



**CITY OF CLERMONT  
COUNCIL MEETING AGENDA  
6:30 PM, Tuesday, August 8, 2017**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. For items listed on the agenda, each speaker will be permitted 5 minutes to address the Council. For non-agenda items, each speaker will be permitted 3 minutes to address the Council. These time limits may be changed by the Mayor. Thank you for participating in your City Government.

**CALL TO ORDER**

**INVOCATION & PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

Police Department Re-Accreditation

**PUBLIC COMMENTS**

**REPORTS**

**CONSENT AGENDA**

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Meeting Minutes

Consider approval of the June 27, 2017  
Regular Council Meeting minutes.

Item No. 2 - Canvassing Board

Appointment of Canvassing Board  
members for the 2017 elections.

Item No. 3 - Bid Award - Legacy Loop Master Plan  
Project - Phase 1

Consider approval of bid award to  
Florida Safety Contractors, Inc. in the  
total budgeted amount of \$333,754.20.

Item No. 4 - Bid Award - Street Resurfacing

Consider approval of bid award to The  
Lane Construction Corporation in the  
total budgeted amount of \$372,750.

Item No. 5 - Bid Award - Manhole and Liftstation  
Rehabilitation

Consider bid award to VacVision  
Environmental, LLC.; Utility  
Technicians, Inc.; Hinterland Group,  
Inc.; U.S. Water Services Corporation  
and Danus Utilities, Inc. in the total  
budgeted amount of \$550,000.

Item No. 6 - Road Closure and Event Request

Consider request to allow The Pink Bow  
Foundation to host their 2nd annual  
"Spring & Flower Festival" on May 5,  
2018.

**CITY OF CLERMONT**  
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- |                                      |                                                                                                                                                                                                                                          |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 7 - Fee reduction request   | Consider request of a reduced rate for use of the Arts and Recreation Center pool for the Minneola High School Swim Team.                                                                                                                |
| Item No. 8 - Resolution No. 2017-25  | Consider amending the rules and regulations of the Oak Hill Cemetery.                                                                                                                                                                    |
| Item No. 9 - Resolution No. 2017-36  | Consider an agreement between the City, The Florida Disc Golf Foundation, Inc. and Lake County for the construction, maintenance, and promotion of a disc golf course at Lake Hiawatha Park with funding in the Fiscal Year 2018 Budget. |
| Item No. 10 - Resolution No. 2017-40 | Consider Resolution amending the amount of time permitted to address the Council, Board, or Commission.                                                                                                                                  |

**UNFINISHED BUSINESS**

- |                                                   |                                                                                   |
|---------------------------------------------------|-----------------------------------------------------------------------------------|
| Item No. 11 - Ordinance No. 2017-31; <i>Final</i> | Consider request to amend Chapter 22 of the City's Code pertaining to cemeteries. |
|---------------------------------------------------|-----------------------------------------------------------------------------------|

**NEW BUSINESS**

- |                                                                                                  |                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item No. 12 - Variance Requests<br><i>Sherwin Williams</i><br><i>Table to September 12, 2017</i> | The applicant requested to table the variance requests. Consider five requests including reductions in parking spaces, rear-yard setbacks and landscape buffers for vacant property located at 840 E. Highway 50, east of Milholland Drive. |
| Item No. 13 - Variance Request<br><i>Bauer</i>                                                   | Consider variance request to allow for a rear-yard setback of 22 feet rather than the 25 feet required by code for property located at 1789 Bella Lago Drive.                                                                               |
| Item No. 14 - Boat Ramp Relocation Master Plan Project                                           | Discussion and option of proposed boat ramp.                                                                                                                                                                                                |
| Item No. 15 - Resolution No. 2017-37                                                             | Consider approval of Interlocal Agreement Between Lake County and the City of Clermont to Transfer Jurisdiction of Lake Minneola Shores (CR 1733).                                                                                          |

**CITY OF CLERMONT  
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Item No. 16 - Ordinance No. 2017-28; *Introduction  
Clermont Ridge Senior Villas*

Consider ordinance for voluntary annexation of 6.35 +/- acres for property located north of Hunt Trace Boulevard and west of Oakley Seaver Drive.

Item No. 17 - Ordinance No. 2017-29; *Introduction  
Clermont Ridge Senior Villas*

Consider ordinance to change the future land use designation for 6.35 +/- acres from Lake County Urban Medium to High Density Residential for property located north of Hunt Trace Boulevard and west of Oakley Seaver Drive.

Item No. 18 - Ordinance No. 2017-30; *Introduction  
Clermont Ridge Senior Villas*

Consider ordinance to change the zoning from Urban Estate to Planned Unit Development for an age-restricted senior housing project on property located north of Hunt Trace Boulevard and west of Oakley Seaver Drive.

**ADJOURN**

Any person wishing to appeal any decision made by the City Council 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 defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

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 City Clerk for the City's records.

*City of Clermont*  
MINUTES  
REGULAR COUNCIL MEETING  
June 27, 2017

Clermont City Council met in a regular meeting on Tuesday, June 27, 2017 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Mullins, Bates, Travis and Goodgame. Other City officials present were: Capital Planning, Grants and Projects Director Kinzler, City Attorney Mantzaris, and Deputy City Clerk Noak.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Checoye gave the invocation followed by the Pledge of Allegiance.

**PRESENTATIONS**

*Public Works Update*

Public Works Director Brunson provided an update on the two Florida Recreation Development Assistance Program grants received for upgrades to Palatlahaka Park and the United States Fish and Wildlife Service grant for upland restoration at Lake Hiawatha Preserve. Volunteers from the Church of Latter Day Saints and Texas Roadhouse cleaned debris at Lake Hiawatha Preserve and spread mulch in the playground area at Hancock Park. Mr. Brunson updated the City Council on the Victory Pointe dewatering process, the installation of the Cemetery Columbarium, new signage for the parks, and the proposed No Wake Zones on Clermont waterways. The Parks and Recreation Department will be installing a fence along the Waterfront Trail from East Avenue to 2<sup>nd</sup> Street and from 4<sup>th</sup> Street to the end of Carroll Street. Mr. Brunson reported currently has three projects out for bid; the boat ramp relocation, Minneola Avenue, and the annual street resurfacing projects.

**PUBLIC COMMENTS**

Steve Smith; New Beginnings, provided an update on a recent meeting with various members of the community, including Mayor Ash, Economic Development Director Schmidt, and Clermont Police Department Sargent Draper regarding the homeless and other local concerns. Mr. Smith reported there are over 500 school students living below the poverty level, the need for lower income and senior housing, and a lack of public transportation in the City of Clermont. The concerns identified were the lack of available resources, income, affordable housing, food, clothing, and health care. Mayor Ash stated she requested Mr. Smith to provide his presentation under public comments.

Tim Engle; 164 Orange Avenue, expressed concern of glass on the beach front and commented the glass should be professionally removed.

Ana LeBlanc; 294 Linden Street, spoke in support of Mr. Engle.

Jim Purvis; 4206 Hammersmith Drive, spoke of Mr. Engle trashing the City on Facebook instead of addressing his concerns with City staff.

**REPORTS**

City Manager Gray was not present.



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Capital Planning, Grants and Projects Director Kinzler stated City Manager Gray was representing the City at the Florida Government Finance Officers Association Annual Conference as a guest speaker. Mr. Kinzler reported the City's 4<sup>th</sup> of July celebration will be held at Waterfront Park on July 4, 2017 from 6:30pm until 10:00pm and the fireworks will begin at 9:15pm.

City Attorney Mantzaris – No report.

Council Member Bates – No report.

Council Member Goodgame stated the Lake County Attorney requested the City of Clermont to prepare a resolution regarding the Lake Sumter Metropolitan Planning Organization. The resolution will be on the next City Council agenda.

Council Member Mullins – No report.

Council Member Travis commented on representing Clermont at the Bend, Oregon 2017 Duathlon National Championships and placed 2<sup>nd</sup> in her division.

Mayor Ash reported on attending the Victory Pointe ground breaking, The Veve Apartments opening, held Coffee with the Mayor at Jalea, attended the Lake Apopka Natural Gas Board Meeting, the Clermont Police Department Re-Accreditation Ceremony at the Omni Resort, the ribbon cutting of Gray Collection, and the swearing in of a new Clermont Police Officer.

**CONSENT AGENDA**

Mayor Ash advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

**Item No. 1 – Meeting Minutes**

Consider approval of the April 11, 2017 and the May 23, 2017 Regular Council Meeting minutes.

**Item No. 2 – Purchase Approval**

Consider the purchase of a trailer mounted jetter in the budgeted amount of \$57,898.00 from the Florida Sheriff's Contract.

**Item No. 3 – Purchase Approval**

Consider the purchase of Trenchless Sewer Main Pipe lining services in the budgeted amount of \$80,520.00.

**Item No. 4 – Purchase Approval**

Consider approval of one time purchase between the City of Clermont and Ty Parker & Son, Inc. d/b/a Wildland Warehouse to procure firefighter protective clothing in the total budgeted amount of \$54,863.16.

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**Item No. 5 – Contract Award**

Consider approval to piggyback the City of Plantation contract with Allied Universal Corporation for supply and delivery of Sodium Hypochlorite in the estimated annual budgeted amount of \$160,000 per year.

**Item No. 6 – Interlocal Agreement**

Consider approval of the Interlocal Agreement with the Town of Montverde providing wholesale wastewater treatment for up to 200,000 gallons per day.

**Item No. 7 – Resolution No. 2017-31**

Consider Resolution authorizing the purchase of property from John Kingman Keating, Tony H. Roper, and Bert E. Roper & Barbara C. Roper Family Limited Partnership for property located on Hancock Road consisting of 18 acres in the amended budget amount of \$1.8 million dollars.

**Item No. 8 – Resolution No. 2017-32**

Consider Resolution approval to amend the Fiscal Year 2017 Budget.

Council Member Mullins moved for approval of the Consent Agenda; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

**UNFINISHED BUSINESS**

**Item No. 9 – Ordinance No. 2017-24 *Final – The Vue Planned Unit Development Amendment***

Deputy City Clerk Noak read Ordinance 2017-24 aloud by title only.

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.

Planning Manager Henschel presented the request to amend the Planned Unit Development granted in June 2016. The property is located south of Highway 50, west of Miss Florida Avenue, and north and south of Hooks Street. The applicant is requesting up to 28 feet of cut and fill in portions of the project and allow for monument signs to be 15 feet above the Florida Department of Transportation berm.

Staff recommended, if the commercial portion of the project adjacent to Highway 50 is approved, any future development to the south of the project fronting Hooks Street be required to submit a Planned Unit Development amendment for approval by the City Council.

Staff recommended denial of the proposed Planned Unit Development amendment.

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Jonathan Moore; Applicant, stated the additional uses requested at the June 11, 2017 meeting for the south side of the property were removed, the senior housing units will have elevators in units with three stories or more, and the monument signs on Highway 50 will not exceed more than 15 feet above the Florida Department of Transportation berm on Highway 50.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Bates asked of the number of monument signs. Mr. Moore stated there would be three monument signs on Highway 50 and two monument signs on Hooks Street.

Council Member Travis asked for the request to be restated.

Planning Manager Henschel stated the proposed changes to the current Planned Unit Development included a cut and fill of up to 28 feet, monument sign height of no greater than 15 foot above the Florida Department of Transportation berm on Highway 50, where the wall height exceeds 40 feet there will be a 20-foot buffer, removal of the proposed accessory uses, and any uses on lots 7 through 13 are required to come back to the Council as an amendment to the Planned Unit Development.

Council Member Bates moved for approval as presented; seconded by Council Member Mullins. The motion passed with all members present voting aye.

**Item No. 10 – Ordinance No. 2017-25, Final – Comprehensive Plan Amendment**

Deputy City Clerk Noak read Ordinance 2017-25 aloud by title only.

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.

Senior Planner Kruse presented the Small Scale Comprehensive Plan Amendment to change the future land use from Parks to Downtown Mixed Use to allow City-owned property the highest and best future use. The site is directly south of Lake Minneola and north of the West Avenue and Osceola Street intersection. The current zoning is Central Business District, which is consistent with the requested Downtown Mixed Use future land use. Staff recommended approval.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Goodgame spoke in opposition of approval until a parking plan is in place.

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Capital Planning, Grants and Projects Director Kinzler stated a parking plan is in progress and will be brought before the Council in the near future.

Council Member Travis and Mayor Ash spoke in favor of approval.

Council Member Mullins spoke of creating a more restrictive future land use category. Mr. Mullins commented the buildings should be shorter on the waterfront.

Mayor Ash stated the Council could deny any unacceptable proposed project.

Economic Development and Community Redevelopment Agency Director Schmidt indicated the requested change was to provide a future framework. The property is a City-owned asset and any sale or lease of the property could contain restrictions.

Council Member Mullins spoke in agreement with Council Member Goodgame regarding the need for a parking plan prior to approval.

Council Member Travis asked of the increase of parking spaces on West Avenue. Economic Development and Community Redevelopment Agency Director Schmidt stated parking increased by 60 spaces on West Avenue.

Council Member Bates moved for approval of Ordinance 2017-25; seconded by Council Member Travis. The motion passed 3 to 2 on a roll call vote with Council Members Goodgame and Mullins opposed.

**NEW BUSINESS**

**Item No. 11 – Event Request and Open Container – *Pig on the Pond***

Program Manager Dudeck presented the request from Pig on the Pond, Inc. to approve their event to be held March 9, 10, and 11, 2018 at Waterfront Park. Pig on the Pond, Inc. has requested open containers at Waterfront Park in an approved beverage area. The appropriate number of off duty Clermont Police officers for the beverage area will be hired. The organization is requesting closure of a section of the trail and detour signs will be in place for those wishing to use the trail during the event. Pig on the Pond, Inc. is requesting fee and permit waivers for the use of Waterfront Park from March 6 through March 12, 2018, and to allow for signage on City property located at Highway 50 and Cut Road at the Clermont water tower. Staff recommended approval of the request.

Tom English; Pig on the Pond Board Chair, thanked the City for their assistance at previous events and requested Council approval.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Travis spoke in opposition of closing the trail. Ms. Travis mentioned the fence installation from 4<sup>th</sup> Street to Carroll Street will be completed prior to the event.

Program Manager Dudeck stated the rides cover the parking area near 4<sup>th</sup> Street and 5<sup>th</sup> Street, which is located near where the fencing will be constructed.

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Council Member Mullins commented people have been allowed to walk or ride the trail during previous Pig on the Pond events.

Council Member Travis asked of extending the site to the west and not using both sides of the trail. Cheryl Fischel; Pig on the Pond, stated the retention pond prevents extending the event site to the west.

Council Member Travis commented the trail cannot continue to be closed for three days.

Mayor Ash stated staff can evaluate detouring any trail users to avoid interfering with the Pig on the Pond event.

Council Member Bates inquired of any increase in the number of vendors. Mr. English stated the number of vendors has not increased.

Council Member Goodgame moved for approval and have staff assess use of the trail; seconded by Council Member Mullins. The motion passed 4 to 1 with Council Member Travis in opposition.

**Item No. 12 – Variance Request – Mobil Gas Station**

Senior Planner Kruse presented the request from Mount Dora Gas to allow native plant landscaping without irrigation at the Mobil Gas station located at 998 East Highway 50. The property was impacted by the construction of the Highway 50 and U.S. Highway 27 interchange, and the property owner was paid for portions of the property needed for construction of the interchange. The property owner went through meetings with staff to develop a cure plan regarding parking and landscaping. The cure plan with landscaping and irrigation was approved by the City Council on March 26, 2013. Staff recommended denial of the variance request.

John Hartfield; representing the owner, stated the landscaping site has no access to water. The irrigation system was cut and the expense to replace the system could cause the store to close or cause a reduction in staff.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Goodgame commented native plants still require watering under very dry conditions.

Council Member Bates asked of the inoperable irrigation system. Mr. Hartfield stated a vehicle accident broke down the sign and damaged the irrigation system.

Council Member Bates inquired of insurance coverage for repairing the irrigation system. Mr. Hartfield indicated insurance did not cover the damage to the irrigation system.

Council Member Mullins asked if the cure plan landscaping was installed. City Attorney Mantzaris stated the cure plan landscaping was installed to come into compliance with a code enforcement case.

Mayor Ash spoke in favor of allowing native plants and asked of the type of native plants which would be installed. Mr. Hartfield indicated the company was not asked to provide a list of the native plants.

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Mayor Ash requested postponement until the Council could be presented with a landscaping design. Mr. Hartfield stated a drawing had been presented to City staff. Senior Planner Kruse commented copies of the cure plan had been submitted to staff.

Mayor Ash asked if the applicant could return with a native plant landscape design. Mr. Hartfield was in agreement to returning and providing pictures of the native plants.

City Attorney Mantzaris suggested tabling to the July 25, 2017 meeting.

Council Member Mullins moved to table to July 25, 2017; seconded by Council Member Bates. The motion passed with all members present voting aye.

**Item No. 13 – Variance Request – Arnold**

Senior Planner Magruder presented the request to allow for an 80-foot lot width for construction of a single family home. The existing 165 foot by 160-foot wide lot would be split to create two separate 80 foot by 165 foot lots. The current lot has a single family home on half of the lot. The applicant will apply for the lot split and record the lot split with the Lake County Property Appraiser. Staff recommended denial of the variance request.

Carmen Arnold; Owner, requested approval to create a buildable lot for a family member.

Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Goodgame inquired if the current house would require any variances. Senior Planner Magruder commented the existing house would not require any variances.

Council Member Mullins moved for approval; seconded by Council Member Bates. The motion passed with all members present voting aye.

**Item No. 14 – Variance Request – Clermont Commons Lot 10**

Senior Planner Magruder presented the request for a variance to the parking requirements for a proposed 4,500 square foot medical office building. The proposed site plan will provide for 17 on-site parking spaces, leaving a deficit of 6 spaces.

Staff is requesting; if approved, the variance request becomes null and void at the time the business vacates the premises.

Staff recommended denial of the variance request.

Patrick Bianchi; on behalf of the applicant, stated the proposed building is the last one on the site to be developed and has been platted. The proposed building and the existing building have a shared entry way, with more than 50 percent of the asphalt on the property of the proposed building.

Council Member Goodgame inquired if the existing building was short of parking spaces. Mr. Bianchi stated the existing building was short of parking spaces.

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Mayor Ash opened the public hearing. There were no public comments. Mayor Ash closed the public hearing.

Council Member Mullins asked how the existing building received approval for a decreased number of parking spaces. Planning Manager Henschel stated the existing building was developed prior to the current parking space requirements.

Council Member Mullins expressed concern of the City's M-1 zoning districts lacking industrial businesses.

Council Member Goodgame expressed concern of the decreased number of parking spaces.

Mayor Ash asked of prior parking space reduction approvals in the Clermont Commons center. Planning Manager Henschel stated a parking variance was approved within the development several years ago.

Council Member Travis asked if the current building had parking issues. Mr. Bianchi stated the parking lot was rarely full.

Council Member Mullins commented the request was for a 26 percent reduction of parking spaces.

Council Member Travis inquired if the building size could be reduced. Mr. Bianchi stated a reduced building size would be too small for an internal medicine office.

Council Member Goodgame asked of the proposed building setbacks. Planning Manager Henschel commented the proposed building meets all the City's setback requirements.

Council Member Mullins suggested the project consider increasing the number of handicapped parking spaces.

Council Member Bates moved for approval of the variance request; seconded by Council Member Travis. The motion passed with all members present voting aye.

**Item No. 15 – Resolution No. 2017-23 – *Heritage Hills, Table to July 25, 2017***

Deputy City Clerk Noak read Resolution 2017-23 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting an amendment to a Conditional Use Permit (Resolution 2016-09) for a Planned Unit Development to remove a condition requiring sidewalks along Hartwood Marsh Road.

Council Member Mullins moved to table Resolution 2017-23 to July 25, 2017; seconded by Council Member Bates. The motion passed with all members present voting aye.

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**Item No. 16 – Ordinance No. 2017-26 – Introduction, Huber**

Deputy City Clerk Noak read Ordinance No. 2017-26 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, closing and permanently abandoning the 15 foot unimproved right-of-way lying on the south and west sides of the follow described boundary. That part of Tract 61, lying westerly of Highway 27, Section 32, Township 22 South, Range 26 East, Lake Highlands Company, according to the plat thereof as recorded in PB 3, PG 24, of the Public Records of Lake County, Florida; less right of way for road; repealing all ordinances in conflict herewith, providing for severability, publication, recording, and for an effective date

Council Member Mullins moved for introduction of Ordinance 2017-26; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

**ADJOURN:** With no further comments, this meeting was adjourned at 8:23pm.

**APPROVED:**

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Gail L. Ash, Mayor

**ATTEST:**

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk





## CITY OF CLERMONT

# AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                                            |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                                            |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                                            |
| Canvassing Board                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                                            |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                                            |
| Recommend appointing City Clerk Ackroyd Howe, Finance Director Van Zile and Council Member Bates to serve on the Canvassing Board.                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                                            |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                                            |
| <p>The City of Clermont will have a General Election on November 7, 2017. The canvassing board consists of 3 members. There are a total of 5 canvassing board meetings requiring attendance by the entire canvassing board. The time and dates of those meetings are attached.</p> <p>Staff recommends appointing City Clerk Ackroyd Howe, Finance Director Van Zile and Council Member Bates.</p> <p>As a condition, the appointed members will be asked to sign a certificate that they are not an active participant in any of the campaigns.</p> |                                    |                                                            |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                                            |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                                            |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Fund Number and Description</b> | <b>Available Budget Amount</b>                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                                            |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                                            |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Canvassing Board Schedule          | 07112017_Municipal_Election_Canvassing_Board_Schedule.docx |

# 2017 Municipal Election Canvassing Board Schedule

| Canvassing Board Function                                                                               | Date       | Time    | Location                                               |
|---------------------------------------------------------------------------------------------------------|------------|---------|--------------------------------------------------------|
| Organizational Meeting; Public Test per 101.5612 F.S.; Canvass Vote-By-Mail Ballots per 101.68(2) F. S. | 10/30/2017 | 8:30 AM | Support Center - 703 S. Rossiter St. Mount Dora, 32757 |
| Vote-By Mail Ballot Canvass per 101.68 (2) F.S.                                                         | 11/3/2017  | 3:00 PM | Main Office - 315 W. Main St., Room 144 Tavares 32778  |
| Election Day                                                                                            | 11/7/2017  | 5:30 PM | Main Office - 315 W. Main St., Room 144 Tavares 32778  |
| Final Results (includes Provisional Ballots) and Manual Audit Precinct Selection                        | 11/9/2017  | 5:00 PM | Main Office - 315 W. Main St., Room 144 Tavares 32778  |
| Manual Audit per 101.591 F.S.                                                                           | 11/13/2017 | 8:30 AM | Support Center - 703 S. Rossiter St. Mount Dora, 32757 |

**First Meeting on 10/30/2017:** Starts at 8:30 AM at the Support Center located at 703 S. Rossiter Street in Mount Dora. This meeting is unique in that it has three components with the third component taking place at our main office at 315 W. Main Street Room 144 in Tavares within the County Administration Building.

- A) Organizational Meeting: The Board will meet at 8:30 AM to review meeting dates and review procedures to be used in the canvassing of ballots for the November 7, 2017 Municipal Election. The Canvassing Board may also discuss other matters pertaining to this election. All Canvassing Board meetings are open to the public in accordance with the Sunshine Law of Florida.
- B) Public Logic and Accuracy Test: This meeting starts at 9:00 AM. Test to be performed pursuant to requirements set forth in 101.5612(2) of Florida Statutes.
- C) Canvass Vote-By-Mail (VBM) Ballots: This meeting starts at 1:00 PM and is held in room 144 at the County Administration Building. This meeting is performed pursuant to 101.68(2) of Florida Statutes.

**Second Meeting on 11/3/2017:** Starts at 3:00 PM at main office in Tavares. This meeting is performed pursuant to 101.68(2) of Florida Statutes. Canvassing Board will adjudicate any returned Vote-By-Mail ballots envelopes that provide an eligibility question. Additionally, any returned "Cure" affidavits will be reviewed for approval or rejection. These affidavits are issued by this office to those voters that may have done one of the following when returning his/her vote-by-mail ballot:

- A) Omitted their signature from the return envelope prior to return of the ballot
- B) Recorded a signature onto the return ballot envelope that does not match the signature image on file with the Supervisor of Elections



**Third Meeting on 11/7/2017:**                   **Starts at 5:30 PM** at main office in Tavares. This meeting will provide the final review of Vote-By-Mail ballots that may be in question and allow the board to review those “Cure” affidavits submitted prior to the previous day’s 5:00 PM deadline. Additionally, the Canvassing Board may recess briefly prior to the receipt of election returns that will occur just after 7PM. This meeting will conclude upon receipt of election returns from all precincts and the Canvassing Board will be provided with a report providing “Unofficial Results” prior to conclusion of the meeting.

**Fourth Meeting on 11/9/2017:**                   **Starts at 5:00 PM** at main office in Tavares. Purpose of this meeting is to review Provisional Ballot eligibility for those voters submitting Provisional ballots on 11/7/2017. Provisional ballots deemed eligible will be added to the election results tabulation and the Canvassing Board will declare that set of results which includes Provisional ballot tabulation as the “Official Results.” Additionally, the Canvassing Board will identify the contest and precinct(s) that will provide the scope of the “Voting System Audit” required per 101.591 of Florida Statutes.

**Fifth (Final) Meeting on 11/13/2017:**                   **Starts at 8:30 AM** at the Support Center located at 703 S. Rossiter Street in Mount Dora. Perform “Voting System Audit” required per 101.591 of Florida Statutes. The performance of such audit is detailed within Florida Administrative Code Rule 1S-5.026.



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                         |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                |
| Bid Award - Legacy Loop Master Plan Project - Phase 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                |
| Recommend to approve contract between the City of Clermont and Florida Safety Contractors, Inc. to provide all labor, material and equipment necessary to construct phase 1 of the Legacy Loop project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                         |                                |
| <p>The Purchasing Department recommends approval of the above action.</p> <p>The Purchasing Department issued a Request for Bid (RFB) number 17-033 to acquire these services. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were five (5) responses to the RFB.</p> <p>The construction consists generally of pavement demolition, installation of new curbs, concrete sidewalk, asphalt trail, brick paving, landscaping and irrigation.</p> <p>Award is being recommended to low responsive and responsible bidder Florida Safety Contractors, Inc. in the total amount of \$333,754.20 who complied with all terms, conditions, and specifications stated in the RFB.</p> |                                         |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         |                                |
| The fiscal impact of \$333,754.20 is included in the current year approved budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Fund Number and Description</b>      | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                         |                                |
| 1. RFB 17-033 Response Tabulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | RFB 17-033 Response Tabulation.pdf      |                                |
| 2. RFB 17-033 Award Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | RFB 17-033 Award Recommendation.pdf     |                                |
| 3. Ad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | RFB 17-033 Newspaper Advertisement.docx |                                |



## RESPONSE TABULATION

**RFB 17-033, WEST MINNEOLA AVENUE STREETScape – PHASE I**  
**DUE DATE/TIME: JULY 13, 2017 AT 2:00 P.M. (EST)**

| COMPANY NAME                                        | BID BOND | ADDENDA 1, 2 & 3 | BASE BID PRICE | ALT. 1 PRICE | ALT. 2 PRICE | BASE BID + ALT. 1 & 2 |
|-----------------------------------------------------|----------|------------------|----------------|--------------|--------------|-----------------------|
| Florida Safety Contractors, Inc. – Thonotosassa, FL | Y        | Y                | \$323,254.20   | \$1,400      | \$9,100      | \$333,754.20          |
| Oelrich Construction, Inc. – Jonesville, FL         | Y        | Y                | \$375,137.50   | \$5,000      | \$7,000      | \$387,137.50          |
| Stage Door II, Inc. – Apopka, FL                    | Y        | Y                | \$486,643.00   | \$2,000      | \$36,750     | \$525,393.00          |
| Gomez Construction Company – Winter Park, FL        | Y        | Y                | \$549,927.00   | \$5,540      | \$8,750      | \$564,217.00          |
| Derelle, Inc. – Clermont, FL                        | N        | N                | Non-Responsive |              |              |                       |

\*Addendum were a mandatory submittal with bid response.



**FREDDY L. SUAREZ**  
**Purchasing Director**  
**Purchasing Department**

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**AWARD RECOMMENDATION**  
**JULY 25, 2017**  
**RFB 17-033 – WEST MINNEOLA AVENUE STREETScape – PHASE I**

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, Florida Safety Contractors, Inc. in the total Base Bid + Additive Alternate 1 & 2 amount of \$333,754.20.

## REQUEST FOR BID

The City of Clermont is requesting bids from qualified respondents for the construction of the West Minneola Avenue Streetscape – Phase I (RFB 17-033). All responses must be received prior to **2:00 P.M. on Thursday, July 13, 2017**. Information about the bid may be obtained from the City's website at <http://www.clermontfl.gov/> or through BidSync at <https://www.bidsync.com/>.

Publication Date: Newspaper  
June 6, 2017





## CITY OF CLERMONT

# AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                         |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                                |
| Bid Award - Street Resurfacing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                         |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                                |
| Recommend to approve contract between the City of Clermont and The Lane Construction Corporation to provide all labor, material and equipment necessary to perform street resurfacing services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                         |                                |
| <p>The Purchasing Department and the Public Works Department recommend approval of the above action.</p> <p>The Purchasing Department issued a Request for Bid (RFB) number 17-041 to acquire street resurfacing services. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were three (3) responses to the RFB.</p> <p>The work includes pavement resurfacing of City maintained streets as provided in the low bidders response (see attached). The resurfaced streets shall have a smooth and even surface as well as smooth transition street edges.</p> <p>Award is being recommended to the low responsive and responsible bidder The Lane Construction Corporation at the total amount of \$372,750 who complied with all terms, conditions, and specifications stated in the RFB.</p> |                                         |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                         |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                |
| The fiscal impact of \$372,750 is included in the current year approved budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Fund Number and Description</b>      | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                         |                                |
| 1. RFB 17-041 Response Tabulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | RFB 17-041 Response Tabulation.pdf      |                                |
| 2. RFB 17-041 Award Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | RFB 17-041 Award Recommendation.pdf     |                                |
| 3. Ad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | RFB 17-041 Newspaper Advertisement.docx |                                |



## RESPONSE TABULATION

**RFB 17-041, STREET RESURFACING SERVICES - 2017**

**DUE DATE/TIME: JULY 13, 2017 AT 2:00 P.M. (EST)**

| COMPANY NAME                                     | BID BOND | ADDENDA 1 | TOTAL PRICE  |
|--------------------------------------------------|----------|-----------|--------------|
| The Lane Construction Corporation – Lakeland, FL | Y        | Y         | \$482,700.00 |
| Traverse Group, Inc. – Clermont, FL              | Y        | Y         | \$498,913.13 |
| D.A.B. Constructors, Inc. – Inglis, FL           | Y        | Y         | \$644,444.44 |

\* Addenda 1 was not a mandatory submittal with bid response.



**FREDDY L. SUAREZ**  
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**AWARD RECOMMENDATION**  
**JULY 25, 2017**  
**RFB 17-041 – STREET RESURFACING SERVICES – 2017**

In order to stay below budget, the following streets are considered to be omitted from the bid.

| L.N. | Street Name       | Description                            |
|------|-------------------|----------------------------------------|
| 12   | Almond Street     | From Grand Highway to Lakeview Drive   |
| 13   | Lakeview Drive    | From US 27 to ramp dead end            |
| 14   | Crestview Drive   | From Grand Highway to Tower Street     |
| 15   | Tower Street      | From Crestview Drive to Edgewood Drive |
| 19   | E. Broom Street   | From Bloxam Avenue to dead end         |
| 20   | E. Juniata Street | From Bloxam Avenue to dead end         |
| 21   | E. Desoto Street  | From Bloxam Avenue to dead end         |

The above results in the reduction in the total bid price from each bidder to the new total price below:

| COMPANY NAME                      | TOTAL PRICE  |
|-----------------------------------|--------------|
| The Lane Construction Corporation | \$372,750.00 |
| Traverse Group, Inc.              | \$402,870.08 |
| D.A.B. Constructors, Inc.         | \$517,790.44 |

The Purchasing Department and the Public Works Department is recommending award to the low responsive and responsible bidder, The Lane Construction Corporation in the total amount of \$372,750.

## REQUEST FOR BID

The City of Clermont is requesting bids from qualified respondents to provide pavement resurfacing services (RFB 17-041). All responses must be received prior to **2:00 P.M. on Thursday July 13, 2017**. Information about the bid may be obtained from the City's website at <http://www.clermontfl.gov/> or through BidSync at <https://www.bidsync.com/>.

Publication Date: Newspaper  
June 14, 2017



## CITY OF CLERMONT

# AGENDA ITEM

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                         |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                         |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                         |                                |
| Bid Award - Manhole and Liftstation Rehabilitation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                         |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                         |                                |
| Recommend to approve contract between the City of Clermont and VacVision Environmental, LLC.; Utility Technicians, Inc.; Hinterland Group, Inc.; U.S. Water Services Corporation and Danus Utilities, Inc. to provide sanitary sewer manhole and lift station rehabilitation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                |
| <p>The Purchasing Department and the Environmental Services Department recommend approval of the above action.</p> <p>It is recommended that the Council approve and execute a fixed unit price term contract with VacVision Environmental, LLC.; Utility Technicians, Inc.; Hinterland Group, Inc.; U.S. Water Services Corporation and Danus Utilities, Inc. to provide sanitary sewer manhole and lift station rehabilitation. The initial term contract is for a three (3) year period with up to three (3) additional one (1) year renewal periods at the option of the City. The Purchasing Department issued a Request for Bid (RFB) number 17-040 on June 8, 2017 to establish an annual term contract.</p> <p>The contract services include preventative services include eliminating infiltration and inflow, providing corrosion protection, repair of cracks and voids, restoration of structural integrity of manhole and lift stations including piping rehabilitation as needed.</p> <p>The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were six (6) responses to the solicitation. The Purchasing Department is recommending award to the three (3) low bidders per group in order to acquire redundancy of services for backup purposes.</p> |                                         |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                         |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                         |                                |
| Annual projected cost of \$550,000 is included in the current FY 2016-2017 budget and proposed FY 2017-2018 budget.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Fund Number and Description</b>      | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                         |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                         |                                |
| 1. RFB 17-040 Response Tabulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | RFB 17-040 Response Tabulation.pdf      |                                |
| 2. RFB 17-040 Award Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | RFB 17-040 Award Recommendation.pdf     |                                |
| 3. Ad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | RFB 17-040 Newspaper Advertisement.docx |                                |



## RESPONSE TABULATION

**RFB 17-040, SANITARY SEWER MANHOLE AND LIFT STATION REHABILITATION**  
**DUE DATE/TIME: JULY 13, 2017 AT 2:00 P.M. (EST)**

| COMPANY NAME                                          | ADDENDA<br>1, 2 & 3 | GROUP 1<br>TOTAL PRICE<br>Manhole<br>Rehabilitation | GROUP 2 TOTAL<br>PRICE<br>Liftstation<br>Rehabilitation | GROUP 1 AND 2<br>COMBINED<br>TOTAL PRICE |
|-------------------------------------------------------|---------------------|-----------------------------------------------------|---------------------------------------------------------|------------------------------------------|
| Vacvision Environmental, LLC. – Tampa, FL             | Y                   | (1) \$54,465.00                                     | No-Bid                                                  | \$54,465.00                              |
| Utility Technicians, Inc. – Umatilla FL               | Y                   | (2) \$66,424.00                                     | (2) \$816,551.00                                        | \$882,975.00                             |
| Hinterland Group, Inc. – Riviera Beach, FL            | Y                   | (3) \$71,875.00                                     | (4) \$1,067,250.00                                      | \$1,139,125.00                           |
| TV Diversified, LLC. – Lake Worth, FL                 | Y                   | (4) \$79,175.00                                     | (5) \$1,284,550.00                                      | \$1,363,725.00                           |
| U.S. Water Services Corporation – New Port Richey, FL | Y                   | (5) \$132,194.00                                    | (1) \$742,635.00                                        | \$874,829.00                             |
| Danus Utilities, Inc. – New Smyrna Beach, FL          | Y                   | (6) \$137,425.00                                    | (3) \$908,825.00                                        | \$1,046,250.00                           |

\*Addenda 1, 2 and 3 were not mandatory submittals with bid response.



**FREDDY L. SUAREZ**  
**Purchasing Director**  
**Purchasing Department**

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**AWARD RECOMMENDATION**

**JULY 19, 2017**

**RFB 17-040 – SANITARY SEWER MANHOLE AND LIFT STATION REHABILITATION**

Based on the results of the bid submittals, the Purchasing Department and the Environmental Services Department is recommending award to the three low responsive and responsible bidders per group as provided below.

| <b>Group 1 – Manhole Rehabilitation</b> | <b>Group 2 – Liftstation Rehabilitation</b> |
|-----------------------------------------|---------------------------------------------|
| Vacvision Environmental, LLC.           | U.S. Water Services Corporation             |
| Utility Technicians, Inc.               | Utility Technicians, Inc.                   |
| Hinterland Group, Inc.                  | Danus Utilities, Inc.                       |

## REQUEST FOR BID

The City of Clermont is requesting bids from qualified respondents to provide sewer manhole and lift station rehabilitation (RFB 17-040). All responses must be received prior to **2:00 P.M. on Thursday, July 13, 2017**. Information about the bid may be obtained from the City's website at <http://www.clermontfl.gov/> or through BidSync at <https://www.bidsync.com/>.

Publication Date: Newspaper  
June 12, 2017





## CITY OF CLERMONT

# AGENDA ITEM

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| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| Road Closure and Event Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| Recommend approval of the Pink Bow Foundation to host their Spring and Flower Festival event with road closures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <p>The Parks and Recreation Department supports the Pink Bow Foundation's request to host its 2nd annual Spring and Flower Festival. The event will occur on Saturday, May 5, 2018.</p> <p>The Pink Bow Foundation is requesting road closures on Saturday May 5, 2018 from 8:00 AM till 9:00 PM which would include time for setup and take down for the event.</p> <p>Road Closures would include:</p> <ul style="list-style-type: none"><li>-Montrose Street from the entrance of City Hall to the driveway of the former Police Station</li><li>-7th Street between Montrose Street and the entrance of the City Hall parking lot</li><li>-8th Street from Montrose Street to North side of Minneola Ave.</li><li>-Minneola Ave from 8th Street to entrance of public parking lot.</li></ul> <p>Attached is a map detailing the road closures as reference. The organization has agreed to comply with all personnel requirements from the City of Clermont.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| 1. Spring & Flower-Council Packet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Spring & Flower Council Packet.pdf |                                |



## SPECIAL EVENTS PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

Today's Date

Name of Event

2nd Annual Spring Flower Festival

Date(s) of Event

May 5th, 2018

Estimated Attendance:

6000

Event Start Time:

10:00

Event End Time:

8:00

Before Event Setup Time:

8:00

After Event Cleanup Time:

9:00

Name of Organization/Applicant

The Pink Bow Foundation

*\*The refundable deposit will be made payable and mailed to the name and address of the applicant listed\**

Check Type of Organization

☐

Resident

☐

Non Resident

☒

Non-Profit

☐

Business

**Non-Profit documentation must be provided with application.**

Tax Exempt

☒

Yes

☐

No

If yes, provide Tax Exempt #

85-8016896460C-9

**If Yes, you must provide your Tax Exempt Certificate with application.**

Federal ID # or Driver's License #

47-2357734

Event Contact

Marcella Umehi

Email

info@thepinkbowfoundation.org

Day Phone

Cell Phone

352-250-4776

Address

827 W Montrose St City Clermont State FL Zip 34711

Secondary Contact

Aimee Stanley

Phone #

239-220-7271

Briefly Describe Event:

Please see attached

Location of Event on City Property:

☐

A

☐

B

☐

C

☒

D

☐

Map 1

☒

Map 2

**Please choose A, B, C, or D on MAP 1 or MAP 2**

Other Location:

Montrose from City Hall to Old Police Station

8th St from Montrose to Minnesota, Minnesota from

8th to 7th Street



## 2<sup>nd</sup> Annual Spring Flower Festival Summary

### Event Details

- Event: 2<sup>nd</sup> Annual Spring Flower Festival
- Date: May 5<sup>th</sup>, 2018
- Event Time: 10am to 8pm
- Location: Historic Downtown Clermont on Montrose between City Hall and the old police station; 8<sup>th</sup> street from Montrose to Minneola; Minneola from 8<sup>th</sup> Street to 7<sup>th</sup> Street.
- Entertainment: Stage on Minneola, Stage on Montrose at end of 8<sup>th</sup> Street, entertainment in middle of 7<sup>th</sup>/Montrose (local schools, dance, and barbershop quartets), Orange Blossom Bonnet Parade, Petting Zoo, Kentucky Derby Viewing from 6-8pm and Kids Zone
- All proceeds from event to benefit The Pink Bow Foundation

**Summary of Event:** The 2<sup>nd</sup> Annual Spring Flower Festival would like to expand to make it a full family fun experience adding live music, kids zone, junk food alleys, and of course the Orange Blossom Bonnet Parade and 100's of vendors.

The event will have a full schedule of events to that will bring 1000's of people in throughout the day to enjoy the wonderful spring weather and discover the beautiful Historic Downtown Clermont.

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**PLEASE NOTE:** The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

**Indemnification, Insurance and Additional Costs**

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.

  
Applicant's Signature

Treasurer / Director  
Title

Amee Stanley  
Printed Name

5/8/17  
Date

\*\*\*\*\*FOR CITY DEPARTMENT REVIEW ONLY\*\*\*\*\*

**Department / Division Routing:**

- |                      |                                  |                            |
|----------------------|----------------------------------|----------------------------|
| a) Police Department | b) Development Services Dept     | c) Public Works Department |
| d) Fire Department   | e) Parks & Recreation Department |                            |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.



## SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT:

DATE OF EVENT:

EVENT CONTACT:

REFUND MAILING ADDRESS:

Street Address

Clermont

City

F  
ST

34711  
Zip

CELL PHONE:

City 352-250-4776

**Payment Deadline:**

***Application Fee and deposit are due upon submission***

**Final payment is due 14 days prior to event date.**

*Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.*

|                                                           | NON-PROFIT/<br>RESIDENT<br>RATE | BUSINESS/<br>NON-RESIDENT<br>RATE | SPECIAL INSTRUCTION       |        |
|-----------------------------------------------------------|---------------------------------|-----------------------------------|---------------------------|--------|
| Application Fee                                           | \$10                            | \$10                              | Non-Refundable            | \$10   |
| <b>CITY PROPERTY:</b>                                     |                                 |                                   |                           |        |
| <b>HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)</b>   |                                 |                                   |                           |        |
| Deposit                                                   | \$250                           | \$250                             | Refundable                |        |
| Hourly Fee                                                | \$100                           | \$200                             | Per Hour (2 Hour Minimum) |        |
| Daily Fee                                                 | \$700                           | \$1100                            |                           |        |
| <b>PARK AREA ~ AREA B (RED)</b>                           |                                 |                                   |                           |        |
| Deposit                                                   | \$150                           | \$150                             | Refundable                |        |
| Hourly Fee                                                | \$25                            | \$50                              | Per Hour (2 Hour Minimum) |        |
| Daily Fee                                                 | \$200                           | \$300                             |                           |        |
| <b>WATERFRONT ~ AREA C (YELLOW)</b>                       |                                 |                                   |                           |        |
| Deposit                                                   | \$350                           | \$350                             | Refundable                |        |
| Hourly Fee                                                | \$200                           | \$300                             | Per Hour (2 Hour Minimum) |        |
| Daily Fee                                                 | \$1500                          | \$2500                            |                           |        |
| Each Consecutive Day                                      | \$1200                          | \$2000                            |                           |        |
| <b>CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)</b>         |                                 |                                   |                           |        |
| Deposit                                                   | \$150                           | \$150                             | Refundable                | 150.00 |
| Hourly Fee                                                | \$25                            | \$50                              | Per Hour (2 Hour Minimum) | 300.00 |
| <b>~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF</b> |                                 |                                   |                           |        |
| Additional City Staff                                     | \$25                            | \$25                              | Per Person, Per Hour      |        |
| Public Works Event Staff                                  | \$25                            | \$25                              | 2 hr min, per staff       |        |
| Police Officer                                            | \$30                            | \$30                              | 4 hr min, Per Officer     | X      |
| Fire/ EMS                                                 | \$60                            | \$60                              | 4 hr min, 2 staff min     | ?      |
| Fire Boat in the Water                                    | \$100                           | \$100                             | Per Hour                  |        |
| 7% Sales Tax                                              |                                 |                                   |                           |        |
| <b>GRAND TOTAL</b>                                        |                                 |                                   |                           |        |



**PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION**

Alcohol Served: ☒ Yes ☐ No

*If Yes, State Alcoholic Beverage License REQUIRED for sale for alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.*

Canopy/Tent Use: ☒ Yes ☐ No Size of Tent\*

*\*Tents larger than 900 sq ft will require an additional permit*

Electrical Use: ☒ Yes ☐ No Describe the need:

*Additional permits may be required based on use*

Electrical Power Provided: ☒ Generator ☐ Temporary Power Drop ☒ Property Power

Gas Fueled Equipment: ☒ Yes ☐ No Describe Use:

*If Yes, subject to permits as required by the Building/Fire Safety Division.*

Fuel Source ☒ Propane ☐ Natural Gas ☐ Diesel Fuel ☒ Gasoline

Cooking Equipment Use: ☒ Yes ☐ No

*Per Food truck*

*If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395*

Cooking Types: ☐ Fryers ☐ Propane Grill ☐ Charcoal Grill ☒ Concession Trailer ☒ Food Trucks

*Insurance may be required by provider*

Rides: ☐ Yes ☒ No

Ride Types: ☐ Mechanical ☐ Bounce Houses ☒ Animals

*Insurance may be required by provider*

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

*If Yes, requires separate approval process completed by Company with the Fire Prevention Division.  
The release of Sky Lanterns is not permitted under state law.*

Streets to be Closed or Traffic Control: ☒ Yes ☐ No

*Written submission for road closure is required and will require city council approval*

Fire or Law Enforcement Stand-by Requested: ☒ Yes ☐ No

*If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.  
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.*

Live Television or Radio Broadcast: ☒ Yes ☐ No

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe:

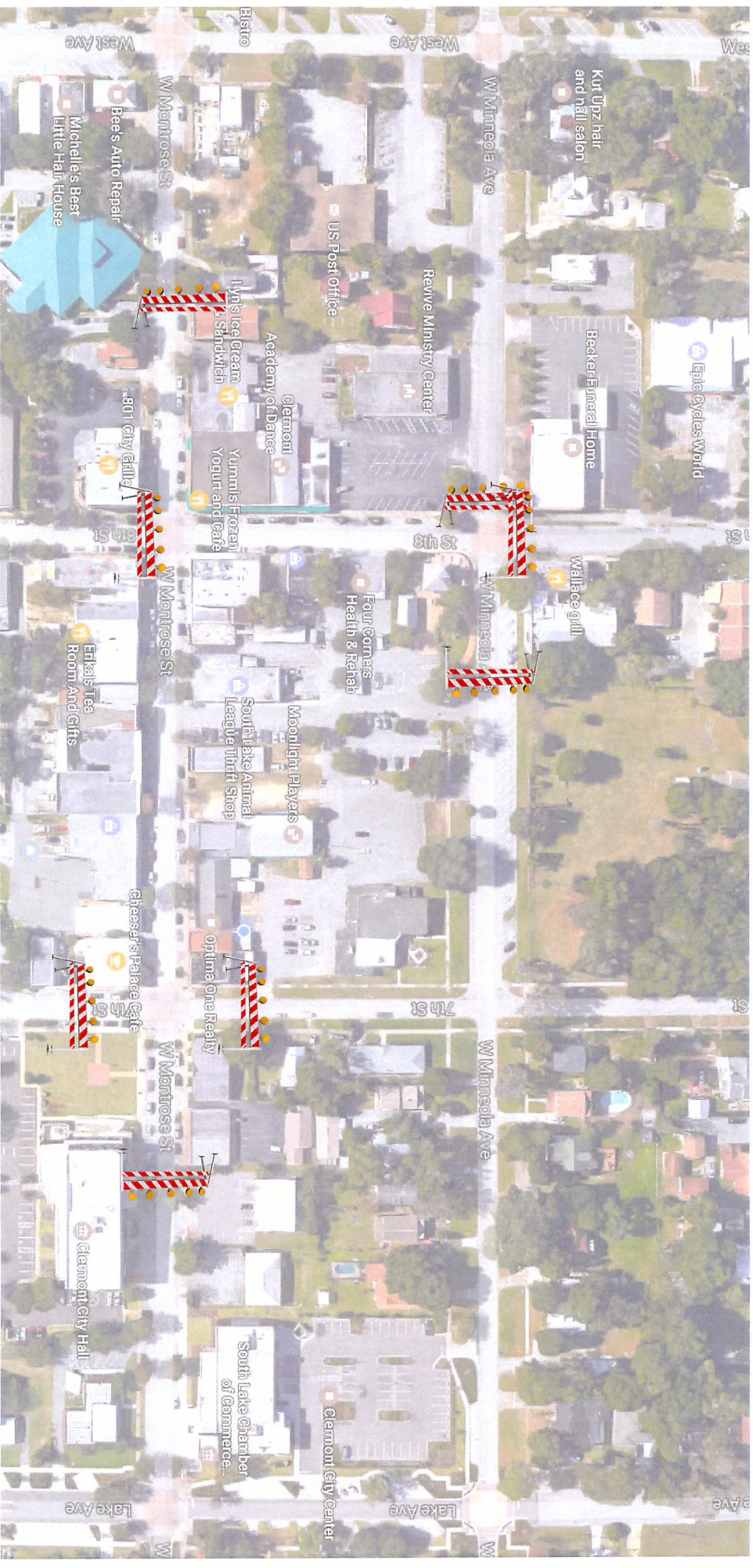
*If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.*

Banners or Attention Getting Devices: ☒ Yes ☐ No

*If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.*



# 2nd ANNUAL SPRING FLOWER FESTIVAL









CITY OF CLERMONT

**AGENDA ITEM**

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| Fee reduction request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| Recommend approval of a reduced rate for use of the Arts and Recreation Center pool for the Minneola High School Swim Team.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <p>Due to the temporary closing of the aquatic facility at the National Training Center ("NTC") throughout August, the Minneola High School Swim Team has been displaced. They have requested to utilize the pool at the ARC using the same reduced fee structure that they have been paying at the NTC.</p> <p>They are currently paying a discounted rate of \$7 per lane per hour at the NTC. The Swim Team would be utilizing three (3) lanes in the pool at the ARC for one (1) hour per day over the course of six (6) total days.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| The amount of the fee reduction is \$708                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Resolution No. 2017-25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
| Recommend approval of Resolution 2017-25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                |
| <p>The third addition of the Oak Hill Cemetery will be opening in the coming months and staff is requesting amendments to the rules and regulations. The amendment is to allow for upright memorials only in the third addition with the exception of military markers. The amendments will establish a maximum size for single and double memorials. There are no proposed changes to the first and second additions. The Perpetual Care section is being removed from the rules and regulations due to proposed changes in Ordinance 2017-31.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                |
| 1. Resolution 2017-25 Cemetery 3rd Add.docx                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| 2. Rules 2017-25cemrulesmarkedup.doc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |

***CITY OF CLERMONT***  
**RESOLUTION NO. 2017-25**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY FLORIDA, RELATED TO THE CLERMONT MUNICIPAL CEMETERY, ALSO KNOWN AS OAK HILL CEMETERY, AMENDING THE RULES, REGULATIONS, AND RESTRICTIONS, PROVIDING FOR THE REPEAL OF ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 22-3 of the Code of Ordinances of the City of Clermont, provides that the City Council shall by resolution adopt rules, regulations, and restrictions for the use of Oakhill Cemetery; and

**WHEREAS**, it has been determined by the City Council that the adoption of amended rules, regulations and restrictions is in the best interest of all users of Oak Hill Cemetery and the citizens of the City of Clermont;

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

**SECTION 1.**

The City Council of the City of Clermont does hereby adopt the amended rules, regulations, and restrictions for use of Oak Hill Cemetery as specifically set forth in Exhibit "A" attached hereto and incorporated herein.

**SECTION 2.**

All resolutions, rules, regulations, restrictions, or policies of the City of Clermont in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 3.**

This resolution shall take effect immediately upon adoption by the City Council.

***CITY OF CLERMONT***  
**RESOLUTION NO. 2017-25**

**DONE AND RESOLVED** this 8<sup>th</sup> day of August, 2017 by the City Council of the City of Clermont, Lake County, Florida.

**CITY OF CLERMONT**

\_\_\_\_\_  
Gail L. Ash, Mayor

**ATTEST:**

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

# **RULES AND REGULATIONS OF CLERMONT MUNICIPAL CEMETERIES**

## **PURPOSE**

These rules and regulations are designed for the protection of owners and interment rights as a group. They are intended, not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect your Cemeteries and create and preserve their beauty. These rules and regulations are hereby adopted by the City Council as the rules and regulations of the Clermont Municipal Cemeteries, and all owners of interment rights, visitors and contractors performing work within the Cemeteries shall be subject to said rules and regulations, amendments or alterations as shall be adopted by the City of Clermont from time to time.

## **DEFINITIONS**

1. The term “Owner” shall mean the owner of the rights of interment.
2. The term “City” shall mean the City of Clermont and/or City Council.
3. The term “Interment” shall mean cremation and interment, entombment or burial of the remains of a deceased person.
4. The term “Mortician” shall mean any locally licensed mortician or undertaker.
5. The term “Memorial” shall mean any marker or structure upon or in any lot or niche, placed thereupon or therein or partially therein for the purpose of identification or in memory of the interred.
6. The term “Resident” shall be defined as an individual, whose primary residence, at the time of purchase or death, is or was within the municipal boundaries of the City of Clermont.

## **OWNERSHIP**

1. The City reserves the right to refuse interments for valid reason, and to refund any monies paid for the purchase price, and when so refunded, the interest of the owner shall revert to and become the property of the City.
2. Burial plots in any municipally owned cemetery shall be used for no other purpose than the burial of the human dead.



## **SUPERVISION OF CEMETERY**

1. The City reserves the right to compel all persons coming into the Cemeteries to obey all rules and regulations adopted by the City. The rules and regulations may be changed without notice to any Owner by the City Council.
2. The City shall take reasonable precaution to protect owners, and the property rights of the owners, within the Cemeteries, from loss or damage; but distinctly disclaims all responsibility from loss or damage from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, invasion, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.
3. The City reserves, and shall have the right to correct any errors that may be made be it either in making interments, disinterments or removals, or in the inscriptions, transfer, or conveyance and substituting and conveying in lieu thereof other interment rights of equal value and similar location as far as possible, or as may be selected by the City, or in the sole discretion of the City, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the City reserves and shall have the right to remove and transfer such remains so interred to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The City shall also have the right to correct any errors made by placing an improper description, including an incorrect name or date either on the memorial or on the container for cremated remains.
4. Persons within the cemetery grounds shall use only the avenues, walks, alleys and roads, and any person injured while walking on the grass, except that be the only way to reach his plot, or while on any portion of the Cemetery other than the avenues, walks, alleys or roads, shall in no way hold the City liable for any injuries sustained.
5. Automobiles shall not be driven through the grounds at a speed greater than fifteen miles per hour, and must always be kept on the right side of the Cemetery roadways.
6. The right to enlarge, reduce, replat or change the boundaries or grading of the Cemeteries or of a section or sections, from time to time, including the right to modify or change the locations, of or any part thereof, or remove or regrade roads, drives and walks, is hereby expressly reserved. The right to lay, maintain and operate, alter or change pipe lines or gutters for sprinkling systems, drainage lakes, etc. is also expressly reserved, as well as the right to use Cemetery property, not sold to individual owners, for Cemetery purposes, including the interring and preparing for interment of dead human bodies, or for anything necessary, incidental or inconvenient thereto. The City reserves to itself and to those lawfully entitled thereto a perpetual right to ingress/egress over lots for the purpose of passage to and from other lots.

## **SALE AND PURCHASE OF INTERMENT RIGHTS**

1. The sale of any interment right by any Owner or purchaser shall not be binding upon the City, unless same shall first be duly approved in writing by the City.
2. All grading, landscape work, and improvements of any kind, and all care of lots shall be done, and all trees, shrubs, and herbage of any kind shall be planted, trimmed, cut or removed by the City.
3. No enclosure of any kind, such as a fence, coping, hedge, or ditch shall be permitted around any grave or lot. Grave mounds will not be allowed and no lot shall be raised from the established grade in Oakhill Cemetery.
4. Interment rights can be purchased in these Cemeteries from the City Clerk and subject to the rules and regulations of said Cemeteries now or hereafter adopted for the government of these Cemeteries, and for the purpose of interment only. This provision applies to all sales, whether made directly by the City or sales made by Owners.
5. No interment rights or contracts for the purchase of interment rights can be sold, assigned, transferred, pledged, or hypothecated without the written approval of the City Clerk.
6. No title to a lot shall be deemed valid to the purchaser until the amount of the purchase money shall have been paid, and the City reserves the right to remove all bodies which may have been interred in said lot, and place the same in a single grave section in the Cemetery if the full lot has not been paid for.
7. The City may exchange interment rights when desired by Owners, but not for interment rights of lesser value. When such an exchange is made, the original conveyance must be surrendered by proper assignment, or by reconveyance if considered necessary, before any change is effected. The City may purchase back lots from the Owners at the Owners request. The resale will be at the original purchase cost. City shall not reimburse Owners for memorials that are installed on the resale lot, but it will be at the Owners cost to remove any memorials at time of sale to the City.
8. Each Owner is vested with the ownership of his or her interment rights for the sole purpose of interment of human dead bodies. Under the regulations of the Cemetery, the interment rights cannot be conveyed without the assent of the City Clerk, nor any use, division or improvements of them be made which the City prohibits, or may deem improper. The Owner of interment rights may dispose of same by will, subject to the foregoing conditions. If the Owner dies intestate, the interment rights will descent to his or her heirs according to the laws of descent.

9. The City shall direct generally all improvements within the grounds and upon all lots and graves, before as well as after interments have been made there. They shall have charge of the planting, sodding, surveying, and improvements generally.
10. No person other than City employees shall be allowed to perform any work on any grave or lot within the grounds without a permit from the City Manager.
11. If any memorial, or any structure whatsoever, or any inscription to be placed on same shall be determined by the City to be offensive, they shall have the right, and it shall be its duty to enter upon such lot and remove, change, or correct the offensive or improper object or objects.
12. If any tree, shrub, or plant standing upon any lot by means of its roots, branches, or otherwise become detrimental to adjacent lots or avenues, or if any other reason its removal is deemed necessary, the City shall have the right, and it shall be its duty to remove such tree, shrub, or plant, or any part thereof, or otherwise correct the condition existing as in its judgment seems best.
13. No person shall pluck or remove any plant or flower, either wild or cultivated, from any part of the Cemeteries.

#### **FUNERAL REGULATIONS**

1. Interments shall be made only by locally licensed morticians.
2. No interment shall be made until the mortician shall have first obtained a burial permit from the office of the City Clerk and the fee for such permit shall be as established by the City Council.
3. Application for burial permits shall be made on a form prescribed and furnished by the City.
4. No boxes, shells, toys, discarded glassware, sprinkling cans, receptacles, or similar articles will be permitted on any grave, lot, or tree.
5. No "For Sale" signs will be allowed on plots. No advertisements in any form will be allowed on any lots in the Cemetery, and the City reserves the right to remove there from any such signs or advertisements.
6. The City is not responsible for theft or damage to anything placed on graves or lots.
7. Disinterments may be made on consent of the City, and the written consent of the owner or owners of the lot, and the surviving wife, husband, children (if of full age), and parents of the deceased. Disinterments must be made by morticians.

8. It is against the rules of the City to allow photographers to take pictures of interments without the consent of the family.
9. The City and its agents have authority to enter upon any lot and to remove any objectionable thing or any erection that may have been placed there contrary to the regulations of said City and they may remove any dead or damaged tree, shrub, or vine.
10. No person will be permitted to use profane or boisterous language or in any way disturb the quiet and good order of the Cemeteries.
11. All persons are strictly forbidden to break or injure any tree or shrub, or mar any landmark, marker, or memorial, or in any way deface the grounds of the Cemetery.
12. The City shall not be liable for floral pieces, baskets, or frames in which floral pieces are attached. The City reserves the right to remove any flowers, floral designs, trees, shrubs, or plants or herbage of any kind.
13. All persons are reminded that the grounds are sacredly devoted to the burial of the dead and that the provisions and penalties of the law as provided by statute will be strictly enforced in all cases of wanton injury, disturbance, and disregard of the rules.
14. It is of utmost importance that there should be a strict observance of all the properties due the place, whether embraced in the foregoing regulations or not, as no impropriety will be tolerated.
15. All well-disposed persons will confer a favor by informing the City Manager of any breach of proper decorum that may come under their notice.
16. Touch nothing in the Cemeteries that does not belong to you. This is the only safe rule to adopt in visiting these Cemeteries.
17. No person or persons other than an employee of the City or an office of law enforcement shall be permitted to bring or carry firearms within the Cemeteries except a military guard of honor, and they only when in charge of an officer, and during a military service.
18. Plantings of any kind on all lots and graves in Oakhill Cemetery are prohibited.
19. It is against the rules of the City for the lot owners to dig holes in the graves for the installation of vases or cans. The lot owner would be individually responsible for any accident caused by one of these holes, and the City reserves the right to remove any can or vase not installed by them, according to the Cemetery rules covering the types of vases permitted.

20. It is permitted to use one (1) memorial mounted vase or either one (1) in ground mounted vase that is mounted at ground level and has a bronze cap within the lots boundary. One (1) bouquet flower basket will be permitted on special occasions and will be removed by City when it becomes withered and/or after thirty (30) days. The City reserves the right to remove excessive flowers, potted plants, summer wreaths, artificial flowers or baskets of flower. Burial flowers, flower arrangements, wreaths and flower baskets shall remain on a grave until they become withered and/or up to one (1) month after the burial. When the burial flowers have been removed the City will make arrangements to sod the burial site, not to exceed the size of the head stone.
21. Metal emblems or Markers, flags, and guidons are prohibited on lots or graves except at Memorial Day, 4<sup>th</sup> of July and Veterans Day or other appropriate days as designated by the City. They may be placed by authorized representatives of lodges, posts, camps or lot owners, but not to exceed two (3) before mentioned days and removed not later than three (7) days thereafter, after which such emblems will be removed from the lot by the City employees and stored for a period not to exceed two (2) weeks at no risk to the City. After said time, the emblems become the property of the City. It is preferable that all such emblems be removed by the organization placing them or the lot owner.

### **MODIFICATIONS AND AMENDMENTS**

1. The City of Clermont may, and it hereby expressly reserves the right at any time or times, with or without notice to Owners, to adopt new rules and regulations, or to amend, alter, and/or appeal any rule, regulation, and/or article, section, paragraph, and/or sentence in these Rules and Regulations.
2. Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The City, therefore, reserves the right, without notice, to make exceptions, suspensions, or modifications in any of the Rules and Regulations when, its judgment, the same appear advisable, and such temporary exceptions, suspensions, or modifications shall in no way be construed as affecting the general application of such.

### **MEMORIALS**

1. No unattached borders are permitted.
2. Only one (1) grave memorial will be permitted on one (1) grave space, except for military memorials which will be placed at the foot of the grave and shall meet the City's minimum size requirement.
3. In Oakhill Cemetery, ground-level memorials shall ~~be restricted to ground-level markers~~ be restricted to the First Addition and Second Addition, not to exceed the following dimensions:

- a. Single memorials. 28 inches x 16 inches Bronze only, 32 inches x 20 inches Bronze on granite base, or all granite. Military markers with separate vase mounted on granite, 28 inches x 24 inches including granite base.
  - b. Double memorials. 56 inches x 16 inches Bronze only, 60 inches x 20 inches Bronze on granite base, or all granite. Military markers with separate vase mounted on granite, 62 inches x 16 inches including granite base.
4. Above ground-level memorials shall be permitted only in Oakhill Cemetery Third Addition, provided the memorial shall not exceed 48 inches in height and meets all other applicable restrictions contained herein.
  - a. All above ground-level memorials shall be made of granite or marble.
  - b. Above ground-level memorials greater than 16 inches in height shall be a minimum of 6 inches thick.
  - c. Above ground-level memorials less than 16 inches in height shall be a minimum of 4" thick.
  - d. Single memorials. The base or marker shall not exceed 42 inches in length.
  - e. Double memorials. The base or marker shall not exceed 84 inches in length.
5. All memorials shall be set on uniform lines as prescribed by the City.
- ~~5. No memorial or plat corner marker shall be installed in any City-owned cemetery by any firm or individual until they shall have first obtained a permit from the office of the City Clerk.~~
6. All foundations for memorials and memorials shall be of a size and material specified by the City.

#### PERPETUAL CARE

- ~~1. The purchase price of all interment space sold and to be sold in the cemeteries includes a deposit for continual care.~~
- ~~2. The term "Perpetual Care" is perhaps an unfortunate one, but its use has now become so general that it may be said to have taken on an accepted meaning. What we really mean by the term is that within the limits permitted by the income derived from endowments funds set apart especially to produce such income, the cemetery grounds will be maintained in keeping with a well-preserved burial park, including the cutting of grass and trimming of shrubs and trees at reasonable intervals; the procuring, maintaining, and keeping in reasonable condition the machinery, tools and equipment~~

~~needed for that purpose, and replacing same when necessary; keeping in repair the drains, water lines, roads, buildings, fences, and other structures, including statues and embellishments of a general character applicable to the Cemetery as a whole, or to a particular area; painting or otherwise preserving same at reasonable periods, maintaining the necessary information, and making same available to the public authorities and interested persons.~~

- ~~3. The rules and regulations contained in this rule book have been approved and adopted by the City for the operation of these cemeteries and the conduct of its employees.~~





# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                                          |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                                          |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                                          |
| Resolution No. 2017-36                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                                          |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                                          |
| Recommend approval of Resolution 2017-36.                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                                          |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                                          |
| <p>The attached agreement is for the construction, maintenance and promotion of a disc golf course at Lake Hiawatha Park which will be part of the "Lake County Disc Golf Trail". The agreement outlines the obligations of each party.</p> <p>Lake County will reimburse the City in an amount not to exceed \$20,000.00, and shall contribute 50% of the costs of annual maintenance not to exceed \$1,000.00</p> |                                    |                                                          |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                                          |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                                          |
| <p>The disk golf course project and funding is currently in the Proposed FY 2018 Budget. Based on the city performing in kind services, the project is budgeted in the amount of \$35,000 with the Lake County grant of \$20,000 and city Recreation Impact Fees of \$15,000 providing the funding sources.</p>                                                                                                     |                                    |                                                          |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                | <b>Fund Number and Description</b> | <b>Available Budget Amount</b>                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                                          |
| <b>Exhibits Attached (copies of original agreements)</b>                                                                                                                                                                                                                                                                                                                                                            |                                    |                                                          |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                  | Resolution 2017-36                 | Resolution 2017-36 Disc Golf Course Agreement 8_8_17.doc |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                  | Agreement                          | Disc Golf Agreement_7.25.17.pdf                          |

***CITY OF CLERMONT***  
**RESOLUTION NO. 2017-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CLERMONT, LAKE COUNTY, AND THE FLORIDA DISC GOLF FOUNDATION, INC. FOR CONSTRUCTION, MAINTENANCE, AND PROMOTION OF A DISC GOLF COURSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.**

The City Council does hereby approve and accept the agreement between the City of Clermont, Lake County, and The Florida Disc Golf Foundation, Inc. for the construction, maintenance, and promotion of a disc golf course at Lake Hiawatha Preserve to be part of the “Lake County Disc Golf Trail”, subject to the conditions contained in the Agreement.

**SECTION 2.**

The Mayor is authorized and directed to enter into the agreement attached hereto as Exhibit ‘A’.

**SECTION 3.**

This Resolution shall take effect immediately upon its adoption.

***CITY OF CLERMONT***  
**RESOLUTION NO. 2017-36**

**DONE AND RESOLVED** by the City Council of the City of Clermont, Lake County, Florida this 8<sup>th</sup> day of August, 2017.

CITY OF CLERMONT

\_\_\_\_\_  
Gail L. Ash  
Mayor

ATTEST:

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**AGREEMENT  
BETWEEN  
LAKE COUNTY, FLORIDA,  
THE CITY OF CLERMONT, FLORIDA,  
AND  
THE FLORIDA DISC GOLF FOUNDATION, INC.,  
FOR CONSTRUCTION, MAINTENANCE, AND PROMOTION  
OF DISC GOLF COURSE**

**This is an Agreement** made between Lake County, Florida, a political subdivision of the State of Florida (hereinafter the “County”), the City of Clermont, Florida, a municipal corporation organized under the laws of the State of Florida (hereinafter the “Host”), and the Florida Disc Golf Foundation, Inc., a Florida not for profit corporation, its successors and assigns (hereinafter the “Foundation”).

**WITNESSETH**

**WHEREAS**, the County, Host and Foundation desire to attract visitors to Lake County who wish to play and participate in disc golf and related activities and events, including matches and tournaments, and to create an environment wherein residents and visitors alike may enjoy disc golf and related activities in conjunction with Lake County’s natural resources; and

**WHEREAS**, in furtherance of this effort, the parties to this Agreement wish to coordinate and mutually support the construction, maintenance, and promotion of course(s) designed for disc golf activities throughout Lake County, which shall be called the “Lake County Disc Golf Trail” (hereinafter the “Trail”); and

**WHEREAS**, the parties to this Agreement agree that each course of the Trail shall be designed and constructed with the utmost attention to quality so as to create a world-class championship caliber facility that will attract disc golf enthusiasts from all over the United States and the World; and

**WHEREAS**, the Host owns and/or operates certain facilities conducive to the incorporation of a disc golf course (hereinafter the “Course”) and the hosting of associated activities or events; and

**WHEREAS**, the County desires to support the Host with construction, maintenance, and promotion of the Course in furtherance of the County and Host’s mutual interest in achieving the potential benefits to Lake County residents and visitors presented by the creation of the Course and promoting associated activities/events in Lake County; and

**WHEREAS**, the Foundation desires to provide services to the Host related to the design, construction, maintenance, and promotion of the Course.

**NOW, THEREFORE, IN CONSIDERATION** of the mutual terms, understandings, conditions, promises, and payment hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **County Obligations.** The County shall provide the following in support of the Course:
  - A. The County shall contribute funding in an amount not to exceed Twenty Thousand Dollars (\$20,000.00) (hereinafter “Funding Contribution”) toward the design and construction of the Course subject to the terms and conditions set forth herein.
  - B. The Host shall submit all invoices for expenditures incurred related to the Course’s design and construction to the County along with written confirmation by the Host that the related deliverable has been accepted. Within thirty (30) days of County’s approval of the invoices described herein, the County shall remit payment to the Host for expenditures incurred. In no event shall the County pay a total amount greater than Twenty Thousand Dollars (\$20,000.00) for expenditures related to the design and construction of the Course.
  - C. Upon completion of the Course, the County shall contribute fifty percent (50%) of the costs of maintenance and/or repair to Course equipment. In no event shall the County be required to pay a total amount greater than One Thousand Dollars (\$1,000.00) per year toward the maintenance and/or repair of the Course equipment.
  - D. Upon completion of the Course, the County shall contribute funding on a quarterly basis to the Foundation for inspections of the Course and Course equipment. The County shall contribute Fifty Dollars (\$50.00) per inspection with a maximum contribution of no greater than Two Hundred Dollars (\$200.00) per year.
  - E. Within thirty (30) days of its approval of the invoices described under paragraphs 4E and 4F, the County shall remit payment to the Foundation for expenditures incurred as described in said invoices.
  - F. The County shall design the official Master Trail branding and marketing designs, including the official “Trail Member” logo to be displayed in all Course specific marketing. The Host shall have final approval on branding and marketing designs for the Host’s course.
  - G. The County shall participate in the promotion of the Course to attract visitors to the Course and hold events at the Course.
  - H. The County shall design the tee box signage master template as well the welcome kiosk signage for the Course.
3. **Host Obligations.** The Host shall provide the following in support of the Course:
  - A. The Host shall own and provide property that is conducive for the Course.
  - B. The Host shall engage the services of the Foundation for the design and construction of a championship quality eighteen (18) hole disc golf Course in accordance with the quality and standards set forth in **Attachment A**, attached hereto and incorporated herein, and consistent with the Host’s procurement policies and procedures.
  - C. The Host shall directly supervise and oversee the Foundation’s design and construction of the Course.

- D. The Host shall be responsible for all expenses related to the design and construction of the Course in excess of the Twenty Thousand Dollars (\$20,000.00) pledged from the County.
- E. The Host may contribute in-kind services or assist the Foundation by other means to lower the overall cost of the Course as long as the Course design, construction and quality meet the standards set forth in **Attachment A**, attached. All assistance and in-kind services must be pre-approved in writing by the Foundation.
- F. Within thirty (30) days of its receipt of the invoices described under paragraphs 4C and 4F and approval of work completed as described in said invoices, the Host shall remit payment to the Foundation for undisputed expenditures incurred as described in said invoices.
- G. The Host shall submit invoices related to Course design and construction on a bi-weekly basis to the County until such time as the County's Twenty Thousand Dollars (\$20,000.00) contribution is exhausted.
- H. Upon completion of the construction of the Course, the Host shall coordinate with the Foundation on a regular basis regarding the appropriate Course management strategy and shall maintain the Course grounds in good operating condition according to the agreed upon strategy. The Host, except as provided above and in K below, shall be responsible for all expenses associated with said maintenance.
- I. At any time before, during or after completion, the Host agrees to consult with the Foundation regarding any major pruning or removing of vegetation or trees near the course prior to work.
- J. Upon completion of the Course, in the event that the Host desires for hole(s) to be moved for any reason, the Host agrees to make other suitable areas available for replacement hole(s) and to provide reasonable funding to the Foundation for the design and construction of the new hole(s).
- K. Upon completion of the Course, the Host shall contribute fifty percent (50%) of the costs of maintenance and/or repair to Course equipment. In no event shall the Host be required to pay a total amount greater than One Thousand Dollars (\$1,000.00) per year toward the maintenance and/or repair of Course equipment.
- L. Upon completion of the Course, the Host shall submit a construction completion report to the County documenting that the Course was completed to the quality and design requirements set forth herein.
- M. The Host shall signify that the Course is a part of the Trail in all Host originated Course branding, marketing and advertising by prominently displaying the "Trail Member" logo as described under paragraph 2F, for the term of the Agreement.
- N. The Host shall allow for the Course to be included in all County or Foundation sponsored Trail branding, marketing and advertising for the term of the Agreement.
- O. The Host shall participate in the promotion of the Course to attract visitors and hold events at the Course.

4. **Foundation Obligations.** The Foundation shall provide the following in support of the Course:

- A. The Foundation shall design and construct the Course in accordance with the costs, quality and standards set forth in **Attachment A**, attached, and in accordance with procurement and construction procedures set forth by the Host and any related agreements between the Foundation and the Host. The Foundation shall make every attempt to work with vendors, suppliers and/or sponsors to identify design or construction cost savings as long as such cost savings do not compromise the quality and standards of the Course as set forth herein
- B. The Foundation shall provide all labor and materials related to its obligations set forth herein.
- C. The Foundation shall submit invoices related to Course design and construction on a bi-weekly basis to the Host.
- D. Upon completion of the Course, the Foundation shall conduct quarterly inspections of the Course and Course equipment and provide regular feedback to the Host regarding appropriate maintenance strategies. The Foundation shall maintain the Course's equipment in good repair (to the extent allowed by the repair budget set forth herein), ensuring that the Course's condition meets the standards set forth in **Attachment A**. Course inspections must occur a minimum of once per quarter. In the event the annual equipment repair and maintenance costs exceed One Thousand Dollars (\$1,000.00), the Foundation will consult with both the County and the Host to determine the appropriate strategy and funding sources for the repairs and maintenance required.
- E. Upon completion of the Course, the Foundation shall submit an invoice related to the inspection of the Course and Course equipment to the County on a quarterly basis.
- F. Upon completion of the Course, and if needed, the Foundation shall submit invoices related to the maintenance and/or repair of Course equipment to the County and Host on a quarterly basis.
- G. The Foundation shall promote the Course to potential event organizers, tournament hosts or disc golf players to ensure the active usage of the Course. The Foundation shall recruit a minimum of twelve (12) local and four (4) regional, statewide or national events to be held at the Course per year, subject to scheduling as described in Section 6.
- H. The Foundation shall be responsible for obtaining all necessary special event permits for events recruited, managed or operated by the Foundation.
- I. The Foundation will be responsible for the design of hole maps, hole distances and other information that will be placed within the master tee box signage templates at the Course.
- J. The Foundation shall be responsible for submitting an annual activity report highlighting the number of tournaments recruited, managed or operated by the Foundation in the given year, as well as an estimate for the number of athletes who participated in those events.
- K. The Foundation shall recognize the County as an event sponsor with approved use of the County's logo and appropriate wording on all promotional materials, programming, registrations, and media. The County shall additionally be permitted to take promotional videos and photographs to be used for County purposes.

5. **Sponsorships.** This Agreement authorizes the utilization of sponsorships as either a complimentary financing mechanism for the construction or continued maintenance and promotion of the Trail or as a general revenue source for either the County, Host or Foundation. All sponsors and sponsorship categories must be approved by all parties. The following sponsorship opportunities shall be allowed; however, additional sponsorship opportunities may be made available upon approval of all parties.

A. **Trail Title Sponsor.** The Foundation will be responsible for procuring the Title Sponsor for the entire Trail and must utilize all Title Sponsor funds generated for the purposes of construction, maintenance and/or promotion of the Trail. The Title Sponsor will be listed on all branding of the Trail.

B. **Event Sponsor.** Any party may solicit sponsorships for individual events.

6. **Scheduling.** The Host shall provide priority access of the Course to events either recruited, managed or operated by the Foundation. The Foundation shall provide to the Host their schedule of events a minimum of sixty (60) days in advance for local events and one hundred twenty (120) days in advance for regional, statewide or national events, unless otherwise agreed to by the Host and the Foundation. All events shall adhere to the Host's special event application process.

7. **Effective Date.** This Agreement shall become effective on the date the last party hereto executes this Agreement (hereinafter "Execution Date").

8. **Term.** This Agreement shall be effective for five (5) years from the Execution Date (hereinafter "Initial Term") and may not be terminated during the Initial Term unless agreed to in writing by all the parties.

9. **Renewal.** This Agreement shall automatically renew after the Initial Term for additional five (5) year terms or until terminated as set forth herein. Any party may terminate this Agreement without cause after the Initial Term upon six (6) months' written notice to all parties.

10. **Use of the Course by County Residents.** The parties understand and expressly agree that the Course is to be utilized by all residents and visitors of Lake County. At no time shall the Host charge a fee for daily usage of the Course. The Host shall be permitted to charge fees for special events per the Host's standard special event fee schedule.

11. **Grant Funding.** In the event any of the Course is funded by grant monies, the County shall not be liable for any non-compliance with the provisions of the grant. It is the Host's sole responsibility to ensure successful completion of the Course and compliance with any grant requirements, as applicable.

12. **Sale or Sublease of the Course.** The Host shall not sell the Course or sublet the Course without the prior written approval of the County. In the event the Course property is sold or sublet, the Host shall compensate the County in an amount agreed upon and determined by the parties at the time the County approves such sale or sublease.

13. **Future Projects.** Nothing herein shall prohibit the parties from negotiating a different allocation of responsibilities for, or contribution to, the development of other disc golf courses. The maintenance and ownership of each future project, if any, will be negotiated on a project by project basis.

14. **Modifications.** Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality and of equal dignity herewith.



**15. Notices.**

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

**COUNTY:**

County Manager  
Lake County Administration Building  
P.O. Box 7800  
Tavares, Florida 32778

**HOST:**

City of Clermont  
City Manager  
685 West Montrose Street  
Clermont, Florida 34711

**WITH A COPY TO:**

Economic Development Director  
Lake County Administration Building  
P.O. Box 7800  
Tavares, Florida 32778

**FOUNDATION:**

Benjamin L. Champion, Director  
Florida Disc Golf Foundation, Inc.  
1502 North Donnelly Street, Suite 105  
Mount Dora, Florida 32757

- B. All notices required, or which may be given hereunder, shall be considered properly given if: (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.
- C. The effective date of such notices shall be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.
- D. Parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, the other party in a manner designated for the filing of notice hereunder.

**16. Entire Agreement.** This document embodies the entire Agreement between the parties. It may not be modified or terminated except as provided herein.

**17. Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

**18. Indemnity.** The Foundation agrees for good and valuable consideration in the amount of ten dollars (\$10.00) to indemnify and hold harmless the County and the Host, and their officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Foundation and other persons employed or utilized by the Foundation in the performance of this Agreement.

**19. Independent Contractor.** The parties agree that each shall be acting as an independent contractor and shall not be considered or deemed to be an agent, employee, joint venturer, or partner of any other party to this Agreement. No party shall have authority to contract for or bind any other party to this

Agreement in any manner and shall not represent itself as an agent of any other party or as otherwise authorized to act for or on behalf of, any other party to this Agreement.

**20. Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same agreement. This Agreement may be executed by electronic signatures and electronic signatures shall constitute originals for all purposes.

**21. Public Records.** If the Foundation is found to be a contractor pursuant to Section 119.0701, Florida Statutes, the Foundation shall comply with the Florida Public Records' laws, and shall:

A. Keep and maintain public records required by the County or the Host to perform the services identified herein.

B. Upon request from the County or the Host's custodian of public records, provide the County or the Host with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided for by law.

C. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Foundation does not transfer the records to the County or the Host.

D. Upon completion of the contract, transfer, at no cost, to the County or Host all public records in possession of the Foundation or keep and maintain public records required by the County or Host to perform the service. If the Foundation transfers all public records to the County or Host upon completion of the contract, the Foundation shall destroy any duplicate public records that are exempt, or confidential and exempt, from public records disclosure requirements. If the Foundation keeps and maintains public records upon completion of the contract, the Foundation shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County or Host, upon request from the County or Host's custodian of public records, in a format that is compatible with the information technology systems of the County or Host.

**IF THE FOUNDATION HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE FOUNDATION'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, ADAM SUMNER, LAKE COUNTY, ECONOMIC DEVELOPMENT, P.O. BOX 7800, TAVARES, FL 32778, OR AT 352-742-3918, OR VIA EMAIL AT ASUMNER@LAKECOUNTYFL.GOV.**

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, and by the City of Clermont, by its duly authorized representative, and by the Florida Disc Golf Foundation, Inc., by its duty authorized representative.

**FOUNDATION**

\_\_\_\_\_  
Benjamin L. Champion, Director

This \_\_\_\_ day of \_\_\_\_\_, 2017.

**HOST**

ATTEST:

CITY OF CLERMONT, FLORIDA

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk

\_\_\_\_\_  
Gail L. Ash, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2017.

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**COUNTY**

ATTEST:

LAKE COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Neil Kelly, Clerk of the  
Board of County Commissioners  
of Lake County, Florida

\_\_\_\_\_  
Timothy I. Sullivan, Chairman

This \_\_\_\_ day of \_\_\_\_\_, 2017.

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh  
County Attorney

## Attachment A

Florida Disc Golf Foundation, Inc.  
1502 N Donnelly St Ste 105  
Mount Dora FL 32757

City of Clermont - Lake Hiawatha Preserve

## Estimate

| Description                                                                           | Qty | Unit   | Price | Sub Total       |
|---------------------------------------------------------------------------------------|-----|--------|-------|-----------------|
| Course Design - Master Level Designer                                                 | 18  | \$     | 200   | \$ 3,600        |
| Labor and Oversight by Master Level Designer                                          | 18  | \$     | 200   | \$ 3,600        |
| Fairways - Grooming                                                                   | 18  | \$     | 389   | \$ 7,002        |
| Targets-28 chain minimum PDGA championship level baskets 19 in Color A, 18 in Color B |     |        |       | \$ 11,075       |
| Freight                                                                               |     |        |       | \$ 930          |
| Padlocks                                                                              | 37  | \$     | 12    | \$ 444          |
| 5 Gallon plastic buckets                                                              | 37  | \$     | 5     | \$ 185          |
| Quick-crete                                                                           | 37  | \$     | 5     | \$ 185          |
| Signs                                                                                 |     |        |       |                 |
| Tee Signs & Mounts                                                                    | 36  | \$     | 54    | \$ 1,944        |
| Map and Rules Signs                                                                   | 2   | \$     | 240   | \$ 480          |
| Directional Signs and Out of Bounds Signs                                             |     |        |       | \$ 750          |
| Print lab set up & Mounting holes                                                     |     |        |       | \$ 460          |
| Sign Design                                                                           |     |        |       | \$ 450          |
| Kiosk/bulletin board                                                                  | 1   | \$     | 800   | \$ 800          |
| Tee Pads - Concrete                                                                   | 36  | 25 cy  |       | \$ 3,700        |
| lumber, fasteners, delivery                                                           |     |        |       | \$ 1,500        |
| grading                                                                               | 36  | \$     | 25    | \$ 900          |
| Benches (rustic)                                                                      | 9   | \$     | 200   | <u>\$ 1,800</u> |
|                                                                                       |     | Total: |       | \$ 39,805       |

\*Target pricing reflects bulk discounts and anticipated Trail title sponsorship agreement



CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                               |                                    |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                           |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                       |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                       |                                    |                                |
| Resolution No. 2017-40                                                                                                                                                                        |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                       |                                    |                                |
| Recommend approval of Resolution 2017-40.                                                                                                                                                     |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                           |                                    |                                |
| The Resolution amends Section 4 (b), Rules related to the public's right to be heard, changing the time a speaker is permitted to address the Council, board, or commission to three minutes. |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                    |                                    |                                |
|                                                                                                                                                                                               |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                  |                                    |                                |
|                                                                                                                                                                                               |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                          | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                               |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                      |                                    |                                |
| 1. Resolution 2017-40 Public Participation.doc                                                                                                                                                |                                    |                                |

*CITY OF CLERMONT*  
**RESOLUTION NO. 2017-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING SECTION 4 (B) OF RESOLUTION 2017-03, RULES RELATED TO PUBLIC'S RIGHT TO BE HEARD; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Clermont deems it advisable and in the best interest of the City to amend Resolution 2017-03;

**NOW, THEREFORE, BE IT RESOLVED**, that Resolution 2017-03 is hereby amended as follows:

**SECTION 1.**

The City Council does hereby amend Section 4 (b) Rules Related to Public's Right to be Heard as set forth herein:

- (b) Each speaker will be permitted three (3) minutes to address the Council, board, or commission. These time limits may be extended by the Mayor or presiding member.

**SECTION 2.**

Any resolution previously adopted by the City Council and in conflict herewith is hereby repealed to the extent of the conflict.

**SECTION 3.**

This Resolution shall take effect immediately upon its adoption.

*CITY OF CLERMONT*  
**RESOLUTION NO. 2017-40**

**DONE AND RESOLVED** by the City Council of the City of Clermont, Lake County, Florida this 8<sup>th</sup> day of August, 2017.

CITY OF CLERMONT

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Gail L. Ash, Mayor

ATTEST:

---

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| Ordinance No. 2017-31; <i>Final</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| Recommend to approve Ordinance No. 2017-31                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <p>Ordinance No. 2017-31 is proposed to amend City Code Chapter 22 pertaining to Cemeteries.</p> <p>Currently, Section 22-7 of the Code provides only interest earned by the Cemetery Perpetual Care Trust Fund may be used to pay for the annual cost of care and maintenance of the cemetery. Ordinance No. 2017-31 would allow all proceeds of the Cemetery Fund to pay for the annual cost of maintenance and/or improvements to the cemetery.</p> <p>This change was recommended in the Non-Utility Fee Study completed in 2016 and will provide greater budget flexibility to the city. It is important to note, that the Cemetery Fund proceeds will still only be able to be spent on items related to the cemetery.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                |
| The annual cost of routine maintenance related to the cemetery is approximately \$94,000.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Ordinance                          | 2017-31 Cemetery Fund.docx     |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Ad                                 | 2017-31CemeteryFund.doc        |

*CITY OF CLERMONT*  
**ORDINANCE NO. 2017-31**

**AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 22, CEMETERIES, SECTION 22-1, "DEFINITIONS" AND SECTION 22-7 "TRUST FUND", REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY, CODIFICATION AND EFFECTIVE DATE.**

**THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY FLORIDA HEREBY ORDAINS:**

**SECTION 1.**

Chapter 22, Cemeteries, Section 22-1, et seq, is hereby amended as follows: Definitions and Section 22-7, Trust Fund as follows:

Sec. 22-1. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cemetery or municipal cemetery* means any cemetery owned by the city.

*Cemetery fund* means the fund established for the perpetual care of the cemetery.

Sec. 22-2. Penalty for violation of chapter provisions.

Any person violating any of the provisions of this chapter shall be deemed guilty of a violation of this Code and, upon conviction, shall be punished as provided by Section 1-15. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this Chapter.

Sec. 22-3. Rules, regulations and restrictions.

The Council shall by resolution, establish rules, regulations and restrictions for the use of the cemetery relating to:

- (1) Subdividing the cemetery into lots, blocks, streets, walkways, and recording the plats thereof;
- (2) Capacity of each lot;
- (3) Location of graves;
- (4) Type of plantings as well as the size of and materials in monuments and markers that will be permitted for the proper and most attractive development of the cemetery;

*CITY OF CLERMONT*  
**ORDINANCE NO. 2017-31**

- (5) Use of certain lots for single burials and burials of paupers;
- (6) Location of and plans and specifications for all structures of any kind for the interment of human bodies or cremated remains; and
- (7) All other matters for the orderly use and development of the cemetery.

Sec. 22-4. Rules of interment.

No deceased person or the cremated remains of any deceased person shall be interred until:

- (1) A burial permit has been obtained from the City and if required from the state, or any other agency as required by law;
- (2) The lot in which the interment is to be made has been fully paid for;
- (3) The person arranging for such interment has the right to the use of such lot;
- (4) Such lot is not used beyond its capacity; and
- (5) Proper record is made of the name, age and sex of the deceased person and of the exact location of the grave.

Sec. 22-5. Lot valuations.

The Council shall, by resolution, place a value upon all unsold lots in the cemetery and the Council may withhold from sale any area block or area within a block in order to promote the orderly use and development of the area. Such areas must be definitely marked on the cemetery records. When one lot is sold in a reserved area, then the whole area must be opened for sale to all persons.

Sec. 22-6. Restrictions on transfer and conveyance; records of ownership.

- (a) No owner of a lot or burial space in the cemetery shall sell or convey same to any other person or corporation other than to the city without the written consent of the City. The City reserves the right to pay no more than the original price of the lot or burial space.
- (b) The City shall keep full and complete records of ownership of all lots in the cemetery; of the burial capacity of each lot, sold and unsold; of the location of each grave; of the names of persons buried in each grave that has been used; and such other factual data as may be deemed necessary for such records. Information for such records must be furnished by those applying for the interment permit.

Section 22-7. Cemetery Fund.

The City shall account for all funds related to the cemetery in a separate fund known as the Cemetery Fund. Cemetery lot sale proceeds and interest may only be used for the routine maintenance and/or improvements to the cemetery.

*CITY OF CLERMONT*  
**ORDINANCE NO. 2017-31**

**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 text of Section 1 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.

**SECTION 5.**

This Ordinance shall be published as provided by law and it shall become law and shall take effect October 1, 2017.

First Reading this 25<sup>th</sup> day of July, 2017.

Second Reading this 8<sup>th</sup> day of August, 2017.

*CITY OF CLERMONT*  
**ORDINANCE NO. 2017-31**

**PASSED AND ADOPTED BY** the City Council of the City of Clermont, Lake County, Florida this 8<sup>th</sup> day of August, 2017.

**CITY OF CLERMONT**

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Gail L. Ash, Mayor

**ATTEST:**

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Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

## **LEGAL NOTICE**

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

### **ORDINANCE NO. 2017-31**

**AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 22, CEMETERIES, SECTION 22-1, "DEFINITIONS" AND SECTION 22-7 "TRUST FUND", REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY, CODIFICATION AND EFFECTIVE DATE.**

A meeting to consider the Ordinance will be held before the City Council on Tuesday, August 8, 2017 at 6:30pm for final enactment.

The meeting will be held in Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

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

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

Tracy Ackroyd Howe, MMC  
City Clerk

Daily Commercial  
July 25, 2017



## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| Variance Requests<br><i>Sherwin Williams</i><br><i>Table to September 12, 2017</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                    |                                |
| Recommend denial of the variance requests.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |                                |
| <p>The applicant is requesting five variances to the land development code (LDC) for construction of a new 4,000-square-foot Sherwin Williams retail store. The subject parcel is currently vacant, and the current zoning of the property is C-2 General Commercial.</p> <p>This parcel, previously owned by FDOT, is located at the corner of Highway 50 and Milholland Drive. The applicant has indicated that the subject parcel has many disadvantages that make the site a challenge to develop.</p> <p>The requested variances include:</p> <ol style="list-style-type: none"><li>1) To allow for a reduction of two parking spaces instead of the number required by the LDC Section 98-14.</li><li>2) To allow for a reduced rear-yard setback of 12 feet instead of the 25 feet required by the LDC Section 122-226.</li><li>3) To allow for reduced perimeter landscape buffers between abutting properties for the north and east perimeter buffers instead of the requirements of the LDC Section 118-37(d)(1).</li><li>4) To allow for the reduction of landscape buffers' minimum width adjacent to rights-of-way for the south and west buffers instead of the requirements in the LDC Section 118-37(e)(1).</li><li>5) To allow for reduced building façade landscaping of 25 percent instead of the 60 percent required by the LDC Section 118-37(i).</li></ol> <p>Staff acknowledges that this site presents some unusual development challenges. However, staff cannot support this variance request because Section 86-174 of the LDC requires a positive finding on the eight review criteria in order to grant a variance, and staff believes that four of the eight do not meet these findings. Therefore, staff recommends denial of the variance requests.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                    |                                |

**Exhibits Attached** (copies of original agreements)

|    |                        |                                              |
|----|------------------------|----------------------------------------------|
| 1. | Map                    | Sherwin Williams Map 2.pdf                   |
| 2. | Site Plan              | Site Plan -7-20-17.pdf                       |
| 3. | 86-174 Review Criteria | 86-174 Review Criteria-Sherwin Williams.docx |
| 4. | Application            | Sherwin Williams App.pdf                     |
| 5. | Legal ad               | Sherwin Williams Legal ad.pdf                |



## Sherwin Williams – Site Map



780 HWY 50

1340 US HWY 50

WENDYS

10' REQUIRED  
LANDSCAPE BUFFER

FN/D  
LS 157.

WENDYS

850 EAST HWY 50

MILHOLLAND STREET 47' R/W

PROPOSED SHERWIN-WILLIAM  
AREA = 4,000 SF

The site plan illustrates the proposed layout for a Wendy's restaurant. The main building is a large rectangle labeled "PROPOSED SHERWIN-WILLIAMS AREA = 4,000 SF". To the left of the building is a parking lot with several spaces, including a designated area for "2 PARALLEL PARKING SPACES". A "PROPOSED DUMPSTER" is located near the building's southeast corner. The plan shows various setbacks and buffers: a "15' REQUIRED LANDSCAPE BUFFER (FROM THE PROPOSED ROW LINE)" along the top, "20' PROPOSED LANDSCAPE BUFFER" along the left and bottom, and "25' PROPOSED LANDSCAPE BUFFER" along the right. A "3' ROW DEDICATION" is shown along the top edge. The plan also includes a "PROPOSED 5' WIDE SIDEWALK" and a "4' PROPOSED LANDSCAPE BUFFER" along the bottom. A "30' CORNER TRIANGLE" is indicated at the bottom left. The plan is oriented with "FIRM 4' x 4' LEANING NORTH" at the top. The address "30-22-26-000 850 EAST" is shown at the bottom. The plan is dated "FIR 5/8" LB 44/75".

[illegible]

# SITE PLAN

SR 50 @ MILHOLLAND  
SHERWIN-WILLIAMS

**SECTION 30, TOWNSHIP 22 S., RANGE 26 E.  
CITY OF CLERMONT, FLORIDA**

**ASPIRE ENGINEERING, INC.**  
CERTIFICATE OF AUTHORIZATION #2008 ENGINEERING EXCELLENCE DEFINED  
**CONSULTING ENGINEERS · PLANNERS**  
 1023 PROFESSIONAL PARK DR., BRANDON, FL 33811  
 TEL: (813) 671-2880, FAX: (813) 671-1783; E-mail: [aspireeng@yahoo.com](mailto:aspireeng@yahoo.com)

| NO. | REVISIONS                  | DATE:  |
|-----|----------------------------|--------|
| 1.  | SUBMIT TO CITY OF CLERMONT | 7/7/17 |
|     |                            |        |
|     |                            |        |
|     |                            |        |
|     |                            |        |
|     |                            |        |

RAVI S.V. ALUR P.E. #50583

DATE:

|              |            |
|--------------|------------|
| DATE:        | 07/07/2017 |
| DESIGNED BY: | RA         |
| DRAWN BY:    | RA         |
| CHECKED BY:  | RA         |
| FILE NAME:   | 17000SITE  |
| PROJECT #:   | 17-000     |
| SHEET:       |            |

01

## Sherwin Williams Variance

### The requirements for a variance are as follows:

***“Sec. 86-174, Review Criteria and Finding.*** When reviewing an application for a variance, the board of zoning adjustment shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:”

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

#### ***FINDINGS:***

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;  
*Applicant response: The size and shape of the parcel along with the widening of State Road 50 and the existence of utility easements on the parcel have made it impossible to fully utilize the parcel to its highest and best use.*

*Staff comments: This parcel does have circumstances existing which are peculiar to the land. The applicant purchased this property with the current conditions. The applicant can construct a smaller building that may allow more flexibility and compliance with the Land Development Code.*

#### ***Negative finding***

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;  
*Applicant response: The conditions limiting use of the property have not been created by present or proposed owners of the property.*

*Staff comments: The current conditions of the site were not created by the applicant giving rise to the requested variance. However, the parcel was purchased with the existing conditions and could be developed with a smaller building footprint or different use that may allow more flexibility and compliance with the land development codes.*

#### ***Negative finding***

- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;  
*Applicant response: Sherwin Williams paint company wishes to have a location here to better serve its customers and 4,000 square feet is the minimum needed to successfully operate a full service paint store that must compete with big box stores many times the size. Any reduction in size would create less opportunity for a successful operation.*

*Staff comments: With the existing conditions in place that are presenting challenges in developing the site, the applicant would be faced with undue hardship to develop the lot according to the land development code, even if it was feasible. However, the applicant may choose another parcel that does not present these challenges.*

#### ***Negative finding***

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

Applicant response: *In contrast, this site presents the potential for increased expenses such as underground retention and a sprinkled dumpster.*

Staff comments: *No evidence of decreased costs due to the variance requests.*

**Positive finding**

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

Applicant response: *As the site shows, we are using best practices to maximize the existing parcel for its highest and best value.*

Staff comments: *The applicant is trying to maximize the potential use of the site by requesting the variance for landscaping buffer widths, parking waivers, and building setbacks for the property. However, the site could be developed at a lower intensity and requested variances may not be required.*

**Negative finding**

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

Applicant response: *Visual observation of existing properties along State Road 50 show that many building do not strictly conform to setbacks, etc. Granting of requested variances will not confer any special privileges.*

Staff comments: *The City Council has granted similar variance requests in the past for other properties in the same zoning district. There are other properties along State Road 50 that required development mitigation because of the widening of road.*

**Positive finding**

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and

Applicant response: *In contrast, Sherwin Williams is a valued member of the community and neighborhood that it is located in and will only enhance an otherwise vacant parcel. DRP company will remain the owner of the parcel and takes great pride of ownership as we do not sell our projects but hold for the long term in every case.*

Staff comments: *The proposed variances appear not to substantially diminish property values or alter the essential character of the area and surrounding properties.*

**Positive finding**

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response: *Sherwin Williams in concert with Drop Company operate in a good neighborhood stance and will serve as an asset to the community and surrounding neighborhoods. This project will contribute to the overall purpose and intent of the code and be in harmony with the general welfare of the City of Clermont and Lake County.*

*Staff comments: Granting of the requested variances will be in harmony with the general intent and purpose of the land development code. The intent of the landscaping is to provide a buffer between properties and street rights-of-way. The applicant is proposing landscape buffers of varying widths and additional vegetation that will be clustered to provide a sufficient buffer for the general purpose and intent of the code.*

**Positive finding**

**STAFF RECOMMENDATION:**

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **four** of the eight do not meet these findings. Therefore, staff recommends **denial** of the variance requests by the applicant to the Clermont Land Development Code.



**CITY OF CLERMONT**  
**VARIANCE**  
**Application**

DATE: July 7, 2017 \_\_\_\_\_

FEE: \$600

PROJECT NAME (if applicable): Sherwin Williams \_\_\_\_\_

APPLICANT DRP Company of Alabama, Inc. \_\_\_\_\_

CONTACTPERSON: Dennis M. Skop \_\_\_\_\_

Address: 4308 W Cayuga St \_\_\_\_\_ 4308 W Cayuga St. \_\_\_\_\_

City: Tampa \_\_\_\_\_ State: FL \_\_\_\_\_ Zip: 33614 \_\_\_\_\_

Phone: 813-870-0709 \_\_\_\_\_ Fax: 813-870-1833 \_\_\_\_\_

E-Mail: dskopdrp@aol.com \_\_\_\_\_

OVVNER: DRP Company under contract with FDOT-see enclosed

Address: 719 S Woodland Blvd \_\_\_\_\_ 719 S. Woodland Blvd. \_\_\_\_\_

City: Deland \_\_\_\_\_ State: FL \_\_\_\_\_ Zip: 32720-6834 \_\_\_\_\_

Phone: 386-943-5090 \_\_\_\_\_ Fax: \_\_\_\_\_

Address of Subject Property: 840 East Hwy 50, Clermont, FL. \_\_\_\_\_

General Location: Adjacent to Wendys restaurant at corner of Sr 50 and Milholland Drive

Adjacent to Wendys at corner of Sr 50 and Milholland Drive

Legal Description (include copy of survey): \_\_\_\_\_

Land Use (City verification required): Commercial-Retail \_\_\_\_\_







Zoning (City verification required):

C 2

**CITY OF CLERMONT  
VARIANCE**

**Application**

Page 2

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:

122-226 ; 98-14 ; 118-37 ; 102.12

What are you proposing to do that would require a variance and why? We are proposing a 4,000 square foot retail paint store. Several variances are requested due to the size and shape of parcel and existing utility easements on property that limit placement of building and site.

How does the Code create a hardship? The requirements for setbacks, parking, buffers, etc make it impossible to utilize this site for its highest and best use which in this case is a building coverage of less than 18%, which is below the normal expectations and standards of development. This will be the case for most any uses intended for this site.

**\* \* \* \* The following justifications must be completed \* \* \* \*  
for any variance requested:**

**Variance requested - subject and code section:** East side setback from 20 ft to 12 ft (sec. 122-226); Landscape buffer along Sr 50 from 20 ft to (varies as shown on site plan) Sec. 118-37  
Landscape buffer along Millholland Drive from 15 ft to (varies as shown on site plan) (sec 118-37)  
ParkiParking variance from 20 spaces to eighteen spaces Sec 98-14 Sign setback from Sr 50  
WE will exceed the landscaping requirements along the streets by planting in clusters.

**Sec. 86-174. Review criteria and findings.**

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district. The size and shape of the parcel along with the widening of Sr 50 and the existence of utility easements on the parcel have made it impossible to fully utilize the parcel to its highest and best use.

(2) The condition giving rise to the requested variance has not been created by any

person presently having an interest in the property;

(The conditions limiting use of the property have not been created by present or proposed owners of property.)





## **CITY OF CLERMONT VARIANCE**

### **Application**

Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant. Sherwin Williams paint company wishes to have a location here to better serve its customers and 4,000 sq ft is the minimum needed to successfully operate a full service paint store that musy compete with big box stores many times this size. Any reduction in size would create less opportunity for a successful operation.

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded. In contrast, this site presents the potential for increased expenses such as underground retention and a sprinled dumpster.

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure. As the site plan shows, we are using best practices to maximize the existing parcel for its highest and best use.

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district. Visual observation of existing properties along Sr 50 show that many buildings do not strictly conform to setbacks, etc. Granting of requested variances will not confer any special privilege.

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and  
In contrast, Sherwin Williams is a valued member of any community and neighborhood that it is located in and will only enhance an otherwise vacant parcel. DRP Ciompany will remain the owner of the parcel and takes great pride of ownership as we do not sell our projects but hold for the long term in every case,



**CITY OF CLERMONT**  
***VARIANCE***  
**Application**

Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Sherwin Williams in concert with Drop Company operate in a good neighbor swtance and will serve as an asset to the community and surrounding neighborhood. This project will contribute to the overall purpose and intent of the code and be in harmony with the general welfare of the city of Clermont and Lake county.

Applicant Name (print)

x **DRP Company of  
Alabama Inc**

Applicant Name (~e)

*[Handwritten signature]*  
*Deanna M. Shep*

Owner Name (print)

x *The State of Florida Dept  
of Transportation*

Owner Name (~l;f... Ye)

**\*\*\*\*\* 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. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.**

**City of Clermont**  
Development Services Department.  
685 W. Montrose St.  
P.O. Box 120219

## **LEGAL NOTICE**

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following five (5) variances: (1) to allow for a reduction of two (2) parking spaces instead of the number as required by the Land Development Code, Section 98-14; (2) to allow for a reduced rear yard setback of 12 feet instead of the 25 feet required by the Land Development Code, Section 122-226; (3) to allow for a reduced perimeter landscape buffers between abutting properties for the north and east perimeter buffers instead of the requirements of the Land Development Code, Section 118-37(d)(1); (4) to allow for the reduction of landscape buffers minimum width adjacent to right of ways for the south and west buffers instead of the requirements in the Land Development Code, Section 118-37(e)(1); (5) to allow for a reduced building façade landscaping of 25 percent instead of the 60 percent required by the Land Development Code, Section 118-37(i); at the following location:

### **LOCATION:**

Vacant property (Alt. Key 1592771)  
840 East Highway 50  
Corner of Highway 50 and Milholland Street

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, August 8, 2017 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd, MMC  
City Clerk

Daily Commercial  
August 1, 2017



## CITY OF CLERMONT

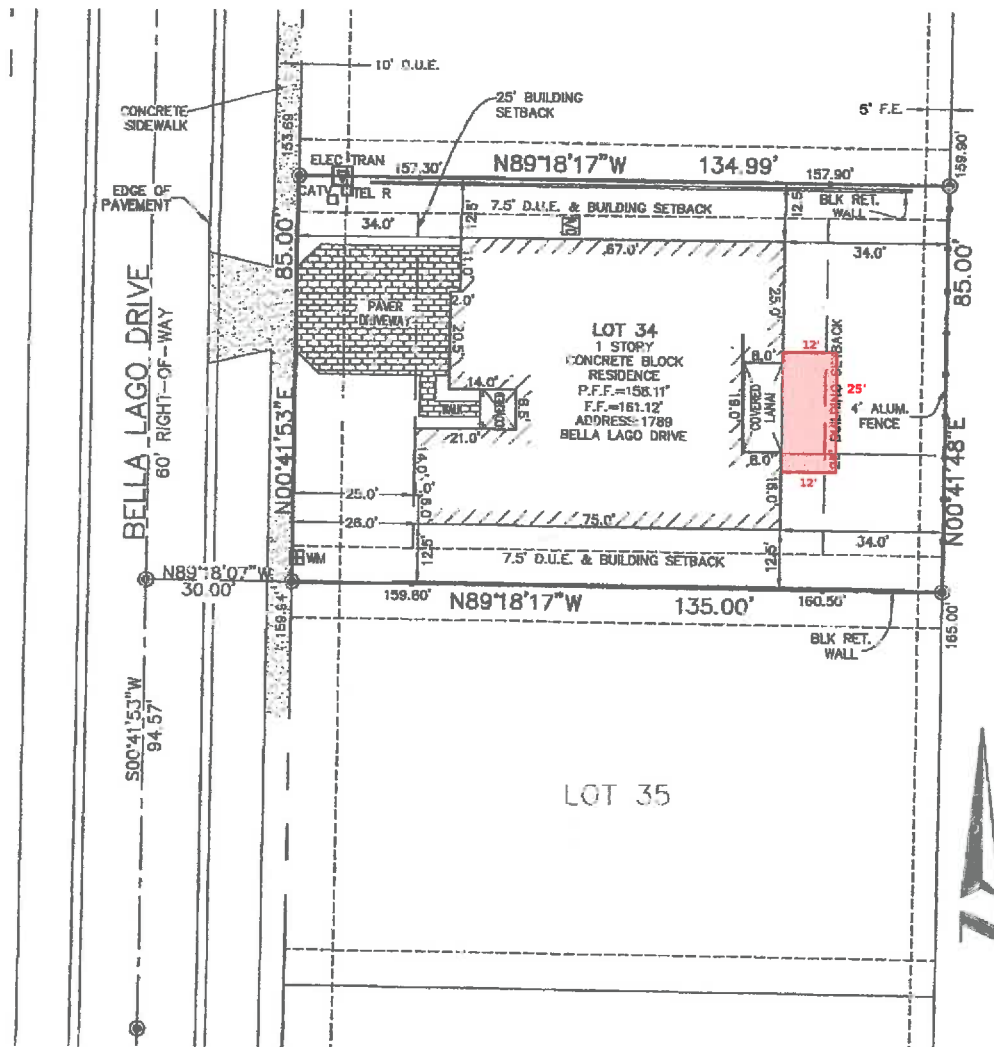
# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                   |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                   |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                   |                                |
| Variance Request<br><i>Bauer</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                   |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                   |                                |
| Recommend denial of variance request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                   |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                   |                                |
| <p>The applicant is requesting a variance to allow a rear-yard setback of 22 feet instead of the 25 feet required by the land development code (LDC) Section 122-125.</p> <p>The property owner would like to construct a screened room with a solid roof in the rear portion of the subject property. The property is located in the Bella Lago subdivision with R-1 Single Family Medium Density Residential zoning. The current rear-yard setback is 34 feet from the property line. The applicant would like to construct a 12' x 25' pergola screen room on the rear of the home. The proposed screen room addition will encroach 3 feet into the required 25-foot rear-yard setback. The HOA architectural review board has approved the proposed screen room addition. The subject property abuts a 50-foot-wide landscape buffer and green area. There is also a 4-foot-high aluminum fence in the rear of the property that will provide additional screening for the porch.</p> <p>Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that three of the eight do not meet these findings. Therefore, staff recommends denial of the variance request.</p> |                                                   |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                   |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                   |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Fund Number and Description</b>                | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                   |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                   |                                |
| 1. Site plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Bauer site plan.pdf                               |                                |
| 2. Elevations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Bauer elevations.pdf                              |                                |
| 3. 86-174 Review Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Sec. 86-174 Variance Review Criteria (Bauer).docx |                                |
| 4. HOA Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Bauer exhibit.pdf                                 |                                |
| 5. Application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Bauer App.pdf                                     |                                |
| 6. Legal ad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | VAR Legal AD 1789 Bella Lago Drive.docx           |                                |

# BOUNDARY SURVEY

OF  
LOT 34, BELLA LAGO ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 60, PAGES  
14 THROUGH 15, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



## CERTIFIED TO:

Richard N Bauer and Anna Bauer  
Bella 34  
1789 Bella Lago Dr  
Chicago Title  
American Home Title & Escrow  
Richmond American Homes of Florida, LP

## BUILDING SETBACKS

FRONT 25'  
REAR 25'  
SIDE 7.5'

1" = 30'  
GRAPHIC SCALE



## SURVEYOR'S NOTES:

- Bearings shown hereon are based on the Northerly line of Lot 34, as being N89°18'17"W (per plat)
- There may be easements and restrictions of record and/or private agreements not furnished to this surveyor or shown on this boundary survey that may property rights and/or local use rights of the subject property.
- There may be environmental issues and/or other matters regulated by various Departments of Federal, State or Local Governments affecting the subject property not shown on this survey.
- This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whatsoever.
- This Survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
- Underground utilities, foundations and improvements were not located, unless shown hereon.
- Subject property shown hereon is in Zone X, area of 0.2% annual chance floodplain, according to Flood Insurance Rate Map panel number 12095C0380F, map date September 25, 2009.
- Elevations shown hereon are based on Lake County Benchmark Number 7, elevation being 7(NGVD29).



16 E. PLANT Street  
Winter Garden, Florida 34787 • (407) 654-5355

## LEGEND

CL = Centerline  
R/W = Right of Way  
L = Arc length  
R = Radius  
Δ = Central angle for curve  
PM = Permanent Record Monument  
C = Denotes change in bearing direction

⊙ = Set 1/2" Iron rod & cap, LB # 5723  
⊙ = Found nail & disk LB #5723, PCP  
P.F.F. = Proposed Finished Floor Elevation  
PSM = Professional Surveyor & Mapper  
P.R.C. = Point of Reverse Curvature  
P.A.D.E. = Private Access & Drainage Easement  
U.E. = Utility Easement

CATV □ = Cable TV Riser  
WM Ⓢ = Water Meter  
TEL R □ = Telephone Riser  
ELEC TRAN □ = Electrical transformer  
107.65' = Proposed spot elevation

JOB NO. 20150182

DATE: 5/10/16

SCALE: 1" = 30 FEET

FIELD BY: N/A

CALCULATED BY: JLR

DRAWN BY: KS

CHECKED BY: ML

REVISED: SW-FINAL-05/10/16

FOR THE LICENSED BUSINESS #5723 BY:

James L. Rickman, P.S.M. #5633



# ORLANDO PERGOLA & SHADE

| CLIENT INITIAL | PROJECT DETAIL |
|----------------|----------------|
|----------------|----------------|

*[Signature]*

Exterior elec. outlet box  
(will be attached to the  
vertical post, inside pergola)

*[Signature]*

Sconce placement

*[Signature]*

Fan beam w/ fan  
and two can lights

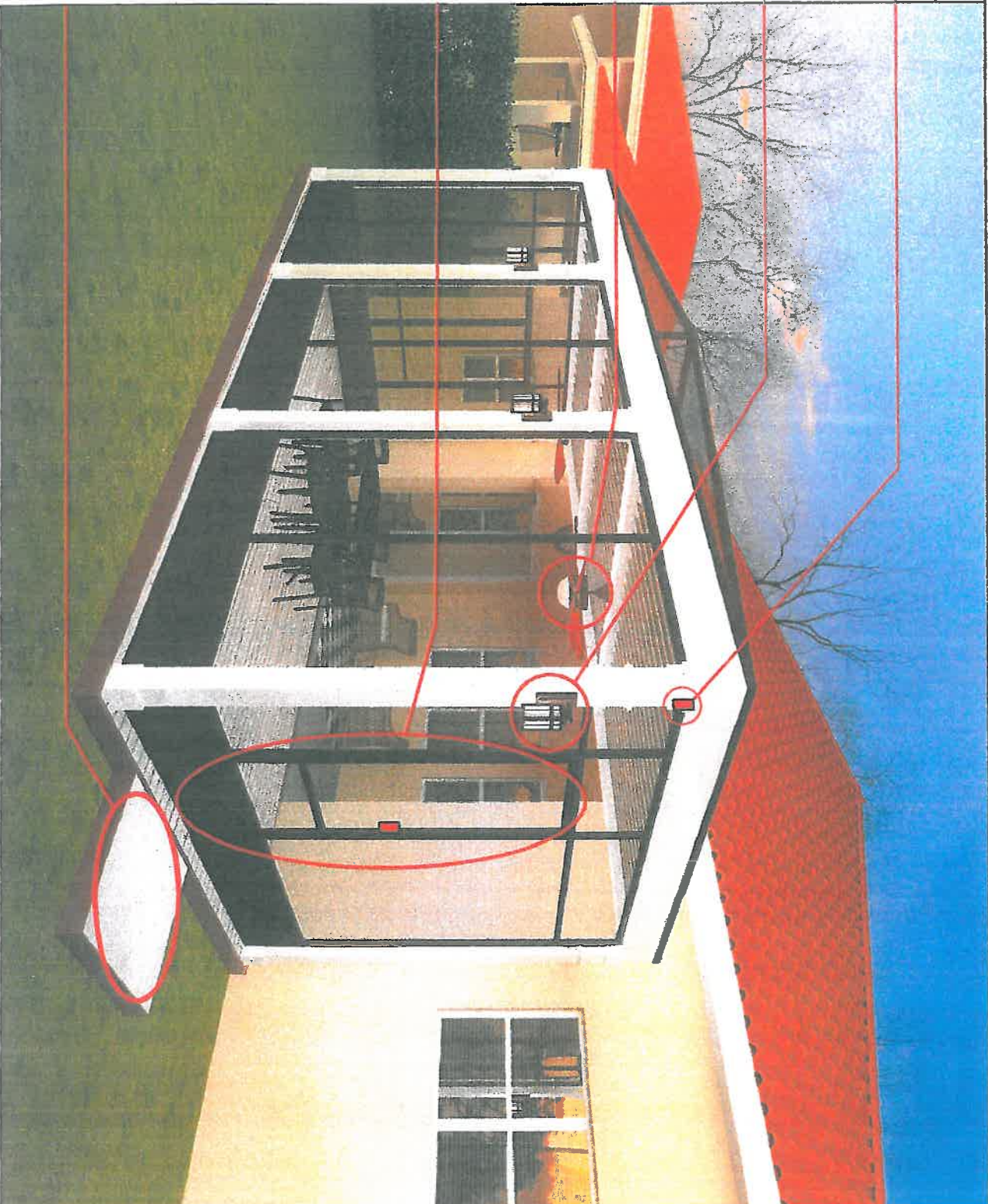
*[Signature]*

Screen door width: 32"  
(Handle on west side  
of door)

*[Signature]*

No tile on doorsweep

| PREPARED BY   | PROJECT NAME | CLIENT ID | TITLE       | DATE       |
|---------------|--------------|-----------|-------------|------------|
| STEVE MEADERS | BAUER        | 17040001  | EXHIBIT B-2 | 05/22/2017 |





# ORLANDO PERGOLA & SHADE

| PREPARED BY   | PROJECT NAME | CLIENT ID | REVISION  | DATE      |
|---------------|--------------|-----------|-----------|-----------|
| STEVE MEADERS | BAUER        | 17040001  | EXHIBIT B | 05/22/201 |

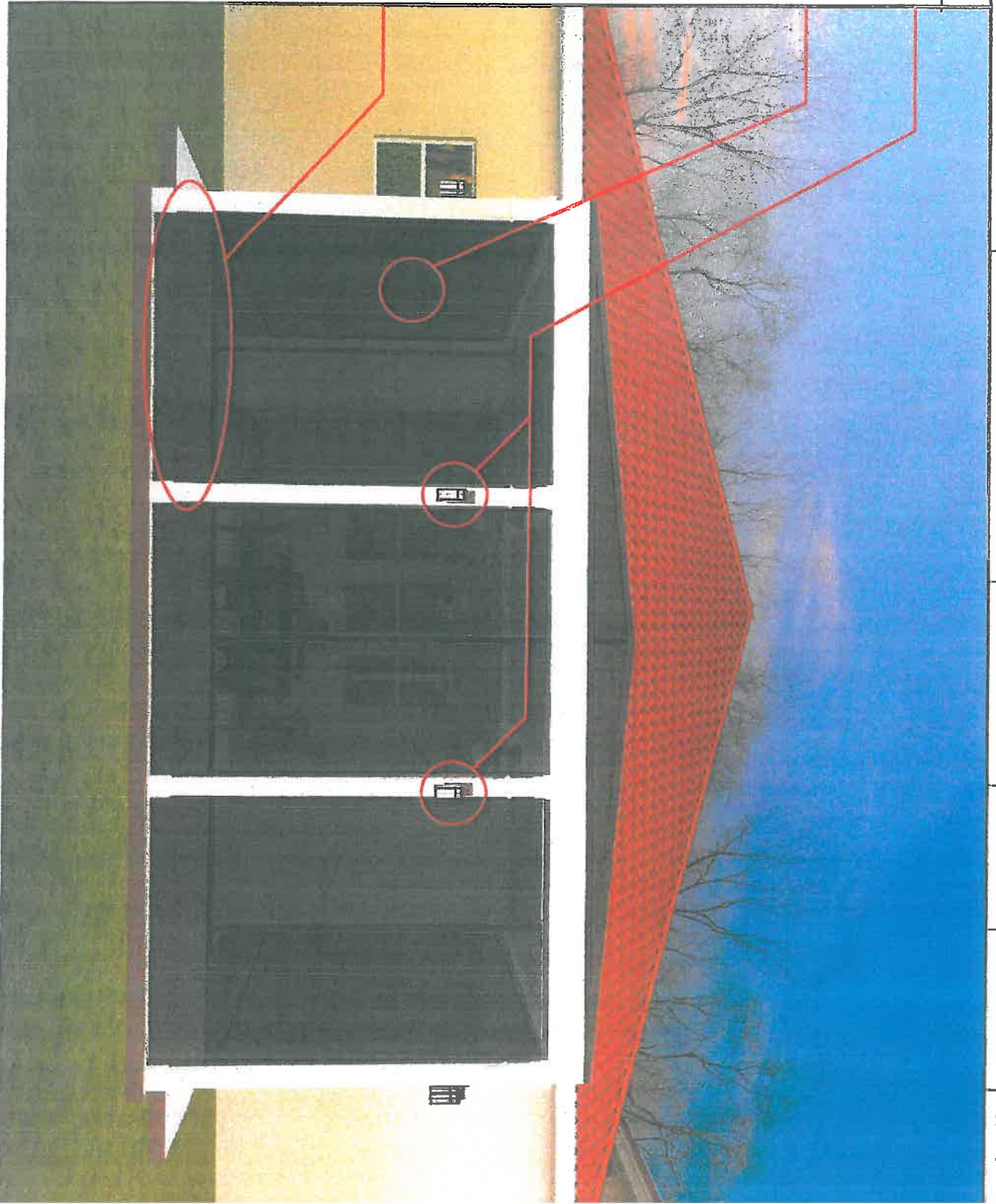
PROJECT DETAIL

CLIENT INITIAL

Screen placement

20x20 dark insect screen

12" aluminum kick plate  
on sides  
(Screen door  
kick plate will  
be 16") SM  
Steve M.





# ORLANDO PERGOLA & SHADE

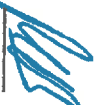
PREPARED BY  
STEVE MEADERS

PROJECT NAME  
BAUER

CLIENT ID  
17040001

TITLE  
EXHIBIT B-3

DATE  
05/22/201

| CLIENT INITIAL                                                                     | PROJECT DETAIL                                                                                                        |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
|  | Fan beam w/ fan and two can lights                                                                                    |
|  | Score placement                                                                                                       |
|  | Exterior elec. outlet box (will be attached to the vertical post, inside pergola)                                     |
|    | Double screen door with removable center post and 8' high. Top screen section will be removable to allow for hot tub. |
|    | No tile on doorsweep                                                                                                  |
|    | Add outlet box to bottom of front column inside pergola                                                               |





## 1789 Bella Lago Drive Variance

### The requirements for a variance are as follows:

***“Sec. 86-174, Review Criteria and Finding.*** When reviewing an application for a variance, the board of zoning adjustment shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:”

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

#### ***FINDINGS:***

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

*Applicant response:* N/A

*Staff comments:* The Land Development Code Section 122-125 requires a screen room with a solid roof be able to meet the side and rear yard setbacks of the primary structure for the R-1 Single Family Medium Density Residential zoning district.

#### **Negative finding**

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

*Applicant response:*

*Staff comments:* The property owner does have an interest in the property and is requesting the variance for the screened room addition.

#### **Negative finding**

- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

*Applicant response:* The code and regulations will prevent owner from adding an addition to the home which would add value and quality.

*Staff comments:* The Land Development Code will allow construction of a screened patio with a screen material roof. The property owner is requesting a screen room with a solid roof, which requires a 25-foot rear yard setback. The proposed 12’ x 25’ screen room addition will encroach 3 feet into the required 25 feet rear yard setback.

#### **Negative finding**

- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

*Applicant response:* The Pergola System will add value to the home.

*Staff comments:* No evidence presented of decreased costs due to the variance request.

#### **Positive finding**

- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;  
*Applicant response: Yes.*

*Staff comments: The requested variance appears to be the minimum variance necessary to allow reasonable use of the proposed screened room.*

**Positive finding**

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;  
*Applicant response: N/A.*

*Staff comments: The City Council has granted similar variance requests in the past to allow screen room additions in the same zoning district.*

**Positive finding**

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and  
*Applicant response: No.*

*Staff comments: The proposed variance does not appear to substantially diminish property values or alter the essential character of the neighborhood.*

**Positive finding**

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.  
*Applicant response: The HOA has approved the screened room.*

*Staff comments: Granting of the variance request will not be injurious to the surrounding properties or detrimental to the public welfare and will be in harmony with the general intent and purpose of the land development code.*

**Positive finding**

**STAFF RECOMMENDATION:**

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **three** of the eight do not meet these findings. Therefore, staff recommends **denial** of the variance requests by the applicant to the Clermont Land Development Code.

**Titan Management LLC. Corporate Office**

1631 E. Vine Street / Suite 300 / Kissimmee, FL 34744

Office: 407.705.2190 / fax: 407.343.7437 / web: www.titanhoa.com



## **NOTICE OF APPROVAL**

May 17, 2017

Richard N Bauer and Anna Bauer, as Co-Trustees  
1789 Bella Lago Drive  
Clermont FL 34711

RE: 1789 Bella Lago Drive

Dear Richard N Bauer and Anna Bauer, as Co-Trustees of the Richard and Anna Bauer Living Trust dated November 22, 2013

Congratulations! The request for an architectural change, as described below, has been approved.

**Screen Enclosure approved as submitted.**

The HOA reserves the right to make a final inspection upon completion of the approved changes to ensure compliance. Please be advised that any modifications of the original request will require an additional form to be submitted.

Please remember to adhere to all local building codes and setback requirements. If a building permit is necessary, it is the responsibility of the applicant to obtain.

The HOA approval is based solely on the aesthetics of the proposed change. This approval should not be construed as a certification of the structural integrity of any construction. Be aware that it is the responsibility of the applicant to contact the appropriate utility companies prior to digging.

Sincerely,

Jessica Tavarez LCAM  
Community Association Manager  
On behalf of Bella Lago at Lake Felter Homeowners' Association, Inc.

VAR 1707-0002



**CITY OF CLERMONT**  
**VARIANCE**  
**Application**

DATE: 07/10/2017

FEE: 300 CK 5050

PROJECT NAME (if applicable): Bauer

APPLICANT: Orlando Pergola & Shade

CONTACT PERSON: Steven Meaders

Address: 2500 Clark St

City: Apopka State: FL Zip: \_\_\_\_\_

Phone: 863 440 3740 Fax: \_\_\_\_\_

E-Mail: Steve@OrlandoPergolaandShade.com

OWNER: Richard & Anna Bauer

Address: 1789 Bella Lago Dr.

City: Clermont State: FL Zip: 34711

Phone: (847) 912-9869 Fax: \_\_\_\_\_

Address of Subject Property: 1789 Bella Lago Dr., Clermont, FL

General Location: The Pergola structure will be built behind the house as an addition to the existing lanai.

Legal Description (include copy of survey): AK 3859134

Bella Lago Sub Lot 34

Land Use (City verification required): \_\_\_\_\_





Zoning (City verification required):

R-1

**CITY OF CLERMONT**

**VARIANCE**

**Application**

**Page 2**

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:

122-125 YARDS

What are you proposing to do that would require a variance and why?

REAR YARD SETBACK OF 22 FEET INSTEAD OF 25 FEET

How does the Code create a hardship? The Code prevents Richard from creating a valuable addition to his home

**\*\*\* The following justifications must be completed \*\*\*  
for any variance requested:**

Variance requested – subject and code section: 122-125 yards

**Sec. 86-174. Review criteria and findings.**

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

N/A

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;



---

**CITY OF CLERMONT**  
**VARIANCE**  
**Application**  
**Page 3**

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3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

*The Code & Regulations will prevent Owner from adding an addition to the home which would add value & utility*

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

*the Pergola system will add value to the home*

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

*yes*

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

*N/A*

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

*NO*



**CITY OF CLERMONT**  
**VARIANCE**  
**Application**  
Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

yes

Steven Meaders

Applicant Name (print)

X [Signature]

Applicant Name (signature)

Richard & Anna Bauer

Owner Name (print)

X [Signature]

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. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.**

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

## **LEGAL NOTICE**

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a rear yard setback of 22 feet instead of 25 feet as required by the Land Development Code, Section 122-125 – Yards at the following location:

### **LOCATION:**

1789 Bella Lago Drive  
Bella Lago Subdivision  
(Alt. Key 3859134)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, August 8, 2017 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC  
City Clerk

Daily Commercial  
August 1, 2017





CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                          |                                    |                                |  |
|----------------------------------------------------------|------------------------------------|--------------------------------|--|
| <b>Meeting Date</b>                                      |                                    |                                |  |
| Tuesday, August 8, 2017                                  |                                    |                                |  |
| <b>Agenda Item Name</b>                                  |                                    |                                |  |
| Boat Ramp Relocation Master Plan Project                 |                                    |                                |  |
| <b>Requested Action</b>                                  |                                    |                                |  |
|                                                          |                                    |                                |  |
| <b>Staff Report</b>                                      |                                    |                                |  |
| Discussion of options of the boat ramp relocation.       |                                    |                                |  |
| <b>Additional Analysis</b>                               |                                    |                                |  |
|                                                          |                                    |                                |  |
| <b>Fiscal Impact Summary</b>                             |                                    |                                |  |
|                                                          |                                    |                                |  |
| <b>Fiscal Impact</b>                                     | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |  |
|                                                          |                                    |                                |  |
| <b>Exhibits Attached</b> (copies of original agreements) |                                    |                                |  |
|                                                          |                                    |                                |  |



# CITY OF CLERMONT

## AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                           |                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                           |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                |
| Resolution No. 2017-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                           |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                           |                                |
| Recommend to approve agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                           |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                           |                                |
| <p>Consider approval of Interlocal Agreement Between Lake County and the City of Clermont to Transfer Jurisdiction of Lake Minneola Shores (CR 1733).</p> <p>Within eighteen (18) months of the effective date of this agreement, the County agrees to mill, resurface, and stripe, at no cost to the City, an estimated 8,100 linear feet (LF) of Lake Minneola Shores (CR 1733) between the intersection of State Road 50 and County Road 565A, as identified in <b>Exhibit A</b>.</p> <p>Within six (6) months of the effective date of this agreement, the County agrees to pay the City the amount of \$22,761.00, which is the estimated cost to mill, resurface, and stripe 1,125 linear foot of Lake Minneola Shores that is to be realigned and reconstructed as part of the City's boat ramp project.</p> |                                                           |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                           |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                           |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Fund Number and Description</b>                        | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                           |                                |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                           |                                |
| 1. Resolution for Interlocal Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2016-37 Lake Minneola Shores Jurisdiction.doc             |                                |
| 2. Interlocal Agreement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Interlocal Agreement Lake County-Lake Minneola Shores.pdf |                                |
| 3. Map of Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Exhibit A-Lake Minneola Shores Location Map.pdf           |                                |

*CITY OF CLERMONT*  
**RESOLUTION NO. 2017-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND THE CITY OF CLERMONT TRANSFERRING THE JURISDICTION OF LAKE MINNEOLA SHORES, ALSO KNOWN AS COUNTY ROAD 1733, FROM LAKE COUNTY, FLORIDA TO THE CITY OF CLERMONT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

**WHEREAS**, Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions by mutual agreement of the affected governmental entities; and

**WHEREAS**, the City is desirous of realigning and reconstructing a portion of Lake Minneola Shores; County Road 1733, located within the mutual limits of the City to accommodate a City boat ramp project; and

**WHEREAS**, it is in both Lake County and the City of Clermont's best interest to transfer jurisdiction, ownership interests, operation and maintenance responsibilities associated with a portion of Lake Minneola Shores; County Road 1733, from Lake County to the City of Clermont; and

**WHEREAS**, Lake County intends to make improvements to the surface of a portion of Lake Minneola Shores; County Road 1733, and by doing so, facilitate the transfer of Lake Minneola Shores; County Road 1733, to the City of Clermont's jurisdiction;

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

**SECTION 1.**

The City Council of the City of Clermont does hereby adopt the Interlocal Agreement between Lake County, Florida and the City of Clermont transferring the jurisdiction of Lake Minneola Shores; County Road 1733, as more particularly described in Exhibit "A" attached hereto and incorporated herein.

**SECTION 2.**

This resolution shall take effect immediately upon its adoption.

*CITY OF CLERMONT*  
**RESOLUTION NO. 2017-37**

**DONE AND RESOLVED** by the City Council of the City of Clermont, Lake County, Florida this 8<sup>th</sup> day of August, 2017.

CITY OF CLERMONT

\_\_\_\_\_  
Gail L. Ash, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**INTERLOCAL AGREEMENT BETWEEN  
LAKE COUNTY, FLORIDA AND  
THE CITY OF CLERMONT, FLORIDA TO  
TRANSFER JURISDICTION OF LAKE MINNEOLA SHORES (CR 1733)**

**THIS INTERLOCAL AGREEMENT** is by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter the “County,” and the City of Clermont, Florida, a municipal corporation organized under the laws of the State of Florida, hereinafter the “City,” to transfer jurisdiction of a portion of Lake Minneola Shores (CR 1733).

**WHEREAS**, Section 163.01, Florida Statutes, provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

**WHEREAS**, Section 335.0415, Florida Statutes, provides that public roads may be transferred between jurisdictions by mutual agreement of the affected governmental entities; and

**WHEREAS**, the City is desirous of realigning and reconstructing a portion of Lake Minneola Shores (CR 1733) located within the municipal limits of the City to accommodate a City boat ramp project; and

**WHEREAS**, it is in both the County and City’s best interest to transfer the jurisdiction, ownership interests, operation and maintenance responsibilities associated with a portion of Lake Minneola Shores (CR 1733) from the County to the City; and

**WHEREAS**, the County intends to make improvements to the surface of a portion of Lake Minneola Shores and by doing so facilitate the transfer of Lake Minneola Shores to the City’s jurisdiction.

**NOW, THEREFORE, IN CONSIDERATION** of the mutual terms, understandings, conditions, premises, and covenants hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

2. **County Obligations.**

A. In accordance with Section 335.0415, Florida Statutes, the County agrees to transfer to the City any and all jurisdiction, ownership interests, operation and maintenance responsibilities that the County may have in a portion of Lake Minneola Shores (CR 1733),

extending from State Road 50 to County Road 565A, as specifically identified in **Exhibit A**, attached hereto and incorporated herein by reference, effective on the date the last party hereto executes this Agreement (“Effective Date”).

B. Within eighteen (18) months of the Effective Date of this Agreement, the County agrees to mill, resurface, and stripe, at no cost to the City, an estimated 8,100 linear feet (LF) of Lake Minneola Shores (CR 1733) between the intersection of State Road 50 and County Road 565A, as identified in **Exhibit A**. The City and the County agree that this milling, resurfacing, and striping work shall not include: (1) the concrete bridge deck of the Lake Minneola Bridge #114046, (2) the roundabout located at the entrance to the City’s park, or (3) the estimated 1,125 LF of Lake Minneola Shores which is to be realigned and reconstructed as part of the City’s boat ramp project. The County shall utilize its existing on call-contract for milling, road resurfacing, and striping and shall be solely responsible for the work. The County agrees to provide the City with notice at least two (2) weeks prior to start of the milling, resurfacing, and striping work. The County will not be required by the City to obtain a right of entry, a permit or other approval prior to the milling, resurfacing and striping of this portion of Lake Minneola Shores (CR 1733) by the County.

C. Within six (6) months of the Effective Date of this Agreement, the County agrees to pay the City the amount of \$22,761.00, which is the estimated cost to mill, resurface, and stripe 1,125 LF of Lake Minneola Shores that is to be realigned and reconstructed as part of the City’s boat ramp project.

D. Within eighteen (18) months of the Effective Date of this Agreement, the County agrees to install swales and sod on Lake Minneola Shores between Carolyn Drive and Diana Place, at no cost to the City. The County shall utilize its existing forces to install the swales and sod within the right-of-way and shall be solely responsible for the work. The County agrees to provide the City with notice at least two (2) weeks prior to start of the swale work and in exchange, no right of entry, permit or other prior approval will be required by the City prior to or during the installation of the swale and sod.

E. Within thirty (30) days of the Effective Date of this Agreement, the County agrees to provide to the City a copy of all bridge inspection reports performed by the Florida Department of Transportation for the Lake Minneola Bridge #114046.

**3. City Obligations.** The City shall accept any and all of County's ownership interests, operation and maintenance responsibilities of Lake Minneola Shores (CR 1733) from State Road 50 to County Road 565A as identified in **Exhibit A**, upon the effective date of this Agreement in accordance with the provisions of Section 335.0415, Florida Statutes.

**4. Modifications.** Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality and of equal dignity herewith.

**5. Notices.**

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

COUNTY  
County Manager  
P.O. Box 7800  
Tavares, Florida 32778

CITY  
Darren Gray, City Manager  
685 West Montrose Street  
Clermont, Florida 34711

cc: Road Operations Manager  
Post Office Box 7800  
Tavares, Florida 32778

B. All notices required, or which may be given hereunder, shall be considered properly given if (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices shall be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.

D. Parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, to the other party in a manner designated for the filing of notice hereunder.

**6 Entire Agreement.** This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.

**7. Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

**8. Effective Date.** This Agreement shall become effective upon the date the last party hereto executes it ("Effective Date").

**IN WITNESS WHEREOF,** the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, and by the City of Clermont, Florida, through its City Council, signing by and through its Mayor.

ATTEST:

**COUNTY**

LAKE COUNTY, FLORIDA through its  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Neil Kelly, Clerk of the Board  
of County Commissioners of  
Lake County, Florida

\_\_\_\_\_  
Timothy I. Sullivan, Chairman

This \_\_\_\_ of \_\_\_\_\_, 2017.

Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh  
County Attorney



**CITY**

CITY OF CLERMONT, FLORIDA

\_\_\_\_\_  
Gail L. Ash, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
Daniel F. Mantzaris, City Attorney

**Exhibit A – Lake Minneola Shores Location Map**





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|---------------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                       |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |
| Ordinance No. 2017-28; <i>Introduction<br/>Clermont Ridge Senior Villas</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |                                       |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                    |                                       |
| Recommend introduction of Ordinance 2017-28.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                       |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                    |                                       |
| <p>The applicant, New Beginnings Housing, Inc, is requesting annexation of the subject property. The property is located north of Hunt Trace Boulevard and west of Oakley Seaver Drive. The City limits are adjacent to the south and east property boundaries. The property is currently in Lake County and is being used for a single-family home site. The property is approximately 6.35 acres in size and is in the City's water and sewer service area. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant wishes to receive services from the City in order to develop the property into an age-restricted (62 and over) senior housing development. This request is being heard concurrently with requests for a small-scale comprehensive plan amendment and a rezoning to a Planned Unit Development (PUD) for senior housing.</p> <p>The related request for a comprehensive plan amendment would change the future land use from Lake County's Urban Medium to the City's High Density Residential designation. The rezoning request is to change the zoning from Urban Estate (currently Agricultural District in Lake County) to the City's PUD zoning classification.</p> <p>Because a majority of the surrounding property is in the City, and the City can adequately provide services, staff recommends approval of the annexation.</p> |                                    |                                       |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                       |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                       |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Fund Number and Description</b> | <b>Available Budget Amount</b>        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                    |                                       |
| <b>Exhibits Attached</b> (copies of original agreements)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                       |
| 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Ordinance 2017-28                  | 2017-28 Clermont Ridge Annex.doc      |
| 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Maps                               | Clermont Ridge Senior Villas Maps.pdf |
| 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Application                        | Carrier Annex App.pdf                 |
| 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Legal ad                           | Clermont Ridge Annex legal ad.docx    |

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-28**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, RECORDING, AND PUBLICATION.**

**WHEREAS**, the City Council of the City of Clermont, Lake County, Florida has received a Petition for Annexation of a parcel of land contiguous to the present corporate limits under Section 171.044, Florida Statutes; and

**WHEREAS**, the City Council of the City of Clermont, Lake County, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

**WHEREAS**, the City Council has determined that the area sought to be annexed is contiguous to the City and is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefited by annexation; and

**WHEREAS**, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

**SECTION 1.**

**NOW, THEREFORE, BE IT ORDAINED**, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Lake County, Florida, does hereby annex to and make part of its corporate boundaries; the following described property contiguous to the present City boundary, to-wit:

Legal Description

Lake Highlands 20-22-26 Tract 61B, that part of vacated platted road bounded on S by N line of Tract 61B, on N by high water line of Jacks Lake and on E & W by N'y extensions of E & W lines of Tract 61B, PB 3 PG 30 ORB 638 PG 322. Alternate Key 1647801  
Containing 6.35 Acres +/-

**SECTION 2.**

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Lake County, Florida, and that said property shall be subject to all of the laws, ordinances, and provisions pertaining to the City of Clermont.

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-28**

**SECTION 3.**

All property aforescribed shall henceforth be subject to ad valorem taxation by the City of Clermont, Lake County, Florida and any other general or special taxes or assessments.

**SECTION 4.**

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

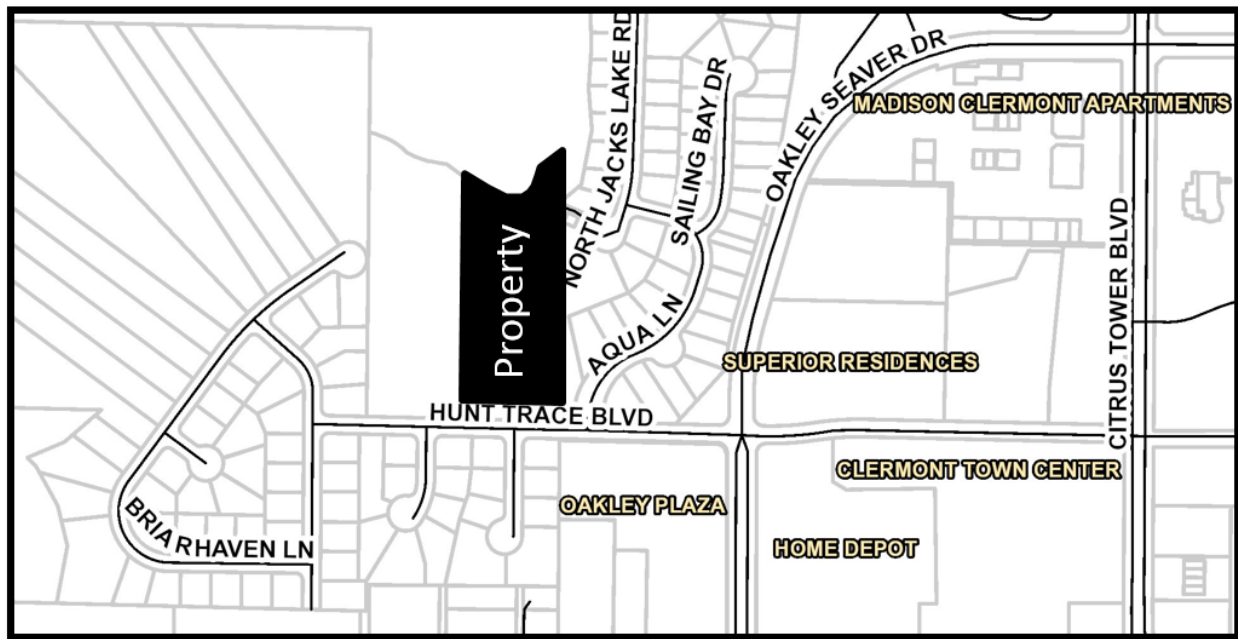
**SECTION 5.**

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

**SECTION 6.**

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

Location map:



*CITY OF CLERMONT*  
**ORDINANCE No. 2017-28**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 22nd day of August, 2017.

CITY OF CLERMONT

---

Gail L. Ash, Mayor

ATTEST:

---

Tracy Ackroyd Howe, City Clerk

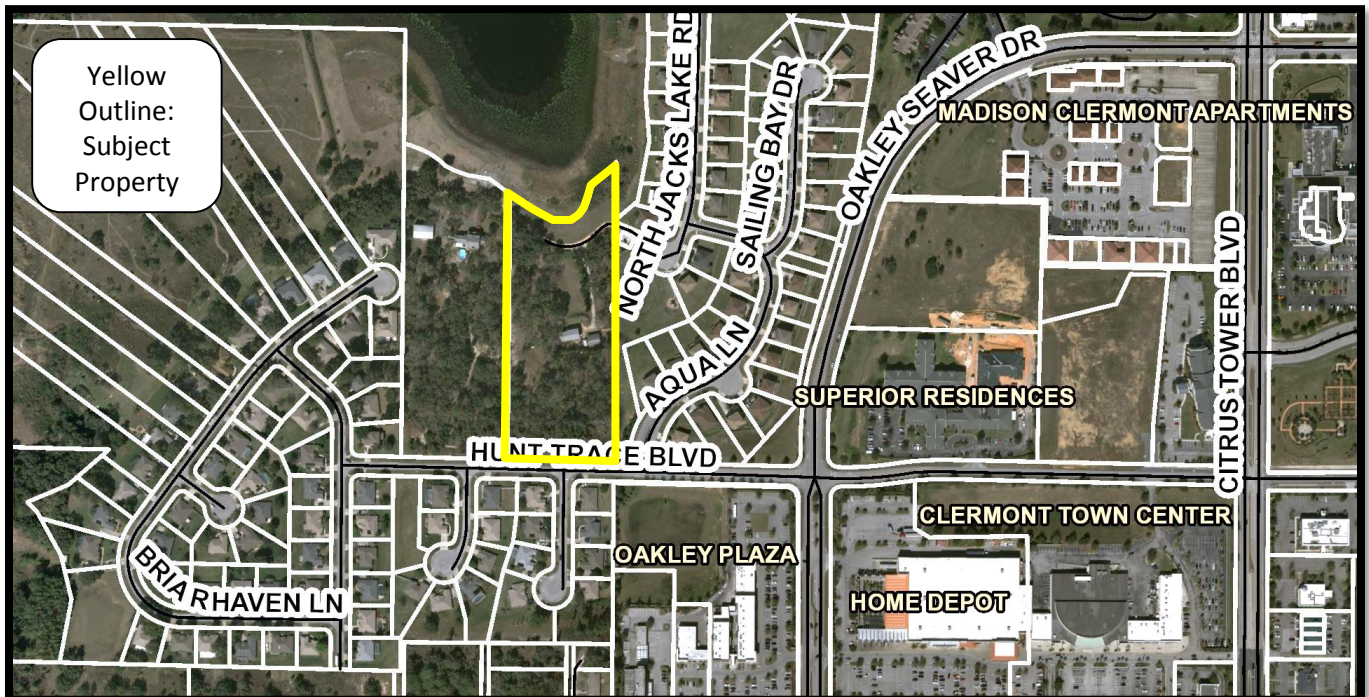
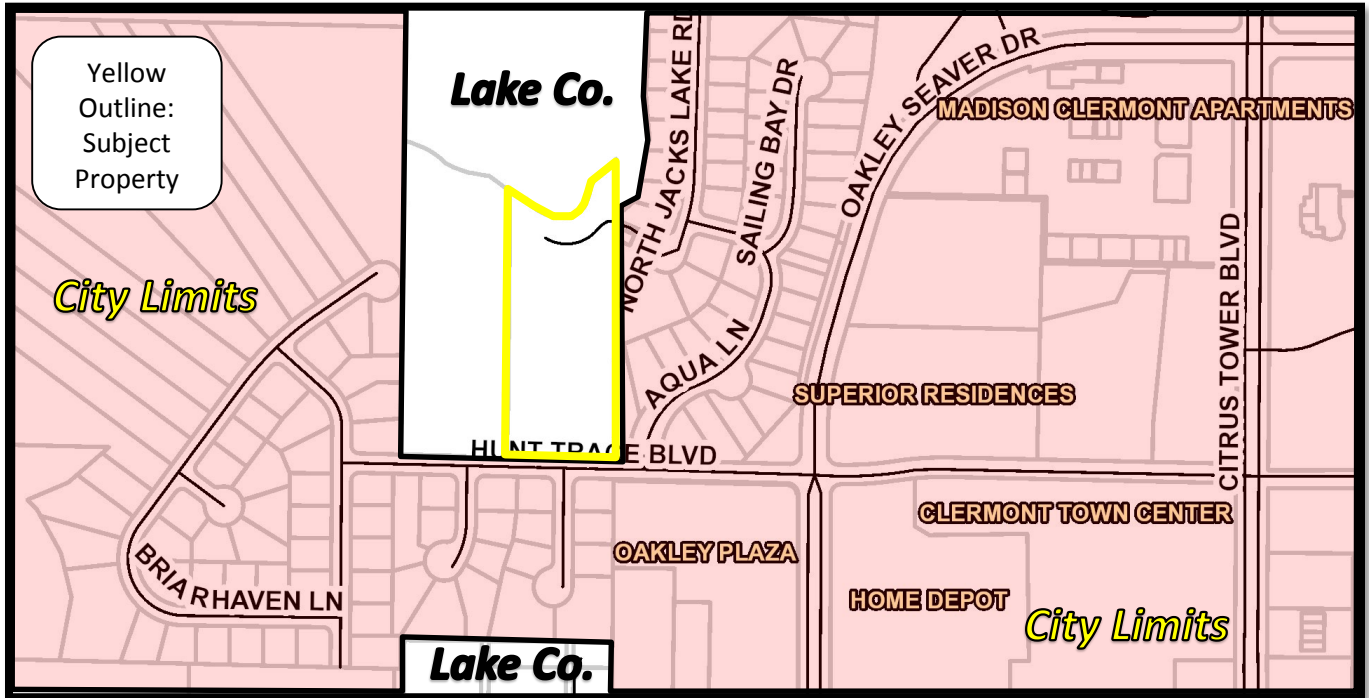
Approved as to form and legality:

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Daniel F. Mantzaris, City Attorney



# Exhibit - Location Map – Clermont Ridge Senior Villas



# Exhibit – Future Land Use Map - Clermont Ridge Senior Villas

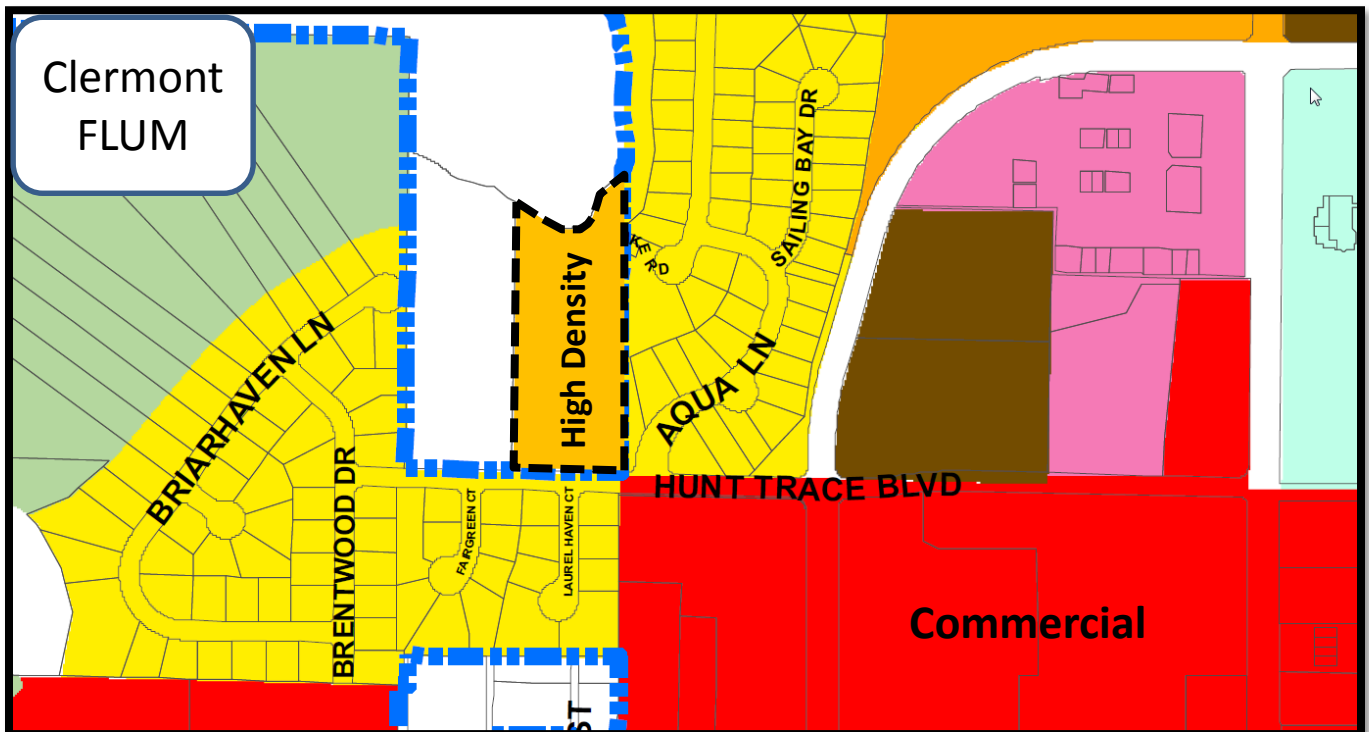
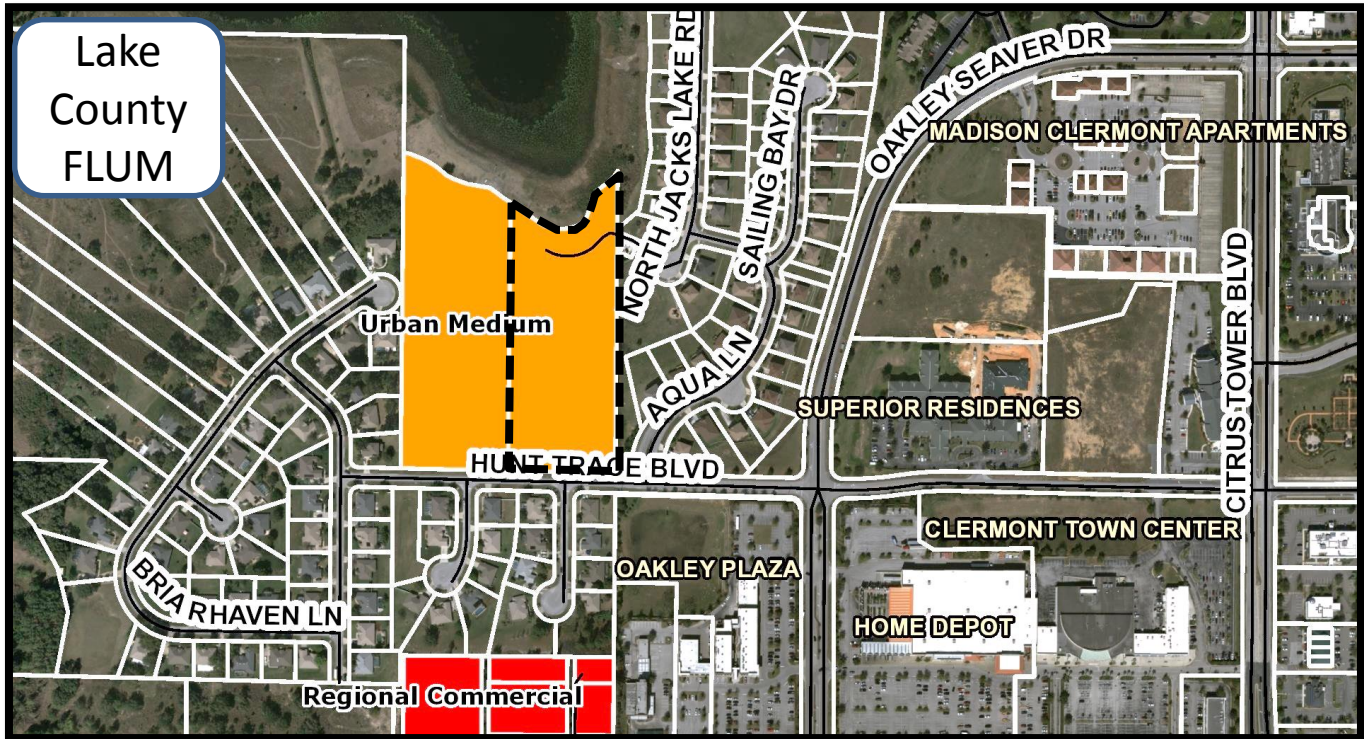
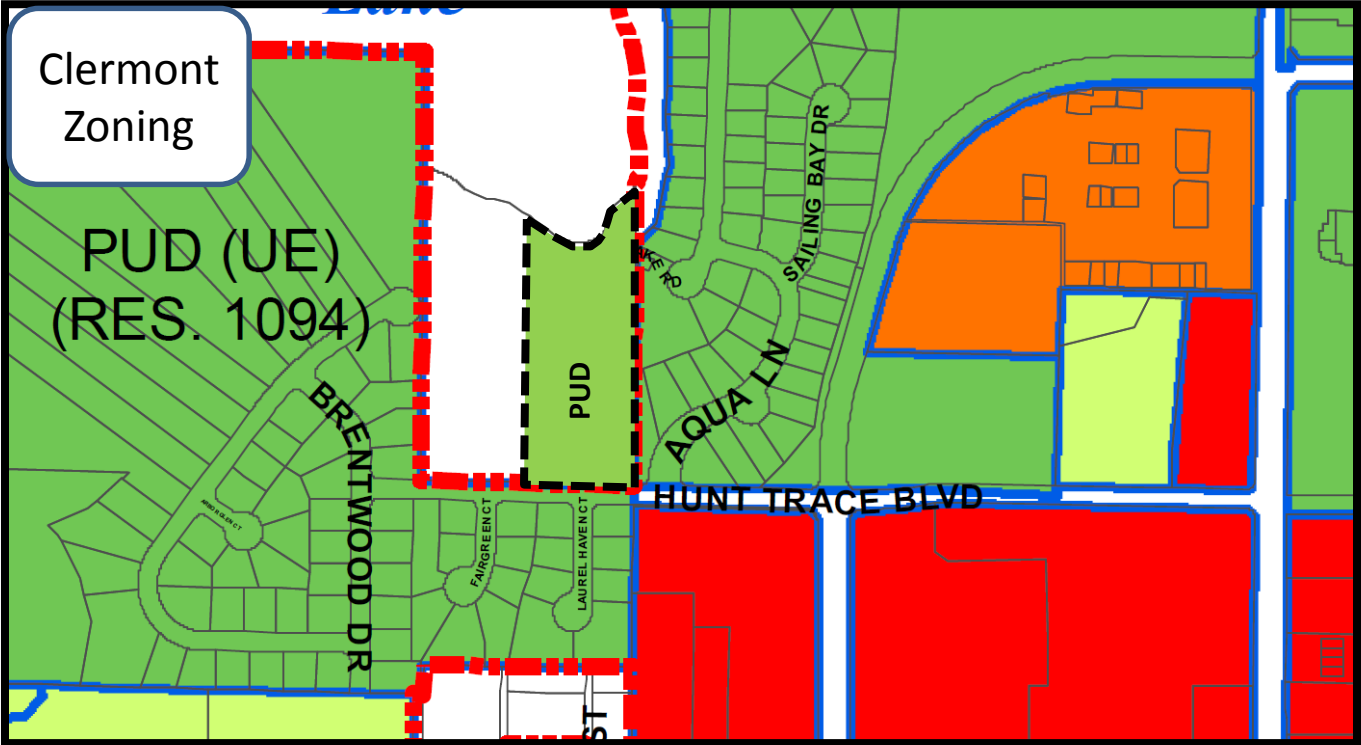
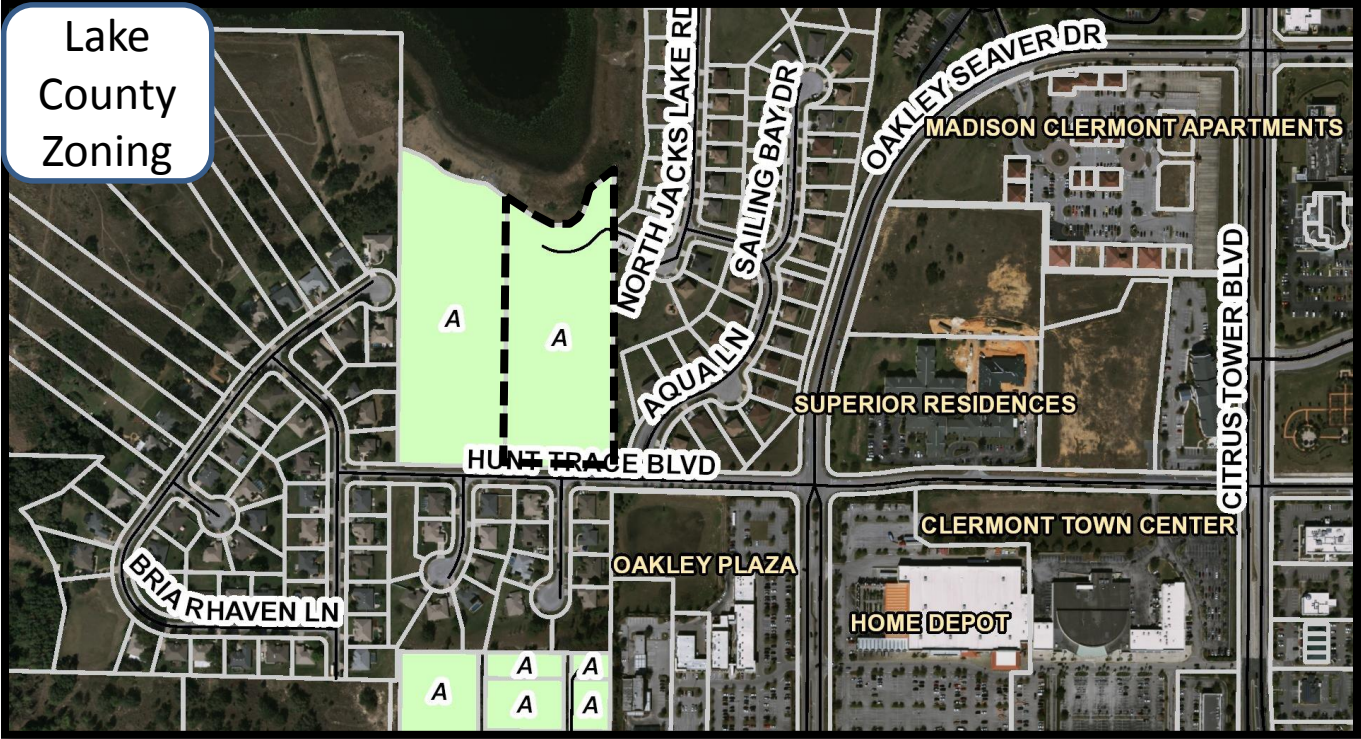




Exhibit – Zoning Map - Clermont Ridge Senior Villas



Rec: 7-5-17  
gjk

## APPLICATION &amp; PETITION

DATE: 6/4/17FEE: \$155.<sup>00</sup>

+ cost of advertising

Please type or print – use black pen/ink only.

PROJECT NAME (if applicable): CARRIER GARDEN HOMESAPPLICANT: NEW BEGINNINGS HOUSING, INCAddress: P O Bx 783963City: WINTER GARDEN State: FL Zip: 34778Phone: 828-989-4711 Fax: —Applicant is: Owner: ☒ Agent: ☐ Purchaser: ☐ Lessee: ☐ Optionee: ☐OWNER: NEW BEGINNINGS HOUSING, INCAddress: P O Bx 783963City: WINTER GARDEN State: FL Zip: 34778Phone: 828-989-4711 Fax: —AGENT NAME (Affidavit required): HANK DUNDAddress: 665 MT. STirling AVECity: APOKA State: FL Zip: 32712Phone: 828-989-4711 Fax: —E-Mail: HANKDUND111@gmail.comProperty address and/or general location: 13605 N. JAMES LAKE RD  
CLERMONT, FL  
AK 1647801Area of property: 6 +/- acres, and/or +/- sq. ft.The property is PRESENTLY used for: RESIDENTIAL - SINGLE FAMILYThe property is PROPOSED to be used for: MULTI-FAMILY.



Existing Lake County Land Use\* : AG - residential

Existing Lake County Zoning\* : AG

**\* NOTE: All property annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.**

Number of existing structures on the property and their present use: 2 structures  
1 House, 1 detached garage

State the reason or basis for this request: ~~SHORE OF STARS~~  
affordable homes for senior citizens  
of Clermont

EXACT LEGAL DESCRIPTION as shown on the Tax Receipt or Warrant Deed.  
(attach copy).

Section 20, Township 22, Range 26

Lake Highlands 20-22-26 Tract 61B,  
that part of vacated plat 20 bounded  
on S by N line of tract 6

**City of Clermont**

Development Services Department

685 W. Montrose St.

P.O. Box 120219

Clermont, FL. 34712-0219

(352) 394-4083 Fax: (352) 394-3542



**PETITION OF LANDOWNER(S) FOR ANNEXATION  
OF CERTAIN PROPERTY TO THE CITY OF CLERMONT**

WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled

AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF CLERMONT, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED: PROVIDING THAT SAID PROVISIONS SHALL BE CUMULATIVE: PROVIDING THAT THE PROPERTY ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY, AND PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL OF SUCH TERRITORY HAD BEEN A PART OF THE CITY OF CLERMONT AT THE TIME OF THE PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES, AND FIXING EFFECTIVE DATE,

hereby petition that the hereinafter described real estate be annexed to, and become a part of the city limits of the City of Clermont, a municipal corporation in Lake County, Florida, created and existing pursuant to Chapter 9820, Laws of Florida, Special Acts of 1923, and amendatory and supplementary acts thereto, and we, jointly and severally, consent to such annexation of such area to said City of Clermont and upon annexation sought by this petition, all of the property, real and personal, within such area, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties and privileges of said City of Clermont, Florida and the said property shall be liable, proportionally, for all the present outstanding and existing, as well as future, indebtedness of the said City of Clermont; that all of the ordinances of the City of Clermont and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now or hereafter constitute its Charter shall apply to have the same force and effect in such territory as may be annexed under the provisions hereof as if all of such territory had been part of the City of Clermont at the time of the passage and approval of said laws and ordinances.

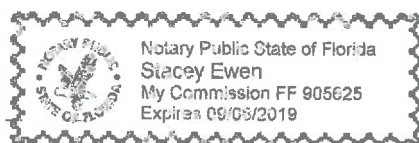
IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the 5<sup>th</sup> day of July, 2017.

Legal description of the property: (Type, print in black ink, or attach a copy of the warranty deed or current tax receipt).

[Signature]  
Landowner (Petitioner)

07/15/17  
Date

[Signature]  
Notary Public  
Sept 8, 2019  
My Commission Expires







OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 7/5/17

Before me, the undersigned authority personally appeared Hank Dunn  
(owner(s) name), who being by me duly sworn on oath,  
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.

2. That said authority desires an ANNEXATION to allow:  
multi-jan. 17

3. That said authority (owner) has appointed (agent's name) Hank Dunn  
to act in its behalf to accomplish the above, and  
before me the undersigned authorized agent personally appeared and being by me duly  
sworn on oath, deposes and says:

A. That he/she affirms and certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of the City of Clermont, 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.

B. That the Submittal requirements for the application have been completed and attached hereto as part of that application.

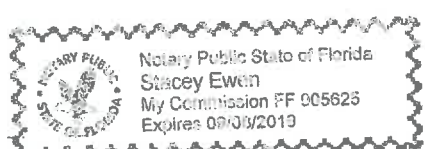
X [Signature]  
Owner (signature)

X [Signature]  
Agent's (signature)

Sworn to and subscribed before  
me this 5<sup>th</sup> day of July,  
20 17.  
[Signature]  
Notary Public, State of FL  
My commission expires: Sept 8, 2019

Sworn to and subscribed before  
me this 5<sup>th</sup> day of July,  
20 17.  
[Signature]  
Notary Public, State of FL  
My commission expires: Sept 8, 2019

\*Note: Owner must sign affidavit. When agent is representing case, both agent and owner must sign affidavit.



# Property Record Card

## General Information

|                              |                                                                                                                                                                                                                                                               |                                      |                                             |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------|
| <b>Owner Name:</b>           | CARRIER<br>WILLIAM H &<br>NANCY L                                                                                                                                                                                                                             | <b>Alternate Key:</b>                | 1647801                                     |
| <b>Mailing Address:</b>      | PO BOX<br>121051<br>CLERMONT, FL<br>34712-1051<br><a href="#">Update Mailing Address</a>                                                                                                                                                                      | <b>Parcel Number:</b>                | 09-22-26-<br>080061B00000                   |
|                              |                                                                                                                                                                                                                                                               | <b>Millage Group and City:</b>       | 0003<br>(UNINCORPORATED)                    |
|                              |                                                                                                                                                                                                                                                               | <b>Total Certified Millage Rate:</b> | 14.8515                                     |
|                              |                                                                                                                                                                                                                                                               | <b>Trash/Recycling/Water/Info:</b>   | <a href="#">My Public Services Map</a> ⓘ    |
| <b>Property Location:</b>    | 13605 JACKS<br>LAKE RD<br>CLERMONT FL<br>34711<br><a href="#">Update Property Location</a> ⓘ                                                                                                                                                                  | <b>Property Name:</b>                | —<br><a href="#">Submit Property Name</a> ⓘ |
|                              |                                                                                                                                                                                                                                                               | <b>School Locator:</b>               | <a href="#">School and Bus Map</a> ⓘ        |
| <b>Property Description:</b> | LAKE HIGHLANDS 20-22-26 TRACT 61B, THAT PART OF VACATED<br> <br>PLATTED RD BOUNDED ON S BY N LINE OF TRACT 61B, ON N<br>BY HIGH <br>WATER LINE OF JACKS LAKE & ON E & W BY N'LY EXTENSIONS<br>OF E  <br>& W LINES OF TRACT 61B PB 3 PG 30  <br>ORB 638 PG 322 |                                      |                                             |

## Land Data

| Line | Land Use                          | Frontage | Depth | Notes | No. Units | Type | Class Value | Land Value   |
|------|-----------------------------------|----------|-------|-------|-----------|------|-------------|--------------|
| 1    | SINGLE FAMILY<br>LAKEFRONT (0103) | 0        | 0     |       | 2         | AC   | \$0.00      | \$49,590.00  |
| 2    | VACANT RESIDENTIAL<br>(0000)      | 0        | 0     |       | 4.35      | AC   | \$0.00      | \$146,921.00 |

## Residential Building(s)

### Building 001

|                                                                  |                              |                             |                        |
|------------------------------------------------------------------|------------------------------|-----------------------------|------------------------|
| Residential                                                      | Single Family                | Building Value: \$83,667.00 |                        |
| <b>Summary</b>                                                   |                              |                             |                        |
| Year Built: 1981                                                 | Total Living Area:<br>1942 ⓘ | Central A/C: Yes            | Attached Garage:<br>No |
| Bedrooms: 4                                                      | Full Bathrooms: 2            | Half Bathrooms: 0           | Fireplaces: 1          |
| <a href="#">Incorrect Bedroom, Bath, or other information?</a> ⓘ |                              |                             |                        |
| <b>Section(s)</b>                                                |                              |                             |                        |

## **LEGAL NOTICE**

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, August 22, 2017 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

### **ORDINANCE NO. 2017- 28**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE; SEVERABILITY; RECORDING, AND PUBLICATION.

#### **LOCATION:**

13605 Jacks Lake Road  
Property on the north side of Hunt Trace Blvd.  
and west of Oakley Seaver Dr.  
Alternate Key 1647801

#### **LEGAL DESCRIPTION**

Lake Highlands 20-22-26 Tract 61B, that part of vacated platted road bounded on S by N line of Tract 61B, on N by high water line of Jacks Lake and on E & W by N'ly extensions of E & W lines of Tract 61B, PB 3 PG 30 ORB 638 PG 322 .

Containing 6.35 Acres +/-

#### **See Map Below**

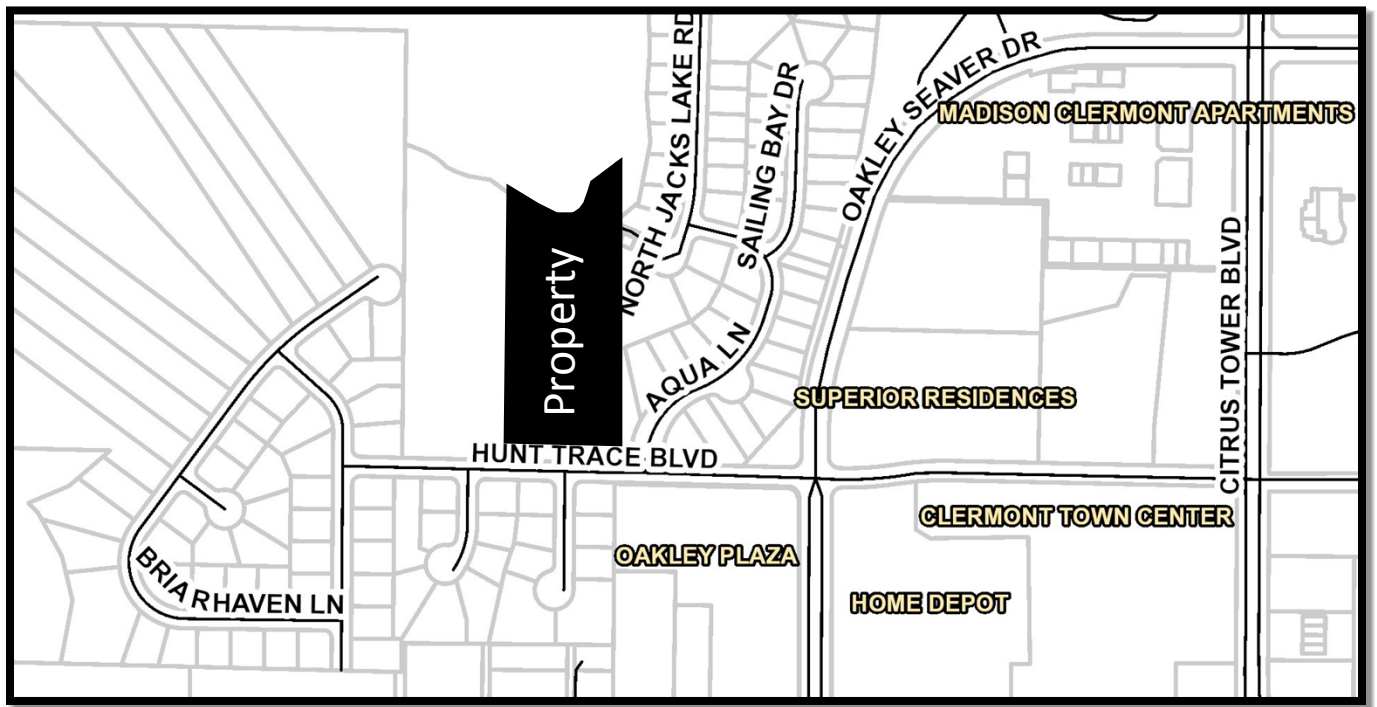
This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Tracy Ackroyd Howe, MMC

City Clerk  
Daily Commercial  
August 8 & 15, 2017

Location Map:







## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| Ordinance No. 2017-29; <i>Introduction<br/>Clermont Ridge Senior Villas</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |                                |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                    |                                |
| Recommend introduction of Ordinance 2017-29.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                    |                                |
| <p>The applicant, New Beginnings Housing, Inc, is requesting a small-scale comprehensive plan amendment for the subject property. The property is approximately 6.35 +/- acres in size and is located north of Hunt Trace Boulevard and west of Oakley Seaver Drive. This request is being heard concurrently with requests for annexation and a rezoning to a Planned Unit Development (PUD) to allow senior housing. The applicant would like to develop the property and have City services available.</p> <p>The small-scale comprehensive plan amendment would change the future land use from Lake County's Urban Medium to the City's High Density Residential designation. Lake County's Urban Medium density would allow a maximum of seven dwelling units per acre.</p> <p>The applicant is requesting the City's High Density Residential designation that will allow a maximum of up to 12 units per acre. The proposed senior housing project with small, affordable one-bedroom units (approximately 400 square feet living space) will require High Density Residential future land use to achieve the goal of the project and provide the highest and best use for the property.</p> <p>The subject property is located in close proximity to South Lake Hospital, medical offices, an assisted living facility, hotel, public transit services and commercial shopping opportunities. The proposed use is consistent with the surrounding area and several other projects with similar densities such as Madison Clermont Apartments and the Lofts, which consist of up to 12 dwelling units per acre.</p> <p>The proposed High Density Residential future land use designation is consistent with the City's adopted comprehensive plan policies, specifically policies 1.2.2, 1.2.4, and 1.3.1, for the senior housing project. Therefore, staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Urban Medium to City High Density Residential.</p> |                                    |                                |
| <b>Additional Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| <b>Fiscal Impact Summary</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                    |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |
| <b>Fiscal Impact</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Fund Number and Description</b> | <b>Available Budget Amount</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |                                |

**Exhibits Attached** (copies of original agreements)

- |    |                      |                                                                   |
|----|----------------------|-------------------------------------------------------------------|
| 1. | Ordinance 2017-29    | 2017-29 Clermont Ridge Senior Villas CPA.doc                      |
| 2. | Maps                 | Clermont Ridge Senior Villas Maps.pdf                             |
| 3. | Conceptual Site Plan | Clermont Ridge Senior Villas - Concept Plan - 7-14-17 revised.pdf |
| 4. | Elevations           | Elevations.pdf                                                    |
| 5. | Application          | Carrier small scale comp plan app.pdf                             |
| 6. | Legal Ad             | CPA Carrier Garden Homes legal ad.docx                            |

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-29**

**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**

Lake Highlands 20-22-26 Tract 61B, that part of vacated platted road bounded on S by N line of Tract 61B, on N by high water line of Jacks Lake and on E & W by N'y extensions of E & W lines of Tract 61B, PB 3 PG 30 ORB 638 PG 322.

Alternate Key 1647801

Containing 6.35 Acres +/-

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-29**

**CHANGE IN FUTURE LAND USE CLASSIFICATION**

**FROM LAKE COUNTY URBAN MEDIUM  
TO CITY OF CLERMONT HIGH DENSITY RESIDENTIAL**

**Section 2.**

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

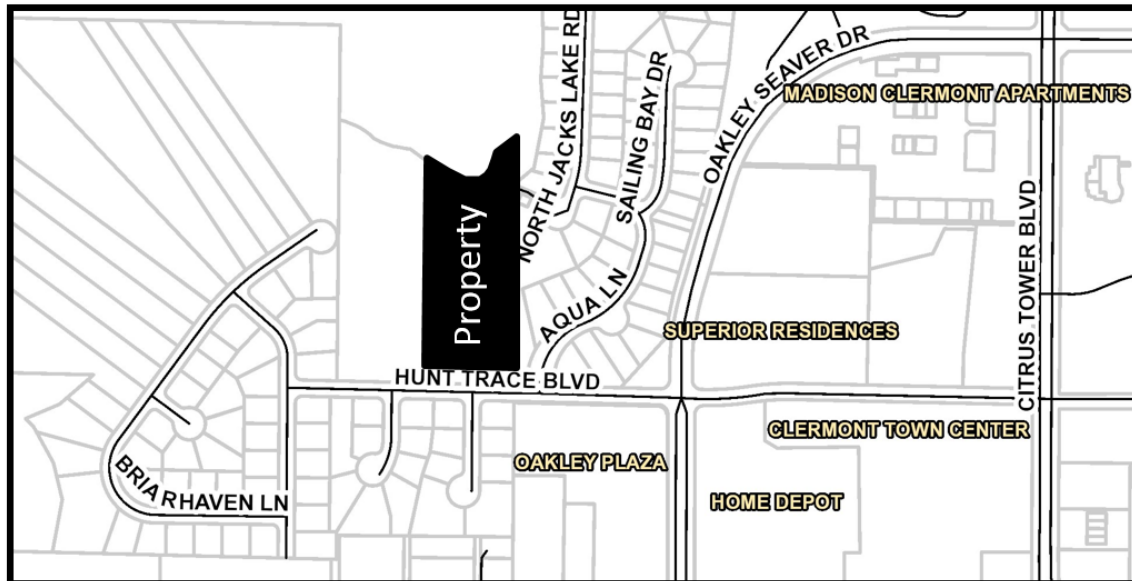
**Section 3.**

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

**Section 4.**

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

Location map:



*CITY OF CLERMONT*  
**ORDINANCE No. 2017-29**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida, this 22nd day of August, 2017.

---

Gail L. Ash, Mayor

ATTEST:

---

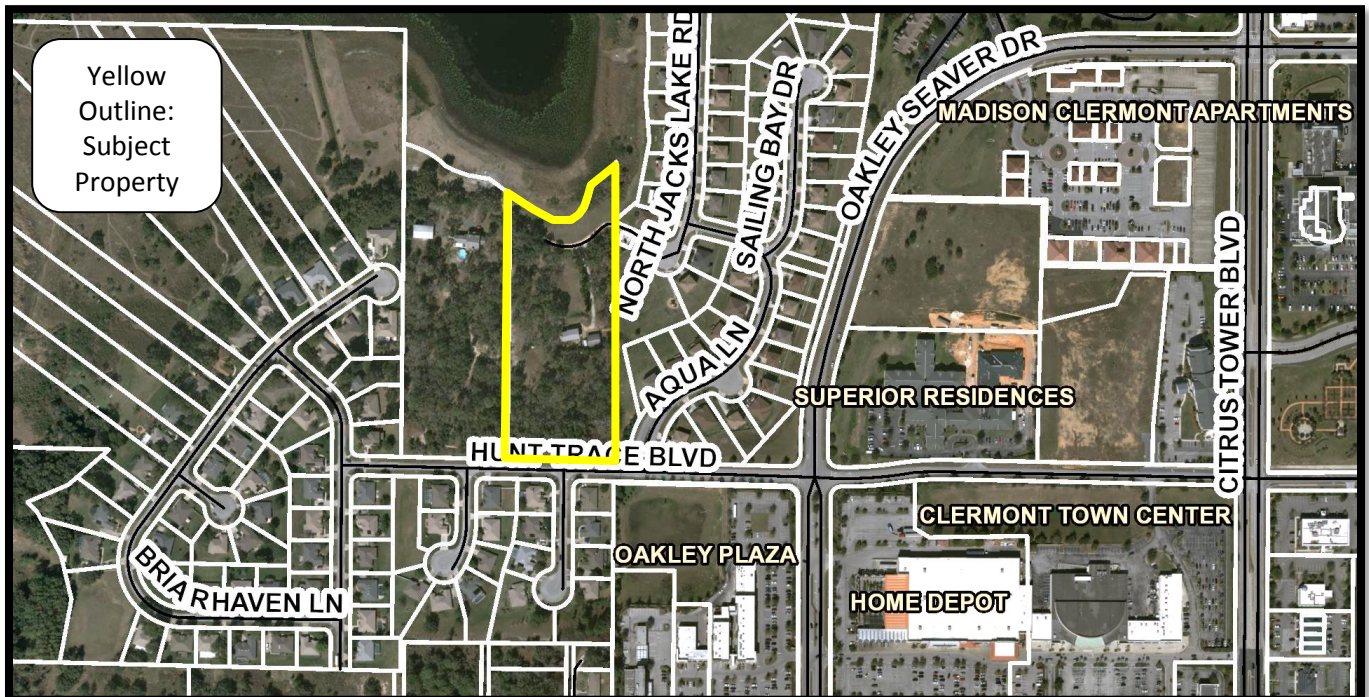
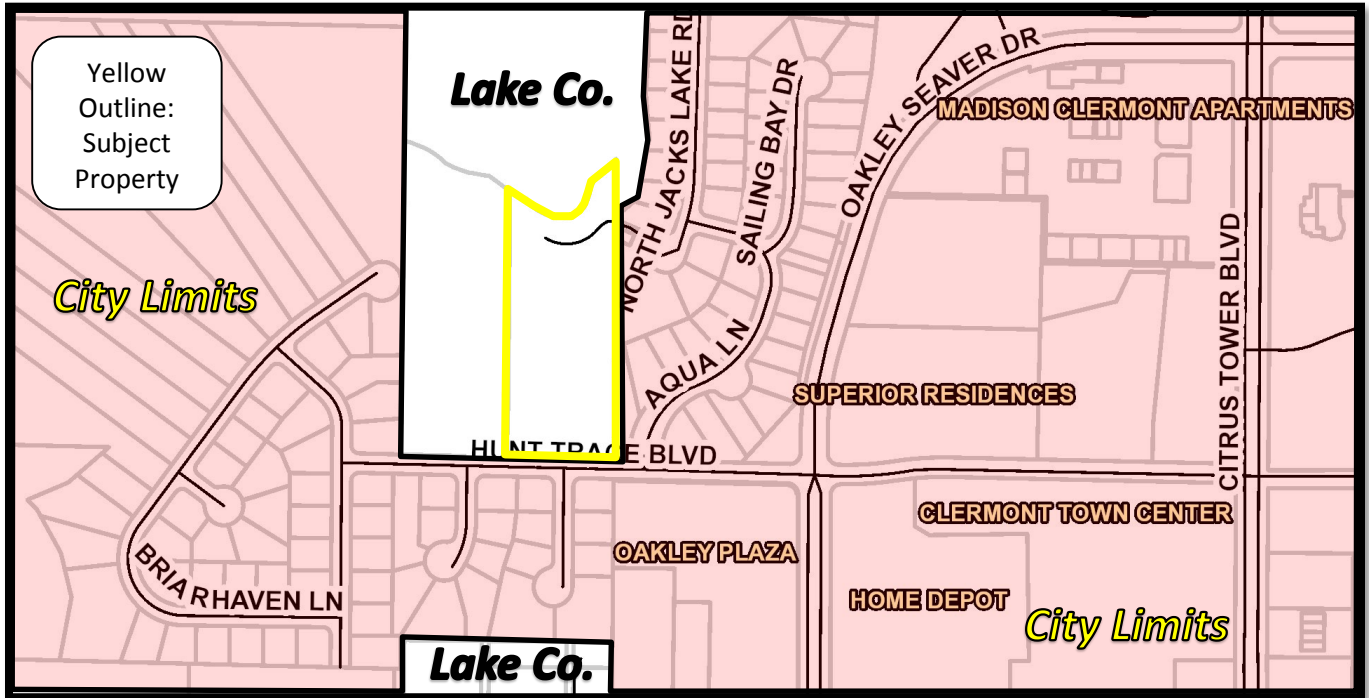
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney

# Exhibit - Location Map – Clermont Ridge Senior Villas





# Exhibit – Future Land Use Map - Clermont Ridge Senior Villas

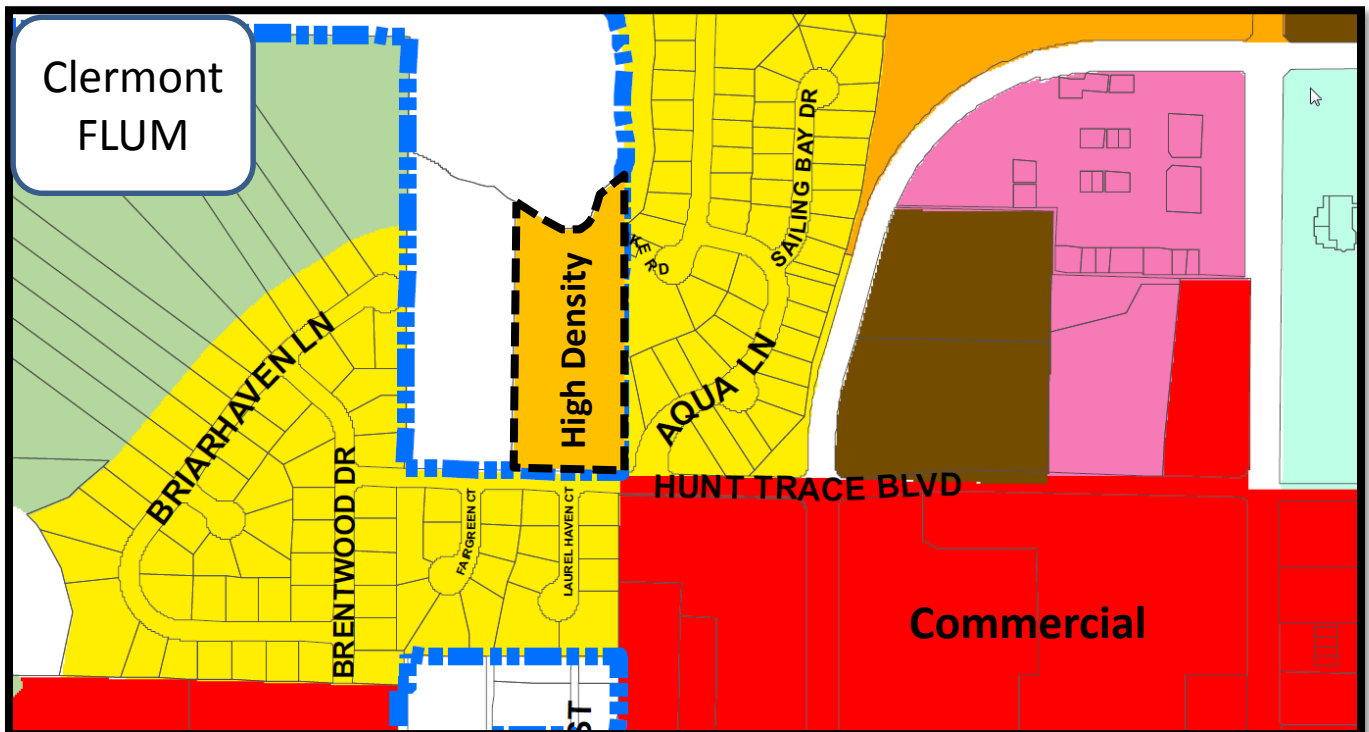
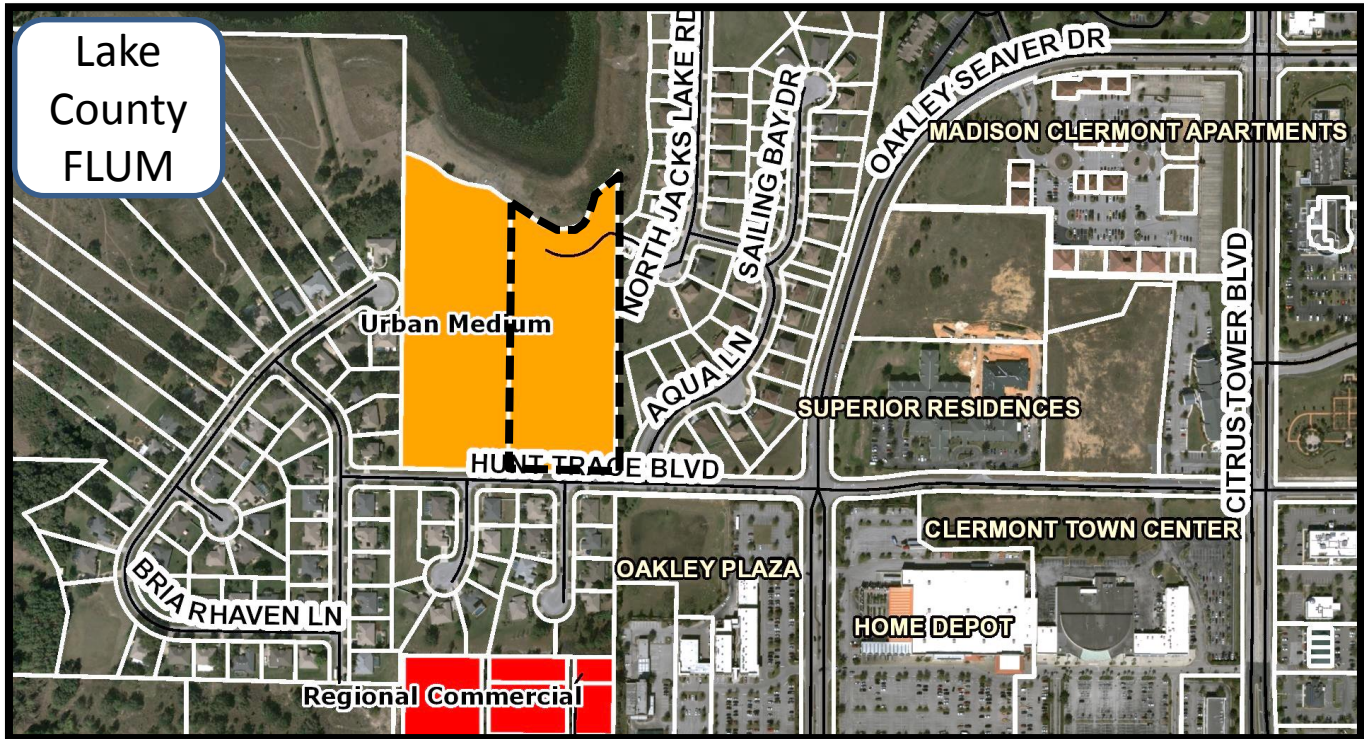
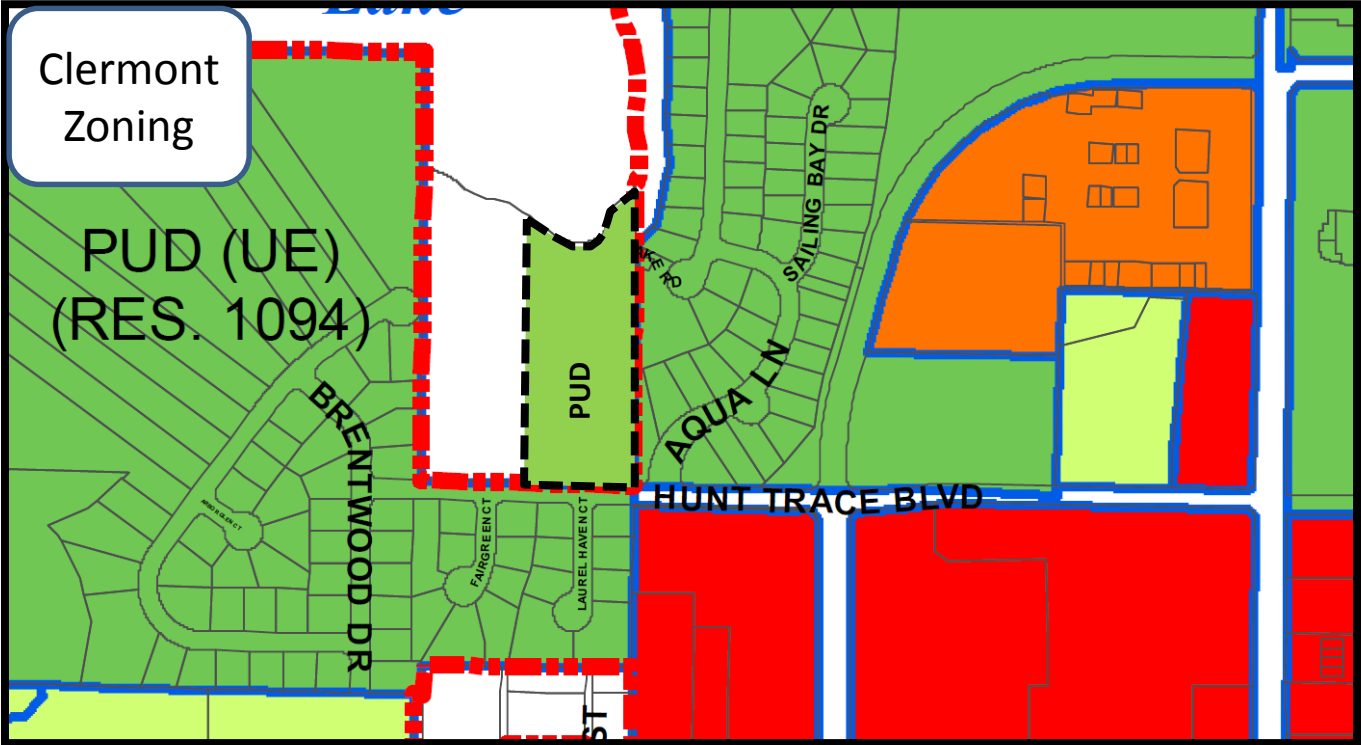
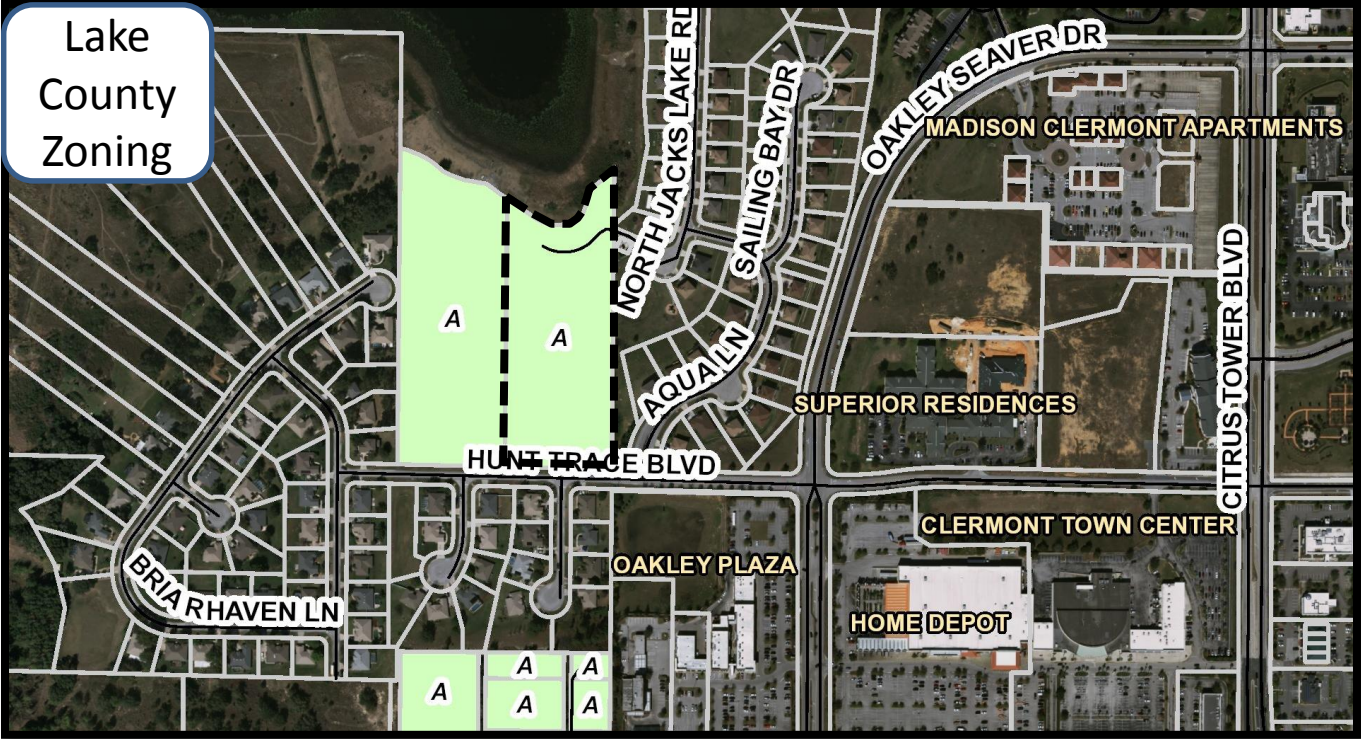


Exhibit – Zoning Map - Clermont Ridge Senior Villas





## SITE DATA

GRAPHIC SCALE

( IN FEET )  
1 inch = 50 ft.





⑥  $\frac{3D \text{ View } 1 \ 2}{12'' = 1'-0''}$

9 7 8 10

Roof Brq 9'-0"

Level 1 0"

5 3D View 1\_1  
12" = 1'-0"



[www.autodesk.com/revit](http://www.autodesk.com/revit)

Consultant  
Address  
Address  
Address  
Phone

Consultant  
Address  
Address  
Address  
Phone

Consultant  
Address  
Address  
Address  
Phone

Consultant  
Address  
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Phone

Consultant  
Address  
Address  
Address  
Phone

[illegible]

Owner

## Project Name

Unnamed

Project Number

Date

|          |  |
|----------|--|
| Drawn By |  |
|----------|--|

|            |  |
|------------|--|
| Checked By |  |
|------------|--|

Project Number

Issue Date

---

Author

Checker

# A102

Scale

As indicated





**CITY OF CLERMONT**  
**COMPREHENSIVE PLAN AMENDMENT**  
**Application**

Rec. 7-5-17  
JK

DATE: 6/4/17

FEE: 755.00

Project Name (if applicable): Carrner Garden Homes

Applicant: NEW BEG. WINGS HOUSING, INC

Contact Person: HANK DUND

Address: 665 MT. STirling AVE

City: DOPOKA State: FL Zip: 32712

Phone: 828-989-4711 Fax:

E-Mail: HANKDUND111@gmail.com

OWNER: NEW BEG. WINGS HOUSING, INC

Address: P.O. BOX 783963

City: WINTER GARDEN State: FL Zip: 34778

Phone: 828-989-4711 Fax: -

E-Mail: HANKDUND111@gmail.com

General Location: 13605 N. JACKS LAKE RD  
CLERMONT, FL 34911

Legal Description (include copy of survey): LAKE HIGHLANDS  
20-22-26 TRACT 613, THAT PART OF VACATED  
PLATTED 20 bounded on S by N line of  
TRACT 6 AK 1647801

Property size (in acres or square feet):

6.35 acres

Flood hazard area (yes)  and approx. acreage  (no) ✓

Existing (Actual) Land Use: AG - Residential

Existing Zoning: AG

Existing Future Land Use: MULTI-FAMILY RESIDENTIAL

Proposed Future Land Use: MULTI-FAMILY

Type of development proposed:



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

Proposed Zoning District: MULT-FAM.14

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).

CLERMONT HAS A CURRENT & GROWING SHORTAGE OF  
SMALL & AFFORDABLE 1 (ONE) BEDROOM APARTMENTS  
TO SERVE PEOPLE WHO ARE RETIRING AND ONLY  
HAVE SOCIAL SECURITY BENEFITS TO LIVE ON

THIS ZONING CHANGE WILL ALLOW LONG TIME  
RESIDENTS OF CLERMONT AN OPPORTUNITY TO LIVE  
IN A SMALL MANAGEABLE HOME AT AN AFFORDABLE  
RATE. THIS SITE MEETS FL HOUSING FINANCING  
REQUIREMENTS AS IT IS CLOSE TO THE HOSPITAL, SHOPPING  
AND BUS LINE

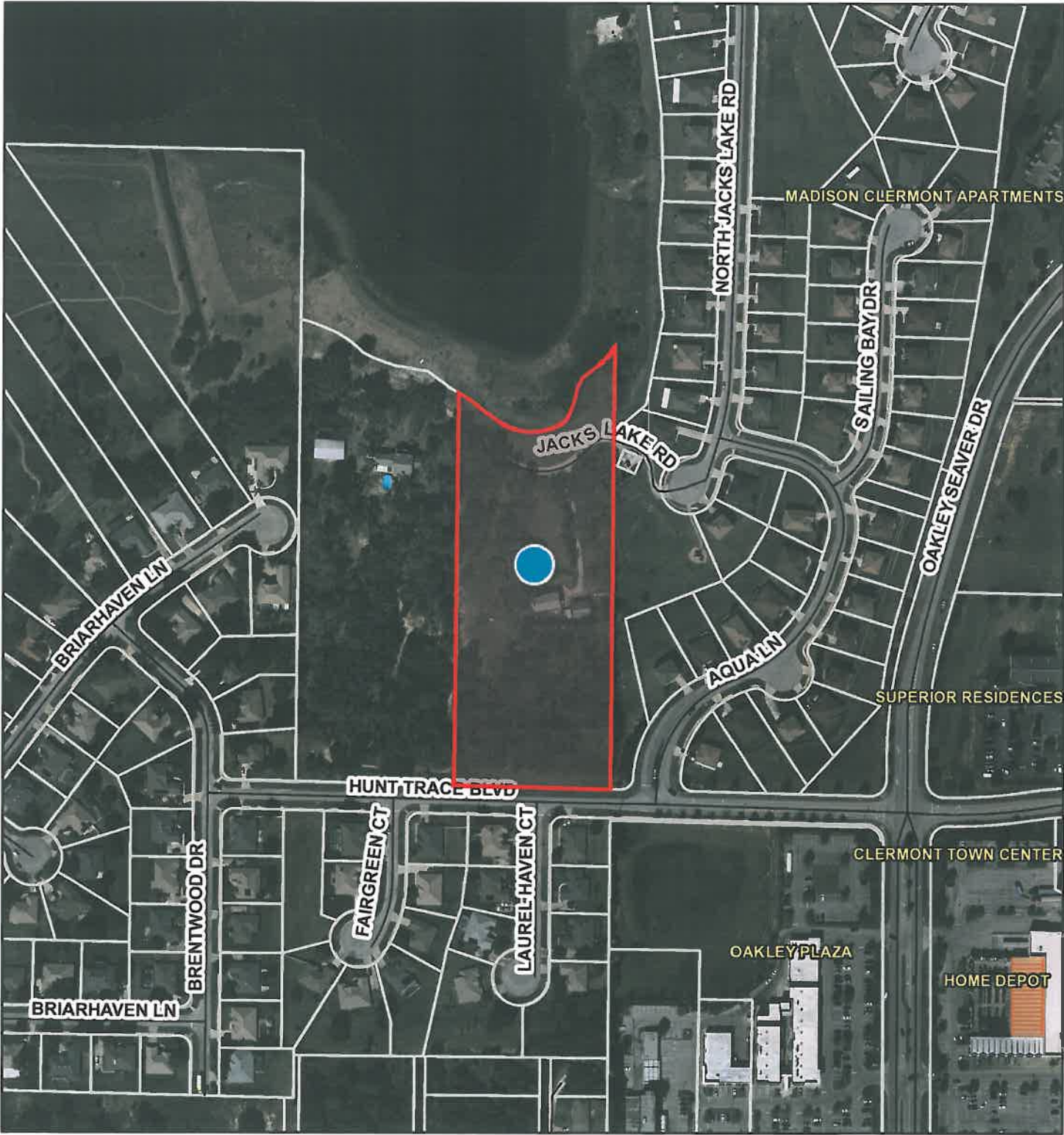
The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

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

**\*\*\*\*\* NOTICE \*\*\*\*\***

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

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



July 5, 2017

pointLayer

 Override 1

polygonLayer

 Override 1  
 County Boundary

Street Names

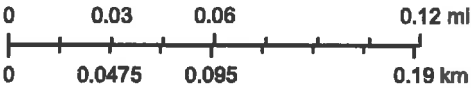
 Local Streets

Property Name

 Tax Parcels

 Surrounding Counties

1:3,553



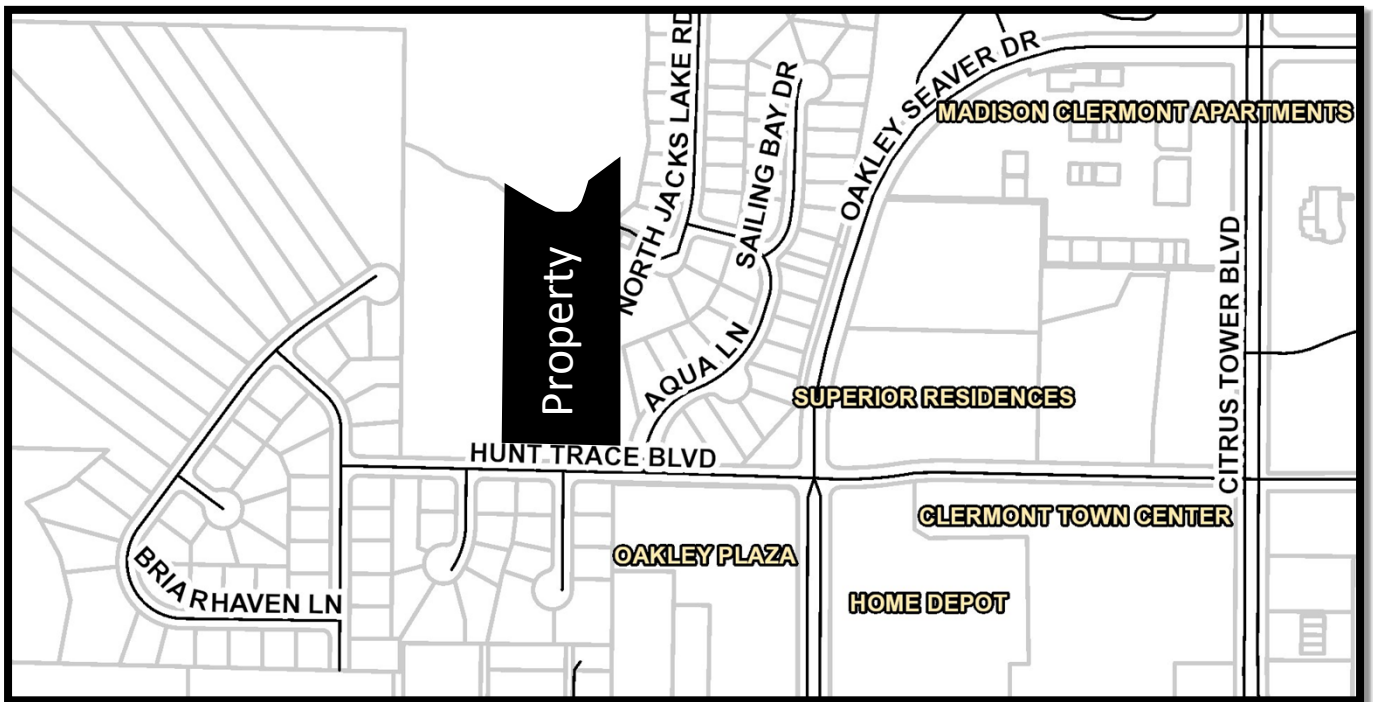
# **CITY OF CLERMONT**

## **NOTICE OF PROPOSED LAND USE CHANGE**

### **Small-Scale Comprehensive Plan Amendment**

### **ORDINANCE NO. 2017- 29**

The City of Clermont will hold public hearings on Tuesday, August 1, 2017 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, August 8, 2017 at 6:30 p.m. (1<sup>st</sup> reading of the adoption ordinance) and Tuesday, August 22, 2017 (final reading of the adoption ordinance) at 6:30 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 6.35 +/-acre parcel below from Lake County Urban Medium to City of Clermont High Density Residential. Alternate Key 1647801.



**Location:**  
**13605 Jacks Lake Road**  
***property on the north side of Hunt Trace Blvd. and west of Oakley Seaver Dr.***

#### **Ordinance #2017- 29:**

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

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



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

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

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

Tracy Ackroyd Howe, MMC  
City Clerk

Daily Commercial  
July 21, 2017 and August 8, 2017





## CITY OF CLERMONT

# AGENDA ITEM

Page 1 of 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Meeting Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
| Tuesday, August 8, 2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>Agenda Item Name</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Ordinance No. 2017-30; <i>Introduction</i><br><i>Clermont Ridge Senior Villas</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>Requested Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Recommend introduction of Ordinance 2017-30.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>Staff Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
| <p>The applicant, New Beginnings Housing, Inc, is requesting a rezoning of the subject property. This request is being heard concurrently with requests for annexation and small-scale comprehensive plan amendment. Upon annexation, the zoning would default to Urban Estate. The applicant is requesting a change to Planned Unit Development (PUD) zoning in order to develop the property as an age-restricted (62 and over) residential project. The applicant desires to develop the property for low-income senior housing.</p> <p>The applicant is proposing 70 units on 6.35 +/- acres, located north of Hunt Trace Boulevard and west of Oakley Seaver Drive. The density would be 11.02 units per acre. The property is within 2,000 feet of South Lake Hospital, medical offices, an assisted living facility, hotel, a public transportation network and commercial shopping opportunities. Also within this area are several other projects with similar densities, such as Madison Clermont Apartments and the Lofts, which consist of up to 12 dwelling units per acre.</p> <p>The applicant has provided a conceptual site plan, prepared by Highland Engineering, Inc., dated 07-14-17, showing the layout of the buildings and parking on the site. The project will consist of 14 buildings with five living units each, 70 total units, with a clubhouse and other amenities for the residents. The proposal is for residential use only with no commercial aspects proposed. In addition, there will be no impact on the Lake County school system by the proposed development since it is an age-restricted community. The property will be managed by one entity.</p> <p>The site is currently being used for a single-family home. The current conditions of the site will be challenging to develop and the very nature of the PUD zoning will allow waivers to the land development code to provide development flexibility and to maximize the use of the land. The property slopes down from Hunt Trace Boulevard towards Jacks Lake. The overall change in elevation is almost 100 feet and makes the site challenging to develop. The applicant's engineer is requesting cut and fill up to 36 feet over the project area. The engineer has indicated that approximately 27% of the site will have cuts exceeding 10 feet and 40% of the site will have fill exceeding 10 feet. The applicant is requesting a maximum retaining wall height of 10 feet. The applicant is requesting a 10-foot building setback from the side property lines, east and west. The applicant can meet the required setbacks from Hunt Trace Boulevard and Jacks Lake, which are 25 feet.</p> <p>Since this proposal is for affordable senior housing, the applicant is requesting a minimum living unit size of 392 square feet or greater. Five units will be in one building, which will be around 2,000 square feet. The units are designed for one or two people with only a one-bedroom offering. The applicant has indicated that they can serve the entire development with one central trash enclosure for solid waste collection. The concept plan includes more than the required parking spaces and the trip generation for this type of use, Senior Adult Housing – Attached 252,</p> |  |

is much lower than Residential PUD 270, which could be allowed under Lake County's Medium Density future land use. The City currently has a utility easement running along the east property boundary that must remain clear. Therefore, no landscaping is being proposed along the eastern property line except for groundcover.

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area. Staff believes the proposal meets the standards with regard to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance 2017-30 for a PUD to be developed in substantial accordance with the conceptual plan prepared by Highland Engineering, Inc., dated 07-14-17.

#### Additional Analysis

#### Fiscal Impact Summary

#### Fiscal Impact

#### Fund Number and Description

#### Available Budget Amount

#### Exhibits Attached (copies of original agreements)

- |    |                      |                                                                   |
|----|----------------------|-------------------------------------------------------------------|
| 1. | Ordinance 2017-30    | 2017-30 Clermont Ridge Senior Villas PUD.docx                     |
| 2. | Location Map         | Carrier location map.pdf                                          |
| 3. | Maps                 | Clermont Ridge Senior Villas Maps.pdf                             |
| 4. | Conceptual Site Plan | Clermont Ridge Senior Villas - Concept Plan - 7-14-17 revised.pdf |
| 5. | Elevations           | Elevations.pdf                                                    |
| 6. | Rezoning Application | Carrier rezoning app.pdf                                          |
| 7. | Legal ad             | REZ Clermont Ridge Senior Housing legal ad.docx                   |

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-30**

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

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

**SECTION 1:**

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

**LEGAL DESCRIPTION**

Lake Highlands 20-22-26 Tract 61B, that part of vacated platted road bounded on S by N line of Tract 61B, on N by high water line of Jacks Lake and on E & W by N'y extensions of E & W lines of Tract 61B, PB 3 PG 30 ORB 638 PG 322 . Containing 6.35 Acres +/-

**LOCATION**

13605 Jacks Lake Road  
Property on the north side of Hunt Trace Blvd. and west of Oakley Seaver Dr.  
Alternate Key 1647801

**FROM: Urban Estate**  
**TO: Planned Unit Development**

**SECTION 2 - General Conditions:**

This application for a Planned Unit Development to allow for an age-restricted; 62 and over, senior housing Planned Unit Development; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development 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 prepared by Highland Engineering, Inc., dated 7-14-17, Clermont Ridge Senior Villas Concept Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-30**

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.

**SECTION 3 - Land Uses and Specific Conditions:**

1. A total of up to 70 dwelling units may be permitted on the site, not to exceed a density of 12 units per acre within the project.
2. The project shall be used as an age-restricted 62 and over community for senior housing only. If, at a future date, the community wishes to eliminate its age-restricted status, an amendment to the Planned Unit Development Ordinance shall be required. Any school related impacts due to the change, including assessment of impact fees, cost of student stations, and other unforeseeable impacts at this time, shall be coordinated and approved through the Lake County School Board prior to the elimination of the age-restricted status.
3. Setbacks for buildings:

|                                    |                                              |
|------------------------------------|----------------------------------------------|
| From East and West Property Lines: | 10 feet from the property line               |
| From Hunt Trace Boulevard:         | 25 feet from right-of-way                    |
| From Jacks Lake:                   | 25 feet from the established high-water mark |
4. The senior housing project will have private trash collection service that will be maintained by the developer or designated party. Trash collection will be coordinated through a central trash receptacle/dumpster.
5. Maximum building height for all structures will be 35 feet, measured at the highest point for the senior housing project.
6. The minimum residential unit size shall be 392 square feet of air-conditioned living space.
7. The project may have elevation changes of up to 36 feet in height over the project site through the use of cut and fill. Up to 30 percent of the site may have cuts greater than 10 feet and 40 percent of the site may have fill greater than 10 feet. All changes to cut and fill shall be submitted to the City Engineer at the time of final site plan review and approval.
8. Retaining wall heights up to 10 feet in height are allowed to deal with the extreme grades on the site. A five foot landscape buffer shall be required in front of the retaining walls if they are viewed from public rights-of way.

*CITY OF CLERMONT*  
**ORDINANCE No. 2017-30**

9. The landscape buffer along Hunt Trace Boulevard shall be 20 feet in width and the landscape buffer along the west property line shall be 10 feet in width. The eastern property boundary is exempt from tree and shrub landscape requirements due to an existing City utility easement. Groundcover is required and shall be a drought tolerant sod.
10. Recreation amenities shall be provided for the residents.
11. The project shall be developed according to the R-3 Residential/Professional zoning designation, Section 122-181 in the Land Development Code, unless expressly stated in this ordinance.

**SECTION 4:**

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

**SECTION 5:**

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 6:**

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





*CITY OF CLERMONT*  
**ORDINANCE No. 2017-30**

**PASSED AND ADOPTED** by the City Council of the City of Clermont, Lake County, Florida on this 22nd day of August, 2017.

CITY OF CLERMONT

---

Gail L. Ash, Mayor

ATTEST:

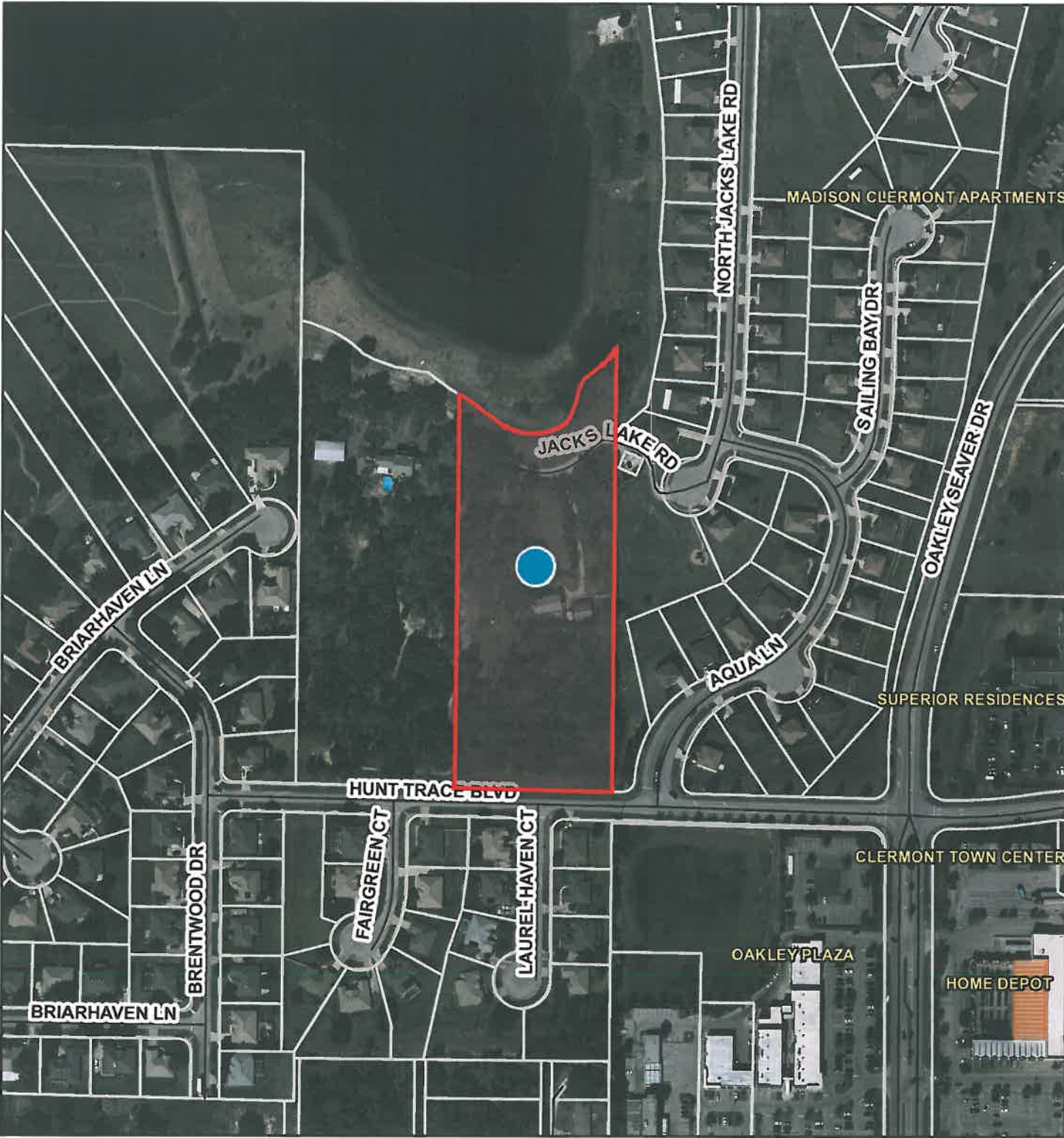
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Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

---

Daniel F. Mantzaris, City Attorney



July 5, 2017

pointLayer

 Override 1

polygonLayer

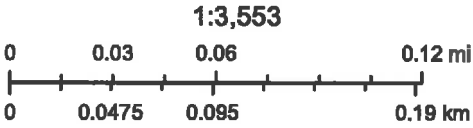
 Override 1  
 County Boundary

Street Names

 Local Streets

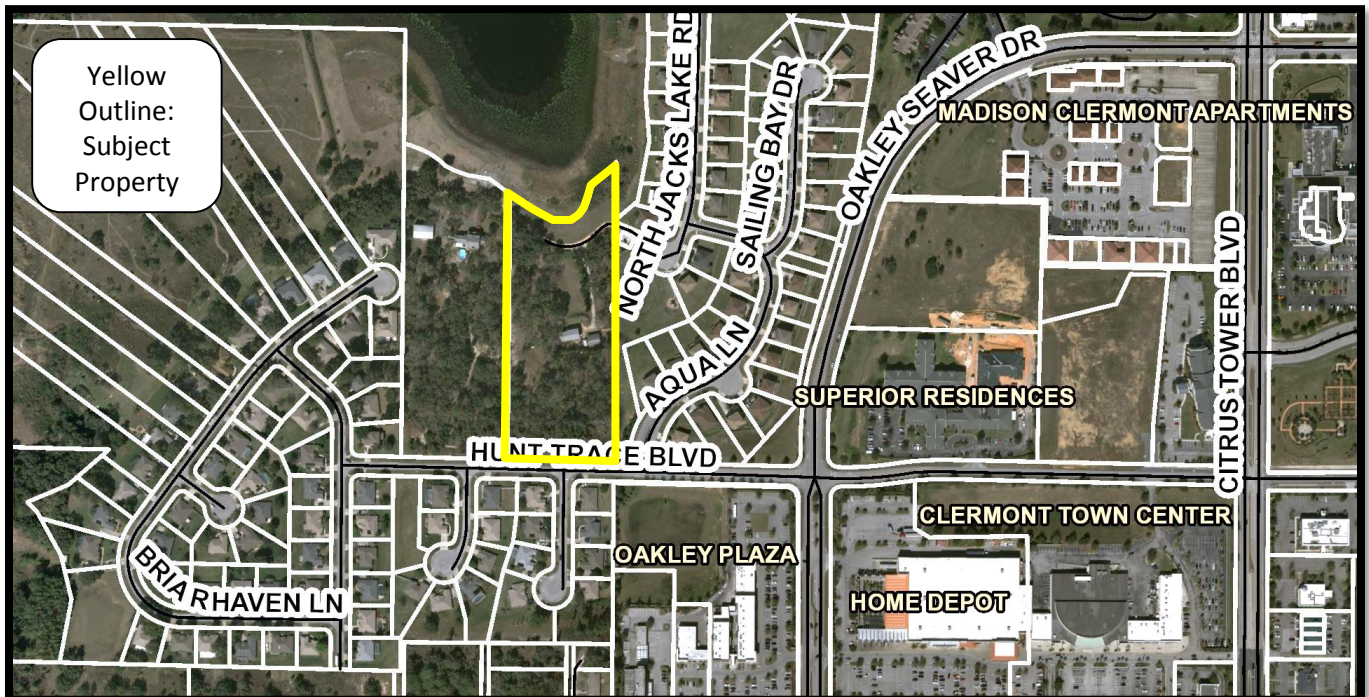
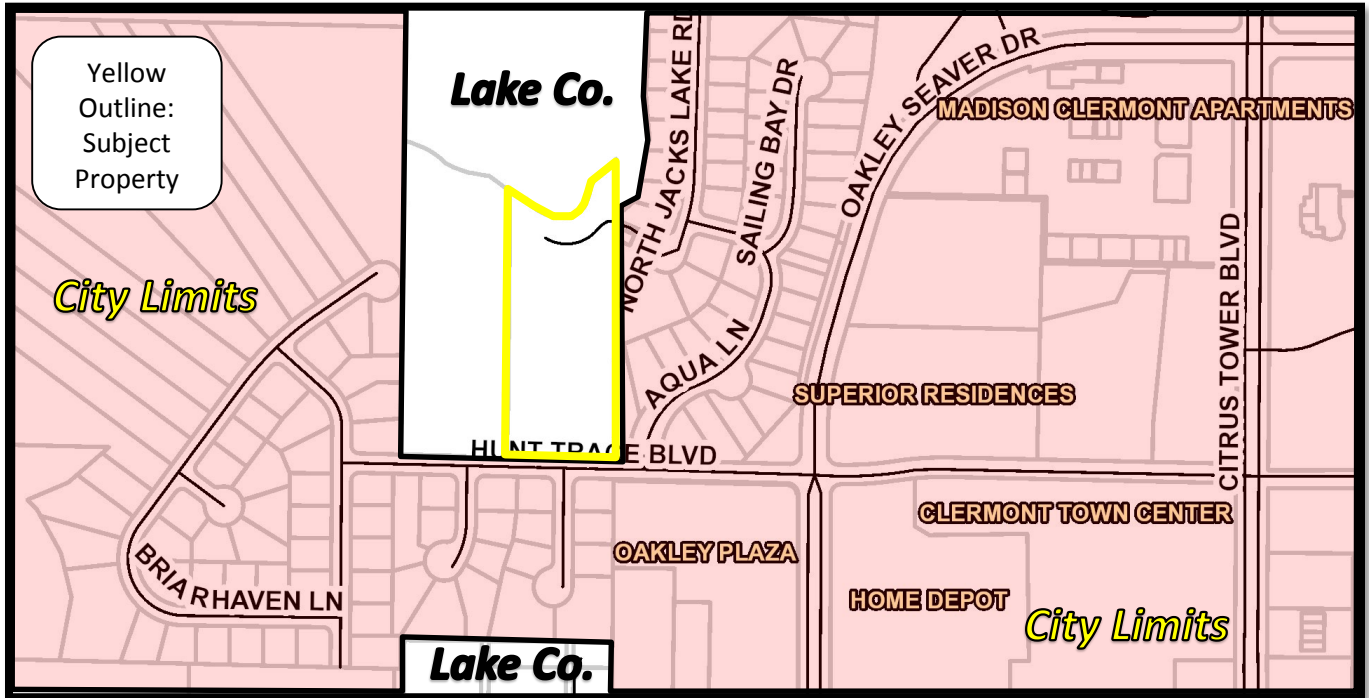
Property Name

 Tax Parcels  
 Surrounding Counties





# Exhibit - Location Map – Clermont Ridge Senior Villas



# Exhibit – Future Land Use Map - Clermont Ridge Senior Villas

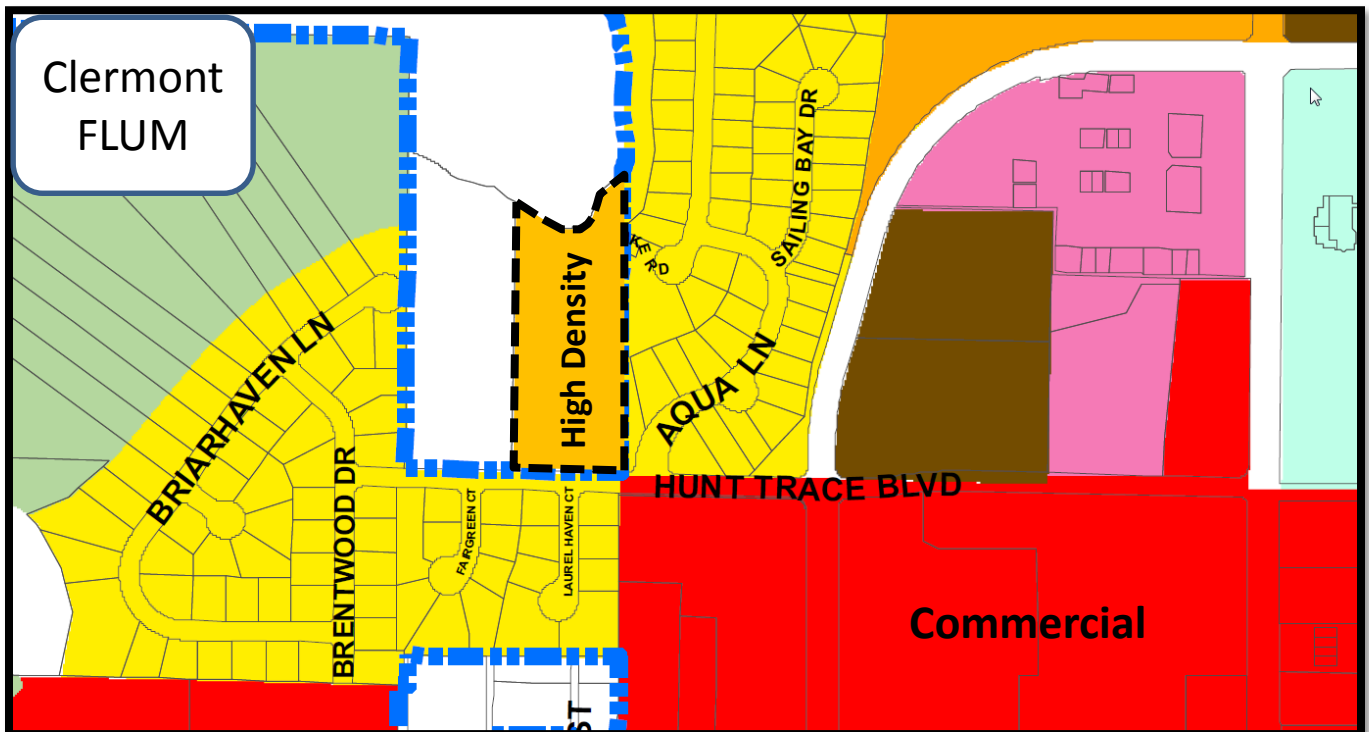
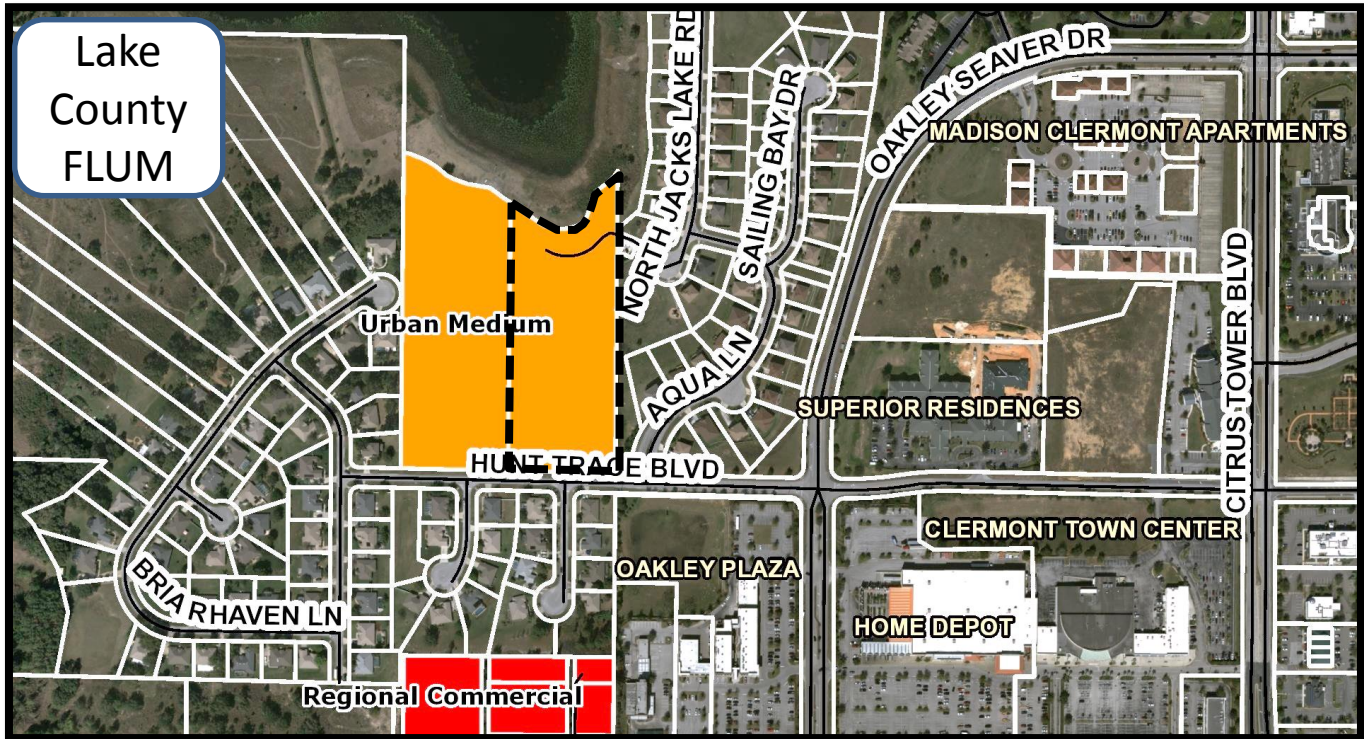
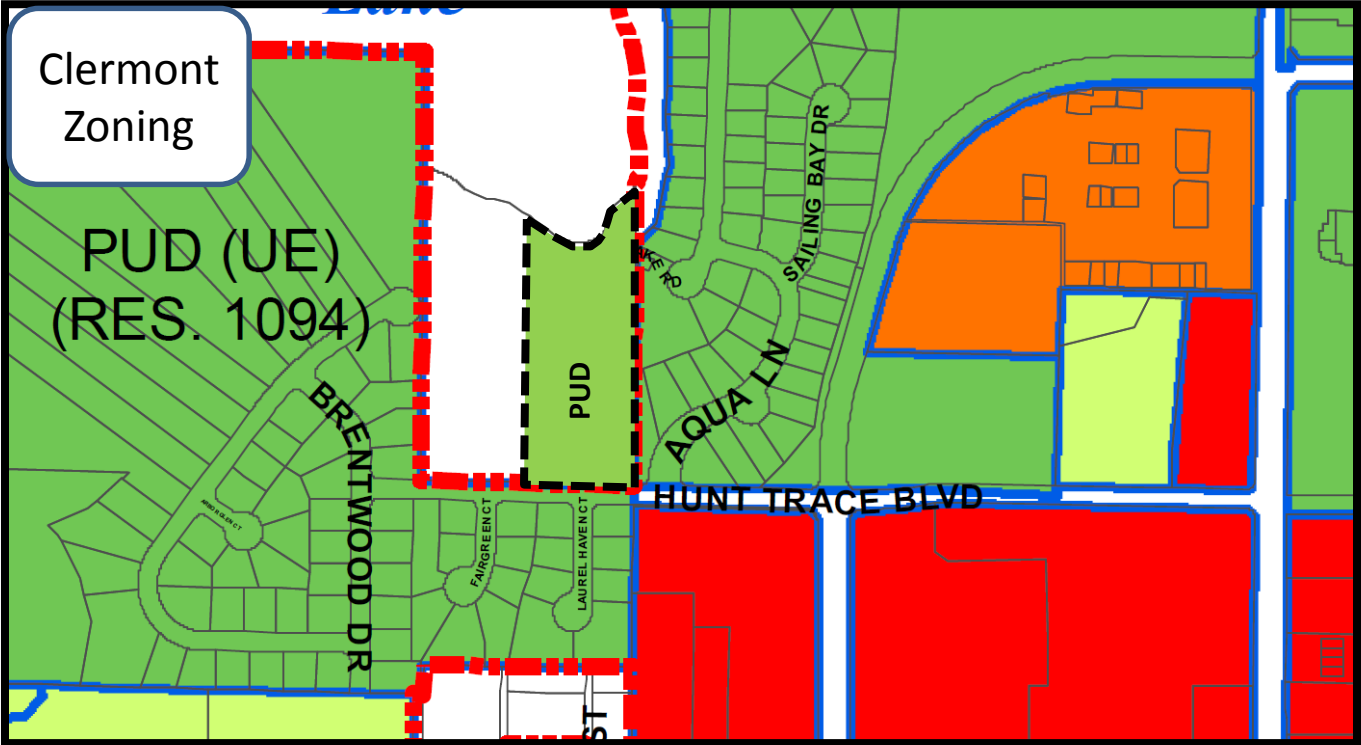
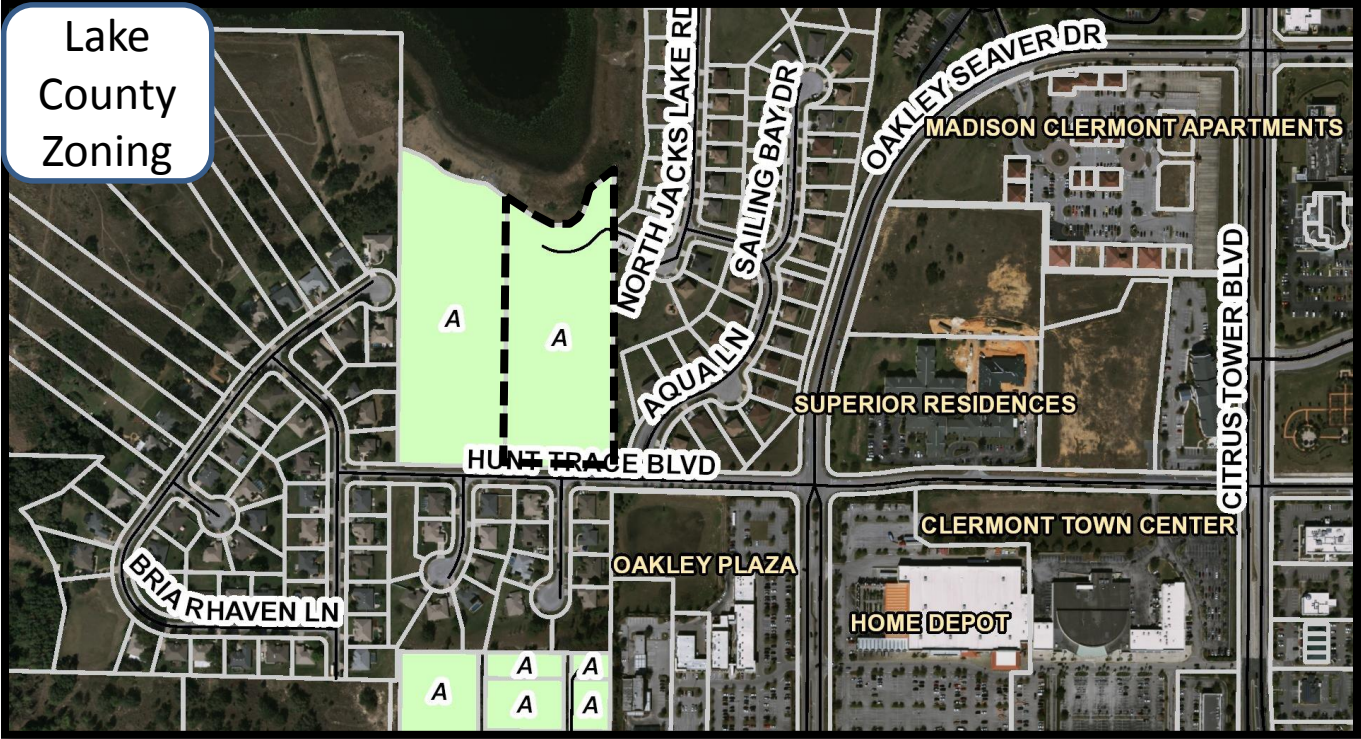




Exhibit – Zoning Map - Clermont Ridge Senior Villas





CONCEPTUAL SITE PLAN  
CLERMONT RIDGE  
SENIOR VILLAS  
CLERMONT, FLORIDA  
PARCEL NO. 09-22-26-080061B00000

SITE DATA

OWNER: CARRIER WILLIAM H & NANCY L  
13605 JACKS LAKE RD  
CLERMONT, FL 34711

PARCEL NO: 09-22-26-080061B00000

ALTERNATE KEY: 1647801

EXISTING ZONING: AGRICULTURE

EXISTING USE: RESIDENTIAL

EXISTING FLU: URBAN MEDIUM DENSITY

PROPOSED USE: PUD-RESIDENTIAL/MULTIFAMILY

AGE RESTRICTED 55+

TOTAL UNITS: 70 UNITS (11.02 UNITS PER ACRE)

UNIT SIZE: 392 SQ. FT.

TOTAL AREA: 6.35 ACRES

ZONING: R-1 SINGLE FAMILY

NORTH: PUD-RESIDENTIAL

SOUTH: PUD-RESIDENTIAL

EAST: PUD-RESIDENTIAL

WEST: PUD-RESIDENTIAL

FLU: NORTH: LOW DENSITY

RESIDENTIAL SOUTH: LOW DENSITY

RESIDENTIAL EAST: LOW DENSITY

RESIDENTIAL WEST: LOW DENSITY

EXISTING USE: NORTH: RESIDENTIAL

SOUTH: RESIDENTIAL

EAST: RESIDENTIAL

WEST: RESIDENTIAL

SETBACKS:

FRONT(HUNT TRACE BLVD): 25'

SIDE: 10'

REAR(JACK'S LAKE NHWL): 25'

LANDSCAPE BUFFERS:

FRONT(HUNT TRACE BLVD): 20'

SIDE: 10'

WATER:

CITY OF CLERMONT

SEWER:

CITY OF CLERMONT

BUILDING HEIGHT:

35' MAXIMUM

WETLANDS:

SEE SITE PLAN

PARKING REQUIRED:

105 SPACES

1.5 SPACES PER ONE BEDROOM UNIT

PARKING PROVIDED:

120 SPACES

AS SHOWN: 14 BUILDINGS

EACH BUILDING: 1 BEDROOM = 1.5 SPACES

TOTAL PER BUILDING: 8 SPACES

STANDARD SPACES SHALL BE: 10 x 20

ADA SPACES SHALL BE: 12 x 20 WITH

VARIANCES REQUESTED:

MINIMUM UNIT SIZE 392 SQ FT

MAXIMUM RETAINING WALL 10' HEIGHT

CUT TO EXCEED 10'

FILL TO EXCEED 10'

ANTICIPATED TRIP GENERATION

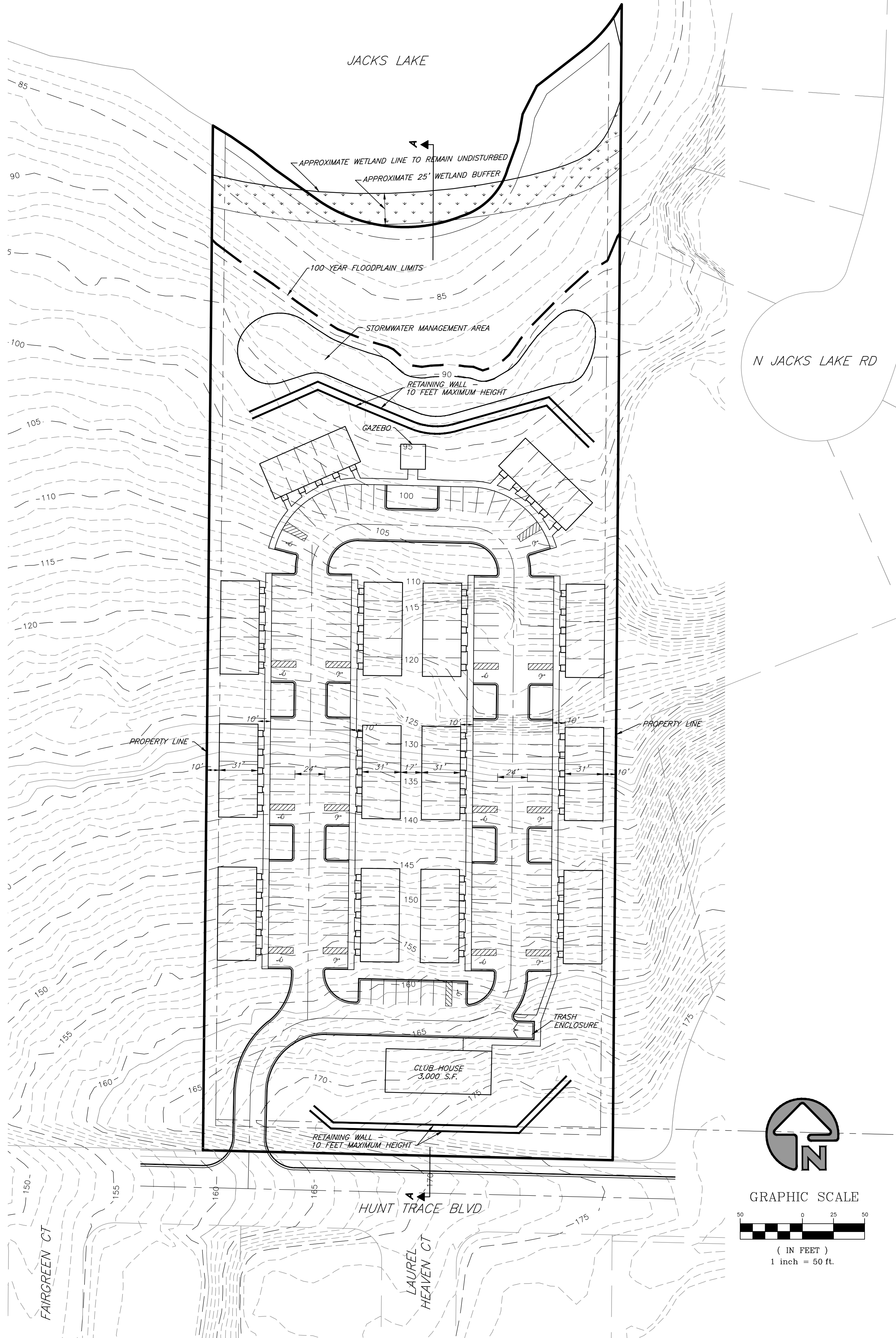
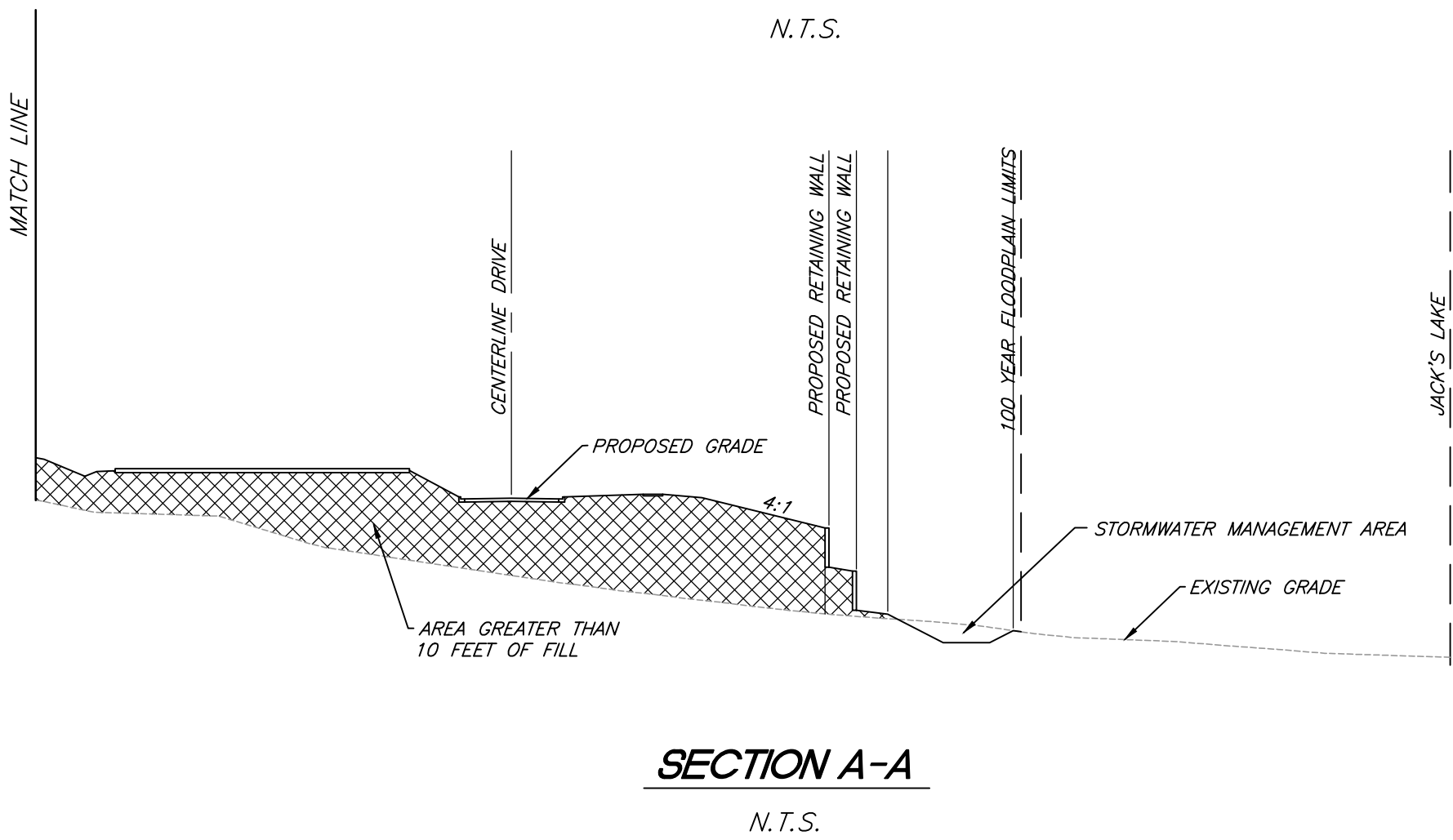
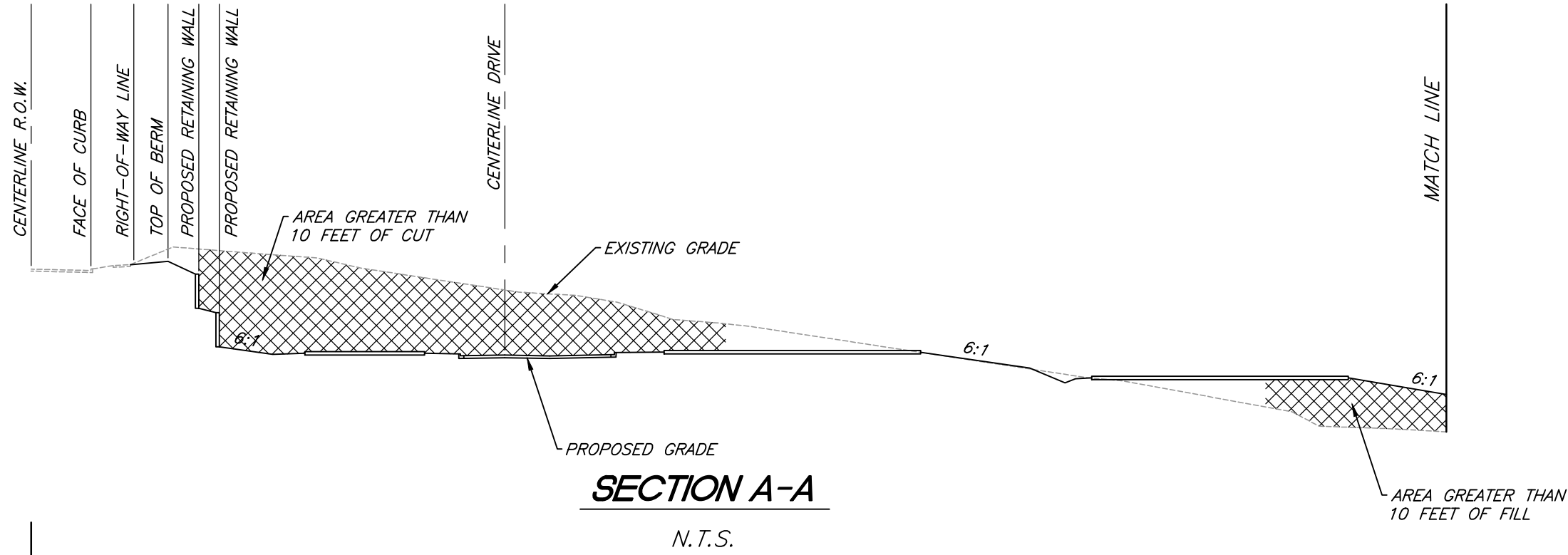
| Description/ITE Code               | Vehicle Trip Generation Rates<br>are for peak hour of adjacent street traffic unless highlighted |      |         |       |        |       | Expected<br>Units | Total Generated Trips |         |         | Total Distribution of Generated Trips |        |         |       |        |         |
|------------------------------------|--------------------------------------------------------------------------------------------------|------|---------|-------|--------|-------|-------------------|-----------------------|---------|---------|---------------------------------------|--------|---------|-------|--------|---------|
|                                    | AM                                                                                               | PM   | Pass-By | AM In | AM Out | PM In | PM Out            | Daily                 | AM Hour | PM Hour | AM In                                 | AM Out | Pass-By | PM In | PM Out | Pass-By |
| Senior Adult Housing: Attached 252 | 0.13                                                                                             | 0.16 | 36%     | 64%   | 60%    | 40%   | 70.0              | 244                   | 9       | 11      | 3                                     | 6      | 0       | 7     | 4      | 0       |

PROPERTY DESCRIPTION

LOT 61-B, SECTION 20, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE HIGHLAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 30, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA

TOGETHER WITH

THAT PART OF VACATED PLATTED ROAD BOUNDED ON THE SOUTH BY THE NORTH LINE OF THE TRACT 61-B, LAKE HIGHLAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 30, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND BOUNDED ON THE NORTH BY THE HIGH WATER LINE OF JACK'S LAKE AND BOUNDED ON THE EAST AND WEST BY THE NORTHERLY EXTENSIONS OF THE EAST AND WEST LINES OF TRACT 61-B, LAKE HIGHLAND COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 30, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



CLERMONT RIDGE SENIOR VILLAS  
CONCEPT PLAN

**HEI**  
HIGHLAND  
ENGINEERING, INC.  
79 West Illiana Street  
Orlando, Florida 32806  
Office 407-275-7877  
Fax 407-275-7901  
CA No. 27612

JOB No.: NBL-001  
DESIGNED BY: J.B.  
DRAWN BY: J.K. & L.A.  
APPROVED BY: J.B.  
DATE: 07.14.2017  
SHEET: 1 OF 1

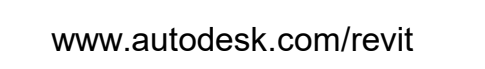




① East  
1/4" = 1'-0"



West  
1/4" = 1'-0"



Consultant  
Address  
Address  
Address  
Phone

|       |              |
|-------|--------------|
| Scale | As indicated |
|-------|--------------|



REC 1706-0001

REC. 7-5-17  
JK



**CITY OF CLERMONT  
REZONING  
APPLICATION**

DATE: 6/4/17

FEE: \$542.<sup>00</sup>  
+ cost of advertisement

PROJECT NAME (if applicable): Carrier Garden Home

APPLICANT: New BEGINNINGS Housing, Inc

CONTACT PERSON: HANK DUND

Address: 665 MT. STirling Ave

City: APPOKA State: FL Zip: 32712

Phone: 828-989-4711 Fax: —

E-Mail: HANKDUND111@gmail.com

OWNER: New BEGINNINGS Housing, Inc

Address: PO Box 783963

City: Winter Garden State: FL Zip: 34778

Phone: 828-989-4711 Fax: —

Address of Subject Property: 13605 N. JACKS LAKE Rd. Clermont, FL 34711

Legal Description (include copy of survey): LAKE HISHIM25, 20-22-26

TRACT 61B, THAT part of vacated Platted 20  
bounded on S by N Line of TRACT 6  
AK 1647801

Acreage: 6 ± Land Use: Residential/AG  
(City verification required)

Present Zoning: AG Proposed Zoning: MULTI-FAMILY  
(City verification required) PUD



**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?

MOVING FROM SINGLE FAMILY TO  
MULTI-FAMILY

NEW BEGINNINGS HOUSING, INC

Applicant Name (print)

x

by [Signature]  
Applicant Name (signature)

NEW BEGINNINGS HOUSING, INC

Owner Name (print)

x

[Signature]  
Owner Name (signature)

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



**APPLICANT'S AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Haric Dunn, 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 AG to Multi-Family 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.

Haric Dunn

Affiant - Applicant Name (print)

X

[Signature]

Affiant - Applicant Name (signature)

NEW BEGINNINGS HOUSING, INC.

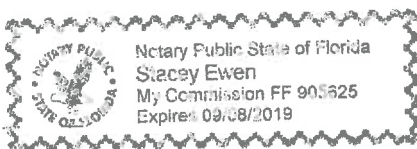
SWORN to and SUBSCRIBED before me by

or personally known by me this 5<sup>th</sup> day of July, 2017.

X

[Signature]

Notary Public, State of Florida at Large



My Commission Expires: Sept 8, 2019



**OWNER'S AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Hank Durr, 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 AS to MULTI-FAMILY for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Hank Durr 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.

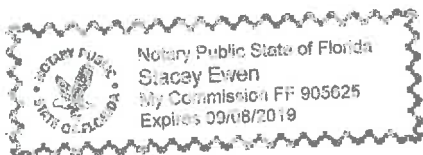
Hank Durr  
Affiant - Applicant Name (print)

X [Signature]  
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 5<sup>th</sup> day of July, 2017.

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



My Commission Expires: Sept 8, 2019

### **LEGAL NOTICE**

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

### **ORDINANCE NO. 2017-30**

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

### **LOCATION**

13605 Jacks Lake Road  
Property on the north side of Hunt Trace Blvd.  
and west of Oakley Seaver Dr.  
Alternate Key 1647801

### **LEGAL DESCRIPTION**

Lake Highlands 20-22-26 Tract 61B, that part of vacated platted road bounded on S by N line of Tract 61B, on N by high water line of Jacks Lake and on E & W by N'y extensions of E & W lines of Tract 61B, PB 3 PG 30 ORB 638 PG 322 .

Containing 6.35 Acres +/-

FROM Urban Estate  
TO Planned Unit Development

This request will be considered by the Planning & Zoning Commission on Tuesday, August 1, 2017 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, August 22, 2017 at 6:30 p.m. for final enactment.

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

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

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

Daily Commercial  
July 25 & August 8, 2017

Tracy Ackroyd Howe, MMC  
City Clerk