

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
7:00 PM, Tuesday, March 4, 2014
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

Approval of the minutes for the February 4, 2014 Planning and Zoning Meeting

REPORTS

NEW BUSINESS

- | | |
|--|--|
| Item 1 - Citrus Tower Apartments and Professional Office
Small Scale Comprehensive Plan Amendment | Request for a small-scale comprehensive plan amendment to change the future land use from Lake County Regional Office to Residential/Office. |
| Item 2 - Citrus Tower Apartments and Professional Office
Rezoning | Request for a rezoning to change the zoning from Urban Estate to R-3 Residential/Professional zoning district. |
| Item 3 - Citrus Tower Apartments and Professional Office
Conditional Use Permit | Request for a conditional use permit to allow for a multi-family complex with more than 12 units and with additional future office space. |
| Item 4 - Kingdom Revelation Ministries
Conditional Use Permit | Request for a conditional use permit for a house of worship in the C-2 General Commercial zoning district. |
| Item 5 - Erika's Tea Room and Gifts
Conditional Use Permit | Request to allow a restaurant in the Central Business District. |

Discussion of Non-Agenda Items

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Planning and Zoning Department 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
MINUTES
PLANNING AND ZONING COMMISSION
February 4, 2014

Page 1

The meeting of the Planning & Zoning Commission was called to order Tuesday February 4, 2014 at 7:00 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Harry Mason, Bernadette Dubuss, and Thomas Spencer. Also in attendance were Barbara Hollerand, Planning and Zoning Director, Curt Henschel, Senior Planner, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Administrative Assistant.

MINUTES of the Planning and Zoning Commission meeting held January 7, 2014 were approved as written.

REPORTS

City Attorney Dan Mantzaris discussed the procedures and expectations of the Commissioners of the Planning and Zoning Commission.

Chairman Nick Jones stated that Items 2 through 4 will be tabled to the March 4, 2014 Planning and Zoning meeting.

Bernadette Dubuss made a motion to postpone Items Nos. 2, 3, and 4 to the March 4, 2014 Planning and Zoning meeting; seconded by Thomas Spencer. The vote was unanimous to postpone the items.

1. REQUEST FOR REZONING

DEVELOPMENT NAME: Walgreens

OWNER/APPLICANT: The Ferber Company

REQUESTED ACTION: Request for a rezoning to change the zoning from R-2 Medium Density Residential and C-1 Light Commercial to C-2 General Commercial Zoning District

Planner John Kruse presented the following staff report:

The applicant is requesting to rezone these parcels from R-2 residential (Bumgarner Parcel) and C-1 commercial (Boudreau Parcel) to C-2 General Commercial in order to permit the construction of a new Walgreens stand alone store at the southwest corner of SR 50 and Bloxam Ave. These parcels (Exhibit 2), in conjunction with the parcels on the corner (north of these sites) that consist of Papa John's Pizza, the abandoned Citgo service station, the Music Station, and the existing home behind the Music Station, will be redeveloped into the new Walgreens store and site. This store will replace the existing Walgreens in the shopping plaza to the east. The proposed new store will be approximately 15,000 square feet and will be developed to City's Land Development Code.

The parcels are located in the Commercial Future Land Use Category (Exhibit 3), as depicted on

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 4, 2014

Page 2

the City's Future Land Use Map 1.1. Surrounding the parcels to the north, east, and south is the Commercial Land Use Category. To the west, the Land Use Category is Medium Density Residential. The Commercial Future Land Use Category, as stated in Policy 1.9.1 of the City's Comprehensive Plan, allows general retail sales and services. The proposed Walgreens Store would be consistent with this policy and permissible in this Future Land Use Category.

The current zoning to the north and east of these parcels is C-2, General Commercial, as shown in Exhibit 3, from the City's Zoning Map. The rezoning of these parcels would be a logical extension, especially from the north, to allow full use of the property. The rezoning to the C-2 zoning district would allow redevelopment of the parcels in the area to the fullest extent permitted under the existing Commercial Future Land Use Category. The rezoning would continue to complete the infill of parcels designated in this area under the Commercial Future Land Use. Under Section 122-223 of the Land Development Code, the C-2 zoning district permits retail businesses. The proposed Walgreens Store would be consistent with this section of the code.

The proposed rezoning of the parcels to C-2 would be consistent with this request and the area as a whole. The rezoning would provide for an opportunity to redevelop this area into a more appropriate use, as permitted under the Commercial Future Land Use Category. Therefore, staff recommends approval of this request based upon the information presented.

John Lapointe, 5910 W. Kennedy Blvd., Tampa, stated that the rezoning of the two parcels south of Magnolia Street is consistent with the comprehensive plan and the future land use map.

Jason Crews, 151 Sawgrass Corners Dr., Ponte Vedra Beach, stated that he was present to answer any questions.

Commissioner Harry Mason asked what the plan is for ingress and egress. He asked if the closing of Magnolia Street is part of the development.

Mr. Kruse stated that it is his understanding that the right-of-way will be vacated as a portion of the redevelopment of the corner of SR 50 and Bloxam Ave.

Commissioner Harry Mason asked if there is a plan to widen Bloxam Ave. to include a turning lane for the development.

Mr. Kruse stated that is premature at this moment and the widening will be looked at as the development goes through site review.

Commissioner Harry Mason stated that it is not premature when you are asking to rezone and you don't know if the road is wide enough to access the development.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 4, 2014

Page 3

Chairman Nick Jones stated that staff has stringent regulations regarding improvements to property being developed. He stated that the issue before them is the rezoning and they are not commissioned to address site review issues.

City Attorney Dan Mantzaris stated that the rezoning determines whether the proposed zoning is consistent with the city's comprehensive plan, the neighbors, and the surrounding zoning. He stated that the access issue is premature because that is a development issue that will come before the site review committee. He stated that just because Council approves a rezoning, that doesn't mean that something gets built on that property. He stated it's the appropriate use for it and the property still has to meet all the requirements to be able to development which is where the ingress and egress will be discussed.

Commissioner Harry Mason asked if there will be landscaping buffers around the property.

Mr. Mantzaris stated that the city code requires a buffer between commercial and residential properties.

Mr. Kruse stated that there will be a ten foot buffer.

Commissioner Carlos Solis asked who owns Magnolia Street.

Mr. Kruse stated that the city owns it and they will be reimbursed for the recent improvements that were made to Magnolia Street.

Commissioner Carlos Solis asked that if Magnolia Street is abandoned then will it revert to the property owner.

Mr. Mantzaris stated that Magnolia Street will belong to the property owner.

Chairman Nick Jones stated that when the Florida Department of Transportation did the improvements to SR 50, they eliminated the curb cuts within 25 feet of the corner. He stated that they have the potential to make a considerable improvement to this parcel of property. He stated that the comprehensive plan is consistent with the request and no one is present to object to this request.

Commissioner Harry Mason asked if Magnolia Street has adequate drainage.

City Planner Curt Henschel stated that the utility department recently did the drainage improvement and resurfaced the road. He stated that is why the city is looking for reimbursement of the improvements because it was done so recently.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
February 4, 2014

Page 4

Commissioner Carlos Solis moved to recommend approval of the rezoning; seconded by Commissioner Bernadette Dubuss. The vote was 5-1 to recommend approval for the rezoning to City Council, with Commissioner Harry Mason opposing.

2. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

DEVELOPMENT NAME: Citrus Tower Apartments and Office

3. REQUEST FOR REZONING

DEVELOPMENT NAME: Citrus Tower Apartments and Office

4. REQUEST FOR CONDITIONAL USE PERMIT

DEVELOPMENT NAME: Citrus Tower Apartments and Office

There being no further business, the meeting was adjourned at 7:22 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Administrative Assistant



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date		
Tuesday, March 4, 2014		
Agenda Item Name		
Citrus Tower Apartments and Professional Office Small Scale Comprehensive Plan Amendment		
Requested Action		
Motion to approve Ordinance No. 2014-03		
Staff Report		
Citrus Tower Apartments and Professional Office - Small Scale Comprehensive Plan Amendment		
The applicant and owner, Daljit and Satinder Gill, are requesting a future land use amendment to change from Lake County Regional Office to the City's Residential/Office Land Use Category. The 8.53-acre parcel is located along the west side of Citrus Tower Boulevard, halfway between Steves Road to the south and Hooks Street to the north (Exhibit 2). The City of Clermont owns property directly to the north that was purchased for the new police station. The City also has a half acre site that partially adjoins the applicant's property to the south. The additional property owner to the south is Lost Lake Reserve LC and the property is currently vacant. To its west is Wilma Lake in unincorporated Lake County along with existing storm water retention basins used for existing developments in the area. This future land use application is being submitted along with requests for annexation, rezoning to the R-3 Residential/Professional zoning classification, a conditional use permit to allow an apartment community that has a higher density than 8 units per acre (applicant is requesting 12 units per acre), street right-of-way/easement closing petition for an unused easement, and a variance for grading and filling of the site that exceeds the 10 feet requirement (Exhibit 3). As defined in the City's comprehensive plan, Policy 1.7.1 allows the following: Residential/Office. The residential/office category is intended to provide for a mixture of predominantly residential uses, while allowing for professional offices that are consistent with the general character of the adjacent residential uses. Based on current land use trends, the City estimates that the mix of uses in the residential/office category will be 65 percent residential and 35 percent non-residential. The maximum intensity for office development shall be 0.25 FAR. The FAR shall not be applied to the residential portion of a mixed-use development.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Exhibit 1 - Ordinance 2014-03	CPA ORD 2014-03.doc
2.	Exhibit 2 and 3 - Map and Conceptual Plan	Exhibit 2 and 3 - SSCP Amendment.pdf
3.	Application	CPA application.pdf
4.	Site and Grading Plan	Site and Grading Plan.pdf

CITY OF CLERMONT
ORDINANCE No. 2014-03

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

Tract 48, in Section 29, Township 22 South, Range 26 East, in Lake Highlands Company, According to the plat thereof, as recorded in PB 2, PG 25, of the Public Records of Lake County, Florida.

Less the following parcel:

That part of Tract 48, according to the plat of Lake Highlands Company subdivision of Section 29, as recorded in PB 2, PG 25, of the public records of Lake County, Florida,

CITY OF CLERMONT
ORDINANCE No. 2014-03

lying in the southeast $\frac{1}{4}$ of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the east $\frac{1}{4}$ corner of said Section 29; thence run south 00 degrees 15'19" east along the east line of said southeast $\frac{1}{4}$ of Section 29 for a distance of 662.64 feet to the north line of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said southeast $\frac{1}{4}$ of section 29; thence run north 88 degrees 50'36" west along said north line for a distance of 15.00 feet to the west line of the east 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ for the point of beginning; thence continue north 88 degrees 50'36' west along said north line for a distance of 70.02 feet; thence run south 00 degrees 15'29' east for a distance of 647.72 feet to the north line of the south 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run south 88 degrees 53'59' east along said north line for a distance of 70.02 feet to the aforesaid west line of the east 15.00 feet of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run north 00 degrees 15'29" west along said west line for a distance of 647.65 feet to the point of beginning. Containing 8.53 acres, more or less

CHANGE IN FUTURE LAND USE CLASSIFICATION
From County Regional Office to Residential/Office

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.

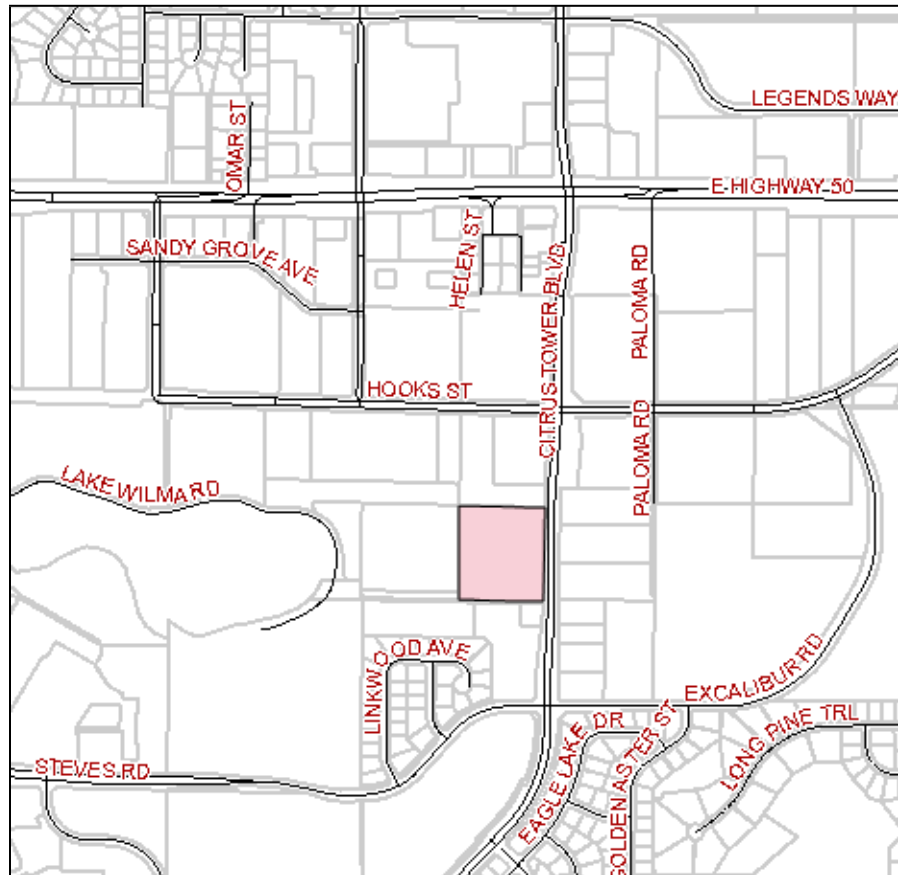
Section 3.

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. 2014-03



CITY OF CLERMONT
ORDINANCE No. 2014-03

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of March, 2014.

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit 2 – Location Map

Citrus Tower Apartments and Professional Office

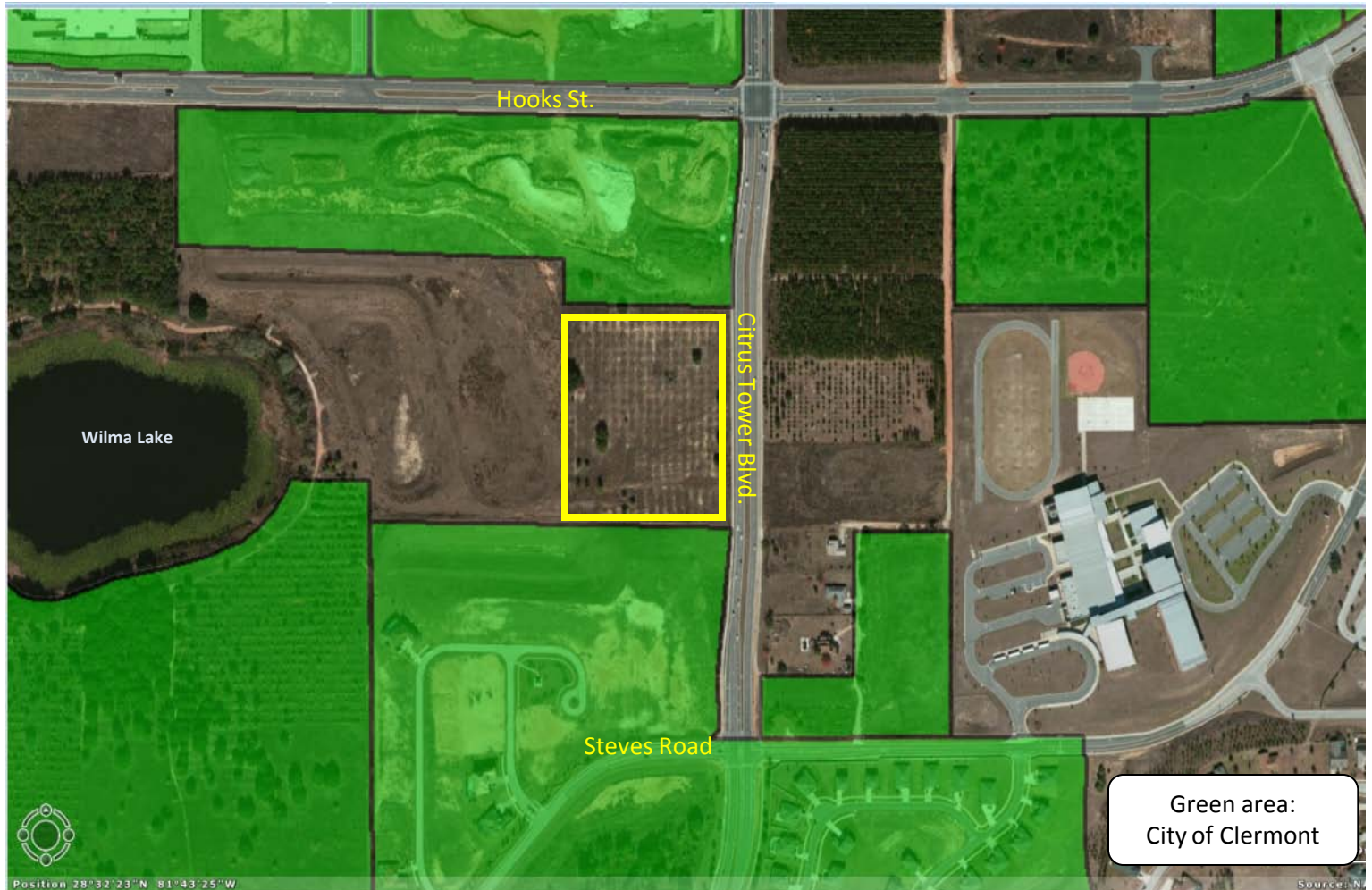
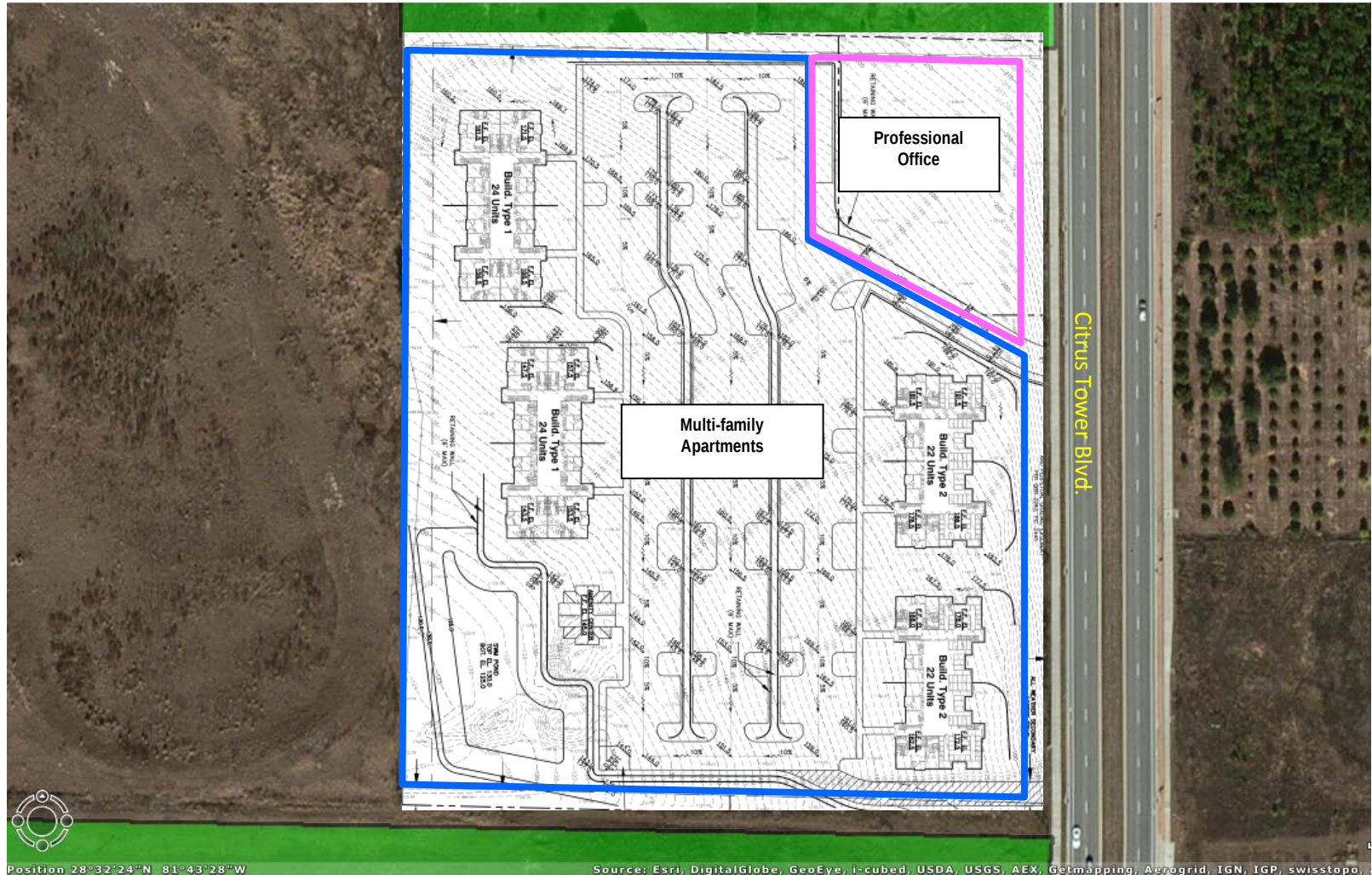


Exhibit 3 – Proposed Site Layout – Visual Use Only Citrus Tower Apartments and Professional Office





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: November 26, 2013

FEE: \$500.00

Project Name (if applicable): Citrus Tower Apartments & Office Site

Applicant: Daljit & Santinder Gill

Contact Person: Ridge Professional Group, Inc.

Address: 4425 US Highway 92 East

City: Lakeland

State: FL

Zip: 33801

Phone: 863-669-0108

Fax: _____

E-Mail: rpgi@ridgeprofessionalgroup.com

OWNER: Daljit & Santinder Gill

Address: 9 Kenview Blvd.

City: Brampton

State: Ontario

Zip: L6T5G

Phone: 1 (905) 792-0999 x 33

Fax: (905) 792-0091

E-Mail: daljit@gillmanufacturing.com

General Location: The property is located north of Excalibur Road on the west side of Citrus Tower Blvd.

Legal Description (include copy of survey): Please see attached.

Property size (in acres or square feet): 8.53 acres

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

Existing (Actual) Land Use: Vacant

Existing Zoning: RA Ranchette District "County"

Existing Future Land Use: RO Regional Office "County"

Proposed Future Land Use: Residential/Office

Type of development proposed: Apartment complex with office tract

Proposed density (dwelling units/acre) or intensity: 12 units per acre

Proposed Zoning District: R-3 Residential/Professional

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).
Please see attached narrative.

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

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

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

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

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

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE SS:

Before me, the undersigned authority personally appeared

David C. Carter

, 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
Vacant Commercial (1000) _____ to Residential/Office _____ 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.

x David C. Carter
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by David Carter
or personally known by me this 12 day of November, 20 13.

x Maliwan Rafats
Notary Public, State of Florida at Large



My Commission Expires: 7/15/15

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE SS:

Before me, the undersigned authority personally appeared

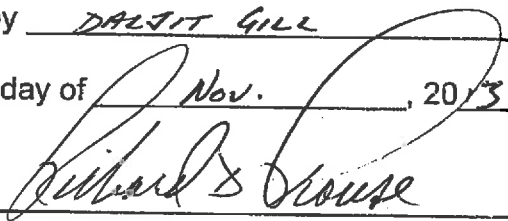
DALIT GILL, who being

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
Vacant Commercial (1000) to Residential/Office _____ for
the property legally described on the attachment of this application.
3. That the owner of said property has appointed DAVID CARTER 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.

X 
Affiant – Owner's Name (signature)

SWORN to and SUBSCRIBED before me by DALIT GILL
or personally known by me this 5th day of Nov., 2013.

X 
Notary Public, State of Florida at Large
PROVINCE OF ONTARIO, CANADA

My Commission Expires: N/A

Citrus Tower Apartments & Office Site

Project Narrative

The project consists of a 92 unit apartment complex with a recreational clubhouse, along with a 1 acre office tract for professional offices, personal service establishments, and light commercial uses. The site is a 8.5 acre tract fronting on the west side of Citrus Tower Boulevard, between Hooks Street and Excalibur Road.

Current FLU-Zoning

The parcel is currently in Lake County, however the applicant is petitioning for annexation into the City of Clermont. The site has a county Future Land Use (FLU) designation of Regional Office, and is zoned RA, or Ranchette District.

Proposed FLU-Zoning-Conditional Use

We are proposing that after annexation, the property be assigned a city Future Land Use designation of Residential/Office, with a zoning designation of R-3, or Residential/Professional District. To allow for the construction of the 92 apartment units, we are proposing a Conditional Use (CU) approval, which would allow for multi-family development of "12 or more dwelling units". The CU approval is also required for the professional offices, personal service establishments, and light commercial uses.

Surrounding Area

The area surrounding the subject site has seen a considerable amount of development in the last several years. A single family detached project is being built to the south, with many units being 2-story. To the north on Hooks Street, the Crane's View Lodge, an ALMC, and the Clermont Police Station projects are underway. The East Ridge Middle School and East Ridge High School are located starting about 800 feet to the east of the site.

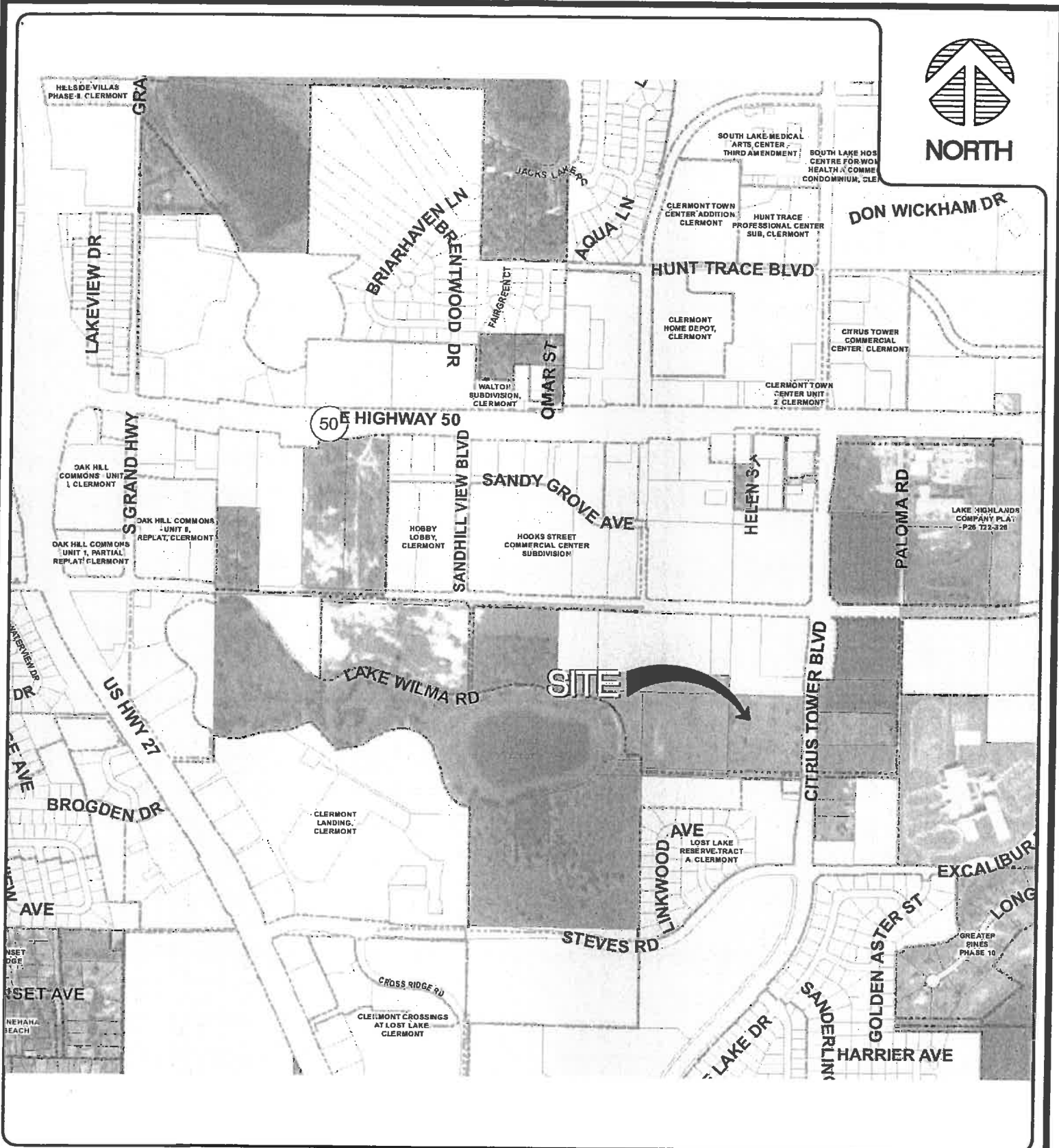
Justification

The current county FLU for the site would allow a variety of office uses with limited commercial support uses. This is in contrast to the current county zoning classification, which only allows development of 5 acre home sites with attendant agricultural uses. Development of the large, 5 acre home sites would be inappropriate sprawl development considering the urban character of the surrounding uses.

With the higher intensity commercial FLU, non-residential uses to the north and the single family residential subdivision on the south, a small, multi-family project with limited commercial and appropriate buffering would provide a step down of intensities.

The site is ideally suited for development with city utilities adjoining the property. Access to Citrus Tower Boulevard is available with no intersection conflicts visible. The nearby schools are within walking distance. The topography is challenging, with significant fall east to west. However, the proposed site plan overcomes this with grading, slopes and walls that meet city standards.

The topography of the site also limits the relative height of the proposed units in comparison to the homes on the south, which are on a small ridge line. This limits the impact of the 3 story buildings. Retention ponds can be provided on the lower, west side of the property, and would adjoin larger, existing ponds.



CITRUS TOWER VICINITY MAP

**Sec. 09, Twp. 22 S, Rng. 26 E
Lake County, FL**



RIDGE PROFESSIONAL GROUP, INC.
Land Development Design & Permitting Services
4425 U.S. Highway 92 East Lakeland, FL 33801-9688
Phone: (863) 669-0108

Sheet No. 1 OF 1	Project No.: 13.024	Scale: NTS	Checked By: DCL
Drawn By: TAC	Modified By: TAC	Date: Sep 12, 2013 -- 10:24am	
File Info: J:\JOB DATA\13. RPG Files\13.024 Citrus Tower\Dwg\13.024 Exhibits.dwg			

Prepared by, and after recording return to:
Berry J. Walker, Jr., an employee of
Walker & Tudhope, P.A.,
225 South Westmonte Drive, Suite 3000
Altamonte Springs, Florida 32714
Consideration: **\$300,000.00**
File Number: FA13-101



For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Lake)
)

SPECIAL WARRANTY DEED

THIS INDENTURE, made this May 6, 2013, between Nazzaro Trust Assets, LLC, a Florida limited liability company whose mailing address is: 153 Carisbrooke Street, Ocoee, FL 34761 and K42 Properties, LLC, a Florida limited liability company, whose mailing address is 2151 Consulate Drive, #3, Orlando, FL 32837, parties of the first part, and Daljit Gill and Satinder Gill, husband and wife, whose mailing address is: 9 Kenview Blvd., Brampton, L6T 5G5, Canada, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, towit:

TRACT 48, IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, IN LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING PARCEL:

THAT PART OF TRACT 48, ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 29, AS RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 29; THENCE RUN S 00 DEGREES 15'19" E ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 29 FOR A DISTANCE OF 662.64 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 29; THENCE RUN N 88 DEGREES 50'36" W ALONG SAID NORTH LINE FOR A DISTANCE OF 15.00 FEET TO THE WEST LINE OF THE EAST 15.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 FOR THE POINT OF BEGINNING; THENCE CONTINUE N 88 DEGREES 50'36" W ALONG SAID NORTH LINE FOR A DISTANCE OF 70.02 FEET; THENCE RUN S 00 DEGREES 15'29" E FOR A DISTANCE OF 647.72 FEET TO THE NORTH LINE OF THE SOUTH 15.00 FEET OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE RUN S 88 DEGREES 53'59" E ALONG SAID NORTH LINE FOR A DISTANCE OF 70.02 FEET TO THE AFORESAID WEST LINE OF THE EAST 15.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE RUN N 00 DEGREES 15'29" W ALONG SAID WEST LINE FOR A DISTANCE OF 647.65 FEET TO THE POINT OF BEGINNING.

Parcel Number: 09-22-26-1300-048-00000

Parcel Identification Number: 09-22-26-1300-048-00000

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

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

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these presents the date set forth on May 6, 2013.

Signed, sealed and delivered
in the presence of:

Nazzaro Trust Assets, LLC, a Florida limited liability company:

Lisa Shultz
Witness signature
LISA SHULTZ

Print witness name

Witness signature

Print witness name

By: Henry B. Nazzaro

Print Name: Henry B. Nazzaro

Title: Managing Member

State of Florida

County of Lake

Seminole

THE FOREGOING INSTRUMENT was acknowledged before me this 6th day of May, 2013 by Henry B. Nazzaro, Managing Member of Nazzaro Trust Assets, LLC, a Florida limited liability company, who is personally known to me or who has produced Florida Drivers License as identification.

Lisa Shultz
Notary Public
LISA SHULTZ

Print Notary Name

My Commission Expires: 05-30-2016

Notary Seal



IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on May 6, 2013.

Signed, sealed and delivered
in the presence of:

K42 Properties, LLC, a Florida limited liability company:

Witness signature

Print witness name

Witness signature

Print witness name

By:

Print Name: Louis Valls

Title: Manager

State of Florida

County of Lake

Seminole

THE FOREGOING INSTRUMENT was acknowledged before me this 6th day of May, 2013 by Louis Valls as Manager of K42 Properties, LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification.

Notary Public

Lisa Shultz
LISA SHULTZ

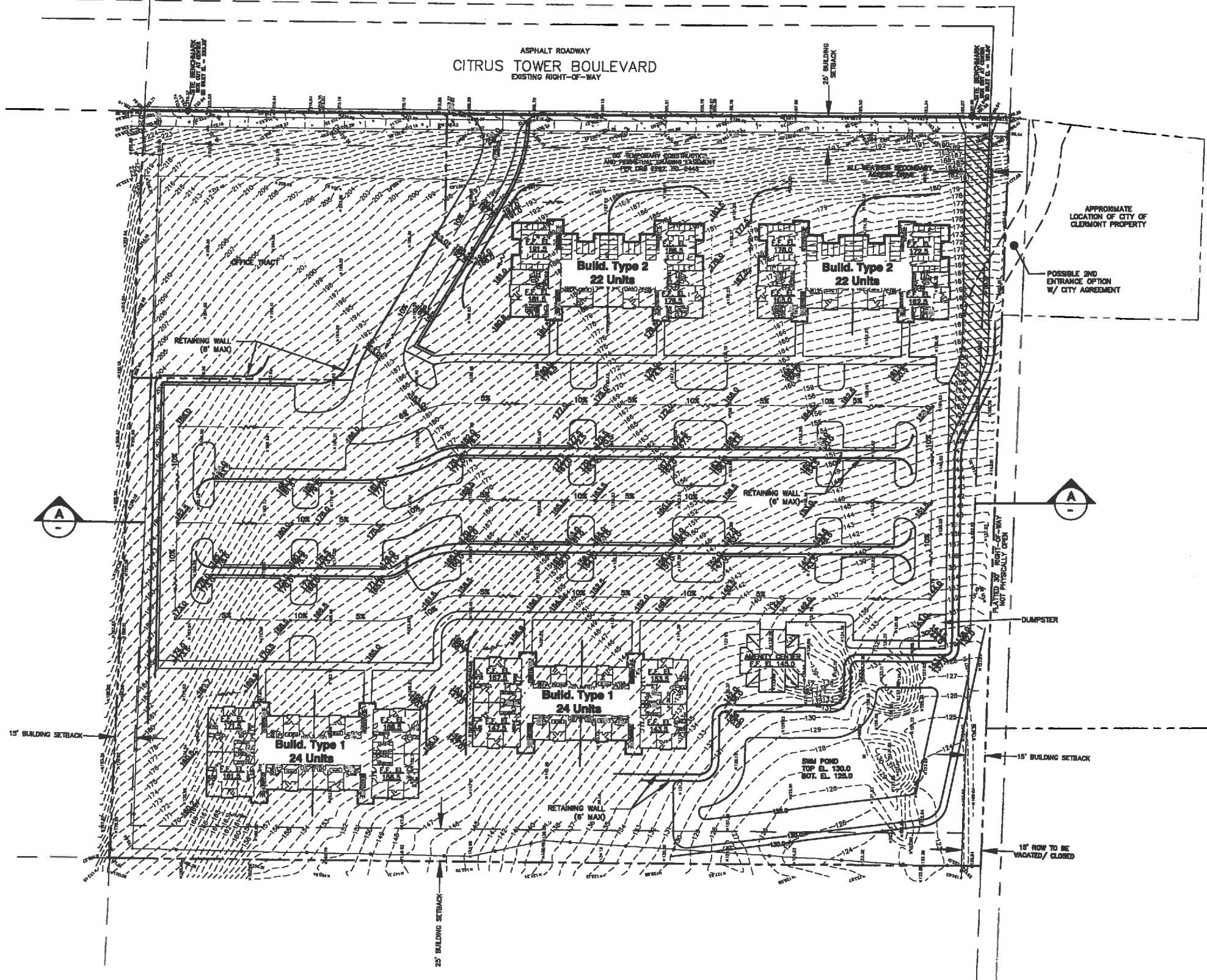
Print Notary Name

My Commission Expires: 05/30/2016

Notary Seal



FBPR CERTIFICATE OF AUTHORIZATION #6378, COPYRIGHT © 2013 RIDGE PROFESSIONAL GROUP, INC.
THIS IS NOT A CERTIFIED DOCUMENT WITHOUT THE ENGINEER'S SIGNATURE, DATE AND INK OR EMBOSSED SEAL.



PROJECT INFORMATION
AREA= 8.5 ACRES
COMMERCIAL AREA= 1.0 AC±
MULTI FAMILY AREA= 7.73 AC±
APARTMENT UNITS= 92

CURRENT/PROPOSED FLU & ZONING
CURRENT ZONING= RA
PROPOSED ZONING= R-3 RES.
EXISTING LAKE COUNTY LAND USE= VACANT COMMERCIAL (1000)
PROPOSED LAND USE= RESIDENTIAL/OFFICE

SETBACK INFORMATION
FRONT= 25FT
REAR= 25FT
CORNER= 25FT
SIDE= 15FT

RESIDENTIAL DENSITY
ALLOWABLE DENSITY
PER ZONING= 12 UNITS PER ACRE
7.73 ACRES X 12 UNITS= 92.76 UNITS ALLOWED
92 UNITS PROPOSED

PARKING REQUIREMENT CALCULATION
24 3 BR UNITS = 60 SPACES
68 2 BR UNITS = 136 SPACES
TOTAL REQUIRED PARKING SPACES= 196

PARKING PROVIDED
STANDARD SPACES= 186
HANDICAPPED SPACES= 10
TOTAL SPACES= 196

P.U.D. TITLE
CITRUS TOWER APARTMENT COMPLEX

PARCEL ID NO. 09-22-26-130004800000
ALTERNATE KEY NO. 1017653

NOTES:
1. ALL BUILDINGS HAVE MINI STORAGE ROOMS ON EAST (UPHILL) 1/2 OF BOTTOM FLOOR.
2. FLOOR PLANS SHOWN ARE @ PARKING LOT ENTRY LEVEL.

Revisions	By	Date	Description
1	DCL	01/12/2013	ORIGINAL DRAINAGE STUDY
2	DCL	01/12/2013	REVISED COMMERCIAL TRACT SIZE
3	DCL	01/12/2013	REVISED COMMERCIAL TRACT SIZE

Prepared For
DALJIT GILL
9 KENVIEW BLVD.
BRAMPTON, ONTARIO, CANADA

RIDGE PROFESSIONAL GROUP, INC.
Land Development Design & Permitting Services
4425 U.S. Highway 92 East
Lakeland, FL 33801
Phone: (888) 888-0108

CITRUS TOWER APARTMENTS & OFFICE SITE
CLERMONT, FLORIDA

SITE & GRADING PLAN

Checked By:
AMS
Designed/Drawn By:
DCL/RJF

13.024
Sheet Number
1



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date														
Tuesday, March 4, 2014														
Agenda Item Name														
Citrus Tower Apartments and Professional Office Rezoning														
Requested Action														
Motion to approve Ordinance No. 2014-04														
Staff Report														
Citrus Tower Apartments and Professional Office - Rezoning														
The applicant and owner, Daljit and Satinder Gill, are requesting a rezoning change from Urban Estate ("RA" Ranchette District in the County) to R-3 Residential/Professional zoning designation upon approval of annexation into the City of Clermont. A Small Scale Comprehensive Plan amendment change to Residential/Office is also requested. The 8.53-acre parcel is located along the west side of Citrus Tower Boulevard, halfway between Steves Road to the south and Hooks Street to the north (Exhibit 2). The current zoning in the area along with the Future Land Use designations would allow the R-3 Residential/Professional zoning designation (Exhibit 3).														
Legal Impact														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table><tr><td>1.</td><td>Exhibit 1 - Ordinance 2014-04</td><td>REZ ORD 2014-04.doc</td></tr><tr><td>2.</td><td>Exhibit 2 and 3</td><td>REZ Exhibit 2 and 3.docx</td></tr><tr><td>3.</td><td>Application</td><td>Rezoning application.pdf</td></tr><tr><td>4.</td><td>Site and Grading Plan</td><td>Site and Grading Plan.pdf</td></tr></table>			1.	Exhibit 1 - Ordinance 2014-04	REZ ORD 2014-04.doc	2.	Exhibit 2 and 3	REZ Exhibit 2 and 3.docx	3.	Application	Rezoning application.pdf	4.	Site and Grading Plan	Site and Grading Plan.pdf
1.	Exhibit 1 - Ordinance 2014-04	REZ ORD 2014-04.doc												
2.	Exhibit 2 and 3	REZ Exhibit 2 and 3.docx												
3.	Application	Rezoning application.pdf												
4.	Site and Grading Plan	Site and Grading Plan.pdf												

CITY OF CLERMONT
ORDINANCE No. 2014-04

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

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

SECTION 1:

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

LEGAL DESCRIPTIONS

Tract 48, in Section 29, Township 22 South, Range 26 East, in Lake Highlands Company, According to the plat thereof, as recorded in PB 2, PG 25, of the Public Records of Lake County, Florida.

Less the following parcel:

That part of Tract 48, according to the plat of Lake Highlands Company subdivision of Section 29, as recorded in PB 2, PG 25, of the public records of Lake County, Florida, lying in the southeast $\frac{1}{4}$ of Section 29, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the east $\frac{1}{4}$ corner of said Section 29; thence run south 00 degrees 15'19" east along the east line of said southeast $\frac{1}{4}$ of Section 29 for a distance of 662.64 feet to the north line of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said southeast $\frac{1}{4}$ of section 29; thence run north 88 degrees 50'36" west along said north line for a distance of 15.00 feet to the west line of the east 15.00 feet of said southeast $\frac{1}{4}$ of the northeast 14 of the southeast $\frac{1}{4}$ for the point of beginning; thence continue north 88 degrees 50'36' west along said north line for a distance of 70.02 feet; thence run south 00 degrees 15'29' east for a distance of 647.72 feet to the north line of the south 15.00 feet of said southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run south 88 degrees 53'59' east along said north line for a distance of 70.02 feet to the aforesaid west line of the east 15.00 feet of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$; thence run north 00 degrees 15'29" west along said west line for a distance of 647.65 feet to the point of beginning.

Containing 8.53 acres, more or less

From:	UE Urban Estate
To:	R-3 Residential/Professional

CITY OF CLERMONT
ORDINANCE No. 2014-04

SECTION 2:

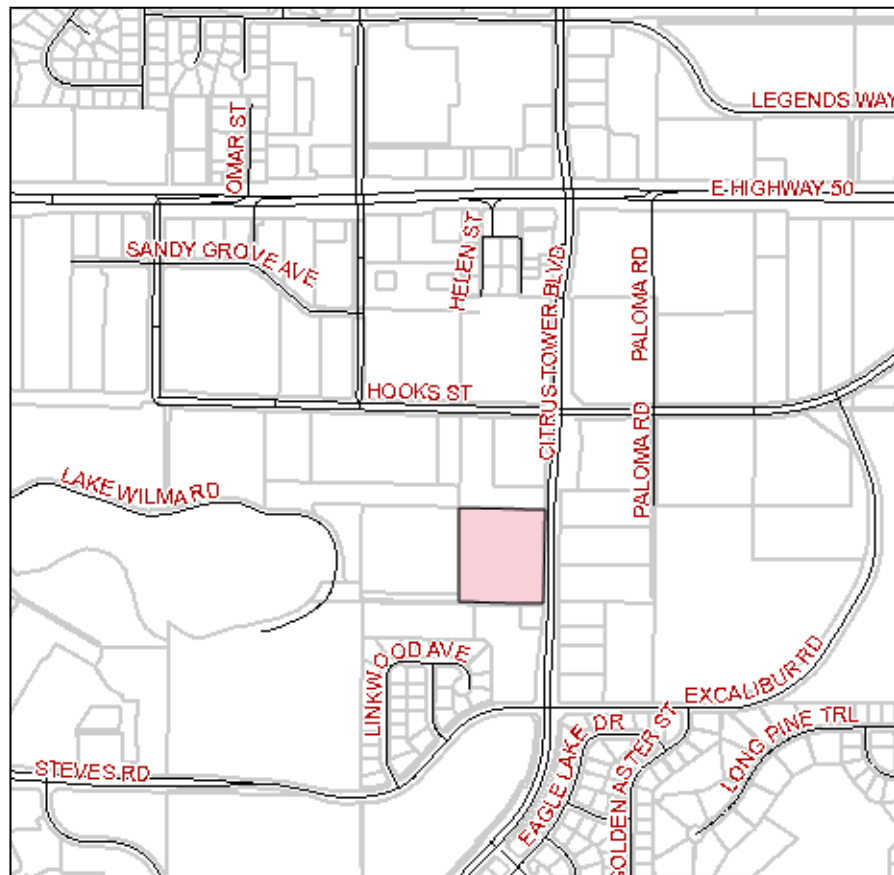
All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 3:

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

SECTION 4:

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



CITY OF CLERMONT
ORDINANCE No. 2014-04

on this 25th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

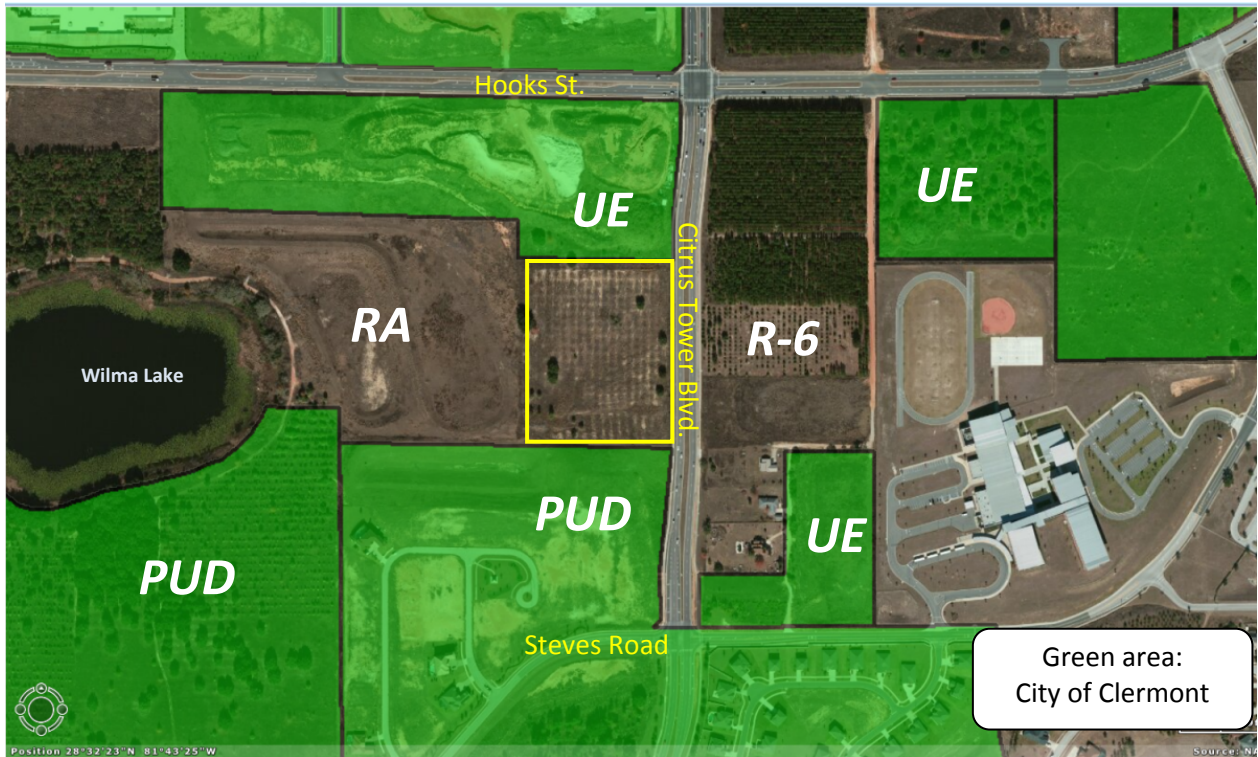
Tracy Ackroyd, City Clerk

Approved as to form:

Dan Mantzaris, City Attorney

Exhibit 2

Location Map and Zoning: Daljit and Satinder Gill – Citrus Tower Apartments and Professional Office



Proposed site layout – Not to Scale

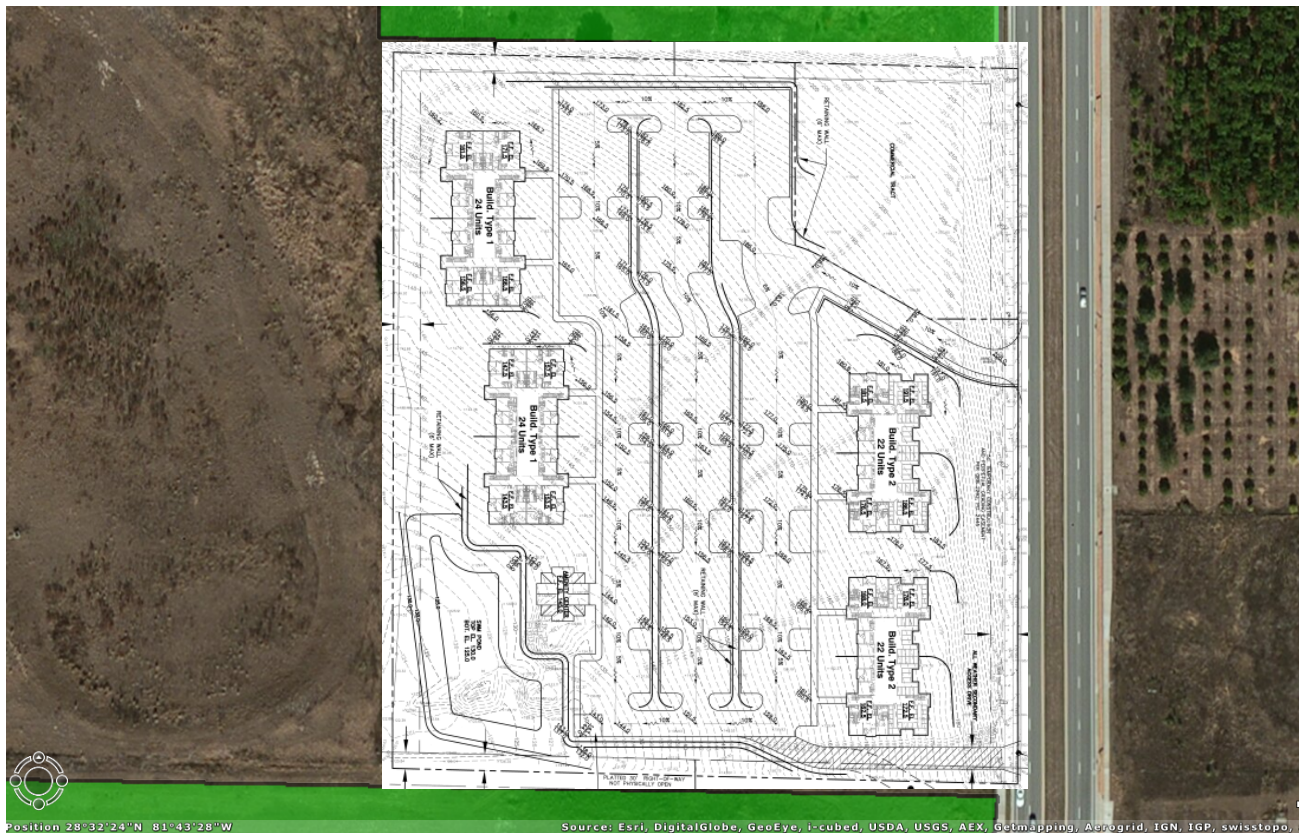


Exhibit 3

DEVELOPMENT NAME: Citrus Tower Apartments and Professional Offices
OWNER: Daljit and Satinder Gill
APPLICANT: Daljit and Satinder Gill
REQUESTED ACTION: Zoning change from Urban Estate to R-3 Residential/Professional
SIZE OF PARCEL: 8.53 +/- acres
GENERAL LOCATION: West of Citrus Tower Blvd between Hook Street and Steves Road.
EXISTING ZONING: Lake County RA Ranchette District (Urban Estate upon annexation)
EXISTING LAND USE: Vacant
FUTURE LAND USE: Lake County Regional Office (Request to change to Residential/Office)

SURROUNDING CONDITIONS:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>	<u>FUTURE LAND USE</u>
NORTH:	UE URBAN ESTATE	Vacant	Commercial
SOUTH:	PUD/R-1	Residential and Vacant	Master Planned Development
EAST:	Lake County – R-6	Residential	Regional Office
WEST:	Lake County – RA	Commercial-Storm Water Retention Systems	Regional Office

Road Classification: Citrus Tower Boulevard – Collector
 Utility Area: City of Clermont Water / Sewer
 Site Utilities: City of Clermont Water / Sewer
 Site Visit: 12-23-13



**CITY OF CLERMONT
REZONING
APPLICATION**

DATE: November 26, 2013

FEE: \$350.⁰⁰

PROJECT NAME (if applicable): Citrus Tower Apartments & Office Site

APPLICANT: Daljit & Satinder Gill

CONTACT PERSON: Ridge Professional Group, Inc.

Address: 4425 US Highway 92 East

City: Lakeland

State: FL

Zip: 33801

Phone: 863-669-0108

Fax: _____

E-Mail: rpgi@ridgeprofessionalgroup.com

OWNER: Daljit & Satinder Gill

Address: 9 Kenview Blvd.

City: Brampton

State: Ontario

Zip: L6T5G

Phone: +1 (905) 792-0999 x 33

Fax: (905) 792-0091

Address of Subject Property: _____

Legal Description (include copy of survey): Please see attached

Acreage: 8.53

Land Use: Present RO Regional Office "County"
(City verification required)

Present Zoning: RA Ranchette "County"
(City verification required)

Proposed Zoning: R-3 Residential/Professional

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

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

**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?

Apartment complex with commercial tract.

David Carter, Ridge Professional Group, Inc.

David C. Carter
Applicant Name (print)

X 
Applicant Name (signature)

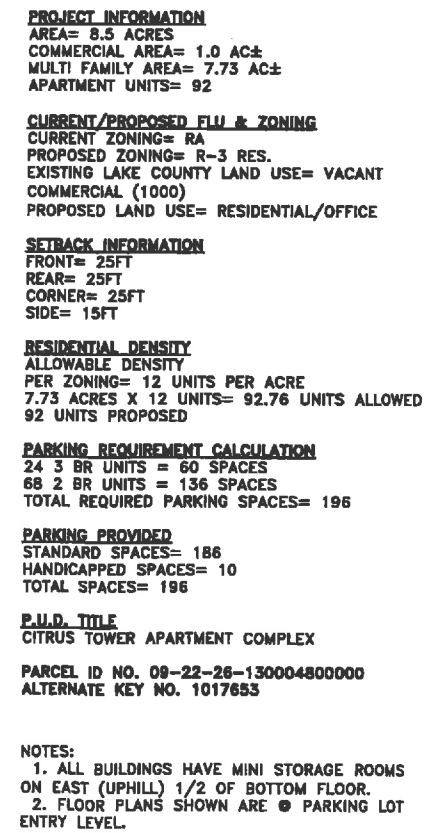
Valjit Gill
Owner Name (print)

X 
Owner Name (signature)

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

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

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



NOTES:
1. ALL BUILDINGS HAVE MINI STORAGE ROOMS ON EAST (UPHILL) 1/2 OF BOTTOM FLOOR.
2. FLOOR PLANS SHOWN ARE @ PARKING LOT ENTRY LEVEL.

Scale	1" = 40'	First Period	Jan. 20, 2014 - 1st Month
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6.99			
7.00			

Prepared
For

DALJIT GILL
9 KENVIEW BLVD.
BRAMPTON, ONTARIO, CANADA

**RIDGE PROFESSIONAL GROUP, INC.**
Land Development, Design & Permitting Services
4425 U.S. Highway 92 East • Longwood, Fl. 32680
Phone: (407) 556-0199

Project Title

CITRUS TOWER APARTMENTS & OFFICE SITE
CLERMONT, FLORIDA

Sheet Title

SITE & GRADING PLAN

Checked By:
AMS

Designed/Drawn By
DCL/RJF

Ridge Professional Group, Inc.
Project #
13.024

Sheet Number
1



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date	
Tuesday, March 4, 2014	
Agenda Item Name	
Citrus Tower Apartments and Professional Office Conditional Use Permit	
Requested Action	
Motion to approve Resolution No. 2014-03	
Staff Report	
Citrus Tower Apartments and Professional Office The Citrus Tower Apartments and Professional Office project is a proposed multi-family development consisting of 92 apartments and outparcel used for professional office. The apartments will consist of four 2 and 3 story buildings arranged so that the parking is not adjacent to Citrus Tower Boulevard and is located between the four apartment buildings (Exhibit 5). The total land area of the project is 8.53 +/- acres. Of this, the apartment complex will consist of 7.7 +/- acres. With the proposed 92 apartment units on the 7.7 +/- acres, this provides for a total density of 12 units per acre. The remaining 1.0 +/- acre will be developed for professional office use. The CUP request is based upon the development proposal consisting of multi-family apartments having 12 or more units and professional office uses in the R-3 zoning district. Sec. 122-184 (a) of the LDC requires a Conditional Use Permit for these uses in the R-3 zoning district. The applicant has indicated the proposed project will provide a transition between the higher intensity commercial, non-residential uses to the north and the single family residential subdivision to the south. The multi-family project with limited professional office use and appropriate buffering would provide a step down of intensities. The site has city utilities adjoining the property. The major challenge in developing the site is severe topography changes, with significant fall from northeast to southwest of over 100 feet in relief (225' to 123'). The applicant proposes to overcome this relief change through grading, slopes, and walls that meet city standards. However, the applicant will be seeking a variance request for grading and filling of the site since existing elevation changes will exceed ten feet in developing the site. Staff feels this use is consistent with the uses in the area and recommends approval of the proposed CUP Request.	
Legal Impact	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Exhibit 1 - Resolution 2014-03	CUP RES 2014-03.doc	
2. Exhibit 2, 3,& 4	Exhibit 2.doc	
3. Application	CUP application.pdf	
4. Site and Elevation Plan	Site and Elevation Plan.pdf	

**CITY OF CLERMONT
RESOLUTION NO. 2014-03**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A MULTI-FAMILY COMPLEX WITH MORE THAN 12 UNITS AND WITH ADDITIONAL FUTURE OFFICE SPACE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held March 4, 2014 recommended _____ of this Conditional Use Permit to allow for a multi-family complex with more than 12 units and with additional future office space; at the following location:

LOCATION:

Vacant property (Alt. Key 1017653) west of Citrus Tower Boulevard;
south of Hooks Street

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

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

This application for a Conditional Use Permit to allow for a multi-family complex with more than 12 units and with additional future office space; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the conceptual site plan dated 12-16-13 prepared by Ridge Professional Group. Formal construction plans, incorporating all conditions stated in this permit shall be submitted for review and approval by the Site Review Committee prior to the issuance of a zoning clearance of other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

CITY OF CLERMONT
RESOLUTION NO. 2014-03

4. 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.
5. 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.
6. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
7. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
8. 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.
9. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
10. No business can occupy any portion of a building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Planning & Zoning Department.
11. 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.

Section 2- Land Use

1. This Conditional Use Permit is for a multi-family residential development with up to 92 apartments on 7.7 acres, for a density of 12 dwelling units/acre. The remaining 1.0 +/- acre will be used for professional office use as defined in Sec. 122-184 (a)(1) of the City's Land Development Code. The professional office use is limited to: professional offices, doctor offices, banks, loan companies, insurance and real estate offices and similar businesses.
2. The City's Site Review Committee must approve the site plan prior to the construction plan approval.

CITY OF CLERMONT
RESOLUTION NO. 2014-03

3. The applicant/owner must coordinate with the Lake County School District for capacity review and requirements pertaining to schools, and in conformance with City Code, prior to issuance of any building permits.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the Site Review Committee prior to construction plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.
2. All excavated material shall be stored in a location approved by the City Engineer.
3. Geo-technical information regarding the soil characteristics of the site shall be submitted to the City as part of the final site review process.
4. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

Section 4 – Transportation Improvements

1. Sidewalks shall be required along Citrus Tower Boulevard and within the development, in accordance with Florida Department of Transportation regulations and City Codes.
2. The City may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction. Project specific on and off-site transportation designs are the sole responsibility of the developer.
3. A traffic study in accordance with City Codes shall be required to address level of service (LOS) for the area. The applicant/owner must coordinate with Lake County and the Lake~Sumter Metropolitan Planning Organization (MPO) for compliance with the Transportation Management System (TMS).

Section 5 – Utilities and Stormwater

1. The permittee shall be responsible for purchasing, installing, and maintaining fire Hydrants within the project. They shall be installed according to City Code.
2. The project shall be plumbed for reuse water with purple piping, until such time as reuse water is available, irrigation water shall be provided for by well.

Section 6 – Landscaping

1. The Landscape design for all parking areas, buffers, rights-of-way, pedestrian ways and focal points shall be unified and complementary to the ambiance of the center.

CITY OF CLERMONT
RESOLUTION NO. 2014-03

2. All landscape plans and plantings shall meet or exceed the City of Clermont Code.

Section 7 - Architectural Design Standards

1. All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont.
2. The multi-family structures shall be developed in substantial accordance with the conceptual front elevation types (Building Type 1 or Building Type 2) submitted on December 23, 2013 by the applicant (Exhibit 6).
3. All fencing within public view shall be ornamental metal or brick, as approved by the Site Review Committee.

CITY OF CLERMONT
RESOLUTION NO. 2014-03

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit 2

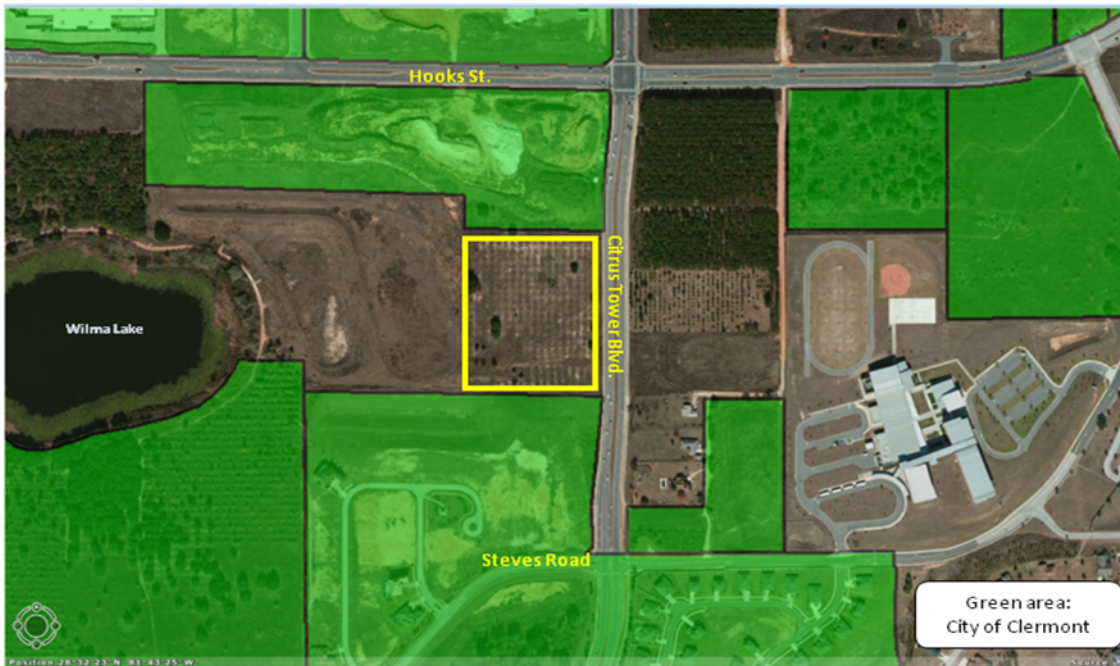
DEVELOPMENT NAME: Citrus Tower Apartments and Professional Offices
OWNER/APPLICANT: Daljit and Satinder Gill
REQUESTED ACTION: A CUP request for a multi-family development with up to 12 units per acre with professional office.
SIZE OF PARCEL: 8.53 +/- acres
GENERAL LOCATION: West of Citrus Tower Blvd between Hook Street and Steves Road.
EXISTING ZONING: R-3 Residential/Professional
EXISTING LAND USE: Vacant
FUTURE LAND USE: Residential/Office

SURROUNDING CONDITIONS:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>	<u>FUTURE LAND USE DISTRICT</u>
NORTH:	UE URBAN ESTATE	Vacant	Commercial
SOUTH:	PUD/R-1	Residential and Vacant	Master Planned Development
EAST:	Lake County – R-6	Residential	Regional Office
WEST:	Lake County – RA	Commercial-Storm Water Retention Systems	Regional Office

Road Classification: Citrus Tower Boulevard – Collector
Utility Area: City of Clermont Water / Sewer
Site Utilities: City of Clermont Water / Sewer
Site Visit: 12-23-13
Signs Posted: By Staff

Exhibit 3
Location Map:



Conceptual Site Plan on Aerial:

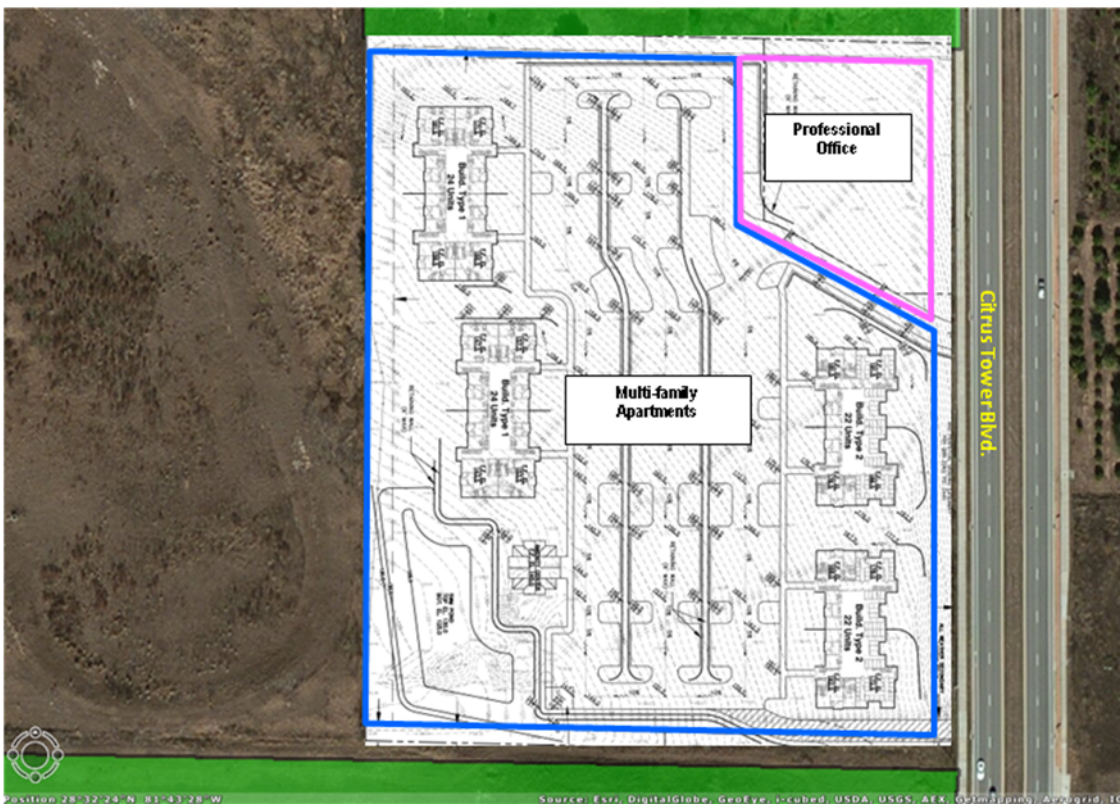


Exhibit 4

CUP 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. The property shall be developed in substantial accordance with the conceptual site plan dated 12-16-13 prepared by Ridge Professional Group. Formal construction plans, incorporating all conditions stated in this permit shall be submitted for review and approval by the Site Review Committee prior to the issuance of a zoning clearance of other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The 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.
5. 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.
6. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
7. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
8. 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.
9. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
10. No business can occupy any portion of a building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Planning & Zoning Department.
11. 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.

Section 2- Land Use

1. This Conditional Use Permit (CUP) is for a multi-family residential development with up to 92 apartments on 7.7 acres, for a density of 12 dwelling units/acre. The remaining 1.0 +/- acre will be used for professional office use as defined in Sec. 122-184 (a)(1) of the City's Land Development Code. The professional office use is limited to: professional offices, doctor offices, banks, loan companies, insurance and real estate offices and similar businesses.
2. The City's Site Review Committee must approve the site plan prior to the construction plan approval.
3. The applicant/owner must coordinate with the Lake County School District for capacity review and requirements pertaining to schools, and in conformance with City Code, prior to issuance of any building permits.

Section 3 – Site Development

1. Detailed grading, erosion control, and dust abatement plans for the entire site shall be submitted to and approved by the Site Review Committee prior to construction plan approval and the initiation of development activity. The dust abatement plan shall detail measures to be taken to eliminate the migration of dust particles from the site.
2. All excavated material shall be stored in a location approved by the City Engineer.
3. Geo-technical information regarding the soil characteristics of the site shall be submitted to the City as part of the final site review process.
4. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with best management practices (BMP) of the U.S.D.A. Soil Conservation Service.

Section 4 – Transportation Improvements

1. Sidewalks shall be required along Citrus Tower Boulevard and within the development, in accordance with Florida Department of Transportation regulations and City Codes.
2. The City may require that transportation improvements, necessitated by the portion of the project for which a building permit is sought, be made at the time of construction. Project specific on and off-site transportation designs are the sole responsibility of the developer.
3. A traffic study in accordance with City Codes shall be required to address level of service (LOS) for the area. The applicant/owner must coordinate with Lake County and the Lake~Sumter Metropolitan Planning Organization (MPO) for compliance with the Transportation Management System (TMS).

Section 5 – Utilities and Stormwater

1. The permittee shall be responsible for purchasing, installing, and maintaining fire Hydrants within the project. They shall be installed according to City Code.
2. The project shall be plumbed for reuse water with purple piping, until such time as reuse water is available, irrigation water shall be provided for by well.

Section 6 – Landscaping

1. The Landscape design for all parking areas, buffers, rights-of-way, pedestrian ways and focal points shall be unified and complementary to the ambiance of the center.
2. All landscape plans and plantings shall meet or exceed the City of Clermont Code.

Section 7 - Architectural Design Standards

1. All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont.
2. The multi-family structures shall be developed in substantial accordance with the conceptual front elevation types (Building Type 1 or Building Type 2) submitted on December 23, 2013 by the applicant (Exhibit 6).
3. All fencing within public view shall be ornamental metal or brick, as approved by the Site Review Committee.



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

DATE: November 26, 2013

FEE: \$750.00

PROJECT NAME (if applicable): Citrus Tower Apartments & Office Site

APPLICANT: Daljit & Satinder Gill

CONTACT PERSON: David Carter, Ridge Professional Group, Inc.

Address: 4425 US Highway 92 East

City: Lakeland

State: FL

Zip: 33801

Phone: 863-669-0108

Fax: _____

E-Mail: rpgi@ridgeprofessionalgroup.com

OWNER: Daljit & Satinder Gill

Address: 9 Kenview Blvd.

City: Brampton

State: Ontario

Zip: L6T5G

Phone: 1 (905) 792-0999 x 33

Fax: (905) 792-0091

Address of Subject Property: Parcel # 09-22-26-130004800000

General Location: The property is located north of Excalibur Road on the west side of Citrus Tower Blvd.

Legal Description (include copy of survey): See attached.

Land Use (City verification required): Actual: Vacant - FLU: RO Regional Office "County"

Zoning (City verification required): Existing: RA Ranchette District "County"

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

[illegible]

x Bull
Applicant Name (signature)

x _____
Owner Name (signature)

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

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

Citrus Tower Apartments & Office Site

Project Narrative

The project consists of a 92 unit apartment complex with a recreational clubhouse, along with a 1 acre office tract for professional offices, personal service establishments, and light commercial uses. The site is a 8.5 acre tract fronting on the west side of Citrus Tower Boulevard, between Hooks Street and Excalibur Road.

Current FLU-Zoning

The parcel is currently in Lake County, however the applicant is petitioning for annexation into the City of Clermont. The site has a county Future Land Use (FLU) designation of Regional Office, and is zoned RA, or Ranchette District.

Proposed FLU-Zoning-Conditional Use

We are proposing that after annexation, the property be assigned a city Future Land Use designation of Residential/Office, with a zoning designation of R-3, or Residential/Professional District. To allow for the construction of the 92 apartment units, we are proposing a Conditional Use (CU) approval, which would allow for multi-family development of "12 or more dwelling units". The CU approval is also required for the professional offices, personal service establishments, and light commercial uses.

Surrounding Area

The area surrounding the subject site has seen a considerable amount of development in the last several years. A single family detached project is being built to the south, with many units being 2-story. To the north on Hooks Street, the Crane's View Lodge, an ALMC, and the Clermont Police Station projects are underway. The East Ridge Middle School and East Ridge High School are located starting about 800 feet to the east of the site.

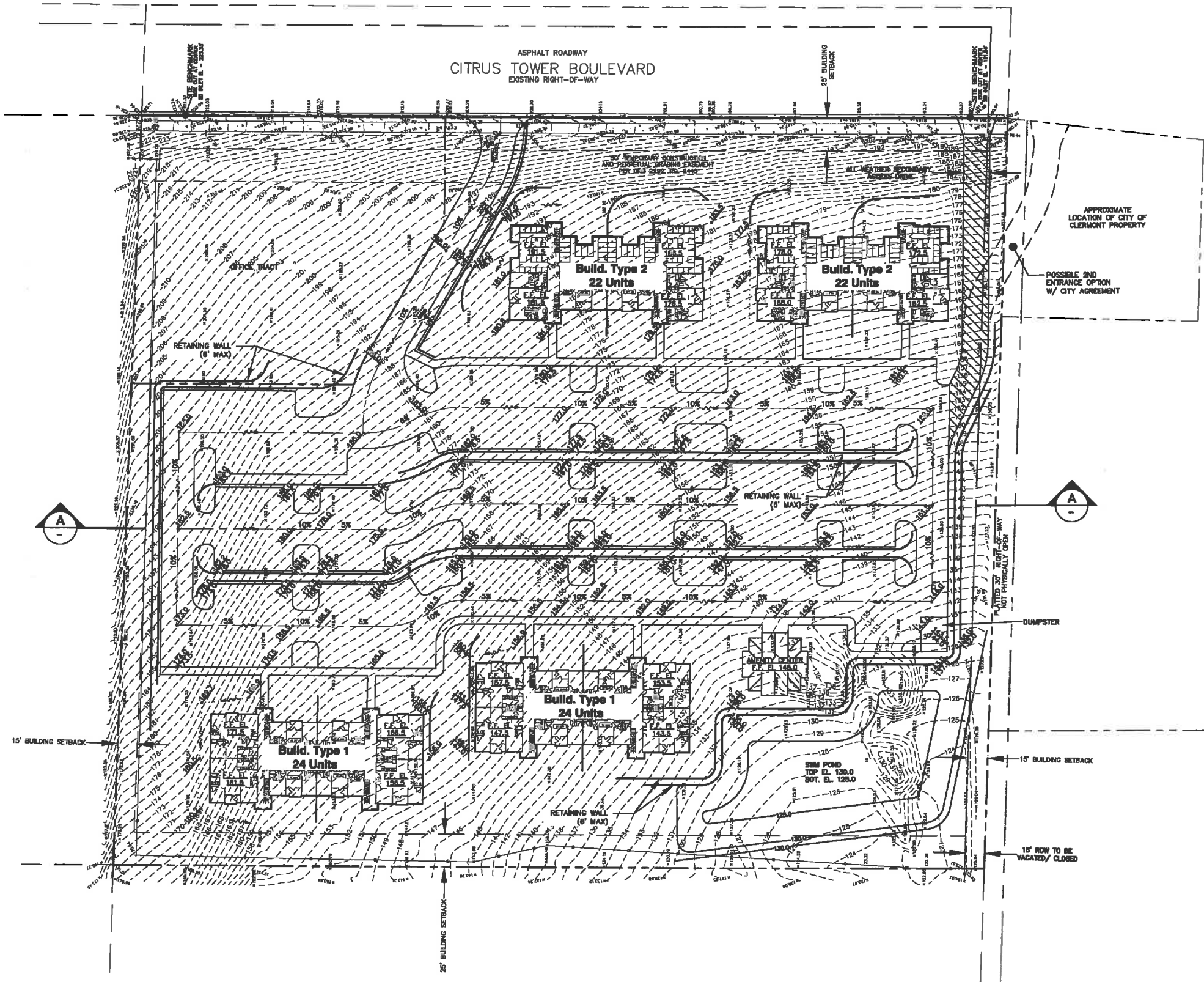
Justification

The current county FLU for the site would allow a variety of office uses with limited commercial support uses. This is in contrast to the current county zoning classification, which only allows development of 5 acre home sites with attendant agricultural uses. Development of the large, 5 acre home sites would be inappropriate sprawl development considering the urban character of the surrounding uses.

With the higher intensity commercial FLU, non-residential uses to the north and the single family residential subdivision on the south, a small, multi-family project with limited commercial and appropriate buffering would provide a step down of intensities.

The site is ideally suited for development with city utilities adjoining the property. Access to Citrus Tower Boulevard is available with no intersection conflicts visible. The nearby schools are within walking distance. The topography is challenging, with significant fall east to west. However, the proposed site plan overcomes this with grading, slopes and walls that meet city standards.

The topography of the site also limits the relative height of the proposed units in comparison to the homes on the south, which are on a small ridge line. This limits the impact of the 3 story buildings. Retention ponds can be provided on the lower, west side of the property, and would adjoin larger, existing ponds.



PROJECT INFORMATION
AREA= 8.5 ACRES
COMMERCIAL AREA= 1.0 AC±
MULTI FAMILY AREA= 7.73 AC±
APARTMENT UNITS= 92

CURRENT/PROPOSED FLU & ZONING
CURRENT ZONING= RA
PROPOSED ZONING= R-3 RES.
EXISTING LAKE COUNTY LAND USE= VACANT
COMMERCIAL (1000)
PROPOSED LAND USE= RESIDENTIAL/OFFICE

SETBACK INFORMATION
FRONT= 25FT
REAR= 25FT
CORNER= 25FT
SIDE= 15FT

RESIDENTIAL DENSITY
ALLOWABLE DENSITY
PER ZONING= 12 UNITS PER ACRE
7.73 ACRES X 12 UNITS= 92.76 UNITS ALLOWED
92 UNITS PROPOSED

PARKING REQUIREMENT CALCULATION
24 3 BR UNITS = 60 SPACES
68 2 BR UNITS = 136 SPACES
TOTAL REQUIRED PARKING SPACES= 196

PARKING PROVIDED
STANDARD SPACES= 186
HANDICAPPED SPACES= 10
TOTAL SPACES= 196

P.U.D. TITLE
CITRUS TOWER APARTMENT COMPLEX

PARCEL ID NO. 09-22-26-130004800000
ALTERNATE KEY NO. 1017653

NOTES:
1. ALL BUILDINGS HAVE MINI STORAGE ROOMS ON EAST (UPHILL) 1/2 OF BOTTOM FLOOR.
2. FLOOR PLANS SHOWN ARE @ PARKING LOT ENTRY LEVEL.

DALJIT GILL 9 KENVIEW BLVD. BRAMPTON, ONTARIO, CANADA		RIDGE PROFESSIONAL GROUP, INC. Land Development Design & Permitting Services 4425 U.S. Highway 92 East Lakeland, FL 33801 Phone: (883) 688-0108	
Prepared For		Project Title	
CITRUS TOWER APARTMENTS & OFFICE SITE CLERMONT, FLORIDA		CITRUS TOWER APARTMENT COMPLEX	
Sheet Title		13.024 Sheet Number	
Checked By: AMS		1	
Designed/Drawn By: DCL/RJF			
Ridge Professional Group, Inc.			
Scale 1" = 40'			
Plot Date Jan 20, 2014-10:36am			
Revisions			
C11/10/13 REVISION COMMERCIAL TRACT SIZE			
C10/20/13 ORIGINAL DRAWING START			
By			
RJP			





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date			
Tuesday, March 4, 2014			
Agenda Item Name			
Kingdom Revelation Ministries Conditional Use Permit			
Requested Action			
Motion to approve Resolution 2014-09			
Staff Report			
Kingdom Revelation Ministries The applicant is requesting a Conditional Use Permit to establish a house of worship in the C-2 zoning district. The applicant/church proposes to occupy a 28,000 square foot office/retail building available at 290 Citrus Tower Blvd. The church plans to utilize the upper floor for administrative offices, a nursery for kids during services, and for smaller assemblies on Wednesday evenings and Sundays. The first floor will be used for assemblies/gatherings (approx. 7,000 square feet), and will also retain the existing 7,400 square feet for general retail and commercial sales.			
Legal Impact			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	Exhibit 1 - Resolution 2014-09	CUP RES 2014-09.doc	
2.	Exhibit 2 and 3	CUP exhibits.doc	
3.	Site plan	Site Plan.pdf	
4.	Application	Application.pdf	

**CITY OF CLERMONT
RESOLUTION NO. 2014-09**

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held March 4, 2014 recommended _____ of this Conditional Use Permit to allow for a house of worship in the C-2 General Commercial zoning district; at the following location:

LOCATION:

290 Citrus Tower Boulevard

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

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

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

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

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

CITY OF CLERMONT
RESOLUTION NO. 2014-09

6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
11. Should the church use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.

Section 2 – Land Use

1. 290 Citrus Tower Blvd. may be used as a church facility in addition to any permitted C-2 uses.

CITY OF CLERMONT
RESOLUTION NO. 2014-09

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit 2

DEVELOPMENT NAME: Kingdom Revelation Ministries
APPLICANT: Kingdom Revelation Ministries
GENERAL LOCATION: 290 Citrus Tower Blvd.

EXISTING ZONING: C-2 General Commercial (as part of a Planned Unit Development)
EXISTING LAND USE: Retail/Office
FUTURE LAND USE: Commercial

SURROUNDING CONDITIONS:

	<u>FUTURE LAND USE</u>	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Commercial	C-2 General Commercial	Vacant
SOUTH:	Public Facilities / Institutional	C-2 General Commercial	Church
EAST:	City of Minneola/ Residential	City of Minneola/ Residential	Residential
WEST:	Commercial	C-2 General Commercial.	Commercial

Road Classification: Citrus Tower Blvd. – Collector
Utility Area: City of Clermont Water / Sewer
Site Utilities: City of Clermont Water / Sewer
Site Visit: 2-20-14
Signs Posted: By applicant

DEVELOPMENT NAME: Kingdom Revelation Ministries



Exhibit 3

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. The structure shall be inspected by the Fire Inspector for life safety requirements, all requirements must be met prior to any certificate of occupancy being issued.
5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a certificate of occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
11. Should the church use cease operations for a period greater than 180 days, a new Conditional Use Permit shall be required.

Section 2 – Land Use

1. 290 Citrus Tower Blvd. may be used as a church facility in addition to any permitted C-2 uses.

RECORD SURVEY

CITRUS TOWER VILLAGE PRESCO OFFICE BUILDING CLERMONT, LAKE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 18, T22S, R28E, LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 145, LAKEWOOD RIDGE PHASE 5 AS RECORDED IN PLAT BOOK 35, PAGE 79 OF THE OFFICIAL RECORDS OF LAKE COUNTY, FLORIDA; THENCE S01°08'09"W ALONG THE WESTERLY LINE OF SAID LAKEWOOD RIDGE PHASE 5, A DISTANCE OF 968.54 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CITRUS TOWER BOULEVARD (A 100-FOOT RIGHT-OF-WAY); THENCE N89°27'31"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CITRUS TOWER BOULEVARD A DISTANCE OF 84.17 FEET FOR A POINT OF BEGINNING.

THENCE CONTINUE N89°27'31"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CITRUS TOWER BOULEVARD, A DISTANCE OF 240.93 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CITRUS TOWER BOULEVARD, N00°30'54"E, A DISTANCE OF 429.31 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE; THENCE ALONG A CURVE TO THE RIGHT, (SAID CURVE HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 110°58'40" AND A CHORD BEARING AND DISTANCE OF S41°04'20"E 342.25 FEET) NORTHERLY, NORTHEASTERLY AND EASTERLY A DISTANCE OF 68.09 FEET TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 371.00 FEET, A CENTRAL ANGLE OF 54°58'13" AND A CHORD BEARING AND DISTANCE OF S41°04'20"E 342.25 FEET) EASTERLY, SOUTHEASTERLY AND SOUTHERLY A DISTANCE OF 355.73 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF NON-TANGENCY ON A CURVE, FROM WHICH THE RADIUS POINT BEARS S76°23'57"W; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 309.90 FEET, A CENTRAL ANGLE OF 43°48'47" AND A CHORD BEARING AND DISTANCE OF S08°41'40"E 88.72 FEET) SOUTHERLY FOR A DISTANCE OF 88.94 FEET TO A POINT OF NON-TANGENCY ON A CURVE, FROM WHICH THE RADIUS POINT BEARS S89°40'43"W; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 43.00 FEET, A CENTRAL ANGLE OF 45°18'21" AND A CHORD BEARING AND DISTANCE OF S22°45'43"W 68.59 FEET) SOUTHERLY AND SOUTHERLY A DISTANCE OF 68.29 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 88.00 FEET, A CENTRAL ANGLE OF 44°27'41" AND A CHORD BEARING AND DISTANCE OF S22°45'43"W 68.59 FEET) SOUTHERLY AND SOUTHERLY A DISTANCE OF 68.29 FEET TO A POINT; THENCE LEAVING SAID CURVE, S00°32'29"W, A DISTANCE OF 19.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.3455 ACRES (102188.92 SQ FT), MORE OR LESS.

LEGEND

- UTILITY PEDESTAL
- CLEAN OUT
- BACKFLOW PREVENTER
- ELECTRIC BOX
- TRAFFIC SIGNAL BOX
- WATER METER
- CROSS WALK SIGNAL POLE
- IRRIGATION CONTROL VALVE
- PROPERTY CORNER
- VALVE
- FIRE HYDRANT
- LIGHT POLE
- STORM DRAINAGE INLET
- HANDRAIL
- STORM DRAINAGE LINE
- ELEV. ELEVATION

NOTES

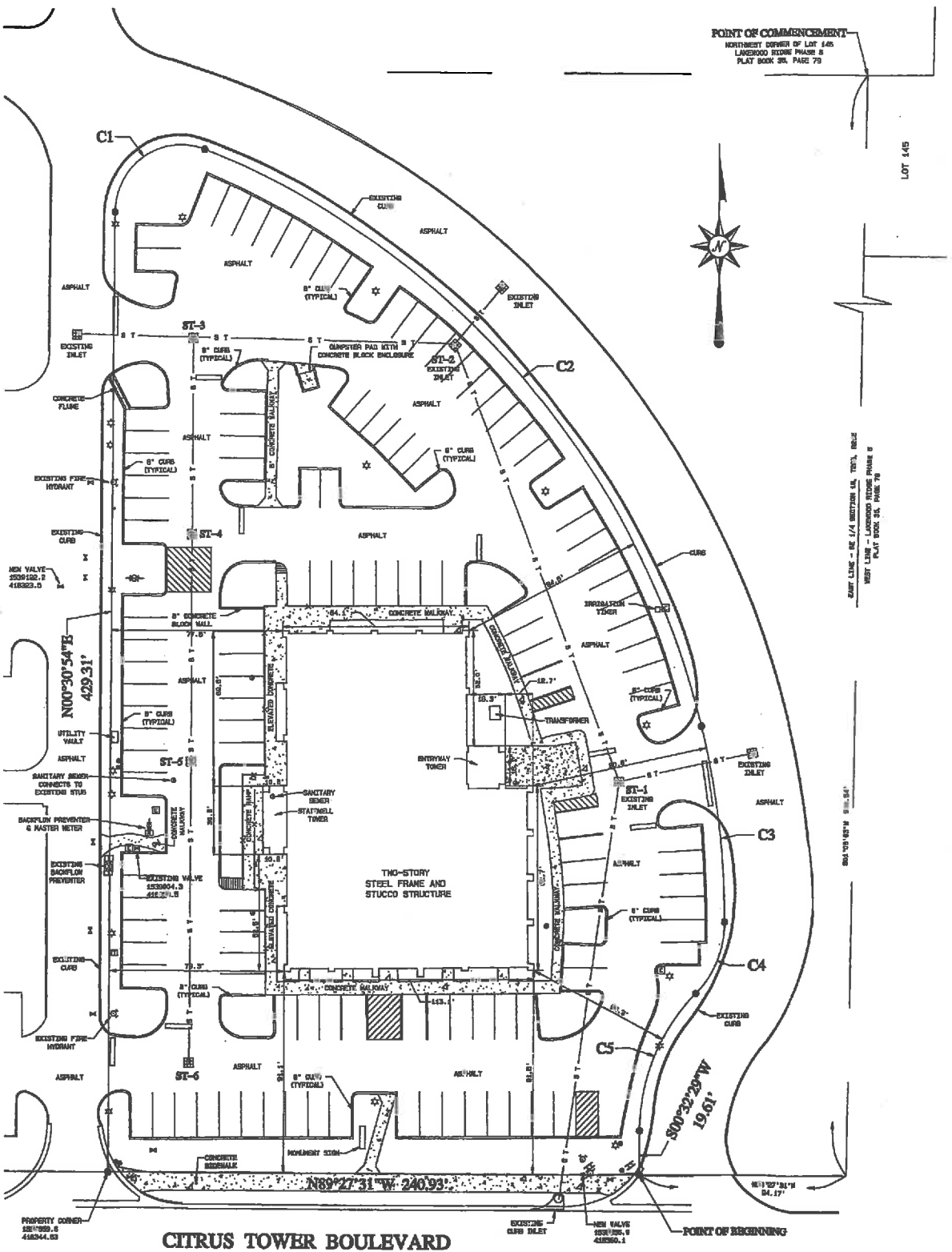
- THE PURPOSE OF THIS SURVEY IS TO SHOW THE AS-BUILT CONDITION OF IMPROVEMENTS RECENTLY CONSTRUCTED ON THE SUBJECT PROPERTY.
- THIS SURVEY WAS MADE FOR THE PARTY OR PARTIES LISTED IN THE TITLE BLOCK AND SHALL NOT BE USED BY ANY OTHER PARTY WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR.
- THIS IS NOT A BOUNDARY SURVEY.
- BOUNDARY INFORMATION AND THE LEGAL DESCRIPTION SHOWN ON THIS SURVEY WERE TAKEN FROM A BOUNDARY SURVEY OF THE SUBJECT PROPERTY BY LEADING EDGE LAND SERVICES, INC., FOR PRESCO ASSOCIATES, LLC, DATED AUGUST 26, 2005.
- THE VERTICAL DATUM USED FOR THIS SURVEY IS NAVD 83. THE BENCHMARK USED FOR THIS SURVEY IS A 6"x8" FLORIDA DEPARTMENT OF TRANSPORTATION CONCRETE MONUMENT STAMPED 197A/A018 AND LOCATED NEAR THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 27 AND APPROXIMATELY 250 FEET NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF CITRUS TOWER BOULEVARD. THIS MONUMENT BEARS AN ELEVATION OF 209.78 FEET AS SHOWN ON A RIGHT-OF-WAY AND TOPOGRAPHIC SURVEY BY FLORIDA GEODETIC SURVEYING AND MAPPING, INC., FOR PRESCO, LLC, DATED 10-22-04, PROJECT #02020.0018.
- ONLY VISIBLE, ABOVE-GROUND IMPROVEMENTS WERE LOCATED AS A PART OF THIS SURVEY.

STORM DRAINAGE AS-BUILT DATA

STRUCTURE	TOP	INVERT ELEV.	INVERT ELEV.	INVERT ELEV.
ST-1	217.18'	210.66' (NE)	208.37' (SW)	208.27' (NW)
ST-2	212.79'	201.92' (NE)	206.60' (SE)	201.84' (N)
ST-3	208.65'	202.25' (E)	202.45' (S)	202.25' (W)
ST-4	212.68'	204.94' (N)	205.04' (S)	-
ST-5	213.44'	208.85' (N)	209.97' (E)	208.74' (S)
ST-6	218.60'	212.10' (N)	-	-

CURVE TABLE

CURVE	RADIUS	ARC	CENTRAL ANGLE	CHORD BEARING	CHORD
C1	30.00'	58.09'	110°58'40"	N55°59'14"E	49.43'
C2	371.00'	355.73'	54°58'13"	S41°04'20"E	342.25'
C3	368.90'	88.84'	13°48'47"	S06°41'40"E	88.72'
C4	43.00'	35.60'	45°18'21"	S22°45'43"W	34.68'
C5	88.00'	68.29'	44°27'41"	S22°45'43"W	68.59'



SURVEYOR'S CERTIFICATION

I, THE UNDERSIGNED, FLORIDA LICENSED SURVEYOR AND MAPPER, CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION AS DEFINED IN FLORIDA ADMINISTRATIVE CODE.

DATE:

THOMAS A. KOHN, PLS #4640
OR WILLIAM F. BERNARD, LBS #5828
OR CHRISTOPHER J. STELLY, LBS #8445
OR KEVIN J. JENSEN, LBS #4157

RECORD SURVEY

CITRUS TOWER VILLAGE PRESCO OFFICE BUILDING
A PORTION OF SECTION 18, T22S, R28E
CLERMONT, LAKE COUNTY, FLORIDA

FOR
PRESCO ASSOCIATES, LLC

LEADING EDGE
LAND SERVICES

6700 PERSIMMON DRIVE
SUITE 310
ORLANDO, FLORIDA 32821
PHONE: (407) 381-8730
FAX: (407) 381-8824
WWW.LEADINGSURVEYING.COM

FLORIDA LICENSED SURVEYOR NUMBER LB 6345



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: 02/11/2014

FEE: _____

PROJECT NAME (if applicable): Presco Professional Center

APPLICANT: Kingdom Revelation Ministries, Inc

CONTACT PERSON: Chris Dutruch

Address: 1585 Kennesaw Dr.

City: Clermont State: Florida Zip: 34711

Phone: 352-978-7050 Fax: _____

E-Mail: pastorchrisc@celebrationofpraise.net

OWNER: Redus Florida Commercial LLC

Address: 3563 Phillips Hwy STE 601E

City: Jacksonville State: FL Zip: 32207

Phone: _____ Fax: _____

Address of Subject Property: 290 Citrus Tower Blvd Clermont, FL 34711

General Location: At the intersection of Citrus Tower Blvd and Grand Hwy. Directly behind the Publix building

Legal Description (include copy of survey): See the Attached Lake County Property Appraiser Report Card

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 the attached description

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Kingdom Revelation Ministry
Applicant Name (print)


Applicant Name (Signature)

REDUS Florida Commercial, LLC
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
Planning & Zoning Department
686 W. Montrose St.
P.O. Box 120219
Clermont, FL 34712-0219
(352) 394-4083 Fax: (352) 394-3542



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Council Meeting Date		
Tuesday, March 4, 2014		
Agenda Item Name		
Erika's Tea Room and Gifts Conditional Use Permit		
Requested Action		
MOTION TO APPROVE: Resolution No. 2014-08		
Staff Report		
Erika's Tea Room and Gifts – Conditional Use Permit The applicant, Leila Shanoff, is requesting a Conditional Use Permit (CUP) to allow a restaurant and gift shop in the Central Business District (CBD). The applicant desires to operate an English style tea room and gift shop. The proposed location is an existing building located at 787 West Montrose Street. The building is a single story structure with an interior square footage of 1,925 square feet. The front portion of the building, approximately 20 percent, will be used for the gift shop, while the remaining areas will be used for food prep and patron use in the restaurant. The applicant estimates seating of up to 60 patrons. The hours of operation will be normal business hours of surrounding businesses, open daily. The applicant has indicated that no type of frying equipment will be used at the facility, with cooked food prep limited to the use of a stove/oven. Under Sec. 122-243 of the Land Development Code, the CBD zoning district permits retail businesses. The gift shop would be permitted under this section of the code. Under Sec. 122-244(a)(11) of the LDC, restaurants are permitted in the CBD through a Conditional Use Permit. The restaurant aspect of this proposal has warranted the CUP request by the applicant. Section 122-247(b)(2), Off-street parking, states “existing nonresidential structures, no additional parking spaces shall be required for a change in use to another nonresidential use, provided the square footage remains the same.” The applicant is not changing square footage of the existing structure. The restaurant and gift shop are consistent with the area as a whole and would provide a business that is unique to the downtown area. The CUP would provide the applicant an opportunity to redevelop this site into a more appropriate use, as permitted under the CBD Zoning District and Downtown Mixed Use Land Use Category. Therefore, staff recommends approval of this request based upon the information presented.		
Legal Impact		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Exhibit 1 - Resolution	CUP RES 2014-08.doc
2.	Exhibit 2 - Erika's Tea Room Location Map	Exhibit 2 - Location - Erikas Tea Room.pdf
3.	Exhibit 3 - CUP Conditions	Exhibit 3 - CUP Conditions.doc
4.	Application	Application.pdf

CITY OF CLERMONT
RESOLUTION NO. 2014-08

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held March 4, 2014 recommended _____ of this Conditional Use Permit to allow for a restaurant in the Central Business District; at the following location:

LOCATION:

787 West Montrose Street

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

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

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

CONDITIONAL USE PERMIT CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. 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 Planning & Zoning Department.
5. 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.

CITY OF CLERMONT
RESOLUTION NO. 2014-08

6. The Conditional Use Permit must be executed and processed through the office of the City Manager within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Restaurant may be required to install a grease interceptor for food services per the Clermont Code of Ordinances and state regulations. Installation and size are to be determined by the Utility Director.
8. Any additional parking as required per the Land Development Code must be completed through the Parking Space Exchange Fee, prior to opening for business

Section 2 – Land Use

1. Permitted uses shall include a Restaurant at 787 W. Montrose Street. Should the restaurant cease operations for 6 months or more the owner and applicant must apply for a new Conditional Use Permit.

CITY OF CLERMONT
RESOLUTION NO. 2014-08

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 25th day of March, 2014.

CITY OF CLERMONT

Harold S. Turville, Jr., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit 2 – Location

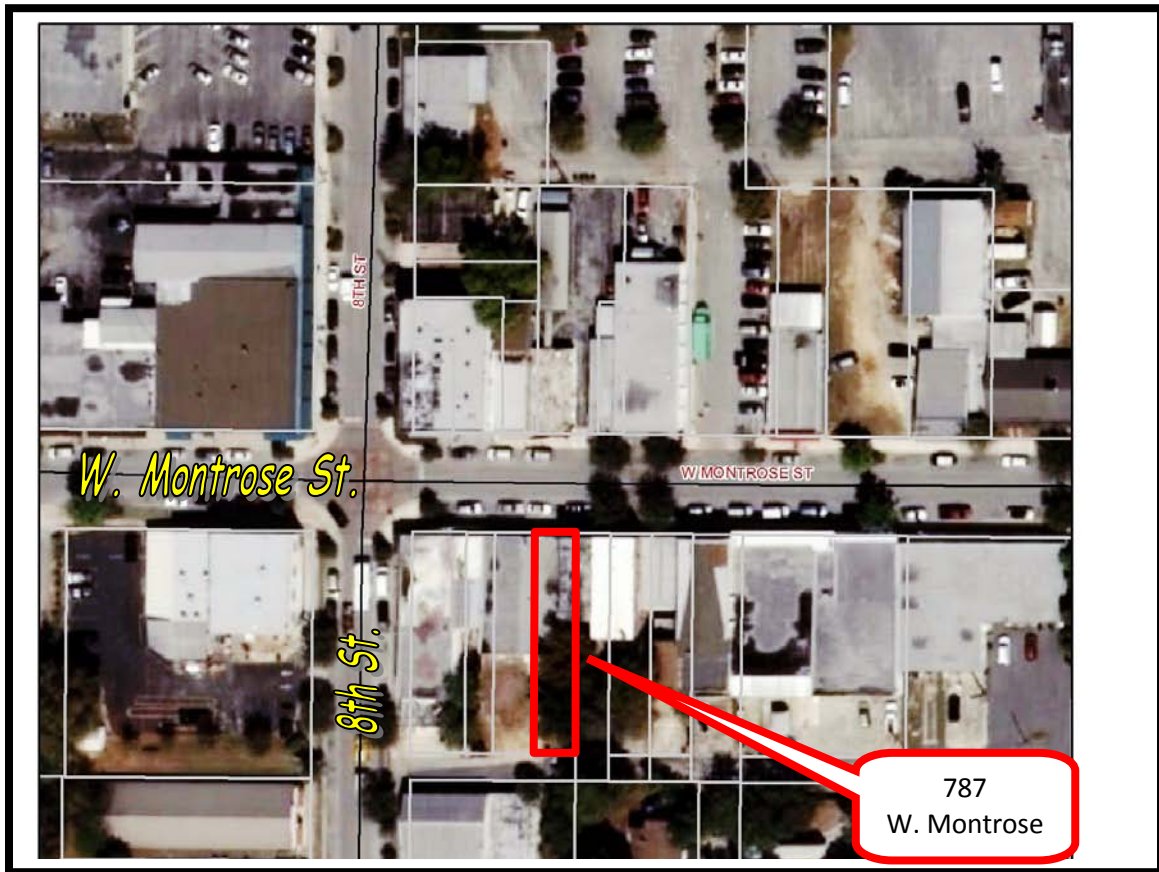


Exhibit 3

CONDITIONS:

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

DATE: January 22, 2014

FEE: _____

PROJECT NAME (if applicable): Erika's Tea Room and Gifts

APPLICANT: Leila Shanoff

CONTACT PERSON: Sheldon Shanoff

Address: 450 Del Sol Avenue

City: Davenport State: FL Zip: 33837

Phone: 732-672-1648 Fax: _____

E-Mail: lshanoff13@gmail.com

OWNER: Leila Shanoff

Address: 450 Del Sol Avenue

City: Davenport State: FL Zip: 33837

Phone: 732-690-3375 Fax: _____

Address of Subject Property: 787 W. Montrose Avenue, Clermont, FL

General Location: _____

Legal Description (include copy of survey): _____

CLERMONT E 25 FT OF N 134 FT OF LOT 17 BLK 81 PB8 PG17

ORB 4384 PG 109

Land Use (City verification required): CBD

Zoning (City verification required): CBD

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

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

English style tea room and gift shop. We feel that the location of a Tea Room in the Downtown area would be an appropriate fit along with the antique and other shops in the area. The continued growth in Clermont, and it's close proximity to Disney World and Orlando, make it attractive. Attached are copies of a Traditional English Tea Menu, and a sample of ours. Also attached is a diagram of how we propose to use the building.

Leila Shanoff

Applicant Name (print)

x

Leila Shanoff
Applicant Name (signature)

Hartino Florida Enterprises, LLC

Owner Name (print)

x

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

General Company Description

Erika's Tea Room and Gifts, Inc. Corporation: Erika Shanoff, President and Secretary: Leila Shanoff, Vice President and Treasurer.

Tea is becoming very popular. Tea is the most consumed beverage in the world after water. It is expected that the tea business will double in the next five years. In 2000 the tea business was \$4.2 billion in sales. In 2010 it reached \$10 billion. It is again expected to double by 2020 as more and more people turn to tea.

With over 14.8 square miles, The City of Clermont is one of the fastest growing cities in central Florida and is strategically located just west of Orlando and north of Disney World. The quality of life in and around Clermont makes it a prime destination for those looking to settle in central Florida. Local stores offer a variety of shopping and dining options along with ample sports facilities and waterfront activities. Clermont was founded in 1884 and incorporated in 1916. It has the amenities and assets that make it an attractive location for families, new business, educational endeavors, office development, and health-fitness opportunities. Over the past ten years, Clermont has experienced a steady increase in population with approximately 30,000 people and is the largest city in Lake County.

Location

The location of the premises is 787 W Montrose Street, Clermont, FL. It is located in the Downtown Business District of Clermont. It is a single story building. The interior is 1925 sq. ft.

Products and Services

What is Afternoon Tea?

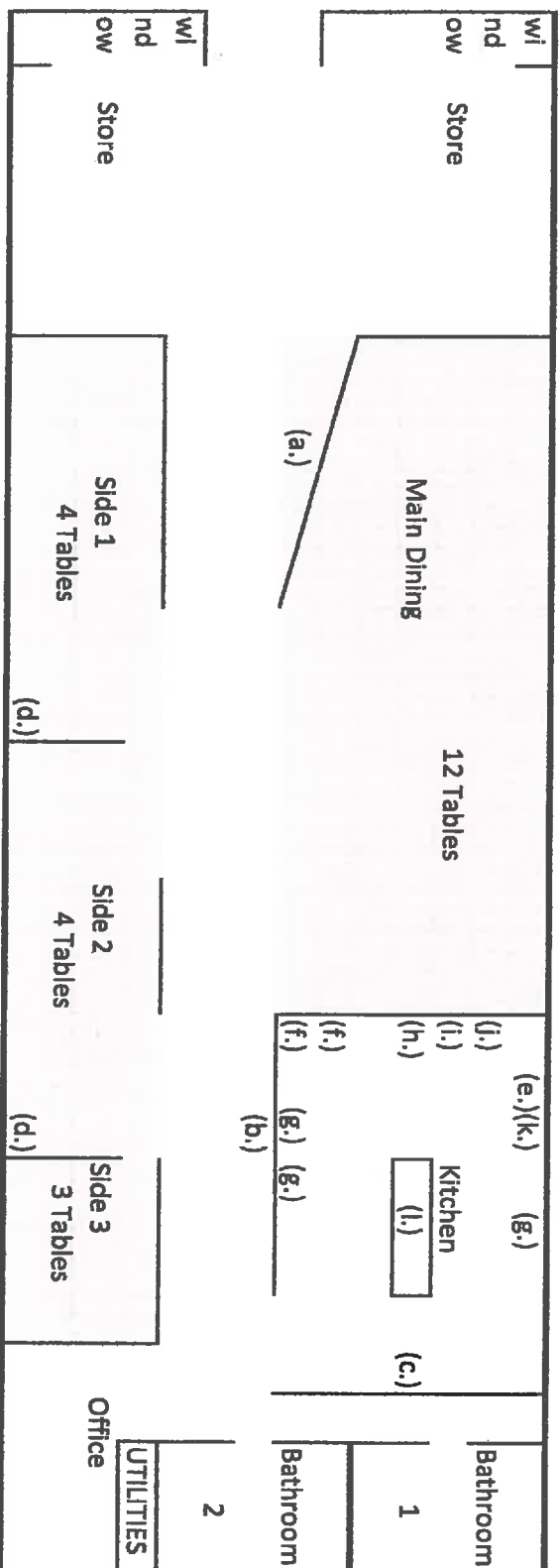
Afternoon Tea is a tea-related ritual, introduced in Britain in the early 1840s. It evolved as a mini meal to stem the hunger and anticipation of an evening meal at 8pm.

Afternoon Tea is a meal composed of sandwiches (usually cut delicately into 'fingers'), scones with clotted cream and jam, sweet pastries and cakes. Interestingly, scones were not a common feature of early Afternoon Tea and were only introduced in the twentieth century.

Afternoon Tea was initially developed as a private social event for ladies who climbed the echelons of society. It was only when Queen Victoria engaged in the Afternoon Tea ritual that it became a formal occasion on a larger scale, known as 'tea receptions'.

These receptions could have as many as two hundred guests with an open 'at home' invitation to visit between 4pm and 7pm, during which they could come and go as they pleased; this was the genesis of the Afternoon Tea as we know it.

Today, Afternoon Tea is usually enjoyed as an occasional indulgence or to celebrate a special event such as a birthday, or a pre-wedding or baby shower party with a group of friends.



- a. Remove Wall
- b. Add Wall
- c. Add Wall
- d. Possibly Remove Wall
- e. 15 Gal. Water Heater (replace) looking @ tankless system
- f. 3 Compartment Sink
- g. Counter Space
- h. Stove & oven
- i. Fridge
- j. Freezer
- k. Hand Sink
- l. Counter Table