CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Monday, September 12, 2016
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

Approval of the June 13, 2016 Planning and Zoning meeting minutes.

Approval of the August 2, 2016 Planning and Zoning meeting minutes.

REPORTS

NEW BUSINESS

Item 1 - Resolution 2016-36 *Conditional Use Permit* *Lake County Adult Activity Center, Inc.*	Request for a conditional use permit to allow an adult daycare in the M-1 Industrial zoning district located at 355 Citrus Tower Boulevard.
Item 2 - Ordinance 2016-29 *Comprehensive Plan Amendment* *Extreme Groves*	Request for an ordinance to change the future land use to low density residential for property located south of Champagne Drive, west of Orange County line, and north of Hartwood Marsh Road.
Item 3 - Ordinance 2016-30 *Rezoning* *Extreme Groves*	Request to change the zoning to Planned Unit Development for property located south of Champagne Drive, west of Orange County line, and north of Hartwood Marsh Road.

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.

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Monday, September 12, 2016
City Hall – 685 W. Montrose Street, Clermont, FL

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
JUNE 13, 2016

The meeting of the Planning and Zoning Commission was called to order Monday, June 13, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, 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 Joell Folmar, Planning and Zoning Technician.

MINUTES of the Planning and Zoning Commission meeting held May 3, 2016 were approved as written.

REPORTS

Commissioner Martin made a motion to authorize a resolution for the Orlando Police Department; seconded by Commissioner Solis. The vote was unanimous to recommend the City draft a resolution.

Development Services Director Barbara Hollerand stated that there are no applications for the July 5, 2016 meeting, so that meeting will be cancelled.

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a daycare facility in the Central Business District
PROJECT: Magic Moments

Planning Manager Henschel presented the staff report as follows:

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.

Attorney Jimmy Crawford stated that he represents Sam and Nancy Allison. He stated that the state has limited their occupancy and will not have more than 45 children. He stated that the drop off and pick up will be on the lot and from the street as it is at the VFW now. He stated that they are asking for this application because their lease is up with the VFW. He stated that they are in agreement with staff's recommendation.

Victoria Schulte, Victoria's Home and Garden at 721 West Ave., stated that they have spent a lot of money to improve their property. She stated that parking is her biggest issue because it's already a problem.

Charlene Forth, 939 W. DeSoto St., read a letter written by Chase Forth into the record. She expressed her concerns about the parking in the area.

Mr. Crawford stated that the daycare is not expanding or adding to the use. He stated that they are only asking to move the use to a new location that has off-street drop off and pick up. He stated that the street parking is for public parking.

Nancy Allison, Magic Moments, stated that they can't have events that include parents due to no parking. She stated that the traffic and parking are already there.

Ms. Forth stated that there are only 5 or 6 parking spaces behind the building for employees and there will be no room for parents to park.

Mr. Crawford stated that there are 6 parking spaces that will be used for the employees. He stated that the drop off will be done at the existing Magic Moments School located behind this new location.

Chairman Jones asked for clarification of future buildings in the CDB district.

Mr. Henschel stated that buildings in the CDB district are allowed zero lot lines.

Commissioner Proli stated that there are parking issues in the area. She stated that she has asked that the City build a parking garage on the empty lot.

Commissioner Solis stated that he is not for this application.

Commissioner Smith asked if the building was replaced, would parking be required.

Mr. Henschel stated that it would have to include the required parking per code.

Commissioner Martin asked about the condition pertaining to parking in the conditional use permit. He asked who decides if the parking is adequate or not adequate.

Attorney Mantzaris stated that the City Council would decide if the parking is adequate.

Commission Hubbard asked how many parking spaces the VFW has on site.

Mr. Henschel stated that the VFW has no parking on site.

Commissioner Hubbard moved to recommend approval of the conditional use permit to limit hours of operation and a maximum of 45 kids; seconded by Commissioner Smith. The vote was 4-2 to recommend approval, with Commissioners Proli and Solis opposing.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a church in the C-2 General Commercial zoning district.
PROJECT: Redemption Worship Center

Senior Planner Kruse presented the staff report as follows:

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.

Commissioner Hubbard stated that he had a conflict with this item.

Attorney Mantzaris agreed and stated that Mr. Hubbard would need to fill out the conflict form.

Yvette and Pastor Reuben stated that they are requesting a church at this location.

Chairman Jones asked if there was already a church there.

Pastor Reuben stated that there has been a church at this location. He stated that this is a non-denominational church.

Commissioner Proli moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was unanimous to recommend approval. Commissioner Hubbard did not vote on this application.

3. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a school facility in the M-1 Industrial zoning district.
PROJECT: Pinecrest Lakes Academy

Planning Manager Henschel presented the staff report as follows:

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.

Tiffany Ward stated that she is the administrator of the school. She stated that this will be a Charter School for K-8th grade.

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

4. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Regional Office to Industrial
PROJECT: Citrus Tower Blvd. Self-storage

Senior Planner Kruse presented the staff report as follows:

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.

5. REQUEST FOR REZONING

REQUEST: To change the zoning from UE Urban Estate to C-2 General Commercial
PROJECT: Citrus Tower Blvd. Self-storage

Senior Planner Kruse presented the staff report as follows:

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.

6. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a self-storage facility occupying more than 20,000 square feet of floor space
PROJECT: Citrus Tower Blvd. Self-storage

Senior Planner Kruse presented the staff report as follows:

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.

Rick McCoy stated that he was present to answer any questions.

Commissioner Smith moved to recommend approval of the small-scale comprehensive plan amendment; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

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

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

7. REQUEST FOR LAND DEVELOPMENT CODE CHANGE

REQUEST: To amend Chapter 110 Subdivisions, Section 110-263 Field Monumentation
PROJECT: Field Monumentation

Planning Manager Henschel presented the staff report as follows:

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.

Commissioner Proli moved to recommend approval of the land development code amendment; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

8. REQUEST FOR LAND DEVELOPMENT CODE CHANGE

REQUEST: To amend Chapter 122 Zoning, Section 122-223 Permitted Uses; Section 122-224 Conditional Uses
PROJECT: Auto Dealerships

Planning Manager Henschel presented the staff report as follows:

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.

Commissioner Martin moved to recommend approval of the land development code amendment; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

Chairman Jones made a request for a workshop to discuss development on land with hills. He expressed concerns that Clermont's hills are being compromised. He stated that he wants research done on other communities with hills, their development regulations, and actual developments in a hilly area. Commissioner Proli made a motion for a workshop; seconded by Commissioner Solis. The vote was unanimous to have a workshop.

There being no further business, the meeting was adjourned at 7:54 pm.

_____
Nick Jones, Chairman

ATTEST:

_____
Rae Chidlow – Planning Specialist

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 2, 2016

The meeting of the Planning and Zoning Commission was called to order Tuesday, August 2, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Judy Proli, Cuqui Whitehead, Tony Hubbard, and Jack Martin. Also in attendance were James Kinzler, Assistant City Manager, Barbara Hollerand, Development Services Director, Jim Hitt, CRA/Mobility Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

REPORTS

Commissioner Whitehead stated that she will not be able to attend the September meeting.

Department Director Hollerand stated that the September Planning and Zoning meeting will be held on Monday, September 12, 2016.

Assistant City Manager Kinzler presented the three Florida Recreational Development Assistance Program (FRDAP) grant opportunities for Victory Pointe.

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a church facility in the M-1 Industrial zoning district.
PROJECT: Calvary Chapel

Senior Planner Kruse stated that this item has been withdrawn.

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow an existing automotive dealership in the C-2 General Commercial zoning district.
PROJECT: Napleton

Senior Planner Kruse presented the staff report as follows:

The owner, Napleton/Clermont Motors LLC, is requesting a Conditional Use Permit for the existing automotive dealership and vacant property to the north. The property is approximately 15 acres with 5 acres used for the existing automotive dealership and an additional 10 acres that the dealership would like to expand on, mainly for inventory parking and stormwater pond. The property was recently annexed into the City with a designation of C-2 General Commercial with the understanding that any expansion would require a Conditional Use Permit.

The project consists of an existing 20,000 square foot building with a proposed building expansion of 28,956 square feet. The total building square footage is 48,956 square feet, as shown on the plan prepared by Germana Engineering and Associates, LLC, dated 07-01-16 Preliminary-Concept Plan. In addition, the owner will be adding 300 inventory parking stalls to the rear of the project area. The stormwater pond will be relocated further back on the property

and redesigned to treat the additional impervious surface on the site. The site will be required to meet the Land Development Code and proceed through site plan review.

Staff recommends approval of Resolution 2016-29.

Chris Germana, 1120 W. Minneola Ave., stated that they are wanting to enlarge the service area of the facility. He stated that it will free up some parking for customers, create a new inventory area, and enhance the landscape features to give more curb appeal to this facility.

Commissioner Solis stated that he is in agreement with the improvements. He stated that it is hard to get in and out of that dealership.

Commissioner Whitehead asked if the landscaping will be enhanced.

Mr. Germana stated that there are landscape islands in the parking area. He stated that there is a large tree area and a wetland in the back of the property so they will not build in the rear of the property.

Commissioner Whitehead asked if the entrance into the facility will be enlarged.

Mr. Germana stated that the entrance will remain the same, however there will be improvements to the front of the facility. He stated that the inventory will be displaced to the rear and right side of the site to open up the front area.

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

3. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a multifamily development with more than 12 units, and up to 12 units per acre.
PROJECT: Mason's Ridge

Planning Manager Henschel presented the staff report as follows:

The Mason's Ridge project is a proposed multi-family development consisting of 102 apartments located at the southwest corner of Pitt Street and Grand Highway. The parcel is zoned C-2 general commercial with a future land use of residential / office. The C-2 zoning allows for multifamily uses (with an approved Conditional Use Permit) provided the development follows the R-3 (Residential/Professional) zoning district regulations. The applicant is also proposing to maximize the allowable density of 12 units per acre that is allowable under the Comprehensive Plan with an approved Conditional use permit.

The proposed units will be two stories tall and fall under the city's maximum height requirement of 45 feet (units proposed will be approximately 24 feet tall).

The 8.5-acre parcel remains vacant, and is topographically challenged with approximately 60 feet of fall from the west property line down to Grand Highway.

The applicant will also be proposing two variances that will go along with the final Conditional Use Permit. One variance is needed for grading on the parcel, and the second allows wall heights greater than 6 feet. These two variances will be reviewed and considered by City Council.

Staff recommends approval of Resolution 2016-30 to allow 12 units per acre for the project, not to exceed an overall unit count of 102 units.

Tim Green, 4070 United Ave., Mt. Dora, stated that he concurs with staff's recommendation. He stated that this is a difficult site. He stated that the commercial along Highway 27 is not included in the density calculations and will not be developed at this time.

Commissioner Martin asked about the wall height.

Mr. Green stated that the wall will be stepping down due to the slope of the property.

Commissioner Proli asked what type of tenants are they expecting to rent to.

Sonya Montgomery, 153 Nautica Mile Dr., stated that the rent will be based on the current market. She stated that it won't be low income, however it will be affordable. She stated that they will be luxury townhomes.

Commissioner Proli stated that more developers are putting in multi-family units rather than single family. She stated that this will impact schools, traffic, and water consumption. She stated that she is concerned about the aesthetics of the building.

Ms. Montgomery stated that they are focused on the aesthetics of the property. She stated that what is on the drawing is a rough draft. She stated that it will be a green building and will be a walkable community.

Commissioner Whitehead asked about handicap parking.

Mr. Green stated that the grading on the property is needed for the handicap challenges for this site. He stated that the density meets the City's comprehensive plan for that location.

Terri Wrights, 734 S. Grand Highway, Hillside Villas, stated that the traffic on Grand Highway has increased so much that it is hard for her to get in and out of her complex. She stated that she is not in agreement with this application.

Mark Swanson, 14446 S. Grand Highway, stated that his father purchased his home in 1958. He stated that he lives directly across the street from this site. He stated that people walk through his yard already and the amount of theft in the area has increased. He stated that there has been an increase in traffic on Grand Highway. He stated that he is not in agreement with this project.

John Songer, 14334 S. Grand Highway, stated that his property floods from the road. He stated that the schools are already overcrowded. He stated that several cars have been rear ended by traffic on Grand Highway.

Robin Livesay, 14320 S. Grand Highway, stated that her children walked to school, but her grandchildren can't walk due to traffic. She asked how many accidents have happened at Grand Highway and Pitt Street. She stated that she asks that they consider the residents and is opposed to the project.

Carol McDaniel, 14424 S. Grand Highway, stated that even though there is a four-way stop at Grand Highway and Pitt Street, the cars drive 50 mph up to the stop sign. She stated that theft has been bad in the area. She stated that the woods are a nice buffer for them.

Lynda Smith, 14340 S. Grand Highway, stated that she has lived in her home for 23 years now. She stated that she likes the old Clermont and the hills. She stated that the traffic and accidents have been bad on Grand Highway. She asked how the water on the site will be retained. She has concerns with her house being flooded.

Ryan Livesay, 14320 S. Grand Highway, stated that he has been rear ended recently. He stated that they have lived in this location since 1992 and have been burglarized three times in the last three years.

Terri Wrights, 734 S. Grand Highway, owns Terri Wrights Household Services, and she stated that she will be moving her business to another area.

Mr. Green stated that there would be landscaping around the retention pond. He stated that the entrance will be on Pitt Street, not Grand Highway. He stated that there will be sidewalks included in the improvements to the site, so that should help with children walking to school. He stated that the comprehensive plan allows 12 units per acre for this site, and they will comply with what is allowed.

Ms. Montgomery stated that when speaking to staff, they agreed to make the community walkable and bikeable. She stated that all the residents' concerns will be taken into consideration.

Duane Booth, BESH, 902 Sinclair Ave., stated that the stormwater pond will have to be flat. He stated that the variances that will be requested are due to stormwater and handicap accessibility for the site. He stated that the project will contain its stormwater runoff and there will not be any additional runoff from this site.

Commissioner Solis stated that the owners have a right to ask to develop their property. He stated that the applicant is asking for what the City allows for that property. He stated that he will look at the concerns of the residents and the rights of property owner.

Commissioner Proli stated that she has empathy for the surrounding residents. She stated that it is okay for land owners to build, but not to create a large impact on the existing residents.

Commissioner Whitehead stated that crime has increased in this area. She stated that she does not like apartments, but this is their property not hers.

Commissioner Hubbard stated that he agrees with Commissioner Solis. He stated that he is concerned about traffic. He stated that the traffic study should have already been done.

City Attorney Mantzaris stated that a traffic study will have to be done prior to beginning work, however, it is not required for the submittal of the conditional use permit.

Commissioner Martin asked what are currently allowed permitted uses.

City Attorney Mantzaris read from the code the permitted uses allowed for that site.

Mr. Henschel stated that a traffic study has been submitted, however the Metropolitan Planning Organization has not provided their final report to the City.

Commissioner Proli asked why C-2 zoning would be allowed near a residential area and for a site with the topography that exists for that site.

Mr. Henschel stated that the comprehensive plan has been approved by City Council and the state that allows the use of the property.

Mr. Mantzaris stated that zoning and comprehensive plans do not take into consideration the topography of an area.

Chairman Jones stated that the biggest impact is the traffic.

Commissioner Martin moved to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was 3-3, since the vote was a tie, the action moves forward to City Council as a denial. Commissioners Martin, Solis and Jones in favor; Commissioners Proli, Whitehead and Hubbard opposing.

4. REQUEST FOR LAND DEVELOPMENT CODE AMENDMENT

REQUEST: To amend Chapter 98 Parking and Vehicular Use Areas to allow city on-street 8' x 22" parallel parking spaces.

CRA/Mobility Director Hitt presented Ordinance 2016-31.

Carol McDaniel, 14424 S. Grand Highway, stated that as the roads get smaller, business owners who driver larger vehicles and pull trailers will have issues with the smaller lanes and parking spaces.

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

5. REQUEST FOR LAND DEVELOPMENT CODE AMENDMENT

REQUEST: To amend the Code of Ordinances to create a Downtown and Waterfront Entertainment District section.

CRA/Mobility Director Jim Hitt presented Ordinance 2016-33.

Robin Livesay, 14320 S. Grand Highway, stated that she likes the idea, however she used to go to the events but downtown is so crowded now. She stated that you have to park so far away in order to attend these events.

Commissioner Whitehead moved to recommend approval of the code change; seconded by Commissioner Proli. The vote was unanimous to recommend approval.

6. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To allow for a text amendment to the Future Land Use Element to add language regarding Planned Unit Development zoning.

Senior Planner Kruse presented the staff report as follows:

In September 2015, the City Council voted to adopt a new zoning designation, Planned Unit Development (PUD). Previously, projects would apply for a Conditional Use Permit for a Planned Unit Development. This process caused some confusion and challenges, particularly when annexing properties under the Interlocal Service Boundary Agreement (ISBA) that had a PUD zoning in place from Lake County. After making this change to the Land Development Code, it became apparent afterwards that there were four places in the Future Land Use Element that were inconsistent with this code change. The language in the Future Land Use Element stated that when projects had densities higher than eight units per acre, a CUP was required.

There was no mention of the new PUD zoning designation, which would permit densities higher than eight units per acre. Therefore, in order to eliminate these discrepancies, the addition of "or a Planned Unit Development (PUD) zoning" was added to these four areas of the text. An underlined and highlighted version of the Future Land Use Element has been provided for review indicating the four areas of insertion.

Staff recommends approval of Ordinance No. 2016-32 to add language to the Future Land Use Element that includes the adopted Planned Unit Development zoning designation in the Land Development Code.

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

There being no further business, the meeting was adjourned at 8:27 pm.

_____
Nick Jones, Chairman

ATTEST:

_____
Rae Chidlow – Planning Specialist

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Monday, September 12, 2016

Agenda Item Name
Resolution 2016-36 *Conditional Use Permit* *Lake County Adult Activity Center, Inc.*

Requested Action
Move to recommend approval of Resolution 2016-36.

Staff Report
The applicant intends to locate an adult daycare facility at 355 Citrus Tower Blvd. This location is zoned M-1 Industrial with a planned unit development (PUD) and has a future land use of Industrial. The Lake County Adult Activity Center Inc. has previously obtained two conditional use permits at other locations within the City, the first in 2009 on Grand Highway, and the second in 2012 on West Broome Street. Each time, the applicant has outgrown their location and is now seeking to relocate to this 4,500-square-foot location. The Lake County Adult Activity Center will be a licensed adult daycare facility with a capacity of up to 60 adults. The center will provide a safe place to go during the week to socialize, participate in supervised activities, and receive physical care and monitoring as needed, all while retaining as much independence as possible. Hours of operation will be Monday through Friday from 8 a.m. to 5 p.m. Eight employees will staff the facility throughout the day.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Resolution	CUP RES 2016-36.docx
2.	Map	Location Map.docx
3.	Application	Application.pdf
4.	Legal ad	CUP legal Ad.docx

CITY OF CLERMONT
RESOLUTION NO. 2016-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN ADULT DAYCARE 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 September 12, 2016 recommended approval of this Conditional Use Permit to allow for an adult daycare, at the following location:

LOCATION:
355 Citrus Tower Boulevard, Suite 100
AK 3777847

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted comprehensive plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

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 an adult daycare in the M-1 Industrial zoning 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 person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

3. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.

4. 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.

5. The Conditional Use Permit must be executed and processed through the Office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.

6. 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.

7. This permit shall become null and void if the Adult Daycare has not begun operations with a Certificate of Occupancy within two (2) years of the date the Conditional Use Permit is executed and signed by the appropriate parties.

8. 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.

9. 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.

10. Residential uses shall not be permitted.

Section 2 – Land Use

1. Permitted uses shall include an adult daycare facility. Other permitted uses in the M-1 industrial zoning district are also permitted.

CITY OF CLERMONT
RESOLUTION NO. 2016-36

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 27th day of September, 2016.

CITY OF CLERMONT

_____
Gail L. Ash, Mayor

ATTEST:

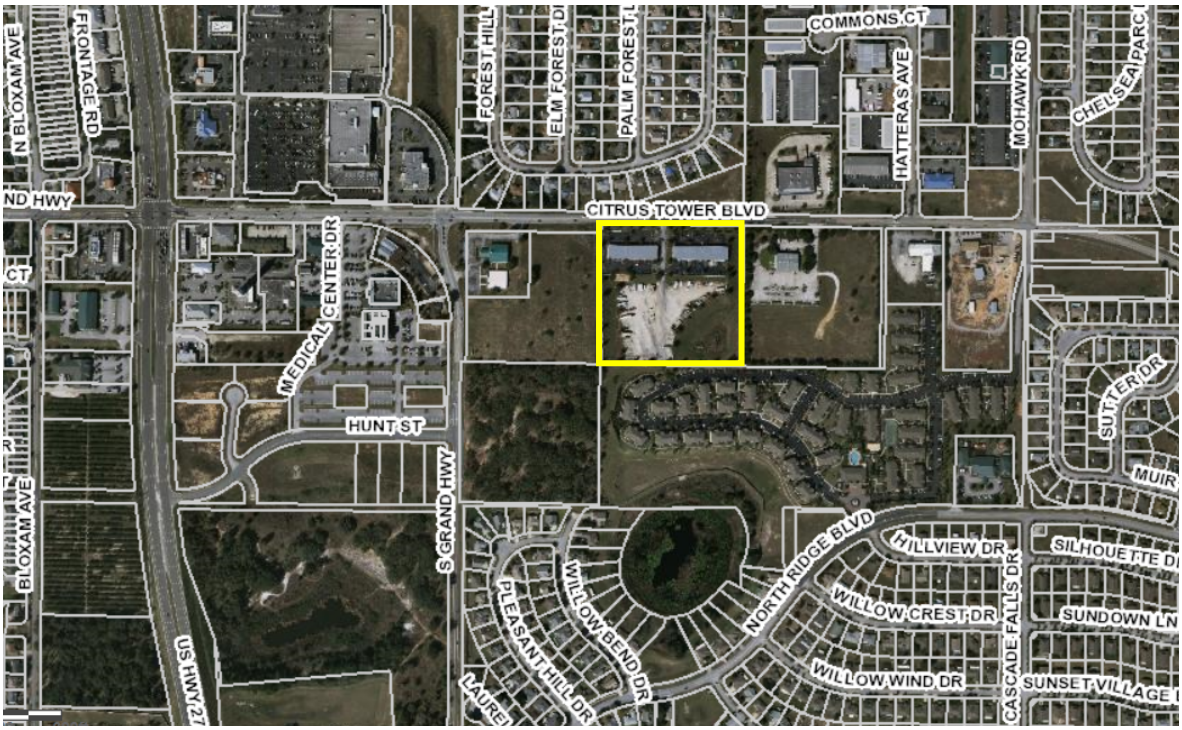
_____
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Location Map:

Lake County Adult Activity Center



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 8/1/16 FEE: 300.00

PROJECT NAME (if applicable): _____

APPLICANT: Lake County Adult Activity Center, Inc.

CONTACT PERSON: Carolina M. Garcia

Address: 355 Citrus Tower Blvd. Suite 100

City: Clermont State: Fl. Zip: 34711

Phone: 352-404-6098 Fax: 352-404-6475

E-Mail: lake2024@gmail.com

OWNER: TowerCo LLC

Address: 230 Mohawk Road

City: Clermont State: Fl Zip: 34715

Phone: 352.242.0073 Fax: 352.242.1960

Address of Subject Property: 355 Citrus Tower Blvd Suite 100 Clermont, Fl. 34711

General Location: ON Citrus Tower Blvd.

Legal Description (include copy of survey): _____

Land Use (City verification required): _____

Zoning (City verification required): _____

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.

See Attached!

Carolina M. Garcia
Applicant Name (print)

x
Applicant Name (signature)

Joseph Zagame
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. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

PRESCO
REAL ESTATE GROUP
THE DEVELOPMENT SOLUTION COMPANY

• PRESCO DEVELOPMENT, LLC • PRESCO CAPITAL, LLC
• PRESCO CONSTRUCTION, LLC • PRESCO PROPERTY MANAGEMENT, LLC • PRESCO REALTY, LLC

Date: August 1, 2016

Property Name: Heritage Square, Suite 100-104
Street Address: 355 Citrus Tower Blvd., Suite 100-104
City,State,Zip: Clermont Fl 34711
Alt Key #: 3777847
Parcel #: 0922260805-007-00000

Fee Simple Property Owner Contact Information:
Name: Towerco, LLC
c/o Presco Real Estate Group, LLC
Address: 230 Mohawk Road, Clermont, FL 34711
Phone: 352-242-0073

Land Owner Contact Information:
Name: John P. and Ann D. Adams Family LP
Address: 2500 Dundee Road, Winter Haven, FL 33884

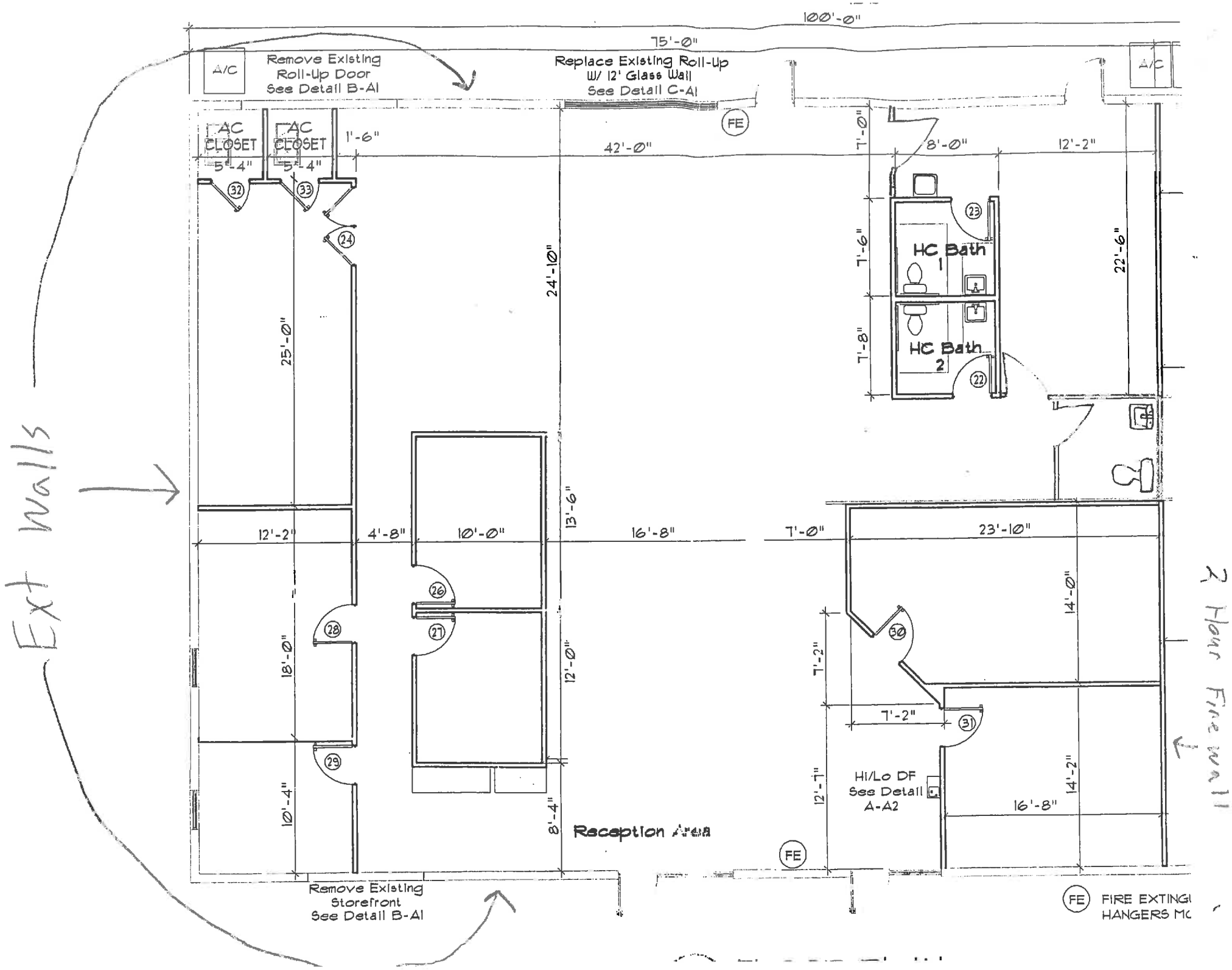
Agent for Property Owner

State of Florida
County of LAKE

The foregoing was acknowledged before me on this 1st day of August, 2016, by CARRIE SERMAK, who is personally known to me or who produced identification and who took an oath.

Joanne Mohammed
Notary Public, State of Florida
Commission Expires: 2/21/18

Notary Public State of Florida
Joanne Mohammed
My Commission FF 087063
Expires 02/21/2018


100'-0"
75'-0"
A/C
Remove Existing
Roll-Up Door
See Detail B-A1
Replace Existing Roll-Up
W/ 12' Glass Wall
See Detail C-A1
A/C
FE
AC
CLOSET
AC
CLOSET
1'-6"
5'-4"
5'-4"
42'-0"
7'-0"
8'-0"
12'-2"
HC Bath
1
HC Bath
2
7'-6"
7'-8"
22'-6"
24'-10"
25'-0"
13'-6"
12'-2"
4'-8"
10'-0"
16'-8"
7'-0"
23'-10"
14'-0"
18'-0"
12'-0"
7'-2"
7'-2"
12'-7"
HI/Lo DF
See Detail
A-A2
14'-2"
16'-8"
10'-4"
8'-4"
Reception Area
FE
Remove Existing
Storefront
See Detail B-A1
FE
FIRE EXTINGU
HANGERS MC
Ext walls
2 Hour Fire wall

Google earth

feet 100
meters 50

BOB McKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2015. Real Estate

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
0922260805-007-00000		3777847	000C

JOHN P ADAMS & ANN D ADAMS
FAMILY LP
PO BOX 1667
WINTER HAVEN, FL 33882

H.S.

355 CITRUS TOWER BLVD

CLERMONT, LAKE HIGHLANDS 20-22-26
TRACT 7 PB 3 PG 30ORB 1780 PG 1226

1+3777847+2015

PAY IN U.S. FUNDS TO BOB McKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED
LAKE COUNTY GENERAL	1,723,553	0	1,723,553	5.3051	9,143.62
AMBULANCE MSTU	1,723,553	0	1,723,553	0.4629	797.83
ENVIRON LAND PURCHASE	1,723,553	0	1,723,553	0.1600	275.77
LAKE CO SCHOOL BOARD					
CURRENT	1,732,448	0	1,732,448	5.6970	9,869.76
CAPITAL OUTLAY	1,732,448	0	1,732,448	1.5000	2,598.67
CITY OF CLERMONT	1,723,553	0	1,723,553	4.2061	7,249.44
ST JOHNS WATER MGMT	1,723,553	0	1,723,553	0.3023	521.03
LAKE CO WATER AUTH	1,723,553	0	1,723,553	0.2554	440.20
S LAKE CNTY HOSP	1,723,553	0	1,723,553	0.7633	1,315.59
			TOTAL:	18.6521	$32,211.91

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
	NON-AD VALOREM ASSESSMENTS:	$0.00

COMBINED TAXES AND ASSESSMENTS: $32,211.91

If Paid By	Nov 30, 2015	Dec 31, 2015	Jan 31, 2016	Feb 29, 2016	Mar 31, 2016
Please Pay	$30,923.43	$31,245.55	$31,567.67	$31,889.79	$32,211.91

BOB McKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2015 Real Estate

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JOHN P ADAMS & ANN D ADAMS
FAMILY LP
PO BOX 1667
WINTER HAVEN, FL 33882

355 CITRUS TOWER BLVD

CLERMONT, LAKE HIGHLANDS 20-22-26 TRACT 7 PB 3 PG 30ORB 1780 PG 1226

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
0922260805-007-00000		3777847	000C

0000000000 2015 0003221191 0000000003777847 0001 7

1+3777847+2015

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow an adult daycare in the M-1 Industrial Zoning District, at the following location:

LOCATION
355 Citrus Tower Boulevard
AK 3777847

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, September 12, 2016 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, September 27, 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
September 5 and September 20, 2016

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Monday, September 12, 2016

Agenda Item Name
Ordinance 2016-29 *Comprehensive Plan Amendment* *Extreme Groves*

Requested Action
Recommend denial of Ordinance 2016-30.

Staff Report

The owner, Extreme Groves Investments, LLC, is requesting a large-scale comprehensive plan amendment for the property. The property is approximately 66 acres in size. This request is being heard concurrently with requests for annexation and a rezoning to a planned unit development (PUD) for a 122-lot subdivision. The applicant wishes to develop the property and have City services available.

The owner is requesting a change in the future land use from Lake County's Rural to the City's Low Density Residential designation. The property is part of the proposed Wellness Way Area Plan (WWAP), which upon adoption by Lake County, may allow this property to be developed up to a density of 1.85 dwellings units per acre. However, the County has expressed concern with the compatibility of the proposed project with the existing densities on adjacent and surrounding parcels. It was noted that the project fails to meet many of the goals and objectives of the pending Wellness Way Urban Service Area.

The property currently has Rural future land use, which limits 1 dwelling unit to 5 acres. The City's Low Density Residential designation allows up to 3 units per acre. This is the City's lowest-density, residential future land use category. A change to this category would essentially be a 1 to 15 ratio increase, or one home in the County to 15 homes in the City over the same acreage. The property has Rural future land use designation to the south, to the west and a portion to the north and Conservation future land use designation for Lake County Water Authority's Scrub Point Preserve. The proposed project would be a pocket of Low Density Residential surrounded by future land uses of Rural and Conservation.

The Lake County Water Authority, the Lake County Board of County Commissioners, the Lake County School Board, and surrounding property owners have all expressed concern over the proposed change. Due to the incompatibility of the surrounding land uses and the impacts on traffic, schools, and other public services, staff recommends denial of the request for the large-scale comprehensive plan amendment to change the future land use from Lake County Rural to Low Density Residential 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 2016-29.doc
2.	Maps	Extreme Groves Maps.pdf
3.	Utility Agreement	extreme grove utility service.pdf
4.	LCSB School Report	EXTREME GROVES CPA GIR and LET 02112016.pdf
5.	Lake County Water Authority	LCWA Discussion Items - Extreme Groves.pdf
6.	Lake County BCC Letter 7-26-16	Lake County BCC Letter 7-26-16.pdf
7.	Citizen letter_Mar 25 2016	Letter of Opposition to Lake County.pdf
8.	Citizen letter_June 4 2016	Letter of opposition.pdf
9.	Citizen letter_June 9 2016	Letter of opposition2.pdf
10.	Citizen letter_July 9 2016	Letter to Clermont City Manager Gray J A 2 (1) (1) (1) (1) (3) (2).docx
11.	Citizen letter	Opposition signatures to Lake County.pdf
12.	Citizen letter_Aug 2016	Letter - Pangborn.pdf
13.	LCWA letter_Sept 2 2016	Hollerand - LCWA - Extrement Goves - Meritage Homes Agreement.pdf
14.	Application	CPA application.pdf
15.	Legal ad	CPA Ad Extreme Grove Amendment UPDATED.docx

ORDINANCE No. 2016-29

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

The north ½ of the northeast ¼ of Section 1, Township 23 South, Range 26 east, Lake County Florida, less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida & less from the northwest corner of the northeast ¼ run south 89-46-07 east 25 feet for Point of Beginning, continue south 89-46-07 east 346.91 feet, south 0-27-22 west 627.84 feet, north 89-46-07 west 346.91 feet, north 0-27-22 east 627.84 feet to Point of Beginning.

Containing 66.44 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM LAKE COUNTY – RURAL
TO CITY OF CLERMONT LOW DENSITY RESIDENTIAL

Section 2.

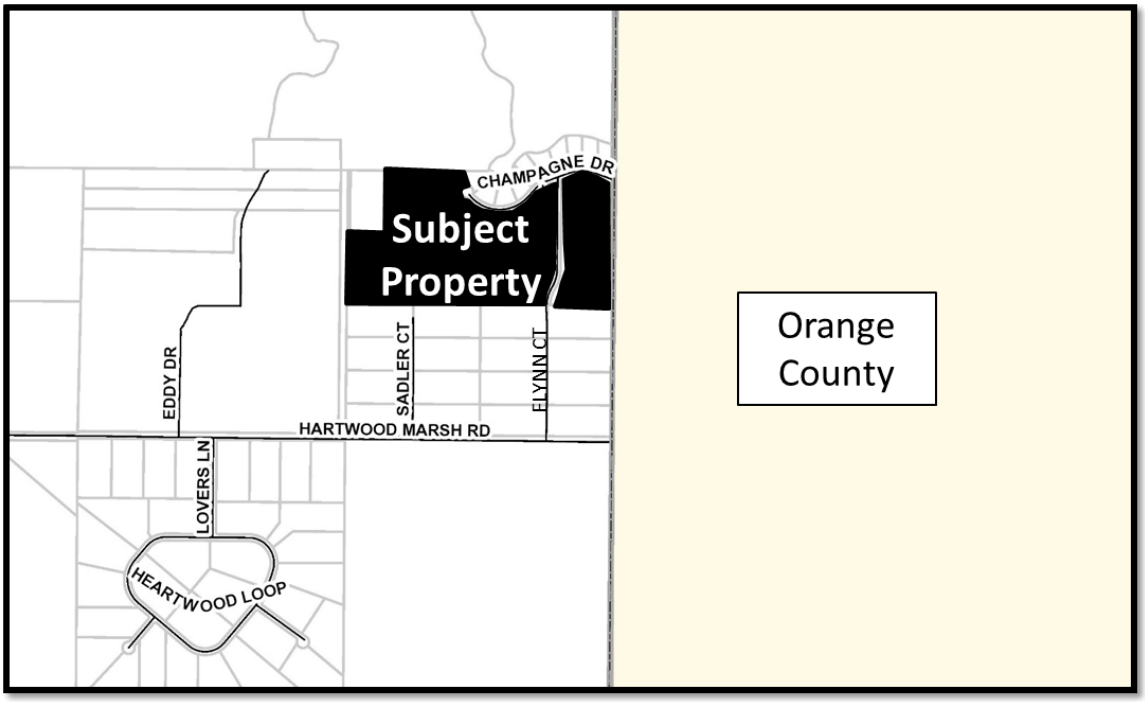
If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of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

Section 3.

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

Section 4.

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



CITY OF CLERMONT
ORDINANCE No. 2016-29

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 13th day of December, 2016.

_____
Gail L. Ash, Mayor

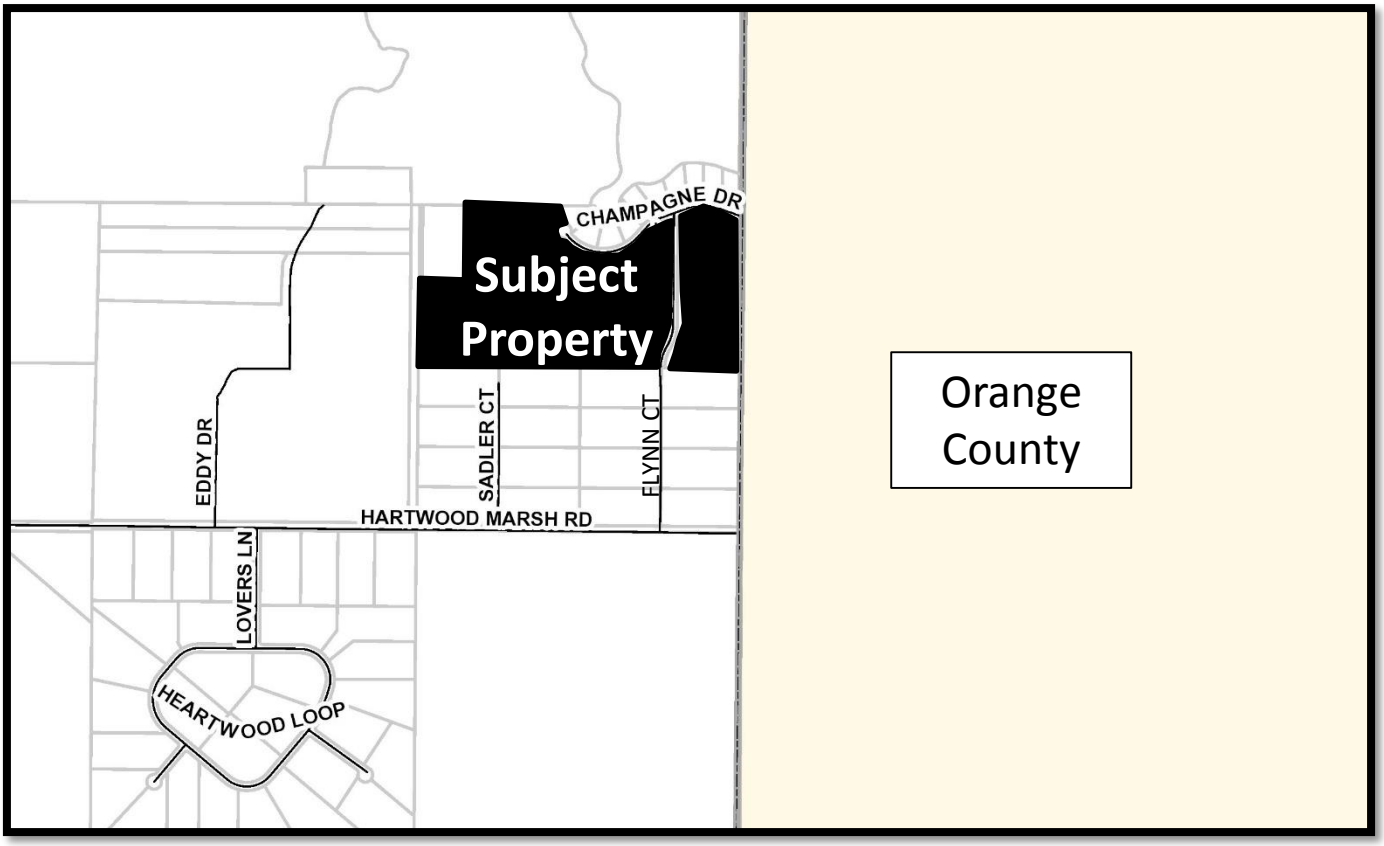
ATTEST:

_____
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

_____
Daniel F. Mantzaris, City Attorney

Exhibit - Location Map
Extreme Groves



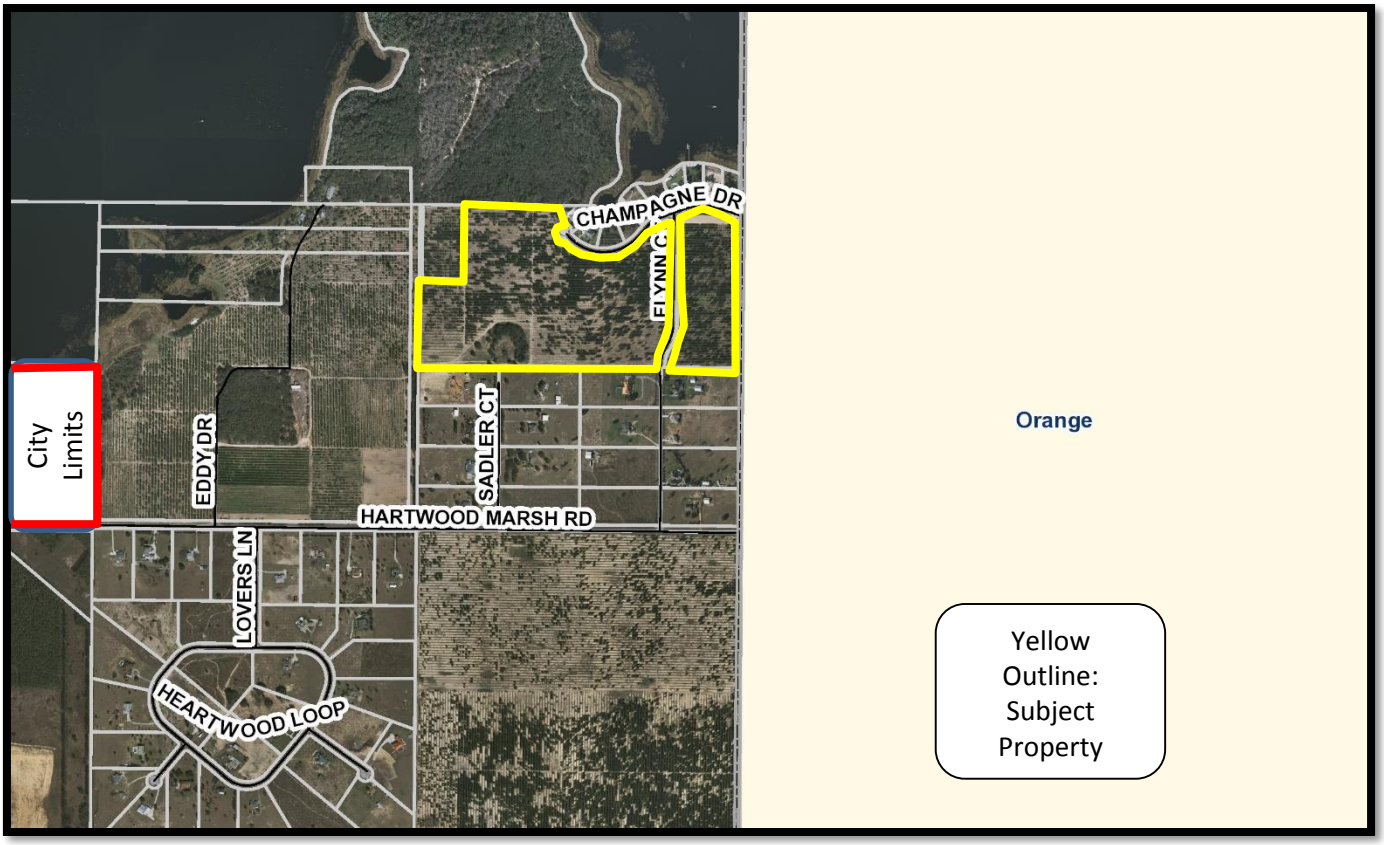
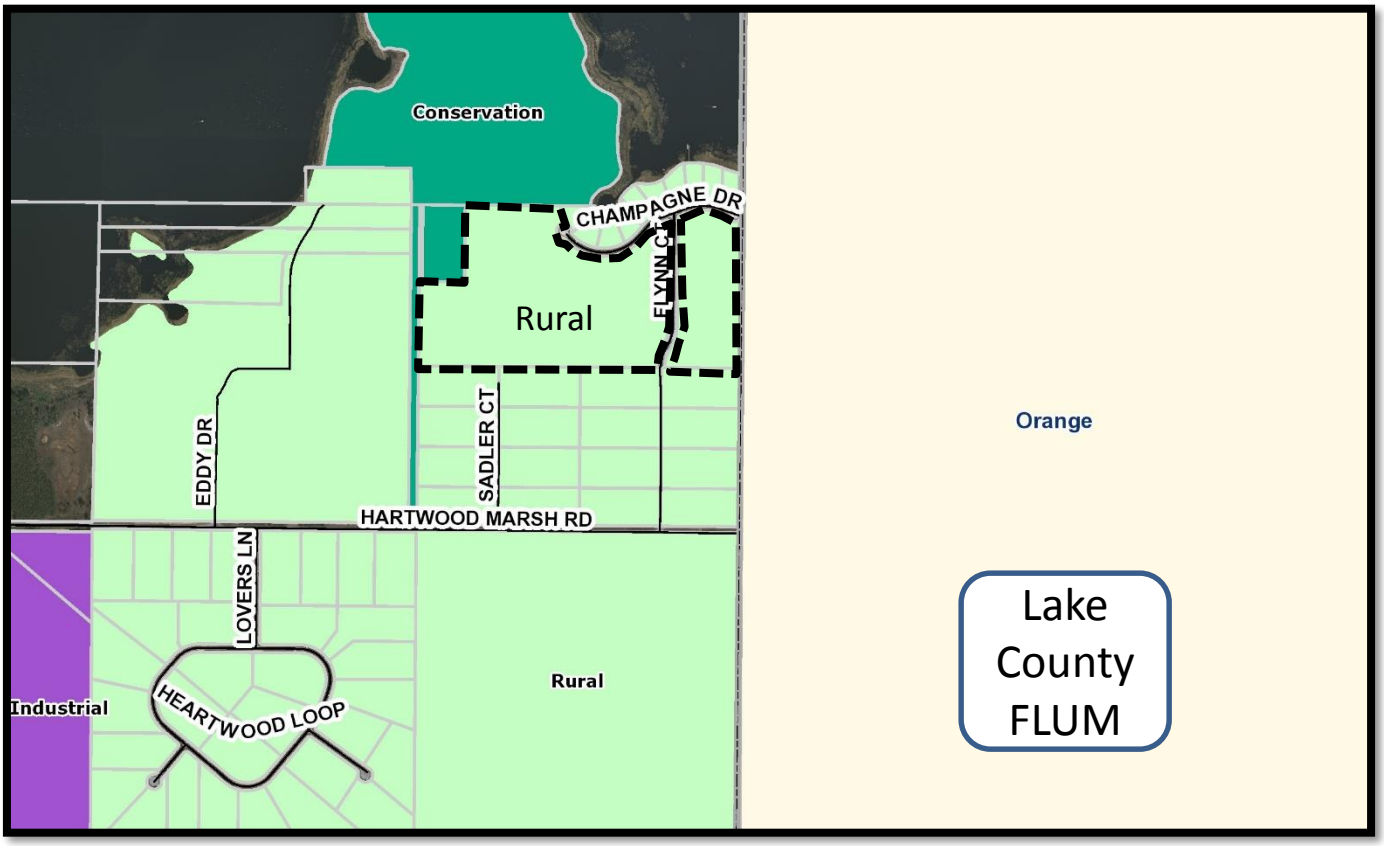


Exhibit – Future Land Use Map
Extreme Groves



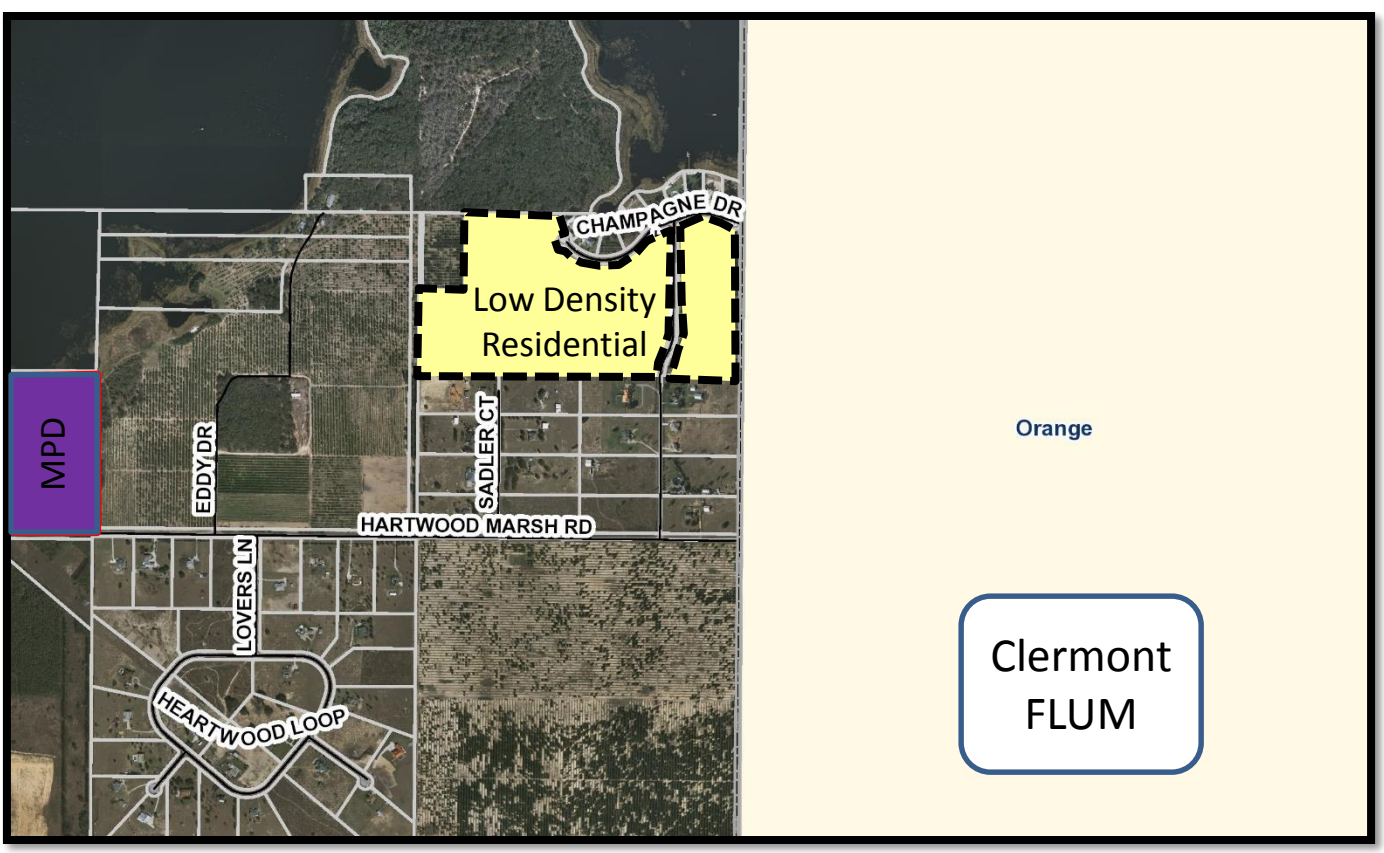
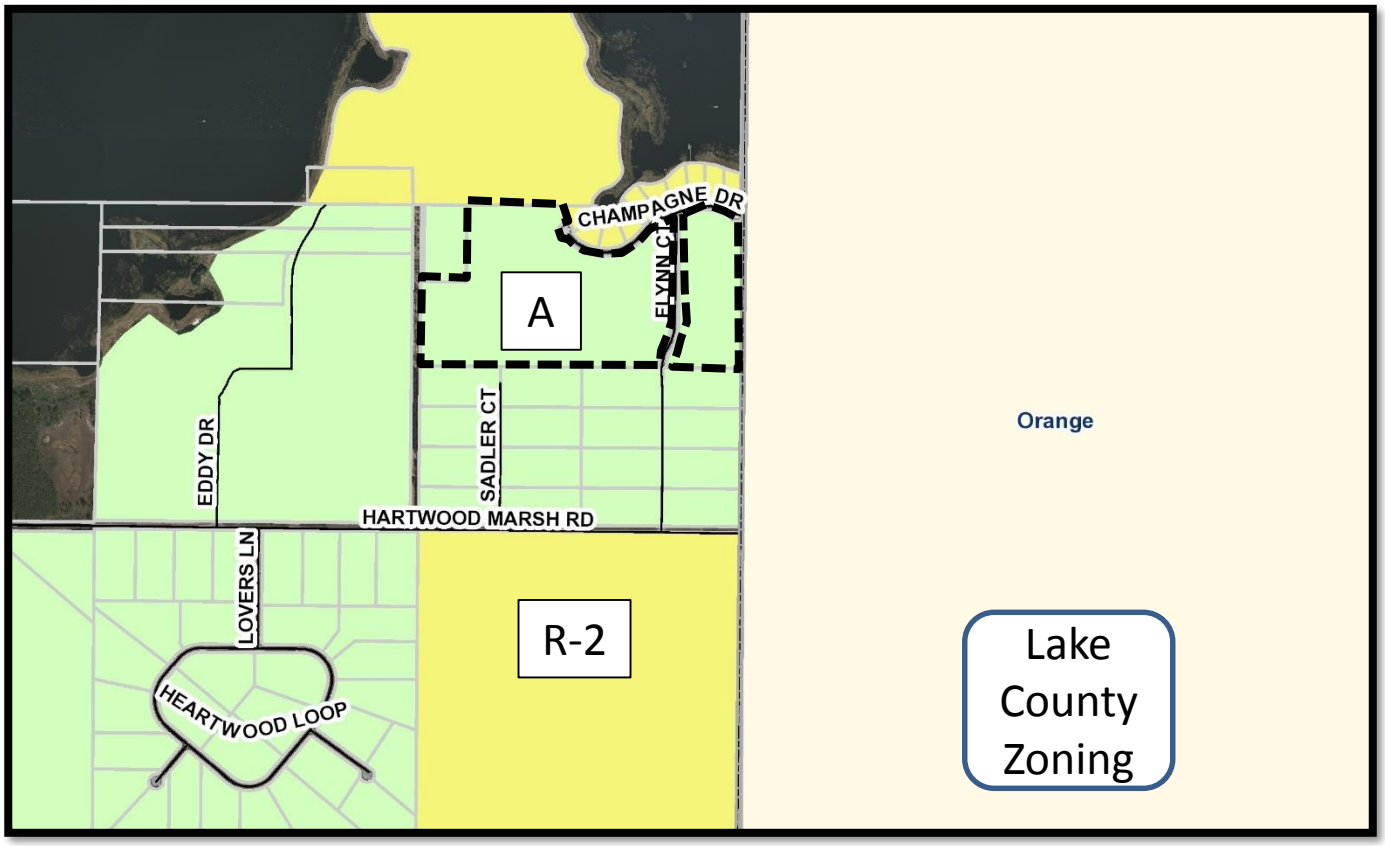


Exhibit – Zoning Map
Extreme Groves



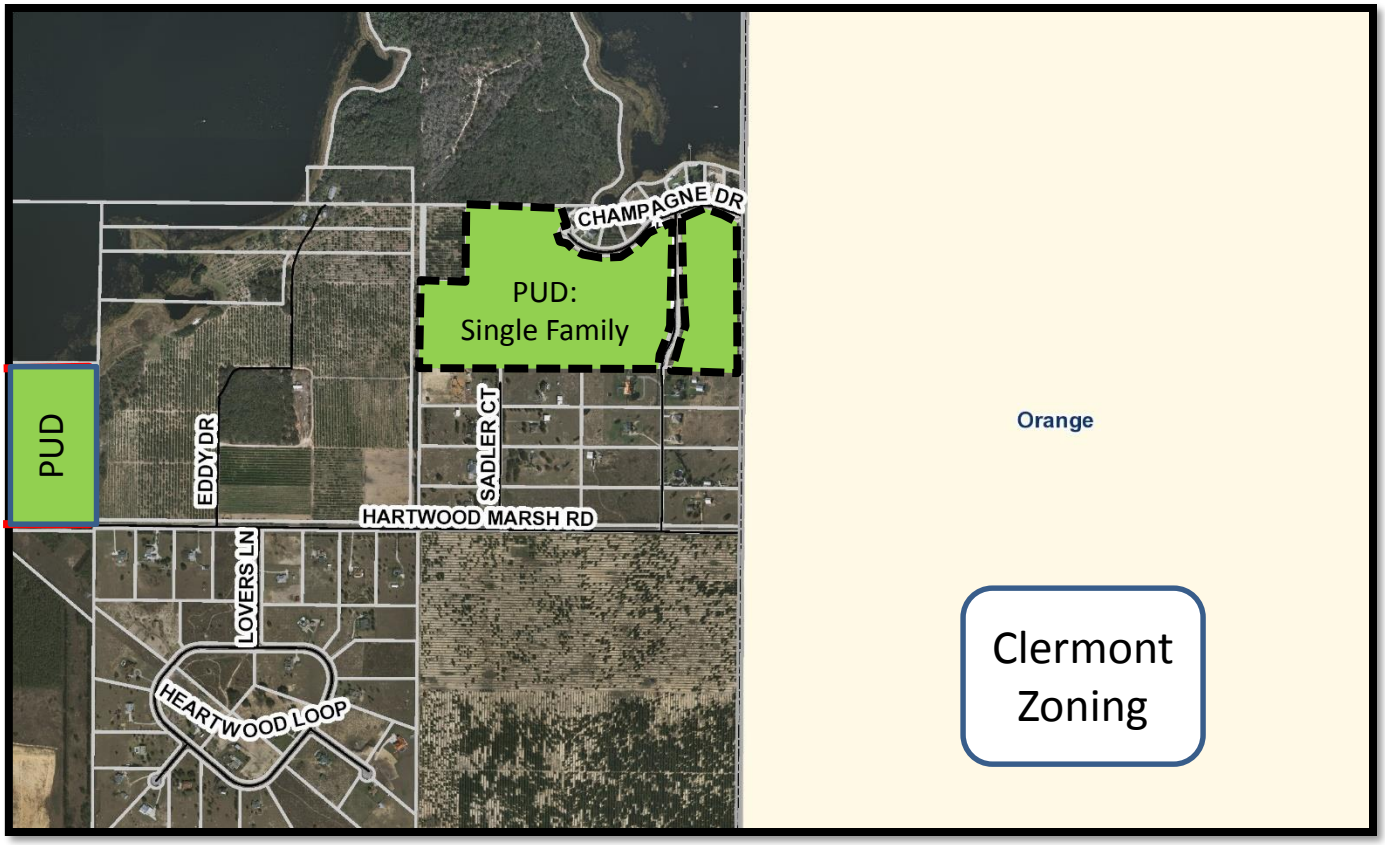
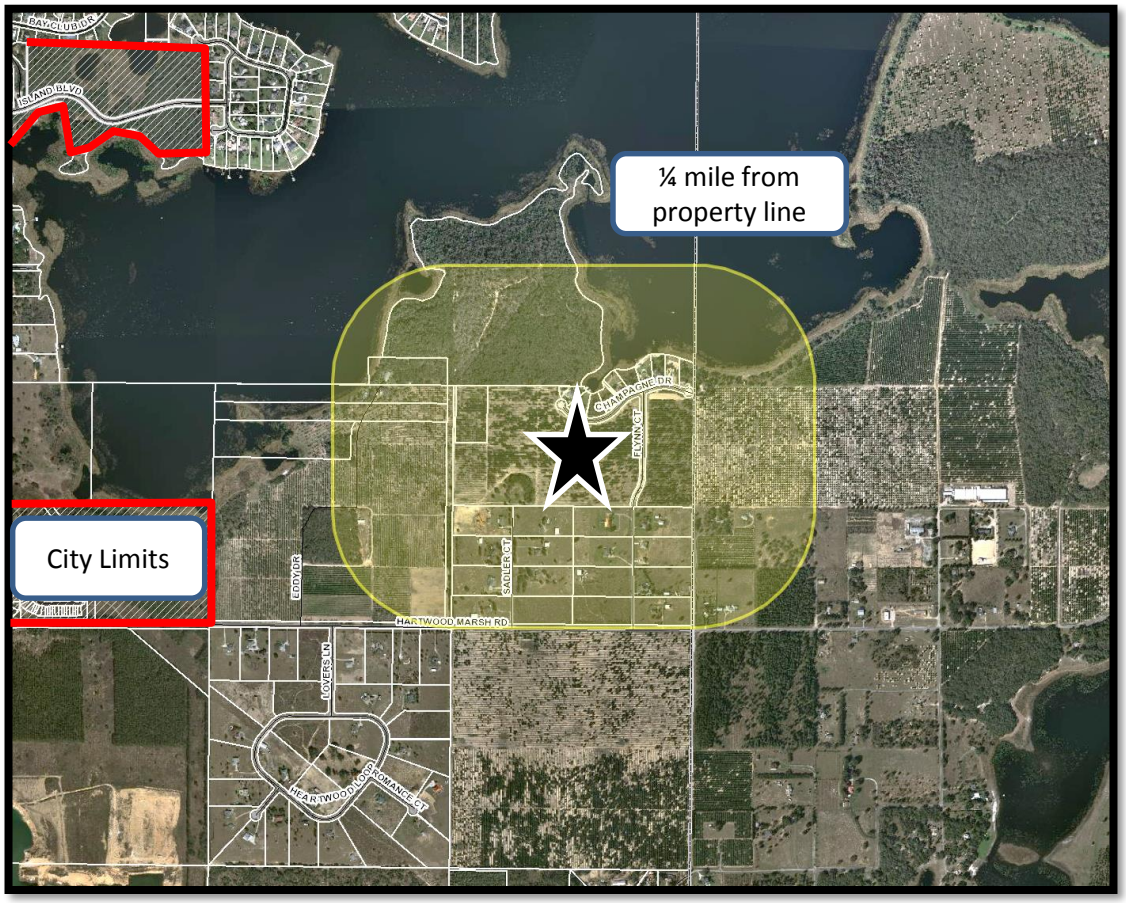


Exhibit – Buffer
Extreme Groves



UTILITY SERVICE AGREEMENT
FOR WATER & WASTEWATER

This document constitutes an agreement between the CITY of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and Extreme Grove Investments, LLC, and any successors or assigns, hereby referred to as **OWNER.**

WITNESSETH

Whereas, OWNER is requesting service for a 66.44 acre single family residential subdivision with 122 lots which is located on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, as a condition of CITY providing said water and sewer service to the property, OWNER is to extend water and sewer lines to serve the Property and lines and appurtenances must be sized and constructed in accordance with the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the subdivision; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE WATER/SEWER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

1.1 CITY shall provide water and sewer service for the Property.

1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY. The connection points will be those closest to the Property.

1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.

1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.

1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.

1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.

1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.

1.8 The OWNER shall construct or be responsible for all access to the site which may include turn lanes from Hartwood Marsh Road into the development.

1.9 The existing utilities must stay in service throughout construction. If the construction requires that the utilities be relocated or altered, the OWNER shall prepare plans, permit the project and construct the modifications at the OWNER's expense.

1.10 Irrigation shall be provided by private well for all non-residential area and common areas. Residential lots may only use reclaimed water for irrigation.

1.11 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.

1.12 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.

1.13 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.

1.14 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.12 and 1.13 from the CITY in the form of Impact Fee Credits.

1.15 The Impact Fee Credits shall be established subject to Sections 1.12 and 1.13 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.

1.16 Impact Fee Credits may not be transferred outside of the Property described on Exhibit "A" and as depicted in Exhibit "D" Location Map, but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.

1.17 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees.

1.18 The City may require a looped system to provide reliability and redundancy to the property.

1.19 The point of water and sewer connection shall be coordinated with the existing utilities. The City will not accept ownership of utilities within the existing Hartwood Marsh Road right-of-way unless the utilities will not require relocation with the future Hartwood Marsh Road modifications. Utilities will not be permitted under private access roads.

1.20 Any fencing within public view, (including retention ponds), must be ornamental metal with complementing structural columns, as approved by the City's Site Review Committee. No chain link shall be used in public view areas.

1.21 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).

1.22 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.

1.23 The Agreement shall be for a residential utility flow/demand for water at 58,560 gpd and sewer is 26,531 gpd, based on an annual average. Re-Use (Gray Water) Water is 51,550 gpd and can only be used for residential. Exceeding these amounts may require a new Utility Services Agreement. (gpd = gallons per day). Allowed overage of up to 10% allowed.

Section 2. DEVELOPMENT STANDARDS

(a) The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

(b) The overall density of the residential development shall be determined by the City of Clermont. Any assumptions by this Agreement based on the number of residential lots, development standards, and acres – are to be approved by the City of Clermont through the City approval process.

Section 3. ANNEXATION

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance to Annex* Property in a form substantially in compliance with the form set forth in

(c) The overall density of the residential development shall be determined by the City of Clermont. Any assumptions by this Agreement based on the number of residential lots, development standards, and acres – are to be approved by the City of Clermont through the City approval process.

Section 3. ANNEXATION

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance to Annex* Property in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A" and as depicted in Exhibit "D" Location Map. The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

Section 4. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5. NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY	**OWNER**
City of Clermont City Manager P.O. Box 120219 Clermont, FL 34712-0219	Extreme Grove Investments, LLC Alexander M. Howell P.O. Box 1930 Minneola, FL 34755

Section 6. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder. This Agreement shall be valid for no longer than five (5) years.

OWNER: **Alexander M. Howell** for Extreme Grove Investments, LLC

Signature Title: MANAGER

ALEXANDER M. HOWELL
Print Name

STATE OF Florida
COUNTY OF LAKE

The foregoing instrument was acknowledged before me on this 5TH day of August, 2016, by Alexander M Howell, who is personally known to me or who has produced FL Drivers License as identification and who did not take an oath.

Notary Public SEAL:

Type/print name Denise RAYL NOAK

DENISE RAYL NOAK
MY COMMISSION # FF 928252
EXPIRES: December 20, 2019
Bonded Thru Budget Notary Services

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through _____.

DATED this 26th day of July, 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 "A"

PROPERTY DESCRIPTION

Owner:

Extreme Grove Investments, LLC

Description:

The North 1/2 of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida. Less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida.

Together with and subject to that certain easement for ingress and egress described in Easement recorded in Deed Book 339, Page 142, Public Records of Lake County, Florida.

Less and except that portion of the land conveyed by Warranty Deed recorded in Official Records Book 2401, Page 2125, of the Public Records of Lake County, Florida, being more particularly described as follows:

That part of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, in Lake County, Florida, bounded and described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Section 1, Township 23 South, Range 26 East, and run S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 25.00 feet to the Point of Beginning of this description; from said Point of Beginning, continue S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 346.91 feet; thence S.00 degrees 27'22" W., 627..84 feet; thence N. 89 degrees 46'07" W., 346.91 feet to a point that is 25 feet East of, when measured at right angles thereto, the West line of the Northeast 1/4 of said Section 1; thence N. 00 degrees 27'22" E., parallel with the West line of the Northeast 1/4, a distance of 627.84 feet to the Point of Beginning.

Containing therein 66.44 acres, more or less.

Lake County Alternate Key Numbers:

3502027

EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this **26th day of July, 2016,** between Extreme Grove Investments, LLC (Alexander M. Howell), property owners in the County of Lake, State of Florida Grantor*, and the **CITY OF CLERMONT**, FLORIDA, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 ($1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below - described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Exhibit "A" - Property Description
Exhibit "C" - Location Map

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF, GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

Extreme Grove Investments, LLC

By: _____
Signature

Alexander M. Howell
Type or print name

WITNESSES (Two required):

Witnesses

1. _____
Signature

Tracy Ackroyd Howe
Type or print name

2. _____
Signature

Amanda Hull
Type or print name

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me on this 5th day of August, 2016, by Alexander M Howell, who is personally known to me or who has produced FL Driver's License as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name Denise Rayl Noak

NOTARY PUBLIC STATE OF FLORIDA
DENISE RAYL NOAK
MY COMMISSION # FF 928252
EXPIRES: December 20, 2019
Bonded Thru Budget Notary Services

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

EXHIBIT "C"
LOCATION MAP

Extreme Grove Investments, LLC
Aerial view:

LAKE COUNTY SCHOOLS

Leading our Students to Success

201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 253-6503 · *www.lake.k12.fl.us*

Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Bill Mathias
District 2
Rosanne Brandeburg
District 3
Marc Dodd
District 4
Debbie Stivender
District 5
Stephanie Luke

February 11, 2016

Mr. Chris Schmidt, Planning Manager
Division of Planning and Community Design
Growth Management Department
Lake County
Post Office Box 7800
Tavares, Florida 32778-7800

RE: Extreme Grove Investments, LLC Comprehensive Plan Amendment Project (#2016020001 / AR No. 2849)

Dear Mr. Schmidt:

The County is currently reviewing a comprehensive plan amendment to change 65 acres from Lake County Rural (1 dwelling unit/5 acres) to Lake County Urban Low Density (4 dwelling units/1 acre).

As the School Board of Lake County's authorized representative, I am forwarding the School Board's comments to your attention so they can be included with your planning report. The School Board of Lake County Florida recognizes that the comprehensive plan amendment will have an adverse impact on the District's level of service as defined in Section 5.2 of the school concurrency interlocal agreement. The following School Board comments reflect projected enrollment data from the District's Five-Year Plan, FY 2016-2020, and student generation rates from the Impact Fee Study.

The proposed comprehensive plan amendment has the potential to add a maximum of 247 new dwelling units that will contribute 81 new students to the Lake County School system. Based on current school attendance zones, schools that will be adversely affected by the proposed comprehensive plan amendment and their projected five-year capacity status are as follows:

- **Lost Lake Elementary School** **7%** Under Capacity
- **Windy Hill Middle School** **20%** Over Capacity
- **East Ridge High School** **8%** Under Capacity

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed comprehensive plan amendment on the public schools which currently serve the area under consideration. Should you have any questions or need additional information please contact me at (352)253-6694.

Sincerely,

Dawn McDonald, Senior Planner
Growth Planning Department

Enclosure

REVIEWING AUTHORITY **Lake County Division of Planning and Community Design**

NAME / CASE NUMBER **Extreme Grove Investments, LLC, Comprehensive Plan Amendment / Project #2016020001 / AR No. 2849**

ITEM DESCRIPTION The applicant is proposing an amendment to the Lake County Comprehensive Plan of 65 acres from Lake County Rural (1 dwelling unit/5 acres) to Lake County Urban Low Density (4 dwelling units/1 acre).

LOCATION Section 1, Township 23S, Range 26E
Located north of Hartwood Marsh Road, south of Champagne Drive, East of Eddy Drive, and west of the Orange County Line

CURRENT LAND USE Lake County Rural (1 dwelling unit/5 acres)

PROPOSED LAND USE Lake County Urban Low Density (4 dwelling units/1 acre)

CURRENT ZONING Lake County Agriculture District

PROPOSED ZONING Lake County Planned Unit Development (PUD)

	SF-DU	MF-DU	Mobile	SF Impacts	
NEW DU IMPACT				**247**	**DUs**
STUDENT GENERATION	0.328	0.283	0.206	81	
Elementary School	0.152	0.143	0.097	38	
Middle School	0.074	0.063	0.047	18	
High School	0.102	0.077	0.062	25	

SCHOOL NAME	Projected Enrollment 2020-2021*	Permanent Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Perm. Capacity w/ Impact	Planned Capacity On Site
Lost Lake Elementary	1,002	1,112	90%	1,040	93%	No
Windy Hill Middle	1,357	1,149	118%	1,375	120%	No
East Ridge High	2,407	2,648	91%	2,432	92%	No

Lake County School District Five-Year Plan, Fiscal Year 2016-2020

CSA 14	Student Enrollment 2020-2021*	Permanent Student Capacity*	% of Permanent Capacity
Elementary School	1,487	1,420	105%
Middle School	1,357	1,149	118%
High School	0	0	0%

Lake County School District Five-Year Plan, Fiscal Year 2016-2020

COMMENTS: The School Board of Lake County Florida recognizes that the comprehensive plan amendment will have an adverse impact on the District's level of service as defined in Section 5.2 of the school concurrency interlocal agreement.

School Concurrency became effective in Lake County on June 1, 2008. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations, including the school concurrency requirements in the Lake County School Concurrency Interlocal Agreement.

Prepared By: Dawn McDonald, Senior Planner, Lake County School District **Date:** 2/11/2016

Lake County
WATER AUTHORITY
Michael J. Perry, Executive Director • Neil Kelly, Secretary-Treasurer

27351 SR 19 • Tavares, Florida 32778-4251 • (352) 324-6141 • Fax (352) 324-6364 • email: info@lcwa.org • www.lcwa.org

TO: Lake County Water Authority Board of Trustees

FROM: Patricia Burgos, Land Resources Director

DATE: August 12, 2016

SUBJECT: Developer's Agreement – Extreme Groves

Discussion Item

Developer's Agreement – Extreme Groves

Staff presented the Meritage Homes planned development adjacent to the Scrub Point Preserve at the April 27, 2016 Board meeting. The following were some concerns and issues at that time that were discussed with the Extreme Grove landowners and Meritage Homes:

- Incorporating a buffer (i.e., trail/vegetation) between the subdivision and the preserve;
- Having a trail at the perimeter of the subdivision to allow residents to walk to the preserve;
- Incorporating acknowledgement of the Water Authority's prescribed fire program on the preserve in the HOA covenants;
- Stubbing out utilities for a security resident at the preserve;
- Finding out more information on the proposed Agricultural-Technology Research Center on Extreme Groves property;
- Discussing the entrance road from Hartwood Marsh Road to the preserve and county involvement; and
- Discussing the County's Wellness Way Area Plan.
- Since the Preserve resides in the County discussing the development of a report as per Lake County's Land Development Regulation 6.07.00 evaluating potential impacts to the Preserve as it relates to hydrology, water quality, air quality, ambient noise level, wildlife populations, natural ecosystems and aesthetics.

The Board requested that Meritage Homes develop an Agreement and provide that to the Attorney Barice and staff to review.

Staff received the first draft on June 13, 2016 however Attorney Barice and staff were unable to fully review the draft as it was missing the attachments or exhibits. A second draft agreement with the exhibits (attached) was received on July 18, 2016. Included with this agenda memo are concerns expressed by Attorney Barice and concerns expressed by staff regarding the draft Developer's Agreement.

Some concerns expressed by the attorney touch upon the costs and restrictions imposed by the current draft agreement. Staff's concerns extend to the fallow 5-acre site, undefined easements,

BOARD OF TRUSTEES

District One	District Two	District Three	District Four	District Five	At-Large	At-Large
Peggy Cox		Carolyn M. Malmone	Doug Bryant	Charles C. Clark	Adam Dufresne	John N. Harris

access to the Preserve and Clermont's concerns regarding water service to the Water Authority's trailhead site.

The primary issue in the draft agreement is the road. The Extreme Groves and Meritage Homes are required to have a secondary access to their development based on the number of proposed home sites. The Water Authority either owns, has easements over, or has some controlling interest in the strip of land leading to the Scrub Point Preserve from Hartwood Marsh Road. Staff and Attorney Barice are researching this issue and will have a clarification prior the Board meeting. If the Water Authority owns the land fee simple, our position may be different than if the agency just has an easement. Assuming the Water Authority owns the property, the Board will need to determine the value of that parcel and if the partial construction of a roadway is sufficient compensation.

The proposed agreement further contains clauses that would dictate the following to the Water Authority

- How the remaining portion of the road to Scrub Point Preserve will be designed;
- Requires the Water Authority to commence construction of the remaining portion of the road to Scrub Point Preserve within 6 months after Meritage Homes begins construction of their proposed portion of the road;
- Requires that the Water Authority open Scrub Point Preserve to the public when Meritage Homes' portion of the road is completed, limits where gates to the Preserve could be located,
- Locations of turn around areas and parking limitations on the Water Authority portion of the road;
- Refers to the 5-acre tract as a "Welcome Center" and further dictates that the area will be restored and if it isn't done, Meritage Homes will come on the property, do the restoration and expect reimbursement from the Water Authority for the work.
- Limitations of what could be constructed and where it could be located on Water Authority Property; .

The proposed agreement also contains references to several easements. In particular, staff has concerns about a Landscape, Hardscape and Signage Easements (Exhibits G-1 and G-2). By agreeing to those easements, the Water Authority would lose any control of what would be constructed in the roadway that leads to the Scrub Point Preserve.

Executive Director's Recommendation:

Provide direction to staff regarding acceptance, denial or counterproposal for the Extreme Grove's Developer's Agreement.

LAKE COUNTY
FLORIDA

July 26, 2016

Mr. Darren Gray, City Manager
Clermont City Hall
685 W Montrose, ST #2
Clermont, FL 34711

RE: Item No. 8 – Utility Service Agreement for Water & Wastewater Extreme Groves Investments, LLC

Dear Mr. Gray:

This letter is being submitted at the direction of the Lake County Board of County Commissioners for consideration by the City Council when discussing the Extreme Groves Utility Agreement. From review of the draft agreement, it appears that the density and site plan are an integral part of the Utility Agreement. The County has concerns regarding the proposed design of this project and offers the following for consideration prior to approving the Utility Agreement:

- **Transportation Impacts:** The development connections on Hartwood Marsh Road are proposed at Flynn Court and also to the west of Sadler Court at an existing road access easement. The existing Flynn Court is a narrow paved roadway and will need to be improved. The Flynn Court intersection with Hartwood Marsh Road does not meet roadway sight distance requirements and adding more traffic to this location is a concern.

- **Density/Design/Compatibility:** The proposed development includes 122 dwelling units at a density of 1.85 units per acre. While this figure is consistent with the currently pending Wellness Way Urban Services Area, within which the subject property is located, the existing densities in adjacent and surrounding parcels creates challenges with respect to the compatibility of this project. Further, the project fails to meet many of the goals and objectives of the Wellness Way Urban Services Area, including, but not limited to, connectivity, wellness space and non-residential set asides. The proposed buffering on the southern border of the project is also of concern as the transition from 5 acre residential parcels to a higher density product could be problematic.

COUNTY MANAGER'S OFFICE
P.O. BOX 7800 ◆ 315 W. MAIN ST. ◆ SUITE 308 ◆ TAVARES, FLORIDA 32778-7800 ◆ P 352.343.9888 ◆ F 352.343.9495
Board of County Commissioners ◆ www.lakecountyfl.gov

TIMOTHY I. SULLIVAN *District 1* | SEAN M. PARKS, *AICP, QEP* *District 2* | JIMMY CONNER *District 3* | LESLIE CAMPIONE *District 4* | WELTON G. CADWELL *District 5*

Pursuant to the adopted Joint Planning Agreement, Lake County and the City of Clermont have agreed to "proactively designate areas for appropriate and timely development through a joint planning effort, ready provisions of urban services and implement procedures for the timely review and processing of annexations and development proposals." As such, we appreciate the opportunity to express Lake County's concerns regarding this project and look forwarding to working with you and your staff on developing effective solutions that are agreeable to all parties.

Respectfully,

David C. Heath
County Manager

DCH/nb
Cc: Robert Chandler, Economic Growth Director

March 25, 2016

Lake County Board of County Commissioners
Lake County Economic Growth, Director Robert Chandler
Lake County Planning and Zoning, Michelle Janiszewski

Re: Prominent Point Application AK#3502027
Future Land Use Amendment #FLU-2016-01-2

Dear Commissioners and All:

Please note this is our letter in opposition of the proposal.

First our community is limited to five acre parcels with the exception of those located on Johns Lake, which are one acre parcels.. The application filed seeks to sandwich in an approval for 4 dwellings per acre between 5 acre parcels and one acre parcels. Many of our residents own horses, chickens and federally protected birds. The increased density applied for will force the current owners in the surrounding areas into a lifestyle we have not chosen.

Second the only ingress and egress for the proposed development would use Flynn Court to access Hartwood Marsh Road. Flynn Court intersects with Hartwood Marsh on a blind hill. The line of sight for oncoming vehicles is limited to say the least and therefore the ability to turn onto Hartwoood Marsh is compromised. It often takes current residents quite a bit of time to make a left hand turn from Flynn onto Hartwood Marsh. It is frightening making a left hand turn onto Flynn Court from Hartwood Marsh due to the hill. The vehicles traveling on Hartwood Marsh cannot see the cars stopped waiting to turn left. Adding an additional 122 homes that will have to use this intersection as their only ingress and egress to their community is a direct impact on all current residents and any future residents. The traffic study from 2014 submitted with the application though outdated states the proposal will result in an average of **1900** cars on Flynn Court per day. Flynn Court is only about a quarter of a mile long!

Third, while I understand there have been similar developments approved in Winter Garden, Lake County and Clermont there is one major difference with this applicant's property. The applicant's property is not located on a major road. They do not have access to a road like Hartwood Marsh or Hancock, or US 27. Their access is to Flynn Court a small road lined with homes on 5 acre parcels.

For the reasons stated above and more which will be brought up at the hearing scheduled for March 30, 2016, we respectfully request the application not be recommended and be denied.

Thank you,
Your Constituents

Please see signatures attached

Yanette M. Moyano 11715 Flynn Court Yanette M. Moyano

Susan Yawn 17921 Flynn Ct. Susan Yawn

LiAnne Graham 11714 Flynn Ct. LiAnne Graham

Cheryl Swanhall 11711 Sadler Ct Cheryl Swanhall

Karan Kirby 11635 Sadler Ct Karan Kirby

Derrick & Olivia Whitaker 11600 Sadler CT

Jackie Polk 11545 Sadler Ct.

Ken Polk 11545 Sadler Ct.

Jeff Scott 17701 Champagne Dr.

Jeff Scott 17717 Champagne Dr.

Jeff Scott 11634 Sadler Ct.

Coby Welch 17733 Champagne Dr.

Stacie Welch 17733 Champagne Drive Stacie Welch

Yvette Whittaker 17727 Champagne Dr.

David Whittaker 17727 Champagne Dr.

JoAnn W Cauthen 17773 Champagne Dr.

Wiley M. Cauthen 17773 Champagne Dr. Wiley M. Cauthen

Lara Henschel 17709 Champagne Dr. Lara Henschel

Sue Scott 17701 Champagne Dr Sue Scott

Sue Scott 17717 Champagne Dr. Sue Scott

Sue Scott 11634 Sadler Ct. Sue Scott

Curt Henschel 17709 Champagne Dr

Mike & Berit Kenealy 17749 Champagne Dr.

Dave & Lydia Grimm 11640 Flynn Ct

Rob & Lauren Grimm 11630 Flynn Ct

Dennis & Linda Flynn 11631 Flynn Ct.

34787

MARTIN + SONIA PINEDA 11554 FLYNN CT. W.G, FL

PIERCE & LORI WILSON 17258 HEARTWOOD LOOP W.G. FL

JEFF & Debbie Totten 17109 Heartwood Loop W.G. FL

Frank Fernandez 11715 Flynn ct wintergarden FL 34787

Debra Schwenneker 11710 Sadler Ct. Wintergarden 34787

Savannah Schwenneker 11710 Sadler Ct Winter Garden 34787

Lori A. Wilson 17258 Heartwood Lp WG 34787

Carol & David 17253 Heartwood Lp 34787

Rae Chidlow

From: Frank <fernandezfrank22@gmail.com>
Sent: Saturday, June 04, 2016 5:51 PM
To: Darren Gray; James Kinzler; Gail Ash; Ray Goodgame; Timothy Bates; Keith Mullins; Diane Travis; Sean Parks; Jimmy Conner; Leslie Campione; Timothy Sullivan; Welton Cadwell; John E. Kruse
Cc: Pam Bennett; Andrea Kennard; Jodine Hanson; Tracy Ackroyd; Barbara Hollerand; Rae Chidlow; Lisa Widican; Dawn Stalnaker; Melanie Marsh; dheath@lakecountyfl.gov; Yanette Moyano; Dennis Flynn
Subject: Extreme Groves annexation proposal into the City of Clermont

Dear Clermont Council Members, Lake County Commissioners, City of Clermont and Lake County Staff,

On June 1st 2016 Extreme Groves applied for annexation into the City of Clermont. As a resident of Lake county and as representative of over 60 extremely concerned residents, I humbly ask the City Council and staff to take a very close look at this proposal before any decision is made.

This identical proposal that Extreme Groves is presenting to Clermont was proposed to Lake County and Withdrawn by Extreme Groves on 5/17/2016. The proposal had many unanswered questions, concerns and safety hazards to existing and future residents. The applicant asked for a continuance through September 2016 with Lake County citing that they were going to work on all of the issues that the proposal had. They withdrew on the eave of the Board of County Commissioners meeting when they realized that a continuance was not going to be granted. After the withdrawal, Extreme Groves decided to "jurisdiction shop" for an approval to build with another body of government within the same county.

The rural community immediately surrounding the subject property consist of level headed and reasonable neighbors. We have spent countless hours researching and studying this "swiss cheese" proposal and how wedging a high density neighborhood right in the middle of an existing rural community will be a disaster and a danger to residents and voters.

I am formally and humbly requesting individual meetings or a group meeting with all the Clermont Council members as well as the Clermont City manager, planners and staff. We will be respectful of everyone's time and there will be only 3 representatives of the 60+ residents in order to keep the meeting short and to the point.

Respectfully yours,

Frank Fernandez
General Manager
Fields BMW
407-956-6300

The greatest compliment you can provide us is the trust in a referral to friends, family or co-workers.

Rae Chidlow

From: Nilsa Whitehead <cuquiwhitehead@gmail.com>
Sent: Thursday, June 09, 2016 12:30 PM
To: Rae Chidlow
Subject: Fwd: Alex Howell and Extreme Groves submission for annexation and density change

Sent from my iPhone

Begin forwarded message:

> **From:** Mike Kenealy <mikekenealy9@gmail.com>
> **Date:** June 8, 2016 at 8:00:11 PM EDT
> **To:** dgray@clermontfl.org, gash@clermontfl.org, rgoodgame@clermontfl.org, tbates@clermontfl.org, kmullins@clermontfl.org, bhollerand@clermontfl.org, judyproli@embarqmail.com, njarkitect1@aol.com, tonyhub@aol.com, cuquiwhitehead@gmail.com, herbsmithconstruction@hotmail.com, jackmartin2315@outlook.com, carlos@gographicsdirect.com, mcdonaldd@lake.k12.fl.us
> **Cc:** sparks@lakecountyfl.gov, Yanette Moyano <yanette@yanettemoyanolaw.com>, Frank Fernandez <fernandezfrank22@gmail.com>
> **Subject: Alex Howell and Extreme Groves submission for annexation and density change**
>
> I write to address the application for annexation to the city of Clermont, and its request for 122 houses to be built on 45 acres of a 65 archer parcel. The application was submitted by Alex Howell and Extreme Groves near the first of this month.
>
> This application was recently pulled by Mr. Howell from Lake County due to pending loss for various reasons. Our resolve, reasoning and the properties unique location gave strong reason for this outcome. We understand that certain pressures come with this type of project, so we wish to make sure everyone is informed.
>
> In short, this property is located in a unique position. It is blocked from East and North by the Orange County Line and Johns Lake, Sandwiched between 70 acres of 5 acres living and 10 acres of lakefront homes set upon net 1 acre lots. Topographically, the property is located on a large slope, with less than a ¼ mile from top to bottom. This affects many things, one in particular the type of walled construction necessary to build on such positioned properties. The requested housing count allows for no transition between the afore mentioned 5 and 1 acres net lots.
>
> I could go on a bit about the properties zero access to a main road, improper road access, unimaginable overcrowding issues, complete disregard for the existing community, safety issues and other reasons that affect this project and every person involved in our community. But those

issues I am almost certain have been covered and listened upon by somewhat deaf ears based on feedback indicating the feeling that those issues just are not enough, or that for some reason those issues are another governing bodies issue. So I will try to point out issues more unique to this property.

All though we know plans are set in motion for the Wellness Way plan and that your team was involved in some way during the application that Mr. Howell pulled from Lake County. So you know some background. Now this issue is under your current consideration for a change in density. My hope is that you agree to listen to your community.

I think it is important to note that the job of our city government, elected friends and pioneers of growth plans have set in place a system designed to look, study, and enact corrections for specific areas where proposed projects just don't fit. I am not preaching, just stating purpose. Areas where the broad stroke of a density plan, or a first glance seems to indicate it is like many other projects, and therefore should be simply stamped. This is not the case, this property, your community, proposed density issues, access, land positioning, future park utility growth & access all play a strong roll for in depth consideration. It is important to note that it should be common to re-adjust the needs or general rules in a growth plan based on its issues and your community.

One should also considered the commitments spelled out in strong decree earlier density commitments and the degree of change affected. Past density commitments to people who purchased property in those areas and the drastic effect it may pose to change, promises and existing community. Also important to note that those terms and restrictions were made clear to the current property owner prior to the purchase of property in effect.

In our, or this process we the people wish to engage this process of reevaluation of proposed planning and zoning. I believe this project should be <u>considered with heavy weight.</u>

I submit that this Extreme Groves location is one of those cases. It does not make sense. It is not just angry people afraid of change, or bumpkins fighting progress. It has not just one argument or even three or four, it involves much more. Some of which I wish to lay out for consideration for this parcel to be pulled for the consideration of such high density.

The fact is there are so many issues and obstacles facing this proposal it should be clear for all to see and deserves this long and thoughtful consideration. Knowing the number of large issues should be a case for concern and for a denial of this project.

Covering a broad stroke of issues:

- Entry and Exit Blocked from the North by Johns Lake.

- No direct, main road access

- County border line to the immediate East; Orange County line to the Immediate East

- On the immediate West of the property sits a beautiful peninsula park that when fully open will draw thousands of visitors to its beautiful setting. This brings, traffic issues, parking issues, and will push traffic to the east for residence. Access and management of growth needs to be looked at closely.

- Weak road access from Flynn (a dead end street), weak construction

- No one on Flynn willing to sell property for utilities

- No access (Private Road) located in the middle of the property boundary lines

- Property is **Sandwiched** between 5 acre lots with wide open ranch style living, and 1 acre lots with 5 acres views on Johns Lake(lake/nature preserve)

- No direct access to Marsh Rd.

- Property is located in a high Recharge drainage area for Johns Lake

- Park access, park future need for parking and overall management for growth of visitors. This park is one of the reasons that people who work in Orange County will live and spend their money in in Clermont. Come to their events and eat in their community

It should be noted:

- This property is nothing like the stream of example properties or communities given in any of the examples presented by or for Extreme Groves. This property is locked by a Lake (N), County Line on (East), Park or Nature Preserve access to (West) and 5 acres settled communities to its immediate (South).
- The current owners knew its status when they bought it.

It just does not fit. Any and all future discussions should be made in terms of Transitioning between the existing community in Net acres, Net lot size, and Net setbacks and so on.

We know as a civilization it is always possible to overcome obstacles. If it is necessary to build we could find a way through engineering and building techniques. We have the capability to build right over, through or under almost anything we wish. However this is not the attitude we should have in this community. To date, the process, or arguments have been to come up with solutions or details to squeeze in as many houses as possible on a remaining 45 acres plat of 65 acres. To attempt to hide and squeeze in as many houses as possible. To ask for more details that

offer solutions for only one or two issues and create others. To use non-stratified factoring of data; old traffic data, offer zero consideration main issues.

The number of home is merely a multiplication factor for the number people and the number of automobiles. With addition factors of multi-generational homes, family size and more. The number of homes requested to be plopped in the middle of our community would be inserting a factor of 6 times the ratio we currently have

I offer an example of comparison: Density Effect to current residence: Example: Take a 150 house PUD surrounded by walls with a long 1 or 2 hundred-yard entry. The community has a small park in the center for kids to play. You, at 6 times the current houses, would be essentially be adding 900 units (Extreme Groves ratio). It would compare to tearing down the park in the middle of the sub and building a 900-unit condo sky scraper where the park once was. That is not planning, that is cramming. That is the current population density change ratio comparison.

Key points for discussions moving forward:

When we speak of houses per acres I think it is important to note we should make a distinction between referring to net archers not gross acres. There is a big difference between 1 house per net acre and 1 house per gross acres. In this case it's about 33%.

I believe the property currently sits at a 1 house per 7.5 NET acres. From that position to the proposed is a drastic, and life altering change to the existing community. Reminder: This is not just another open orange grove conversion; this is an existing established large net acres neighborhood. A consistent ratio transition from a ratio transition of 5 archer lots to 1 archer lots would sit around 1 house on a net 2.5 archer lot.

Park

This park will be a valuable asset not only to Lake County, but to the City of Clermont as well. It's entry, exit and planned need for room to grow is something that, if minimized, will be a traffic jam of angry park goers. Look to the future. Managed correctly it will become a reason to live near or in the City of Clermont

Bottom line is;

The position, logistics, existing entities and future park growth of this specific property is in need of a zoning change, a change that will protect the existing Lake County/Clermont community. A community that has to date supported where we live. Alex and the builder new the current density issues when he purchased the property. I see no injustice to the owner in my request for what was promised to everyone, low density.

What we are asking:

I would ask that this property be removed from consideration for such high density.

My best,

Mike Kenealy
National Sales Manager
Cell Ph: (321)-287-5354
Mikekenealy9@gmail.com

Please consider our environment with all your products and processes. Remember the 3 R's; Reduce, Recycle, Reuse. -- thank you!
This message and any attachments contain information, which may be confidential or privileged. If you are not the intended recipient, please refrain from any disclosure, copying, distribution or use of this information. Please be aware that such actions are prohibited. If you have received this transmission in error, kindly delete it. We appreciate your cooperation.

City Manager Darren Gray July 9, 2016

City of Clermont, Florida

685 W. Montrose Street, 3rd. floor

Clermont, Florida 34711

Subject: Extreme Groves, Inc. Application for Annexation

Dear City Manager Gray:

This is to inform you that I am opposed to Extreme Groves, Inc. (Extreme) requested annexation of their property into the City of Clermont. Their property is located on the East and West sides of Flynn Court in Lake County on the East side of Clermont, North of Hartwood Marsh Road. For the following major and other reasons I strongly oppose this proposal:

First, Extreme is breaking the density restrictions placed on this property by the developer who sold the property to them. Extreme knew about the density restrictions placed on the property before they made the purchase. The resulting approved density based on the developer's commitment currently is one home per 7 ¼ net acres. The property was purchased from the previous developer with the intent to develop it confirmed by the failed attempts by Extreme to develop the property in the second year of ownership. As neighbors, we think that the proposals made by Extreme in the past to Lake County and which they are now making to the City of Clermont are both faulty and not satisfactory. Therefore, we have opposed this year the development proposed to Lake County and now we oppose the current application as an attempt to skirt around the community members who apparently were having success opposing this development in the Lake County venue.

Second, the Extreme proposal forces homes with a density of about 4 homes per net acre in between the existing community where there are homes at one per acre adjacent on the North and one per five acres adjacent on the South. Returning to one home per 7 ¼ net acres, as committed to by the previous developer and as known by Extreme when they purchased this property to develop, is not our goal. Approving a density between one home per five net acres on the abutting property to the south and one home per one net acre on the abutting property to the north would make this development blend into and complement the existing community. A fair and reasonable density for this property would be one home per 2 ½ net acres.

Third, the traffic generated by the property if developed as proposed will overload Hartwood Marsh Road based on the information presented by Extreme without any clear consideration of other developments currently under construction and planned along Hartwood Marsh Road in Lake County and Marsh Road in Orange County. Additional development, including Extreme's proposal, along Hartwood Marsh Road should not be approved until the road capacity has been increased to a level capable of safely handling existing and future traffic.

Fourth, the traffic would enter Hartwood Marsh Road from Flynn Court at the top of a “blind” hill where sight distance is very limited on Hartwood Marsh Road west of the intersection with Flynn Court. This critical obstacle could be corrected in the future construction when critical capacity increases are completed to Hartwood Marsh Road.

Combined, the traffic capacity deficiencies are a safety, emergency access, health threat and energy wasting issues to those of us living in the community currently and those who live here in the future, along with all others who travel Hartwood Marsh Road.

Fifth, based upon information previously supplied by Extreme the impacts on the elementary, middle and high school capacities are well above what the school Board is currently capable of funding and providing in the nearby schools. Approval of development should not be granted for Extreme or any residential projects in this entire area until the school facilities and resources to operate them are in place to provide the education system capacity our children need and deserve.

For these and other reasons I oppose the Extreme proposal to be annexed into the City of Clermont with their current plan which is faulty and not satisfactory for the people in the community surrounding the property nor for the current and future citizens of the City of Clermont.

I plan to attend all of the meetings to consider this proposal.

Thank you very much for your consideration. We look forward to your deliberations and resulting decisions which are fair and satisfactory for what is best for the people inside the City of Clermont and for the people in greater Clermont.

Respectfully,

Jo Ann W. Cauthen

17773 Champagne Drive

Winter Garden, Florida 34787

Lake County

mamacjac@gmail.com 407-376-0395

RE: FLU-2016-01-2 Extreme Grove Pending Application

Dear Lake County Commissioners:

I am signing below to express my opposition to the application Extreme Grove has pending to change the future land use. Urban density will further crowd our already highly traveled, high traffic surrounding roads. A more appropriate designation would be Rural Transition.

I request the application be denied for the following reasons. I object to the proposed density, as it will create dangerous conditions on Flynn Court and Hartwood Marsh. Hartwood Marsh is currently travelled by countless sand trucks which already pose a severe danger to our residents. It will also increase traffic on roads in Lake County, Clermont and Winter Garden.

Thank you,

Name	Address
Melissa Tressler	17954 Dangler Rd WG 34787
Richard Lawrence	9708 AVALON WOODS DR, WG, 34787
Merry Sharp	16128 Sandhill Rd WG. 34787
Debbie Phillips	16405 Sandhill Rd WG 34787
MORGAN GRITZER.	16404 SANDHILL RD WG 34787
Art Slowe	16405 Sandhill Rd WG 34787
Tammy Middleton	17572 Davenport Rd W.G. 34787
Sharon Newton	17216 Davenport Rd, W.G. 34787
Susan Higginbotham	5305 Rexford, WG 34787
John Boyette	2715 Sanctuary Lane W.G. 34787
[illegible]	11675 E. Davenport Rd WG 34787

Cynthia Ellenburg 4251 Windy Acres Rd WG 34787
Scott Ewinge 16673 Sandhill Rd Winter Garden, Fl 34787
Glenda Eldridge 16673 Sandhill Rd WG 34787
Herb Kunau 17348 Cork St W.G 34787
Pascale De Roo 16100 Sandhill Rd WG 34787
John Harris Davenport Rd WG 34787
Jason Koutakis 17838 Davenport Rd W.G 34787
Louise Ferguson 17635 Seidner Rd WG 34787
Donald T. Feaster 17707 Phil C Peters Rd WG 34787
Nancy Joy Szabo 17255 Davenport Rd. W.G. 34787
Nancy J. Szabo 17255 Davenport Rd W.G. 34787
Laurie Forrester 16050 Sandhill Rd WG FL 34787
Danise Martinez 16065 Sandhill Rd W.G. Fl 34787
Michael Walsh 16065 Sandhill Rd WG FL 34787
Karen Wilson 16408 E Davenport Rd WG, FL 34787
Bart Wilson 16408 E Davenport Rd WG. Fl 34787
Rhonda Steib 16241 Sandhill Rd W.G. FL 34787
Joseph Steib 16241 Sandhill Rd W.G. FL 34787
Morgan Gritzer 16404 Sandhill Rd WG F 34787
Merry Sharp 16128 Sandhill Rd WG 34787
Don Dalstra 5737 Beta Av. W.G. 34787

Karen Hall 10101 Colt Lane Winter Garden FL 34787

Susan Scott 17701 Champagne Dr Winter Garden FL 34787

Jeff Scott 17701 Champagne Dr. Winter Garden FL 34787

From: carolynpangborn@gmail.com [mailto:carolynpangborn@gmail.com]
Sent: Friday, August 26, 2016 1:43 PM
To: Maury Boyd <mboyd.mcorp@mpinet.net>
Cc: scottboyd.orange@gmail.com; Melisa Premer <copperpenney@earthlink.net>; Jim Hitt <JHitt@clermontfl.org>; hardyedwards@gmail.com; allisoneturnbull@gmail.com; Ashley Boyd <aboyd.mcorp@mpinet.net>
Subject: Re: Extreme Groves access via Johns Lake Property

Thank you for the update

On Aug 25, 2016, at 7:30 AM, Maury Boyd <mboyd.mcorp@mpinet.net> wrote:

All,
I attended yesterday's LCWA meeting in Tavares regarding the Scrub Point Preserve and it's 70 foot ROW.
Previously I had no contact with LCWA; this meeting was an eye opener.
The board intends to " preserve " the 95 acres + ROW with no or little human contact.
Since the vote was 6-1 against (I had left so I am not sure of the exact motion) all proposed access ROW usage by the developer was ended.
Still existing is access via Flynn Road, a poor and unsafe access. No improvement here.
It was obvious more homework was needed by the developer/ owner/planner to understand LCWA mission.

Personalities may interfere but access to the development, a short distance from Hartwood-Marsh Road, leaving out access to LCWA would be a win. Flynn road is unsafe.
5 acre owners may object in all events. Are 5 acre subdivisions being developed any more?

On a side note-- my experience is with Oakland Nature Preserve, Oakland, Florida and it's mission is entirely different. I had assumed the two had similar missions since I heard of canoes being used at Scrub Point and the five acre purchase was for parking.

Maury

Maury Boyd/ IPad

On Aug 24, 2016, at 12:31 PM, Carolyn Pangborn <carolynpangborn@gmail.com> wrote:

To whom it may concern,
I am in NC right now, so I regret I not be can not be at the meeting today LCWA regarding EXTREME GROVES row access. But, I do have a few thoughts I'd like to share. My grandmother, Anna Akerman, sold her property to the Lake County Water Authority (LCWA) about 20 years ago. It's fabulous property and the memories I have from there are wonderful, having spent much of my youth there. My Dad was an injured Vietnam Vet and lived many years, it was his safe place. Later I lived there with him and after he passed on. When my grandmother sold it to LCWA she did a land swap of lakefront in order to get a ROW (access) to the property. She did not sell it, swap lakefront land just to have the gate locked and access denied. Her intent was for it to be a peaceful refuge for ALL, especially her family which I am. Please consider my grandmother's wishes for this property in your meeting today.
Sincerely,
Carolyn Penney Pangborn

Lake County
WATER AUTHORITY
Michael J. Perry, Executive Director • Neil Kelly, Secretary-Treasurer

27351 SR 19 • Tavares, Florida 32778-4251 • (352) 324-6141 • Fax (352) 324-6364 • email: info@lcwa.org • www.lcwa.org

September 2, 2016

Ms. Barbara Hollerand
Development Services Director
City of Clermont
685 W. Montrose Street
1st floor
Clermont, FL 34711

Re: Extreme Groves/Meritage Homes

Dear Ms. Hollerand:

At the Lake County Water Authority's regularly scheduled August 24, 2016 Board meeting the Water Authority Board reviewed the proposed "Developers Agreement" prepared on behalf of Meritage Homes.

The Board took action to not accept the agreement as written due to a number of clauses that would dictate the following to the Water Authority

- How the remaining portion of the road to Scrub Point Preserve will be designed;
- Requires the Water Authority to commence construction of the remaining portion of the road to Scrub Point Preserve within 6 months after Meritage Homes begins construction of their proposed portion of the road;
- Requires that the Water Authority open Scrub Point Preserve to the public when Meritage Homes' portion of the road is completed, limits where gates to the Preserve could be located,
- Locations of turn around areas and parking limitations on the Water Authority portion of the road;
- Refers to the 5-acre tract as a "Welcome Center" and further dictates that the area will be restored and if it isn't done, Meritage Homes will come on the property, do the restoration and expect reimbursement from the Water Authority for the work.
- Limitations of what could be constructed and where it could be located on Water Authority Property;

The proposed agreement also contains references to several easements. In particular, staff has concerns about a Landscape, Hardscape and Signage Easements. By agreeing to those easements, the Water Authority would lose any control of what would be constructed in the roadway that leads to the Scrub Point Preserve.

The Water Authority Board did, however, allow Meritage Homes to redraft an agreement related to the use of the property for a road and resubmit it to the Water Authority for consideration at a future meeting.

BOARD OF TRUSTEES

District One	District Two	District Three	District Four	District Five	At-Large	At-Large
Peggy Cox		**Carolyn M. Maimone**	**Doug Bryant**	**Charles C. Clark**	**Adam Dufresne**	**John N. Harris**

Water Authority staff will be in attendance at the City of Clermont's P&Z meeting scheduled for September 12, 2016 at 6:30 pm and will be available if any questions arise regarding the Lake County Water Authority Board's position on this matter.

Please contact me if you need to discuss this issue prior to the P&Z meeting.

Sincerely,

Michael J. Perry
Executive Director

CLERMONT
Choice of Champions

CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 6-1-16 FEE: _____

Project Name (if applicable): EXTREME GROVES

Applicant: THOMAS DALY, DALY DESIGN GROUP
Contact Person: THOMAS DALY
Address: 913 N. PENNSYLVANIA AVE.
City: WINTER PARK State: FLORIDA Zip: 32789
Phone: 407-740-7373 Fax: N/A
E-Mail: tdaly@dalydesign.com.

OWNER: EXTREME GROVE INVESTMENTS LLC
Address: P.O. BOX 130
City: MINNEOLA State: FLORIDA Zip: 34755-1930
Phone: 352-394-8737 Fax: 352-394-1003
E-Mail: ALEX@UNCLEMATTS.COM

General Location: ALONG EAST & WEST SIDES OF FLYNN CT. SOUTH OF PROMINANT POINTE SUBDIVISION

Legal Description (include copy of survey): SEE ATTACHED

Property size (in acres or square feet): 66

Flood hazard area (yes) ☐ and approx. acreage _____ (no) ☑

Existing (Actual) Land Use: CITRIS GROVE

Existing Zoning: AGRICULTURE (COUNTY)

Existing Future Land Use: RURAL

Proposed Future Land Use: LOW DENSITY RESIDENTIAL

Type of development proposed: SINGLE FAMILY NEIBORHOOD AND AGRITECT FACILITY.

Proposed density (dwelling units/acre) or intensity: 1.85 UNITS/AC.

Proposed Zoning District: _____

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).

THIS PROPERTY IS WITHIN THE CITIES SERVICE AREA FOR UTILITIES. IT IS PROPOSED AS A MIXED USE DEVELOPMENT THAT IS CONSISTENT WITH THE COUNTIES WELLNESS WAY POLICES. THE LOCATION AND PROPOSED USES ARE A NATURAL EXTENSION OF THE CITY TO THE COUNTY LINE.

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

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

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

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

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

CLERMONT
Choice of Champions

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

THOMAS DALY, 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 COUNTY RURAL to LOW DENSITY RESIDENTIAL 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.

THOMAS DALY
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 31 day of MAY, 2016

X
Notary Public, State of Florida at Large

WILLIAM MAKI
MY COMMISSION EXPIRES
May 24, 2018
#FF 117708
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC STATE OF FLORIDA

My Commission Expires: 5/24/18

CLERMONT
Choice of Champions

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

ALEX HOWELL, 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 COUNTY RURAL to LOW DENSITY RESIDENTIAL for the property legally described on the attachment of this application.

3. That the owner of said property has appointed THOMAS DALY 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.

ALEXANDER HOWELL
Affiant - Applicant Name (print)

X
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 26 day of May, 2016.

X Patti A Gurney
Notary Public, State of Florida at Large

My Commission Expires: Oct 20, 2019

PATTI A GURNEY
Notary Public - State of Florida
Commission # FF 929265
My Comm. Expires Oct 20, 2019
Bonded through National Notary Assn.

CFN 2003040293
Bk 02290 Pgs 1515 - 1516; (2pgs)
DATE: 04/03/2003 02:15:11 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 9.00
TRUST FUND 1.50
DEED DOC 4,564.70

02-638-C
Prepared By/Return To:
Norman C. Cummins, P.A.
450 E. Hwy. 50
Clermont, FL 34711
Grantees S.S.#:
Parcel I.D. #:

THIS WARRANTY DEED, Made the 26th day of March, 2003, by BRENDA P. LONGENBACH, a married woman, whose address is RT 209, Box 307, Brodheadsville, PA 18322, hereinafter called the Grantor, to EXTREME GROVE INVESTMENTS, LLC., a Florida Limited Liability Company whose address is 4327 S. Hwy 27, Suite 140, Clermont, FL 34711, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires.)

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells , aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in LAKE County, State of FLORIDA, viz:

SEE ATTACHED EXHIBIT ''A''

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR

TOGETHER, with all the t enements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land i n fee simple; that the Grantor has good right and lawful authority to sell and c onvey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature

Brenda P. Longenbach
BRENDA P. LONGENBACH

Norman C. Cummins
Printed Name

Terri Eubanks
Witness Signature

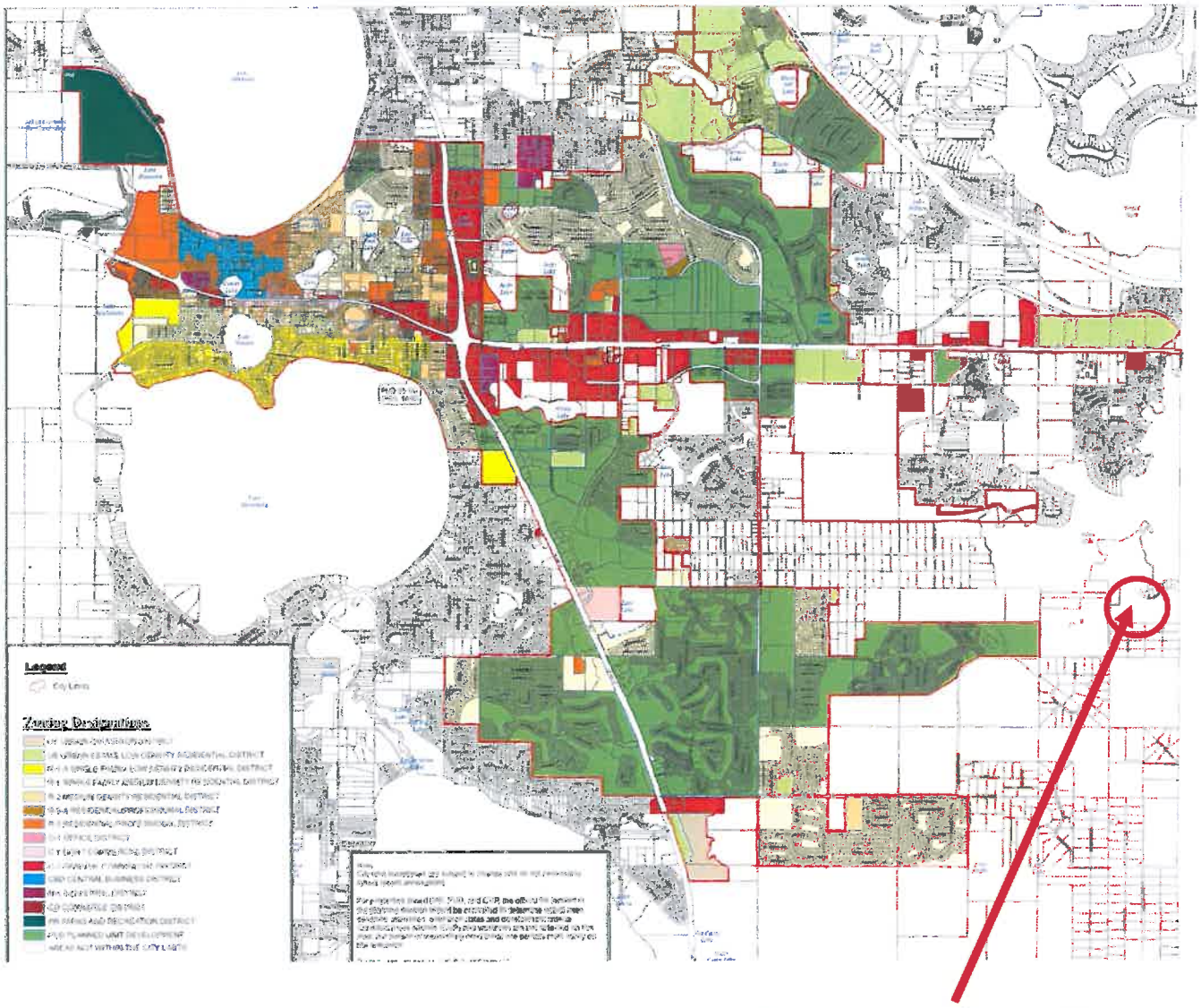
Terri Eubanks
Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

Exhibit "A"

TRACT 1:
The North 1/2 of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida. Less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida.
Together with and subject to that certain easement for ingress and egress described in Easement recorded in Deed Book 339, Page 142, Public Records of Lake County, Florida.

Location Map: (current city limits)



Extreme Groves Project Site

DESCRIPTION

The North 1/2 of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida. Less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida.

Together with and subject to that certain easement for ingress and egress described in Easement recorded in Deed Book 339, Page 142, Public Records of Lake County, Florida.

Less and except that portion of the land conveyed by Warranty Deed recorded in Official Records Book 2401, Page 2125, of the Public Records of Lake County, Florida, being more particularly described as follows:

That part of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, in Lake County, Florida, bounded and described as follows:

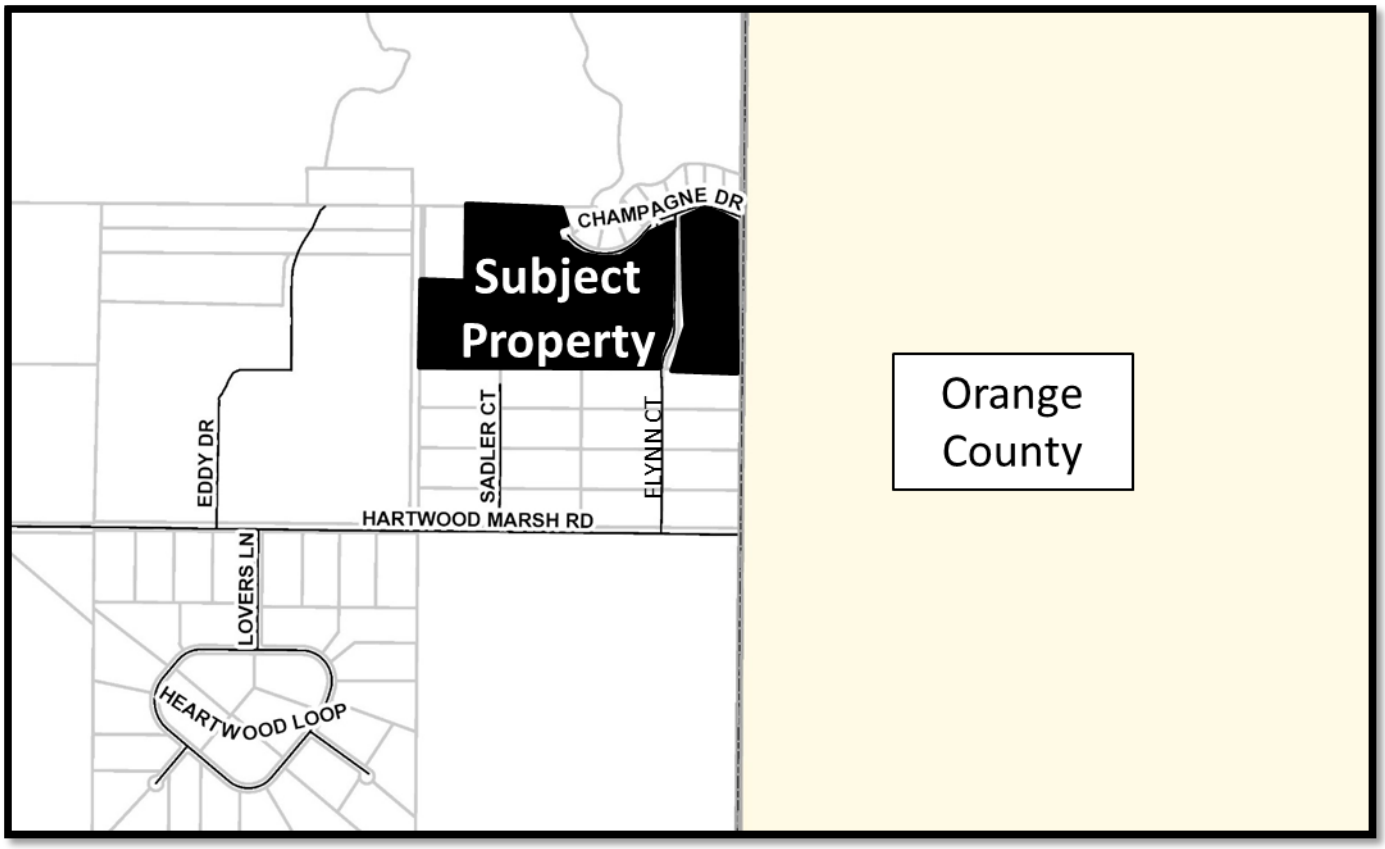
Commence at the Northwest corner of the Northeast 1/4 of said Section 1, Township 23 South, Range 26 East, and run S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 25.00 feet to the Point of Beginning of this description; from said Point of Beginning, continue S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 346.91 feet; thence S.00 degrees 27'22" W., 627..84 feet; thence N. 89 degrees 46'07" W., 346.91 feet to a point that is 25 feet East of, when measured at right angles thereto, the West line of the Northeast 1/4 of said Section 1; thence N. 00 degrees 27'22" E., parallel with the West line of the Northeast 1/4, a distance of 627.84 feet to the Point of Beginning.

Containing therein 66.44 acres, more or less.

CITY OF CLERMONT
NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2016-29

The City of Clermont will hold public hearings Monday, September 12, 2016 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, September 27, 2016 at 6:30 p.m. before the City Council to consider transmittal of a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the parcel below from Lake County Rural to Low Density Residential.

The City of Clermont will hold public hearings on Tuesday, December 13, 2016 (final reading of the ordinance) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location: South of Champagne Dr., West of Orange County Line, and North of Hartwood Marsh Road
Extreme Groves Amendment +/- 66 acres
Alternate Key 3502027

Ordinance #2016-29:
An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting

forth the authority for adoption of the large-scale comprehensive plan amendment; setting forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings 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
City Clerk

Daily Commercial
September 2 and November 29, 2016

CITY OF CLERMONT

AGENDA ITEM

Meeting Date
Monday, September 12, 2016
Agenda Item Name
Ordinance 2016-30 *Rezoning* *Extreme Groves*
Requested Action
Recommend denial of Ordinance 2016-30.
Staff Report

The owner, Extreme Groves Investments, LLC, is requesting a rezoning for 66 +/- acres for a planned unit development (PUD) for a 122-lot single family subdivision. Along with the rezoning, the property is also being considered for annexation and a large-scale comprehensive plan amendment. Upon annexation, the property will receive the Urban Estate low density residential zoning designation.

The properties within a half-mile radius of the project consist of either larger tracts of agricultural land, County-owned nature preserve (Scrub Point Preserve), five-acre agriculture homesteads or one-acre lakefront estates on John's Lake. The area is still predominantly rural in nature and is all located in Lake County's jurisdiction.

The property is part of the proposed Wellness Way Area Plan (WWAP), which upon adoption by Lake County, may allow this property to be developed up to a density of 1.85 dwellings units per acre. The applicant has proposed the development at the maximum density of 1.85 dwelling units per acre. This development pattern does not follow the existing development pattern with regard to the densities and intensities in the area and may be problematic with the transition of the proposed quarter-acre lots to the larger lots and agricultural use in the area.

Lake County has expressed this concern with the proposed project in regard to the existing densities on the adjacent and surrounding parcels and their compatibility with the project. It was noted that the project fails to meet many of the goals and objectives of the pending Wellness Way Urban Service Area.

Accessing the site is a concern with the increased traffic demand. The property is currently accessed via Flynn Court. This road does not meet City standards for access, and the subdivision is proposed to add roughly 1,900 trips to this segment. A new primary access road is being proposed to the west of the project, but coordination with the property owner, the Lake County Water Authority, is necessary. At this time, no formal agreement has been provided to indicate access will be provided through the water authority's property. In addition, traffic improvements will be warranted on Hartwood Marsh Road based upon the additional traffic demand.

The Lake County Water Authority, the Lake County Board of County Commissioners, the Lake County School Board, and surrounding property owners have all expressed concern over the proposed change.

Due to the existing densities of the surrounding land uses and the impacts on traffic, schools, and other public services, staff can not recommend approval for the density of 1.85 dwelling units per acre for the proposed PUD. Therefore, staff recommends denial of Ordinance 2016-30.

Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Ordinance	REZ ORD 2016-30.doc
2. Extreme Groves Conceptual Site Plan	Extreme Groves 8-19-2016 Exhibit A.pdf
3. Application	REZ application.pdf
4. Legal ad	REZ Extreme Groves legal ad.docx

CITY OF CLERMONT

ORDINANCE No. 2016-30

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 ofClermont, Lake County, Florida hereby ordainsthat:

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

The north ½ of the northeast ¼ of Section 1, Township 23 South, Range 26 east, Lake County Florida, less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida & less from the northwest corner of the northeast ¼ run south 89-46-07 east 25 feet for Point of Beginning, continue south 89-46-07 east 346.91 feet, south 0-27-22 west 627.84 feet, north 89-46-07 west 346.91 feet, north 0-27-22 east 627.84 feet to Point of Beginning. Alternate Key3502027.

Containing 66.44 acres more or less, and being subject to any easements, rights-of-way or restrictions of record.

FROM: UE Urban Estate
TO: PUD Planned Unit Development

SECTION 2 – Land Uses

1. Residential:

   a. A total of up to 122 single family residential dwelling units may be permitted on the site, not to exceed a density of 1.85 units per acre within the project.

   b. Phasing of Development: Theproject may be developed in one or more phases.

   c. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by Daly Design Group, Inc. dated August 19, 2016, attached hereto. 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 developmentpermits.

d. The minimum lot size for the development shall be 10,200 square feet; aside from those lots along the southern boundary which shall be a minimum of 21,780 square feet in size.

e. Development Standards: Development standards for the development of the residential dwelling units, shall be based on the size of the lot, as indicated in the table below. In case of uncertainty, the R-1 Single Family Medium Density district shall apply if it is not specifically designated in this Planned Unit Development.

	10,200 sq. ft. lots	21,780 sq. ft. lots
Minimum lot width	85'	175
Minimum Front setback	20'	20'
Minimum Side setback	7.5'	10'
Minimum Rear setback	20'	20'
Minimum Side setback from Street	15'	25'
Minimum Rear and Side Yard setback for Pools, Patios, Decks or Ancillary Structures	5'	5'
Maximum Imervious Surface Ratio (ISR)	.65	.65
Maximum Building Height	35'	35'

SECTION 3 – Open Space

Open Space: A minimum of 25 percent of the net buildable area of the Planned Unit Development shall be provided as open space in accordance with the Comprehensive Plan and Land Development Code (LDC), as amended.

SECTION 4 – Landscaping, Buffering, and Screening

1. A 35-foot wide buffer with a six foot high PVC fence will be installed along the southern property line where lots abut the adjacent property. The buffer will also include a solid hedge and a mimimum of two (2) canopy trees per 100 feet.

2. A 30-foot wide landscape buffer will be provided along Champagne Court adjacent to single-family lots. Plantings will be in accordance with the Planned Unit Development plan.

3. A 20-foot wide landscape buffer will be provided along Flynn Court where the rear of lots abut the right of way. Plantings will be in accordance with the Planned Unit Development plan.

4. A 40-foot wide open space buffer will be provided along Scrub Point Preserve where the rear of lots abut the property line, as depicted on the Planned Unit Development plan.

5. All other landscaping, buffering, and screening requirements shall be in accordance with the Land Development Code, as amended. Existing trees may be used to meet the landscape buffer requirements in accordance with the Land Development Code, as amended.

SECTION 5 – Environmental:

The developer shall prepare a report evaluating the potential impacts the proposed subdivision may have on the existing Scrub Point Preserve as it relates to hydrology, water quality, air quality, ambient noise level, wildlife populations, natural ecosystems and aesthetics. Impacts identified shall be mitigated prior to final platting of the subdivision.

SECTION 6 – Utilities:

1. The project shall be developed in accordance with the Utility Agreement approved by the City Council and the property owner, dated August 5, 2016.

2. Easements shall be provided on any existing and proposed utilities that the City will own and maintain at no expense to the City.

3. Stormwater management facilities will be designed to meet the water quality and water quantity criteria for the St. Johns River Water Management District. The applicant shall submit drainage calculations and stormwater management plans when filing for the improvement plan approval. Stormwater manangement details shall be submitted with Improvement Plans.

4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the easements to extend the City's fiber optic network. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

SECTION 7 – Transportation Improvements/Access Management:

1. Primary site access shall be via the 70-foot public right of way on the west side of the property. The proposed road shall be constructed to meet the City of Clermont's standards. The internal roads shall be public and dedicated to the City of Clermont. Flynn Court shall be closed as a through street with emergency access gates installed to meet the City of Clermont requirements. Coordination of closing and making the improvements on Flynn Court shall be coordinated with the City, Lake County, and the residents residing along Champagne Drive.

2. The Owner/Developer shall work with the Lake County Water Authority to construct the new access road by execution of a Developers Agreement.

3. Sidewalks are to be constructed on both sides of residential streets. An eight (8) foot wide pedestrian path will be provided along main internal roadway that runs east/west, as provided on the attached concept.

SECTION 8 – Schools

School concurrency shall be met before final plat approval in accordance with the Comprehensive Plan and Land Development Code.

SECTION 9 – Lighting

Exterior street lighting shall be in accordance with the Land Development Code, as amended.

SECTION 10 – Fire Protection and Emergency Services Access

Fire Protection and Emergency Services Access: Access and Fire Safety requirements of the development shall be provided in accordance with the Florida Fire Prevention Code and Land Development Code, as amended. A secondary emergency access approved by the City's fire marshal shall be designatedand constructed prior to the issuance of the first building permit.

SECTION 11 – Concurrency Management Requirements

Concurrency Management Requirements: Any development shall comply with the Lake County and the City of Clermont Concurrency ManagementSystem, as amended.

SECTION 13 – Future Amendments to Statutes, Code, Plans, and/or Regulations

The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City Comprehensive Plan, and City Land Development Code shall include any future amendments to the statutes, code, plans, and/or regulations.

SECTION 14 – Additional Conditions

1. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Planned Unit Development. Any other proposed use must be specificallyauthorized by the Clermont City Council.

2. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Clermont Code of Ordinances, as amended, and obtaining the permits required from the other appropriate governmental agencies.

3. This Planned Unit Development shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.

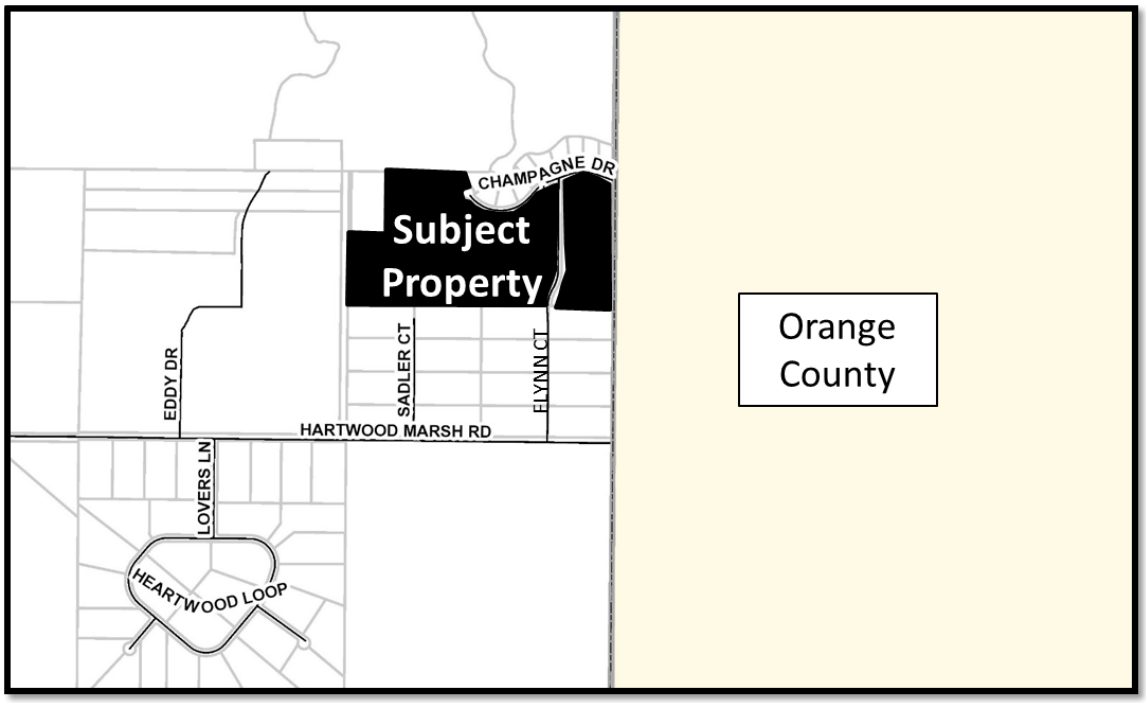
4. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental permitting agencies.

5. The transfer of ownership or lease of any or all of the property described in this Planned Unit Development shall be included in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Planned Unit Development and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Code, as amended.

Section 15

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

Location Map:



PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 27th day of September, 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

Extreme Groves PUD

Land Use Plan

Parcel ID # 01-23-26-0001-0000-0100

Altkey 3502027

Clermont, Florida

June 2016

Revised:

1	07.12.16	Revised for 1/2 ac lots	wgm
2	08.19.16	Revised per Staff Comments	wgm

Legal Description

DESCRIPTION

The North 1/2 of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida. Less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida.

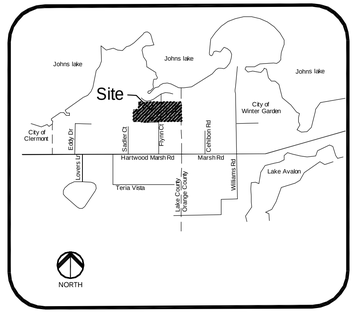
Together with and subject to that certain easement for ingress and egress described in Easement recorded in Deed Book 339, Page 142, Public Records of Lake County, Florida.

Less and except that portion of the land conveyed by Warranty Deed recorded in Official Records Book 2401, Page 2125, of the Public Records of Lake County, Florida, being more particularly described as follows:

That part of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, in Lake County, Florida, bounded and described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Section 1, Township 23 South, Range 26 East, and run S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 25.00 feet to the Point of Beginning of this description; from said Point of Beginning, continue S. 89 degrees 46'07" E., along the North line of the Northeast 1/4, a distance of 346.91 feet; thence S.00 degrees 27'22" W., 627..84 feet; thence N. 89 degrees 46'07" W., 346.91 feet to a point that is 25 feet East of, when measured at right angles thereto, the West line of the Northeast 1/4 of said Section 1; thence N. 00 degrees 27'22" E., parallel with the West line of the Northeast 1/4, a distance of 627.84 feet to the Point of Beginning.

Containing therein 66.44 acres, more or less.



Location Map

General Notes:

1. Primary site access shall be via the 70' public right of way on the west side of the property. The proposed road shall be constructed to meet the City of Clermont standards. The internal roads shall be public and dedicated to the City of Clermont. Secondary site access shall be via Flynn Ct.

2. Stormwater management facilities will be designed to meet the water quality and water quantity criteria of the SJRWMD. The applicant shall submit drainage calculations and stormwater management plans when filing for the improvement plan approval. Stormwater Management details shall be submitted with Improvement Plans.

3. Based upon FIRM Map #12069C0595E the site is not within a flood Zone.

4. Utility infrastructure shall be public and dedicated to the City of Clermont.

5. Water service will be provided by the City of Clermont.

6. Wastewater Service shall be provided by the City of Clermont.

7. Fire Protection shall be provided by the City of Clermont Fire Rescue / Lake County Fire Rescue. The applicant shall comply with all City of Clermont fire protection requirements.

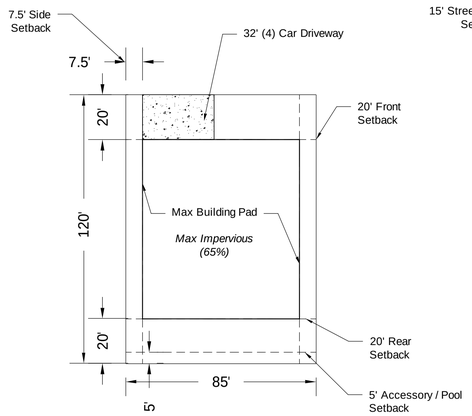
8. Police Protection shall be provided by the City of Clermont.

9. Project may be constructed in multiple phases. Determination for phasing shall be established at Preliminary Subdivision Plan development.

10. Generalized location and acreage of common open space and recreation facilities will be determined with Preliminary Plan submittal. Detailed plans for recreational facilities are to be provided with improvement plans.

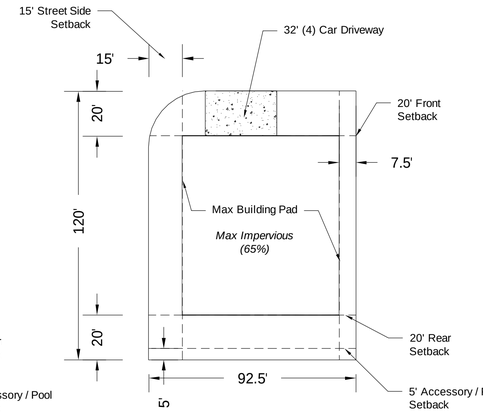
11. All common open and recreation facilities space are to be owned and maintained by a mandatory homeowner association.

12. Flynn Ct shall be cul de sacked at the south property line per Lake County Standards. An emergency access gate shall be constructed at the north side of the cul de sac to prevent through traffic along Flynn Ct. An emergency access system shall be installed per the City of Clermont Fire Department Standards.



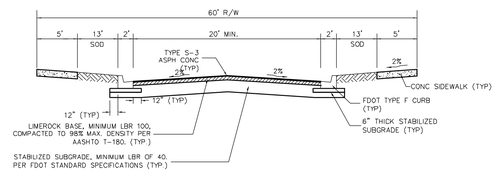
1 PLAN TYPICAL 85' LOT

SCALE: NTS



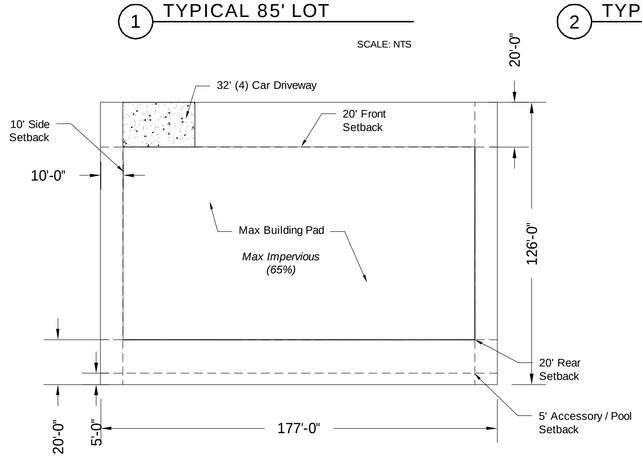
2 PLAN TYPICAL 85' CORNER LOT

SCALE: NTS



3 SECTION 60' RIGHT OF WAY

SCALE: NTS



4 PLAN TYPICAL 1/2AC LOT

SCALE: NTS

Site Data

Total Land Area	66.44 ac
Current Lake County FLU	RURAL
Current Lake County Zoning	A
Proposed Clermont FLU	Low Density Residential
Proposed Clermont Zoning	PUD
Minimum Open Space	10 ac 25%
Proposed Uses	
Single Family Residential	
Proposed Units	122 du
Proposed Density	1.84 du/ac
Minimum Lot Size	85'x120' *
* *Minimum 1/2 acre lots along south property line*	
Maximum Building Ht	35' 2 story
Maximum Impervious	65%
Minimum Lot Frontage	30'
Setbacks (85' x 120' lots)	
Front	20
Rear	20
Side	7.5
Street Side	15
Accessory Building (side and rear)	5
Pool (side and rear)	5
Setbacks (1/2 acre lots)	
Front	20
Rear	20
Side	10
Street Side	25
Accessory Building (rear)	5
Pool (rear)	5

Team Members

Builder
Meritage Homes
5337 Millenia Lakes Blvd. Ste 410
Orlando FL 32839
(407) 571-0959
Contact: Mr Andon Calhoun

Owner
Extreme Grove Investments LLC
PO Box 1930
Minneola Florida 32755
Contact: Mr Alex Howell

Applicant / Planner
Daly Design Group
913 N Pennsylvania Ave
Winter Park, Florida 32789
(407) 740-7373
Contact: Mr. Tom Daly

Environmental Consultant
Bio-Tech Consulting
315 Fern Creek Ave
Orlando, Florida 32803
(407) 894-5969
Contact: Mr. Spencer Clark

Geotechnical Consultant
GEO Engineering and Sciences
250 South Ronald Reagan Blvd. Ste 114
Longwood, Florida 32750
(407) 379-9510
Contact: Mr. Gabi Stephan

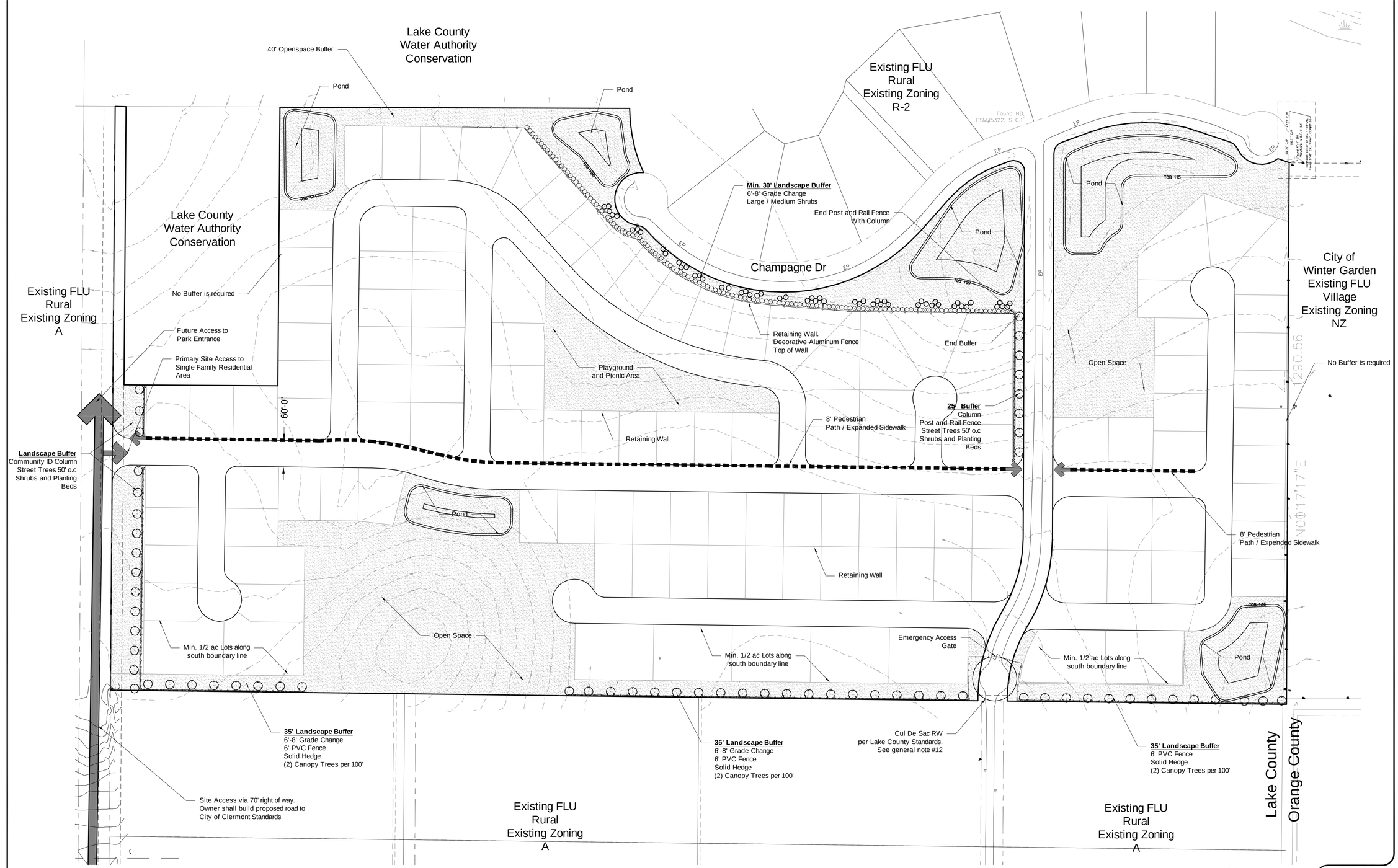
Surveyor
Allen and Company
Professional Surveyors and Mappers
213 S Dillard Street, Ste 210
Winter Garden, Florida 34787
(407) 654-5355
Contact: Mr. James Rickman

Traffic Engineer
Traffic & Mobility Consultans LLC
3101 Maguire Blvd, Suite 265
Orlando, FL 32803
(407) 531-5332
Contact: Mr. Mohammed Abdallah, PE, PTOE

Sheet Index

CVR - Cover
LUP - 101 - Conceptual Site Plan
LUP-102 - Typical Site Grading Section

CVR
1527



daly design group inc.

Urban Planning, Landscape Architecture, Project Management, Development Consulting

913 N Pennsylvania Ave, Winter Park, FL 32789 (407) 740-7373 www.dalydesign.com

REV.	DATE	DESCRIPTION	BY
2	08.19.16	Revised per staff comments	wgm
1	07.12.16	Revised for 1/2 ac lots	wgm

Conceptual Site Plan

Extreme Groves PUD

Clermont, Florida

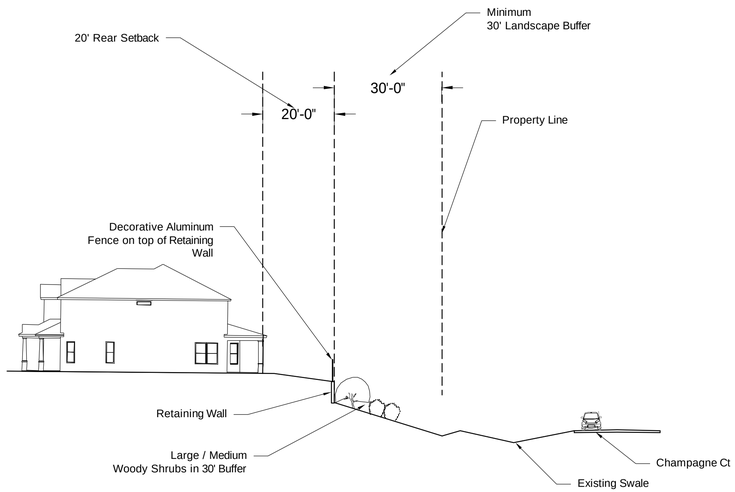
Date:

PROJECT NO. 1527

SCALE 1"=100'

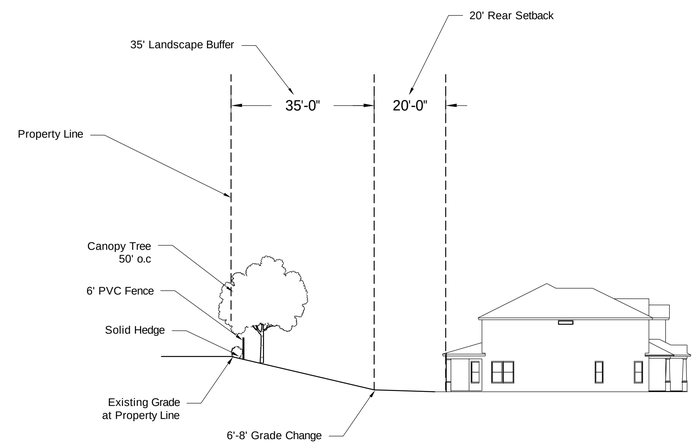
DATE June 2016

SHEET LUP-101



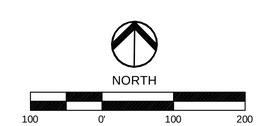
1 SECTION
CHAMPAGNE CT BUFFER

SCALE: NTS



2 SECTION
WEST SIDE OF FLYNN CT (1/2 acre lot)

SCALE: NTS



Date:

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REV.	DATE	DESCRIPTION	BY
2	08.19.16	Revised per staff comments	wgm
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Conceptual Site Plan

Extreme Groves PUD
Clermont, Florida

PROJECT NO.
1527
SCALE
1"=100'
DATE
June 2016
SHEET
LUP-102

CITY OF CLERMONT
REZONING
APPLICATION

DATE: 6-1-16 FEE: $350.00

PROJECT NAME (if applicable): EXTREME GROVES

APPLICANT: THOMAS DALY, DALY DESIGN GROUP

CONTACT PERSON: THOMAS DALY

Address: 913 N. PENNSYLVANIA AVE

City: WINTER PARK State: FLORIDA Zip: 32789

Phone: 407-740-7373 Fax: NA.

E-Mail: tdaly@dalydesign.com

OWNER: EXTREME GROVE INVESTMENTS LLC

Address: P.O. BOX 130

City: MINNEOLA State: FLORIDA Zip: 34755-1930

Phone: 352-394-8737 Fax:

Address of Subject Property: EAST & WEST OF FLYNN COURT, SOUTH OF PROMINANT POINTE.

Legal Description (include copy of survey): SEE ATTACHED

Acreage: 66 Land Use: COUNTY RURAL
(City verification required)

Present Zoning: COUNTY AG. Proposed Zoning: PUD.
(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?

ANNEX INTO THE CITY TO DEVELOP A SINGLE FAMILY NEIGHBORHOOD ?
AN ASSISTED FACILITY

THOMAS DALY
Applicant Name (print)

x
Applicant Name (signature)

ALEXANDRA HOWELL
Owner Name (print)

x
Owner Name (signature)

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

DESCRIPTION

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Containing therein 66.44 acres, more or less.

CFN 2003040293
Bk 02290 Pgs 1515 - 1516; (2pgs)
DATE: 04/03/2003 02:15:11 PM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 9.00
TRUST FUND 1.50
DEED DOC 4,564.70

02-638-C

Prepared By/Return To:
Norman C. Cummins, P.A.
450 E. Hwy. 50
Clermont, FL 34711
Grantees S.S.#:
Parcel I.D. #:

THIS WARRANTY DEED, Made the 26th day of March, 2003, by BRENDA P. LONGENBACH, a married woman, whose address is RT 209, Box 307, Brodheadsville, PA 18322, hereinafter called the Grantor, to EXTREME GROVE INVESTMENTS, LLC., a Florida Limited Liability Company whose address is 4327 S. Hwy 27, Suite 140, Clermont, FL 34711, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations wherever the context so admits or requires.)

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells , aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in LAKE County, State of FLORIDA, viz:

SEE ATTACHED EXHIBIT ''A''

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR

TOGETHER, with all the t enements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land i n fee simple; that the Grantor has good right and lawful authority to sell and c onvey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature

Brenda P. Longenbach
BRENDA P. LONGENBACH

NORMAN C. CUMMINS
Printed Name

Terri Eubanks
Witness Signature

Terri Eubanks
Printed Name

STATE OF FLORIDA
COUNTY OF LAKE

Exhibit "A"

TRACT 1:
The North 1/2 of the Northeast 1/4 of Section 1, Township 23 South, Range 26 East, Lake County, Florida. Less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida.
Together with and subject to that certain easement for ingress and egress described in Easement recorded in Deed Book 339, Page 142, Public Records of Lake County, Florida.

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. 2016-30

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

South of Champagne Dr., West of Orange County Line,
and North of Hartwood Marsh Road
Extreme Groves +/- 66 acres
Alternate Key 3502027

LEGAL DESCRIPTION

The North ½ of the Northeast ¼ of Section 1, Township 23 South, Range 26 East, Lake County Florida, less and except that part thereof lying within the plat of Prominent Pointe, recorded in Plat Book 41, Pages 74 and 75, Public Records of Lake County, Florida & Less from the Northwest corner of the Northeast ¼ run S 89-46-07 E 25 Ft for POB, Cont S 89-46-07 E 346.91 Ft, S 0-27-22 W 627.84 Ft, N 89-46-07 W 346.91 Ft, N 0-27-22 E 627.84 Ft to POB

FROM UE Urban Estate
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Monday, September 12, 2016 at 6:30 p.m.
A public meeting to consider the request will be held before the City Council on Tuesday, September 27, 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.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 5 & 13, 2016