that she does have an issue with the reduction of the landscape buffers. She stated that she would think that the Church would want to beautify the area. She stated that she could not support this.

Chair Colby asked if the applicant wanted to address those items.

Mr. Latham stated that the Church is part of the community and cares about the community. He stated that they did not want to burden the church with additional upfront costs and long-term maintenance.

Commissioner May asked if the reduction of the landscape buffer from 10 feet to 5 feet was due to fitting the parking. She questioned what would happen if they don't reduce it to 5 feet.

Mr. Latham stated that the Church would not be able to do this project.

Commissioner Cramer asked for clarification for which parcel required the reduction of the buffer.

Mr. Latham stated that 709 E. Montrose St. would not have a reduction.

MOTION TO RECOMMEND APPROVAL of Resolution No. 2026-007R Immanuel Temple Church Conditional Use Permit with added conditions, (1) Grass parking only for 709 E. Montrose St., (2) No fence on the west side of 711 E. Montrose St. with shrubs or trees to serve as the barrier, (3) No reduction of landscape buffer from 10 to 5 feet for 709 E. Montrose St., and (4) add speed mitigation that would be deemed most appropriate by City staff; Moved by Commissioner Cramer, Seconded by Commissioner Entsuah. Motion passed 7-0.

Item No. 2 – Resolution No. 2026-009R – Wahlburgers at Home Depot Conditional Use Permit

Planner Nicholas Gonzalez presented as follows:

The applicant, Adaptiv Provisions LLC, is requesting a Conditional Use Permit to allow the operation of a food truck on an improved parcel designated within the C-2 General Commercial Zoning District. The proposed location is 1530 E. Highway 50, within the Home Depot parking lot.

The applicant proposes to operate a single food truck, Wahlburgers, offering take-out service only. The use is intended to be family friendly in nature and will not involve alcohol service, amplified entertainment, or late-night operations. The proposed hours of operation are seven days a week, 8:00 a.m. to 8:00 p.m., consistent with Home Depot's business hours. The applicant has provided written authorization from Home Depot allowing the use of the property, including access to restroom facilities for patrons and mop sinks for operational needs.

The food truck is proposed to be located near the Pro Section of Home Depot on the east side of the facility, positioned at least 10 feet from the building. The placement will not impede the designated fire lane. The final location will be confirmed during site review to ensure compliance with all applicable building and fire safety codes. The food truck will also require connection to electrical power from Home Depot, for which the applicant will obtain the necessary permits prior to installation and operation. Additionally, the applicant has indicated that a contracted service provider will handle the collection and disposal of greywater and waste oil.

The City's Land Development Code does not identify food trucks as a permitted use within the C-2 General Commercial district. As such, Section 125-313 requires approval of a Conditional Use Permit for this type of operation. Although the C-2 General Commercial district permits restaurants and food establishments when conducted within an enclosed structure, staff finds that the proposed use is compatible with the district and would not be more objectionable than other permitted uses.

Additionally, due to the recent food truck applications presented to the Planning and Zoning Commission and City Council, Council has directed staff to prepare an ordinance that would allow food trucks or mobile food service operations meeting approved conditions to be permitted, eliminating the need for a Conditional Use Permit. This ordinance amendment will be brought forward to both the Planning and Zoning Commission and City Council for consideration.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 101-212, requires specific development standards that are required to be met. Staff has reviewed the application as submitted in accordance with the development standards criteria and finds the proposed use can meet the general criteria for granting a Conditional Use Permit. The proposed use will not be detrimental to the health, safety and welfare of the surrounding community. Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2026-009R.

The applicant participated in a pre-application meeting with City departments on October 22, 2025. During this meeting, departments provided preliminary comments, including the need to address the power connection (Building) and the proposed location and related building requirements (Fire). The primary issue identified was ensuring the use is allowable through a Conditional Use Permit, which is the necessary first step and the reason for this request is before the Board today.

Brianna Pfister with Adaptive Provisions introduced herself.

Eden Varney, Adaptive Provisions, as the head of training and development, introduced the company and its interest in expanding to the Clermont area. She stated that the business currently operates three food trucks in other Florida locations and is in an early growth stage. She emphasizes a focus on entering growing communities, creating local job opportunities, and offering a family-friendly dining environment. She also noted their appeal to existing fans from other locations and expresses readiness to answer questions about the potential expansion.

Commissioner Hoisington asked if the proposed food service operation will not include permanent seating and will function as a takeout-only setup. She asked about operating hours, particularly on holidays.

Ms. Pfister confirmed that there would not be permanent seating. She stated that their hours are 8:00 a.m. to 8:00 p.m. and will align with the associated Home Depot location. She stated they will be open or closed depending on whether the store is operating.

Commissioner Cramer expressed support for activating underused commercial space, noting that food vendors are common at stores like Home Depot and Lowe's in other areas. He acknowledged that current zoning has previously limited this type of activity in Clermont. He stated that while recognizing that allowing this use could set a precedent, he stated that the city is actively addressing food truck regulations.

Chair Colby questioned that legally, each application is reviewed on a case-by-case basis and does not set binding precedent, even if approved by the City Council.

City Attorney Christian Waugh stated that as a legal matter yes, however, future applicants may still argue fairness by referencing similar approvals.

Chair Colby questioned if the mobile trailer would stay on property or whether it would leave each day.

Ms. Pfister explained that although the unit is mobile, it will remain stationary once placed on-site and will only be moved, if necessary, at the request of the property owner. She confirmed to follow the same grab-and-go, no-seating model used at their other locations.

Commissioner Niemiec asked whether the food truck operates independently or relies on a commissary.

Ms. Pfister confirmed that all their trucks are fully self-sufficient. She stated that handling food preparation on-site, with services in place for waste removal, freshwater delivery, and oil disposal. She clarified that gray water is also managed by a third-party service, not the host location.

Commissioner Niemiec noted that the applicant meets all required criteria, including regulations related to lighting, parking, waste management, and restroom provisions, and expresses satisfaction with their compliance compared to other food truck proposals.

Commissioner Entsuah asked if they worked for Wahlburgers.

Ms. Pfister stated that they are a franchise of Wahlburgers.

Commissioner May asked for clarification that the operation is officially classified as a mobile food dispensing vehicle (food trailer),

Ms. Pfister stated that it is how it is licensed through DBPR, rather than a traditional food truck.

Commissioner May stated they should refine conditions, including aligning operating hours with Home Depot's schedule and ensuring compliance with the city's sign code (allowing A-frame signs but not flags). She asked whether documentation to include the authorization letter from Home Depot as part of the official record. She focused on safety concerns, particularly traffic flow and pedestrian safety in a busy Home Depot parking area.

Ms. Pfister confirms that the location has been approved by Home Depot, that space will be cleared to improve flow, and that cones and designated waiting areas will be used to manage lines and prevent congestion.

Commissioner Tidona asked about the electrical connections, and overall site safety.

Ms. Pfister explained that power will be supplied via a permitted electrical connection from Home Depot, with cords covered to prevent tripping hazards. She stated that the operation will primarily run on electricity, with propane delivered and monitored by a third-party company that performs safety checks.

Commissioner Tidona confirmed that the setup will require approval from fire and health inspectors to ensure compliance with all safety codes.

Chair Colby asked about security.

Ms. Pfister stated that there will be two cameras located on the food trailer as well as Home Depot's cameras.

***MOTION TO RECOMMEND APPROVAL** of Resolution No. 2026-009R Wahlburgers at Home Depot Conditional Use Permit; Moved by Commissioner Niemiec, Seconded by Commissioner Entsuah. Motion passed 7-0.*

Item No. 3 – Ordinance No. 2026-016 – Kohls Small-Scale Comprehensive Plan Amendment

Item No. 4 – Ordinance No. 2026-017 – Kohls Rezoning
Planner Nicholas Gonzalez presented as follows:

The applicant is requesting a voluntary annexation, a small-scale comprehensive plan amendment, and a rezoning of the subject parcel for the purpose of providing the existing commercial uses with enhanced City services. The property is approximately 15.9 acres and is located at 12305 US Highway 27. The subject property is located within the Interlocal Service Boundary Agreement (ISBA) area as well as the Joint Planning Area (JPA).

Through coordination with the City's Development Liaison, Zane Ertel, the City identified the site as a candidate for annexation, which was determined to be mutually beneficial for both the property owner and the City.

The proposed map amendment will change the future land use designation from Lake County's Urban Low to the City's Commercial designation. The property is currently developed with a commercial retail department store. Policy 1.12.3 of the City's Comprehensive Plan encourages voluntary annexations, stating: Policy 1.12.3: The City shall encourage requests for voluntary annexation into the City when those lands are logical extensions of the existing City limits, when services can be properly provided, and when proposed uses are compatible with the City's Comprehensive Plan.

The property is located along the US Highway 27 corridor, an area characterized by established and planned commercial uses. Annexation of this site is a logical extension of the city boundary and is consistent and compatible with the existing development pattern along this corridor.

Staff has reviewed the request and finds that the proposed comprehensive plan amendment meets the requirements for voluntary annexation, that the City can serve the property, and that the request is consistent with the City's Comprehensive Plan. Staff recommends approval of the Small-Scale Comprehensive Plan Amendment, Ordinance No. 2026-016.

The proposed rezoning would change the designation from Lake County's Planned Unit Development (PUD) to the City's C-2 General Commercial zoning district. The property is currently developed with a commercial retail department store.

The property was originally developed under Lake County's PUD, Resolution No. 1994-110 (Spring Valley), which entitled the area for 546 single family residential units and 20 acres for up to 160,000 square feet of commercial development. The property owner, Spring Valley, LTD, entered into a utility service agreement with the City on October 1, 1999, to receive wastewater services.

As the PUD area has reached full development and no remaining entitlements or land use conditions apply to Kohl's parcel, the City's C-2 General Commercial designation is the most appropriate zoning district. C-2 General Commercial is consistent with the existing use, aligns with the City's commercial standards along the US 27 corridor, and removes the need to rely on an outdated PUD document. Rezoning to C-2 General Commercial zoning will ensure consistent development regulations, signage standards, and administrative procedures for this established commercial parcel.

Staff has reviewed the applicant's proposal and finds the proposed zoning at this location is compatible with the uses in the area. The requested C-2 General Commercial designation is consistent with the City's Comprehensive Plan, Land Development Regulations and staff recommends approval of Ordinance 2026-017.

Commissioner Entsuah discussed this long-standing discussion about moving forward, noting that it has been under consideration since before his time on the council. He expressed that progress is finally being made by selecting elements that align with future goals and thanked staff for their collaboration in working with Kohls.

Commissioner May spoke on the proposed annexation project identified as beneficial for both the property owner and the city. She asked whether the connecting commercial properties have also been contacted, suggesting they would logically be included since they are adjacent.

Development Liaison, Zane Ertel, explained that reaching those owners has been difficult due to complex ownership structures involving multiple companies, but there is a strategy to use the annexation of Kohls as leverage to encourage their participation. He confirmed that the current annexation is voluntary and tied to plans for additional retail development. He stated the estimated tax savings for the property owner and increased tax revenue for the city and that overall, the annexation would allow development aligned with the city's land use regulations.

Commissioner May referenced a section of a utility agreement (page 105) concerning the Spring Valley property, which states that if the property is annexed into the City of Clermont and all development approvals are finalized, certain obligations, specifically the purchase of 50 ERCs, would be triggered. She questioned whether this clause still applies given the current annexation process and recommendations underway.

City Attorney Christian Waugh stated that this is a Kohls issue, and the Planning and Zoning Commission is not making a recommendation on the annexation.

Commissioner Niemiec stated that he met with staff earlier in the week and they answered all his questions.

Commissioner Cramer noted that the proposal would bring the property's land use into alignment with the surrounding commercial area and help resolve jurisdictional inconsistencies. He asked about timing, asking why the action is being taken now.

Zane Ertel explained that progress had been delayed for years due to difficulty contacting the relevant parties. He succeeded by reaching out through a media contact line, which led to communication being established and allowed the process to finally move forward.

Commissioner Hoisington stated that she had no questions.

Commissioner Tidona stated that he had no questions.

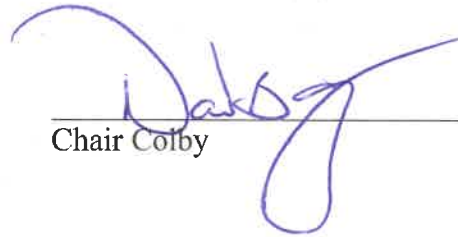
MOTION TO RECOMMEND APPROVAL of Ordinance No. 2026-016 Kohl; Moved by Commissioner Niemiec, Seconded by Commissioner Cramer. Motion passed 7-0.

MOTION TO RECOMMEND APPROVAL of Ordinance No. 2026-017 Kohls Rezoning; Moved by Commissioner Entsuah, Seconded by Commissioner Niemiec. Motion passed 7-0.

DISCUSSION OF NON-AGENDA ITEMS :

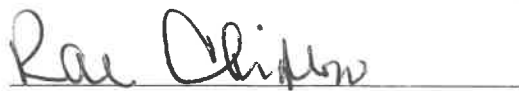
There were no discussions about non-agenda items.

ADJOURNMENT – 8:18 pm



Chair Colby

ATTEST:



Rae Chidlow