



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, October 3, 2017
City Hall – 685 W. Montrose Street, Clermont, FL**

**CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE**

MINUTES

Approval of the Minutes of the September 18, 2017 meeting of the Planning and Zoning Commission

REPORTS

NEW BUSINESS

Item 1 - Resolution No. 2017-50
Greystone Healthcare Conditional Use Permit

Resolution No. 2017-50
Greystone Healthcare Conditional Use Permit

Item 2 - Resolution No. 2017-38
Blue Water Express Conditional Use Permit

Resolution No. 2017-38
Blue Water Express Conditional Use Permit

Item 3 - Resolution No. 2017-51
Trans Tech Automotive Conditional Use Permit

Resolution No. 2017-51
Trans Tech Automotive Conditional Use Permit

Item 4 - Ordinance No. 2017-38
Keating/Hancock Public Works Large-Scale Comprehensive Plan Amendment

Ordinance No. 2017-38
Hancock Public Works Large-Scale Comprehensive Plan Amendment

Item 5 - Resolution No. 2017-52
Quick Lane @ Ford of Clermont

Consider Resolution No. 2017-52
Quick Lane @ Ford of Clermont

Item 6 - Ordinance No. 2017-27
Sign Code Amendment

Consider ordinance to repeal and replace Chapter 102 -Signs in the Land Development Code.

Discussion of Non-Agenda Items

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the

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document, picture, video or item must be provided to the Recording Clerk for the City's records.

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The meeting of the Planning & Zoning Commission was called to order Tuesday, September 18, 2017 at 6:30 p.m. by Chairman Nick Jones. Other members present were Cuqui Whitehead, Carol Thayer, and Tony Hubbard. Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan, Mantzaris, City Attorney and Jane McAllister, Planning Specialist, were also in attendance.

Chairman Jones gave instructions as to how to conduct the business of the Planning & Zoning commission.

Commissioner Whitehead moved to approve the minutes of the July 6, 2017 meeting as written; seconded by Commissioner Thayer.

MINUTES of the Planning and Zoning Commission meeting held July 6, 2017 were approved as written.

REPORTS: Commissioner Whitehead commended the Fire Department for a great rescue during the storm. She also commended all the city workers who worked so hard through and after the storm.

REQUEST: To change the Future Land Use designation for the 9.5 +/-acre parcel from Lake County Urban Low to Clermont Commercial.

APPLICANT: AVID Group

Senior Planner, John Kruse, presented the staff report as follows:

The applicant, AVID Group, is requesting a small-scale comprehensive plan for the subject property. The request was before the Council earlier this year for consideration, but it was withdrawn in April by the applicant to further refine the development plan. The property is approximately 9.5 +/- acres in size. This request is being heard concurrently with requests for annexation and rezoning. The applicant wishes to develop the property and use City services.

The small-scale comprehensive plan amendment would change the land use from Lake County's Urban Low within a major commercial corridor to the City's Commercial designation. The property fronts a major six-lane arterial roadway encouraging commercial use and has existing commercial uses to the north and across U.S. Highway 27 to the east. The Commercial designation is supported by the proximity of the property to U.S. Highway 27 and the existing development pattern of comparable intensity in the area. In addition, Lake County's comprehensive plan, Policies I-1.3.2 & I-1.3.10.6, permits the proposed commercial activities and encourages infill development within commercial corridors.

The City's Commercial future land use would be comparable with Lake County's Urban Low within the major commercial corridor designation. The Commercial future land use is the most

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appropriate based on the development pattern of the surrounding area, which is primarily commercial along the U.S. Highway 27 corridor. Staff recommends approval of the small-scale comprehensive plan amendment to change the future land use from Lake County Urban Low to Commercial in the City.

1. REQUEST FOR REZONING

REQUEST: To allow for the rezoning of 9.47 +/- acres from Urban Estate to Planned Unit Development (PUD).

APPLICANT: AVID Group

Senior Planner, John Kruse, presented the staff report as follows:

The applicant, AVID Group, is requesting a rezoning of the subject property. The property is approximately 9.5 +/- acres in size. The project was before the City Council earlier this year for consideration, but was withdrawn by the applicant to further refine the development plan. This request is being heard concurrently with requests for annexation and a small scale comprehensive plan amendment.

Upon annexation, the zoning would default to Urban Estate. The applicant is requesting to change to Planned Unit Development (PUD) zoning with C-2 General Commercial uses. The owner wishes to develop the property as a multi-tenant commercial shopping center with typical uses consisting of retail businesses, personal services establishments, fitness center, restaurants, office, and bank/ATM facilities. These uses are all permitted uses in the C-2 General Commercial district. The overall development will have up to 58,000 square feet of C-2 General Commercial use, including approximately 1,400 square feet for outdoor patio use. One of the buildings, the proposed fitness center, will occupy more than 20,000 square feet of floor space but no larger than 22,000 square feet. This structure is identified as "Commercial F" on the PUD Site Development Plan prepared by AVID Group, dated 6/30/17. The overall floor area ratio (FAR) of the total development is 0.14 (14%), well under the maximum amount allowable of 0.25 (25%) under the Commercial future land use. The site will be developed to meet the City's Architectural Standards and will be developed in a manner that closely resembles the architectural style and elevations as presented in the design concepts prepared by Empad Architecture and Design.

The applicant has requested PUD zoning for the subject property to include permitted uses in the C-2 General Commercial zoning district with a request for a few waivers to the Land Development Code that allows a flexible development plan tailored to the site. The waivers requested by the applicant include the following:

1. A six-foot high decorative masonry or brick wall to be constructed as an integral part of the top tiers of the retaining wall along the western property line.

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2. A modified western landscape buffer that allows clustering for four canopy trees and two understory trees and the omission of these trees along the shared property line at 13220 Maria Ave.
3. One structure greater than 20,000 square feet but no more than 22,000 square feet.

Staff has reviewed the applicant's proposal and believes the general commercial uses at this location is compatible with the uses in the area. The four single-family residential homes to the west are approximately 15 feet higher than the proposed development. Adjacent to the homes will be a ten-foot landscape buffer, a six-foot high decorative masonry or brick wall on top of the retaining wall, stormwater pond, and majority of the parking. This transition will keep the buildings pushed towards the front of the property along U.S. Highway 27. The existing building on the northern portion of the property will be the nearest building to the western property line, which is over 200 feet away.

The applicant has submitted a traffic impact analysis (TIA) and it has been reviewed by the Lake-Sumter MPO. The Lake-Sumter MPO is satisfied with the responses provided and is requesting monitoring of two intersections in the area to determine if the project causes the level of service (LOS) of the intersections to deteriorate below acceptable standards. A condition has been placed in the ordinance that requires monitoring and the developer's proportionate fair-share for improvements if it becomes warranted.

Under previously approved ordinances and site plans granted by Lake County, approximately 68,000 square feet of floor area ratio could be constructed on the subject property. St. Mathias Episcopal Church project was approved for approximately 26,000 square feet, the Pointe at Lost Lake was approved for approximately 33,000 square feet, and the existing building is approximately 9,000 square feet. The applicant is proposing 58,000 square feet under the terms of the PUD, or approximately 10,000 square feet less.

Staff have reviewed the application and believes that the proposed uses will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified. Staff believes the proposed PUD meets the review criteria in Section 122-315. Staff recommends approval of the request for a Planned Unit Development with C-2 General Commercial uses with the conditions outlined in Ordinance 2017-35.

Ms. Cecelia Bonifay, 420 S Orange Ave., Orlando FL, attorney for owner and developer. Ms. Bonifay said the owner and the transportation consultant for the project were present to answer questions.

Ms Bonifay said she was not involved with this project when it first came before the Commission.

Ms. Bonifay said they have met with neighborhood people of Anderson Hill and addressed several points, and that a new traffic study will help to make a determination on the future of Anderson Hill Road. She said there was additional work done by the transportation consultant to

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address the problem, and he thinks the changes will make a big difference. There are 3 parcels involved, there will be a unified plan of development.

Mr. Quint Roberts, Owner, 625 SR 100 Palatka, FL. said they are going to combine 3 parcels into one. They are lessening the square footage allowed right now. Reducing density of the site and limiting accesses to two on Anderson Hill Road. He said Anderson Hill Road has been there for a while, and hasn't been well kept by Lake County. Mr. Roberts said the road is not being over utilized. Currently it is using 17% of its capacity.

Trips generated by the project will raise the capacity to 21%. An accident study showed that over the last 5 years there have been 5 accidents on the road. He said the road can use some work, and they are willing to do some of the work to make it safer. He said they will add sidewalks along their property boundary.

Mr. Roberts said there will be visually appealing walls that will block much of the view of the commercial site from the residential area in Anderson Hill. There will also be a landscape buffer. He said this is a commercial site and should be developed as such.

Mr. Peter Pensa, Planner for AVID Engineering, said in reference to the Comprehension Plan Amendment, the land use in the County currently is Urban Low Density. The residents are saying that this is a residential category, and that the commercial is an intrusion into the residential area. He said that is not the case, and that there is no change in the maximum intensity from what it is now.

Mr. Pensa showed a site plan that has already been approved in the county, and then showed the site plan that they wish to use which shows the buildings are to the front of the property toward U.S. 27, and most of the parking is in the rear. It moves the commercial use away from the residential property. He said they met with neighbors and developed a plan to please the owners of property nearest to the project as far as buffers are concerned.

Mr. Pensa showed elevations in which the rear elevation on the buildings are just as pleasing as the front elevations. He added that the project is designed to be pedestrian friendly. The specific wall design has not been chosen yet, but he showed a suggested wall type that they might use.

Mr. Vas Brisard, Traffic Plan and Design, 13066 Winter Garden, FL, Traffic Consultant, and Engineer. Mr. Brisard said the main traffic concerns are volume, crash history, and safety. The community was concerned with traffic coming from the west along Anderson Hill Road. We found that denying access from Anderson Hill Road might cause more traffic safety issues. There were concerns with the U-turn at Johns Lake Road, and it was found that there is no significant issue. Another concern was the intersection of U.S. 27 and Citrus Tower Blvd., and it was found that this development would add 1 car every three minutes which is not a lot of traffic.

Cecelia Bonifay, asked for rebuttal time after the public has an opportunity to speak.

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Chairman Jones opened the meeting for public comment.

Charlie Russ, 21512 Lakeshore Drive, Clermont, FL objects to the project because his driveway comes out on to Anderson Hill Road. He said Anderson Hill Road is made of clay, and that those curves were originally put into the road to stop citrus trucks from using Anderson Hill as an access road to U.S. 27. If the count of 17% is accurate he said it doesn't add up since he has a problem getting out of his driveway because of the traffic. More traffic using those two 90 degree turns will cause more accidents. He said he hears everything that goes on at the Harley Davidson on the weekend. He is concerned about the noise level of an establishment that might have people sitting outside, and the additional pollutants running into Lake Minnehaha.

Ms. Sonia Durans, 12442 Lakeshore Drive, objects to the project because she is concerned about traffic on the downhill side of Anderson Hill Road and Lakeshore Dr. Ms. Durans said there are no stop signs on Anderson Hill Road, and pointed out that Brogden Dr. has speed bumps and stop signs to slow traffic down. She is concerned about traffic at Lakeshore Dr. and Anderson Hill Road, not just at 27 & Anderson Hill Road.

Mr. Tim Strodes, 12239 Warren Road. Objects to the project and asked that the commission not take staff recommendation to approve. He said this is not compatible with this area. He said this commercial use is not the same as other commercial uses along U.S. 27. Anything that goes in will have significant impact on Anderson Hill Road and the residential area. This is a minor road to serve local residents, also coming out of Anderson Hill Road on to U.S. 27 you are coming out into 3 lanes of traffic.

They should be allowed to develop property, but should have access from and on to Highway 27.

Megan Jones, 12303 Sunshine Drive. She asked why you would allow for restaurant and bar use when there have been DUI accidents. She said there are school bus stops with no sidewalks for the children.

Mr. Tom English, 12307 Warren Road, objects to the development and requests that whatever goes in be compatible with the residential neighborhood. He said that getting on to US27 is a problem with the traffic, and making the right and then the left turn to go to East Ridge High School is dangerous. Asked for no access to or from Anderson Hill Road. He also indicated that children must walk in the grass or in the road to get to their school bus stop.

Chairman Jones asked staff if you were to live west of US 27 and south of Highway 50, what is the access from the west to Highway 27 besides Anderson Hill Road.

Mr. Kruse responded that there is access from Lakeshore Drive to U.S. Highway 27 on Hammock Ridge Road, Brogden Drive, and Hooks Street.

Cecelia Bonifay on behalf of applicant and owner said she understands that this is an emotional issue.

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Lake County approved the uses of these parcels. There are 2 approved accesses to Anderson Hill Road. She said that DOT is not going to allow any more access onto U.S. 27 because of the spacing requirements.

This owner has this property on US 27. They have to come into the city of Clermont in order to get utilities from the city. They want to develop the commercial property. Ms. Bonifay urged the commission to approve this request.

Commissioner Whitehead asked if there was another access point on Anderson Hill Road.

Ms. Bonifay replied that there is access to the Gerber Auto Repair which is not connected to this property.

Chairman Jones closed the public portion.

Chairman Jones asked for the County plan which has been approved for the site to be shown again. The comparison to that and what is being proposed shows a great improvement toward keeping most of the commercial as far away from the residential area as possible.

He said the applicant has met staff requirements, and that Anderson Hill Road has already become a connector point between Lakeshore Drive and US 27.

Commissioner Hubbard asked if the project would be on septic tank?

Mr. Kruse said they will have city utilities. Only the gym is on septic, but if it comes into the city it would go on city sewer.

It is a county road and the county has approved it for this project. DOT refused to put in another entry or exit along US 27.

Comprehensive Plan Amendment:

Commissioner Whitehead moved to approve Comp Plan Amendment, there was no second.

Commissioner Hubbard moved to approve with the condition that there be no access to Anderson Hill Road, seconded by Commissioner Thayer.

The vote was unanimous for approval with the condition that there be no access to Anderson Hill Road.

Rezoning:

Commissioner Hubbard moved to approve with the condition that there be no access to Anderson Hill Road, seconded by Commissioner Thayer.

The vote was unanimous vote to approve with the condition that there be no access to Anderson Hill Road.

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Chairman Jones called for a 2 minute break

Chairman Jones called the meeting to order

REQUEST: To amend Resolution No. 2014-19 to allow for the removal of the tree mitigation plan.

APPLICANT: Charles C. Hiott

Planning Manager, Curt Henschel presented the staff report as follows:

The applicant is requesting a Conditional Use Permit (CUP) to amend Resolution No. 2014-19 for the Clermont Hillside Terrace.

When the original site was developed in 2003 there was a tree mitigation plan set in place with the original developer of the site. This was due to the fact that this site was originally a heavily wooded parcel with many large oak trees.

The plan involved a payment of trees that could not be replanted back on the site. A total value of 469 trees was to be paid into the City's tree fund. The developer made a payment for 200 of the 469 trees at the time the development started. The remaining amount was then made to be a condition of Resolution No. 2014-19 detailing the outstanding amount to be paid to the City's tree fund.

The original developer/owner is no longer associated with the property, and the current applicant is requesting to remove these conditions from the current conditional use permit.

Below is Section 3 (1) of Resolution No. 2014-19. This portion is requested to be removed from the CUP.

Tree Replacement: As part of the development for the site, a total of 1,407 tree inches were deficient from the overall site which included Parcel B – Buildings A, B, C, and D, and Parcel C. 1,407 inches equals a minimum of 469 trees at the Code required three inch (3") caliber. The costs for the deficient inches/trees were to be paid into the City's tree fund.

To date 600 inches (200 trees) have been paid for (based on replacement tree costs as agreed on with the City). Prior to permitting of any of the remaining proposed buildings E, F, G, or H, or any further development on the site, the remaining tree inches must be paid in full. Tree costs for the remaining 807 inches (269 trees) and payment timeline is recommended to be negotiated with the City Manager's office.

Staff recommends approval of the CUP amendment.

Applicant Chuck Hiott, Booth, Ern, Straughan & Hiott, Inc. 902 N Sinclair Ave, Tavares, FL. is available to answer questions.

Commissioner Jones opened to the public. No one wished to speak.

Commissioner Jones closed the public portion.

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Commissioner Whitehead said there are a lot of properties with a lot of trees coming up. She said she does not wish to set a precedent by allowing this applicant to remove the requirement.

Commissioner Thayer asked if trees that are taken down have to be replaced. Mr. Henschel said that is already a condition.

Commissioner Hubbard asked how much money is owed for the replacement trees that they are asking to be forgiven.

Mr. Henschel said approximately \$45,000.00

Chairman Jones said there are a lot of trees on this property. He thinks it is unreasonable to make them pay the cost of the trees.

There was discussion among the Commissioners both pro and con.

Commissioner Hubbard moved to approve the request to amend the Conditional Use Permit, seconded by Commissioner Thayer.

The vote was 2 to 2. Voting for approval Commissioners Jones and Hubbard, against approval Commissioners Whitehead and Thayer.

4. REQUEST FOR SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT

REQUEST: 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 from Lake County Urban Medium to Clermont High Density Residential.

APPLICANT: Clermont Ridge, Ltd.

Senior Planner, John Kruse, presented the staff report as follows:

Due to lack of a quorum at the August 1, 2017 Planning and Zoning Commission meeting, this request and the related request for a rezoning on this property could not be considered by the Commission for a recommendation to the City Council. Final hearings for the annexation, comprehensive plan amendment and rezoning are now requested to be considered together at the September 12, 2017 meeting, which will follow the September Planning & Zoning Commission meeting on September 11, 2017. The ordinances were introduced at the Council meeting on August 8, 2017.

The applicant, Clermont Ridge, Ltd., is requesting a small-scale comprehensive plan amendment for the subject property. The property is approximately 6.34 +/- acres in size and is located north of Hunt Trace Boulevard and west of Oakley Seaver Drive. This request is being heard

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concurrently with requests for annexation and a rezoning to a Planned Unit Development (PUD) to allow for senior housing. The applicant would like to develop the property and have City services available.

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.

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.

The subject property is located in close proximity to South Lake Hospital, medical offices, and 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.

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 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.

5. REQUEST FOR A REZONING

REQUEST: To allow for the rezoning of 6.35 +/- acres from Urban Estate to Planned Unit Development (PUD).

APPLICANT: Clermont Ridge, Ltd.

Senior Planner, John Kruse, presented the staff report as follows:

Due to lack of a quorum at the August 1, 2017 Planning and Zoning Commission meeting, this request and the related request for a rezoning on this property could not be considered by the Commission for a recommendation to the City Council. Final hearings for the annexation, comprehensive plan amendment and rezoning are now requested to be considered together at the September 12, 2017 meeting, which will follow the September Planning & Zoning Commission meeting on September 11, 2017. The ordinances were introduced at the Council meeting on August 8, 2017.

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The applicant, Clermont Ridge, Ltd., 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.

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 11.2 units per acre. The property is within 2,000 feet of South Lake Hospital, medical offices, and 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.

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.

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.

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, 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.

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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 PUS. 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. Staff recommends approval.

Commissioner Jones asked if the applicant was present.

For the record, Commissioner Whitehead stated she knows Steve Smith but has not discussed it with him.

For the record, Commissioner Jones said he had some minor involvement in discussing the plan with the applicant. All was pro-bono.

Jimmy Crawford, 1201 W Highway 50, Clermont, FL represents Clermont Ridge, Ltd. Mr. Jeff Banker project engineer, and Steve Smith will

Steve Smith, 1323 Briarhaven Lane, Clermont, FL said many seniors are living on social security. Affordable housing needs to be within one mile of public transportation, medical facilities, and shopping. He stated he lives within 300 feet of the project. He said the property is surrounded by commercial sites, and there would be very little impact to traffic in the area. Mr. Smith showed the proposed elevations.

Jeff Banker, Highland Engineering, said he lives in South Lake Forest which is next to where this project is proposed. He said he designed the cut and fill to work with the topography. Mr. Banker said he will answer questions.

Jimmy Crawford said he has done many multi-projects projects in the area. He said with this project crime will not be an issue, noise will not be an issue with kids or teenagers. There will not be an institutional look to the project. It is all one story, and the look is residential in nature. Senior housing will have little impact on traffic.

Chairman Jones opened the floor to the public.

Justin McThern, 1211 Laurel Haven Court, objects to this project and is concerned that medium density will turn into high density commercial right in his neighborhood. He said Clermont is losing green space. Seniors will have visitors in and out all day long. He said he wouldn't want to live in 400 square feet of space.

The entrance should not be off of a dead end cul de sac. He said this property should be turned into a park or some kind of green space. He suggested moving this project over to Hook St.

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Richard Graham 1220 Lauren Haven Court, is concerned about where the access road will be located. The new design is more palpable. He is also concerned about the water pressure. He opposes the rezoning as high density as it is in the middle of medium density homes. He said it is not right to change zoning after people have been living in the area.

Laura Zahn 1203 Fairview Ct, objects to this project because she is worried that “low income” will decrease her property value.

She added that the property is a home for gopher turtles, and according to law they cannot be disturbed.

Patty Jones, 1202 Fairview Court. She said there are 2 parcels of land across the street. She is worried that “low income” housing will affect the value of her house. Hunt Trace is a narrow street. She doesn’t think this is the right place to put this development. She is opposed to the project.

Linda Smith, 1323 Briarhaven Lane, she said she is an avid walker and loves animals. There has been a lot of building since she bought her house. She thinks the best possible thing that could be built on this property is this housing for seniors. She loves the neighborhood and hopes that will continue.

Jimmy Crawford, said we are not looking for high density commercial. The property cannot be anything but what is in the PUD, or they have to come back to the Commission for approval. He said a water pressure study is required at site plan approval. Then the city determines what kind of pressure is required.

He said they are requesting high density classification because that is a requirement for this type of project.

Chairman Jones closed the public portion.

Commissioner Thayer said she is concerned that there are no trees shown on the site plan.

Mr. Kruse advised her that is something that is addressed at site review.

She then asked how close the driveway will be to the community driveway next door. Mr. Kruse said that is another item that is determined in site plan review.

Mr. Banker said there will be approximately 100 feet between the driveways.

Commissioner Thayer said that “low income” bothers her, because there are really nice houses around where this project is coming in. Is this area now going to become all low income housing?

Jimmy Crawford reminded Commissioner Thayer that the Fair Housing Act does not allow discrimination against low income housing. He explained that you can’t use that as a condition of your decision.

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Commissioner Whitehead said she is “low income”. She said that is a problem here in the city of Clermont. There is a need for low income housing for seniors here.

She said that Gopher turtles have been relocated. She added that she applauds Mr. Smith because she is out there with him feeding the homeless.

Chairman Jones said we are the only major city in Lake County that doesn’t provide for low income seniors. He encourages the City to do this.

Comprehensive Plan Amendment

Commissioner Whitehead moved to approve the request, seconded by Commissioner Hubbard. The request was approved by a vote of 3 to 1 with Commissioner Thayer voting no.

Zoning

Commissioner Whitehead moved to approve the request, seconded by Commissioner Hubbard. The request was approved by a vote of 3 to 1 with Commissioner Thayer voting no.

6. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow for an onsite brewery, food service establishments, and other retail uses to occupy more than 3,000 square feet of floor space in the Central Business District.

APPLICANT: Darren Johnson, 1075 Lakeshore Drive, Clermont, FL

Senior Planner, Curt Henschel presented the staff report as follows:

The applicant is requesting a conditional use permit (CUP) to allow a building to occupy more than 3,000 square feet of total floor area at 750 West Desoto Street in the Central Business District (CBD). Under Sec 122-243 of the Land Development Code (LDC), the CBD zoning district allows a variety of uses, but buildings 3,000 square feet or greater require an conditional use permit.

In May 2017, the applicant was approved to expand the original building by 1,000 square feet, for a total of 3,500 square feet. The applicant has since made revisions and has established a new plan that called for the demolition of the existing building, and construction of a 7,200 square-foot building.

The applicant has determined that the condition and structural integrity of the previously existing building would not support the modifications needed to reoccupy the building. The new structure will enhance the aesthetics of the block and increase the property’s taxable value for the CRA increment.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
September 18, 2017

Page 14

The applicant proposes to use this building as a restaurant and brewery, which are permitted uses within the CBD zoning district.

Additional parking stalls will be required, however, the applicant will be seeking a variance for reduced overall parking count.

The applicant and staff believe the project meets the intent of the LCD except for the CUP requirement. Therefore, staff recommends approval of this CUP request.

Jeff Power, Power City Architecture, 1318 Bowman Street, Clermont.

The building was formerly a feed store and was in really bad shape. It was decided to demolish the building and construct a new building. He said he is available to answer questions.

Darren Johnson, 1075 Lakeshore Drive, Clermont, will answer questions.

There being no one from the public present Chairman Jones closed the public portion.

Commissioner Whitehead asked if this was across the street from the Methodist Church, and if he has an arrangement with the church for parking.

Mr. Johnson replied that he does not have an arrangement with the Methodist Church for parking.

Mr. Power said there will be ample parking for the entity.

Commissioner Whitehead moved to approve the request, seconded by Commissioner Thayer. The vote was unanimous for approval.

7. Sign Ordinance Amendment

Commissioner Whitehead moved to table the Sign Ordinance Amendment to the Oct 3, 2017, meeting, seconded by Commissioner Thayer.

The vote was unanimous in favor of tabling the item.

There being no further business, the meeting was adjourned at 9:25 p.m.

Nick Jones, Chairman

ATTEST:

Jane C. McAllister – Planning Specialist



AGENDA ITEM

Meeting Date										
Tuesday, October 3, 2017										
Agenda Item Name										
Resolution No. 2017-50 Greystone Healthcare Conditional Use Permit										
Requested Action										
Recommend Approval of Resolution 2017-50										
Staff Report										
The applicant is proposing to construct and operate a 73,000 square foot skilled nursing facility at the southwest corner of Citrus Tower Blvd. and Hooks St. The facility is designed to operate 24 hours a day while patients recover from their operations or injuries. Registered nurses and LPN's will staff the facility providing services and amenities such as specialized orthopedic, cardiac, and stroke programs. A patient's typical stay may last from 20 to 30 days at the facility, and this will not be considered a permanent housing facility. Other programs offered by the facility will include wound care programs, pain management, fall reduction programs, and dietitian services. The existing commercial future land use and the C-2 commercial zoning district do permit this proposed use with an approved Conditional Use Permit. Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a skilled nursing facility with up to 73,000 square feet of building space in the C-2 zoning district with the conditions contained in Resolution 2017-50.										
Additional Analysis										
Fiscal Impact Summary										
Fiscal Impact	Fund Number and Description	Available Budget Amount								
Exhibits Attached (copies of original agreements)										
<table border="0"> <tr> <td>1. Resolution</td> <td>Resolution 1.docx</td> </tr> <tr> <td>2. Map</td> <td>Greystone Healthcare map.pdf</td> </tr> <tr> <td>3. Location Map</td> <td>Location Map.docx</td> </tr> <tr> <td>4. Site plan</td> <td>Greystone site plan.pdf</td> </tr> </table>			1. Resolution	Resolution 1.docx	2. Map	Greystone Healthcare map.pdf	3. Location Map	Location Map.docx	4. Site plan	Greystone site plan.pdf
1. Resolution	Resolution 1.docx									
2. Map	Greystone Healthcare map.pdf									
3. Location Map	Location Map.docx									
4. Site plan	Greystone site plan.pdf									

5.	Elevations	Greystone elevations.pdf
6.	CUP Conditions	CUP CONDITIONS.docx
7.	App	Greystone Healthcare App.pdf
8.	Legal ad - revised	Greystone Legal ad revised.pdf
9.	Legal Ad	Greystone Legal Ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2017-50**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE
PERMIT TO ALLOW FOR SKILLED NURSING FACILITY UP TO 73,000
SQUAR FEET IN THE C-2 COMMERCIAL ZONING DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 3, 2017 recommended approval of this Conditional Use Permit to allow for a carwash facility, at the following location:

LOCATION:

Southwest corner of Citrus Tower Blvd. and Hooks Street.
Alt Key: 3829168, 1017637, 3884750

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

WHEREAS, the applicant has applied for a Conditional Use Permit to allow a skilled nursing facility in the Commercial Zoning District;

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

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

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

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the conceptual site plan dated September 2017 prepared by Kimley Horn. Formal construction plans, incorporating all conditions stated in this permit shall be submitted for review and approval by the Site Review Committee prior to the issuance of a zoning clearance of other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City

CITY OF CLERMONT
RESOLUTION NO. 2017-50

of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.

4. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
5. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
6. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
7. The structure shall be inspected by the Fire Marshall for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
8. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
9. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
10. No business can occupy any portion of a building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Planning & Zoning Department.
11. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.

Section 2- Land Use

1. This Conditional Use Permit (CUP) is for a skilled nursing facility up to 73,000 s.f.
2. The City's Site Review Committee must approve the site plan prior to the construction plan approval.

CITY OF CLERMONT
RESOLUTION NO. 2017-50

Section 3 – Site Development

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

Section 4 – Transportation Improvements

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

Section 5 – Utilities and Stormwater

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

Section 6 – Landscaping

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

CITY OF CLERMONT
RESOLUTION NO. 2017-50

Section 7 - Architectural Design Standards

1. All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont.
2. All fencing within public view shall be ornamental metal or brick, as approved by the Site Review Committee.

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of October, 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

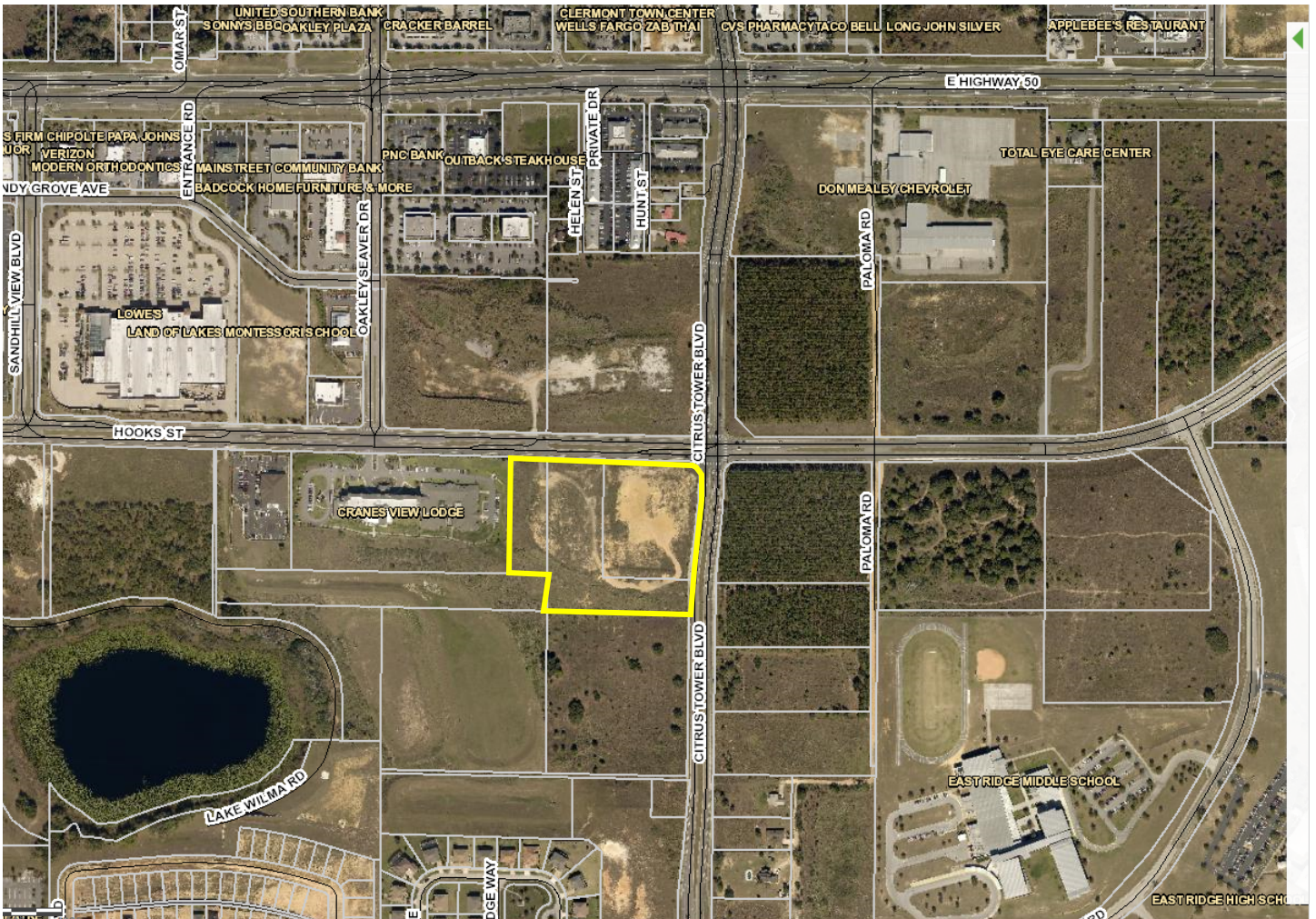
Plotted By: Cull, Matt. Sheet: S01-BREYSTONE - SKILLED NURSING FACILITY. Layout: UTILITY PLAN. August 18, 2017. 09:41:32am. K:\Vols\04\342000 - Greystone Clermont\CAADD\CONSTRV\2 UTILITY PLAN.dwg. This drawing is for informational purposes only and should not be used for construction. It is provided for informational purposes only.

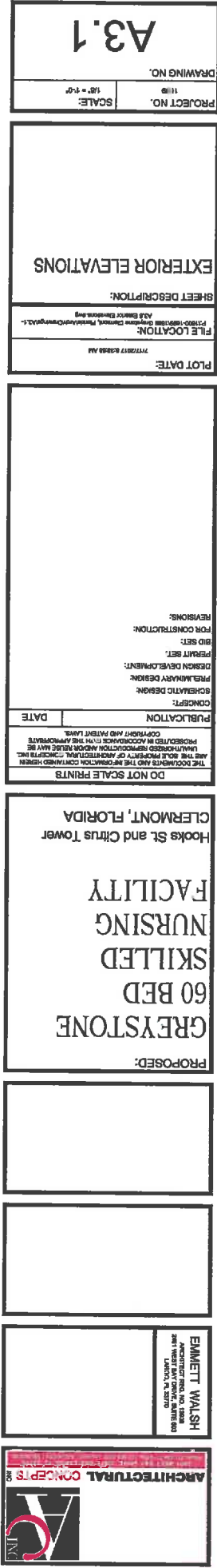


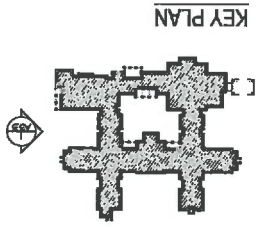
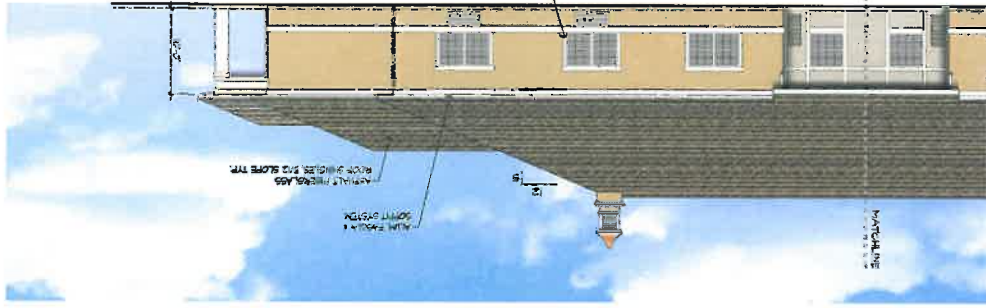
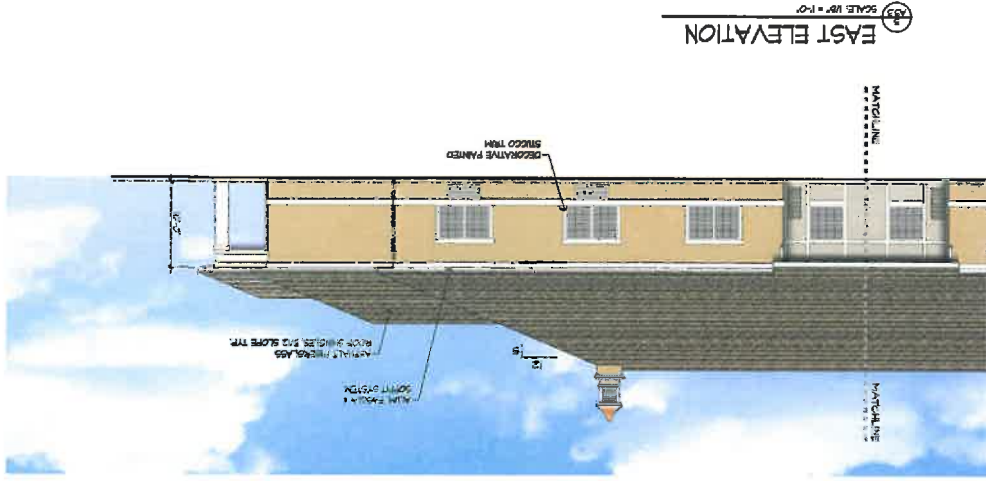
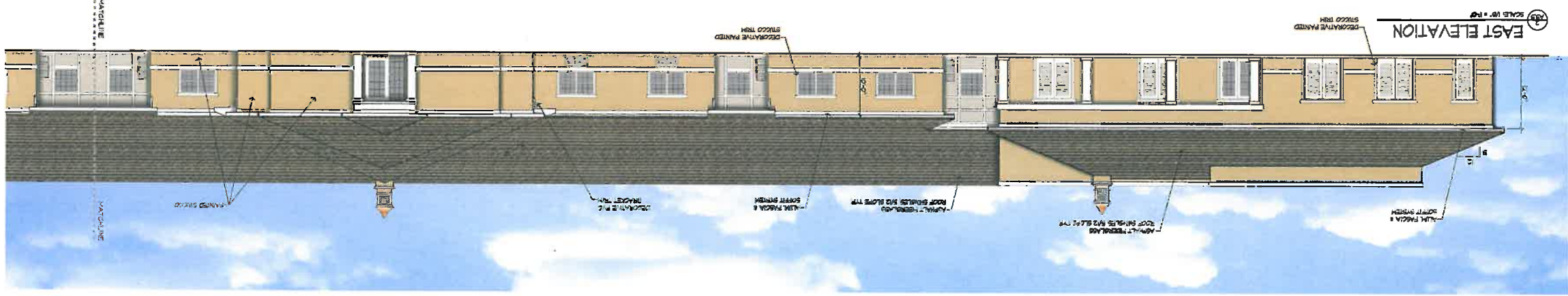
THE LAKES OF CLERMONT HEALTH AND REHABILITATION CENTER PREPARED FOR GREYSTONE HEALTHCARE MANAGEMENT CITY OF CLERMONT		UTILITY PLAN		KHA PROJECT 046342000 DATE AUGUST 2017 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY		LISCENSED PROFESSIONAL DATE AUGUST 2017 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY		Kimley»Horn © 2017 KIMLEY-HORN AND ASSOCIATES, INC. 118 SOUTH KENTUCKY AVENUE, LAKELAND, FL 33801 PHONE: 883-701-0702 WWW.KIMLEY-HORN.COM CA 00000696		REVISIONS No. DATE BY	
SHEET NUMBER 02											

NOT FOR CONSTRUCTION
CONCEPTUAL REVIEW ONLY

Location Map







DRAWING NO.		A3.3	
PROJECT NO.		SCALE:	
1600		1" = 1'-0"	

SHEET DESCRIPTION:		EXTERIOR ELEVATIONS	
FILE LOCATION:		7: 000 05.01.01 - 05.01.01 05.01.01 - 05.01.01 05.01.01 - 05.01.01	
PLOT DATE:		PLOT DATE:	
PLOT DATE:		PLOT DATE:	

THE DOCUMENTS AND THE INFORMATION CONTAINED HEREIN ARE THE SOLE PROPERTY OF ARCHITECTURAL CONSULTING INC. (LAW) AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM ARCHITECTURAL CONSULTING INC.	
DO NOT SCALE PRINTS	
COMPLETION DATE AND PROJECT NAME	
PUBLICATION DATE	PROJECT NAME
CONCEPT: PRELIMINARY DESIGN DESIGN DEVELOPMENT PERMIT SET BID SET: FOR CONSTRUCTION: REVISIONS:	

PROPOSED:
GREYSTONE
60 BED
SKILLED
NURSING
FACILITY
Hooks St. and Citrus Tower
CLEARWATER, FLORIDA

		
		
		EMMETT WALSH EMMETT WALSH JR. 2000 2007 - 2008 LAMONT, CT 06039



CUP CONDITIONS:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the conceptual site plan dated September 2017 prepared by Kimley Horn. Formal construction plans, incorporating all conditions stated in this permit shall be submitted for review and approval by the Site Review Committee prior to the issuance of a zoning clearance of other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. *The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant* by the City Council or the permit shall become null and void.
5. *The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form* version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
6. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date that this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.
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8. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
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10. No business can occupy any portion of a building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Planning & Zoning Department.
11. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.

Section 2- Land Use

1. This Conditional Use Permit (CUP) is for a skilled nursing facility up to 73,000 s.f.
2. The City's Site Review Committee must approve the site plan prior to the construction plan approval.
3. The applicant/owner must coordinate with the Lake County School District for capacity review and requirements pertaining to schools, and in conformance with City Code, prior to issuance of any building permits.

Section 3 – Site Development

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

Section 4 – Transportation Improvements

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

Section 5 – Utilities and Stormwater

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

Section 6 – Landscaping

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

Section 7 - Architectural Design Standards

1. All structures shall be designed and constructed in accordance with the *Architectural Standards* of the City of Clermont.
2. All fencing within public view shall be ornamental metal or brick, as approved by the Site Review Committee.



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION

DATE: _____

FEE: 845.00

PROJECT NAME (if applicable): The Lakes of Clermont Health and Rehabilitation Center

APPLICANT: Greystone Healthcare Management

CONTACT PERSON: Rob Yandek, Vice President of Development

Address: 4042 Park Oaks Boulevard, Suite 300

City: Tampa State: FL Zip: 33610

Phone: 813.675.2325 Fax: _____

E-Mail: rob.yandek@greystonehealth.com

OWNER: 1775 Hooks Street, LLC

Address: 4042 Park Oaks Blvd., Ste 300

City: Tampa State: FL Zip: 33610

Phone: _____ Fax: _____

Address of Subject Property: _____

General Location: SW corner of Hooks Street and Citrus Tower Blvd.

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

Land Use (City verification required): Commercial

Zoning (City verification required): C-2 General Commercial





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

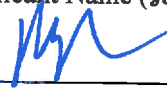
Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

Obtain Conditional Use Approve to develop a 80 bed skilled nursing facility

Ronald J. Swartz, VP and CFO
Applicant Name (print)

X 
Applicant Name (signature)

Ronald J. Swartz, VP and CFO
Owner Name (print)

X 
Owner Name (signature)

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

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

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

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Denise Noak
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10068576
Phone: (352) 241-7331
Date: 09/27/17
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a C	09/26/2017	11/07/2017	\$166.00

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a Conditional Use Permit to allow for a skilled nursing facility in the C-2 General Commercial zoned district.

LOCATION

Southwest corner of Citrus Tower
Blvd. and Hooks Street
Alternate Key 3829168, 1017637,
3884750

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

This request will be considered by the Planning & Zoning Commission on Tuesday, October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, November 14, 2017 at 6:30pm.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10068576
September 26, 2017 &
November 07, 2017

Payment Info	
Ad Price	\$166.00
Tax	\$0.00
Sub Total	\$166.00
Prepaid Amount	\$0.00
Balance Due	\$166.00

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a Conditional Use Permit to allow for a skilled nursing facility in the C-2 General Commercial zoned district.

LOCATION

Southwest corner of Citrus Tower Blvd. and Hooks Street.
Alternate Key 3829168, 1017637, 3884750

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

This request will be considered by the Planning & Zoning Commission on Tuesday, October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 24, 2017 at 6:30pm.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 26, 2017
October 17, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 3, 2017		
Agenda Item Name		
Resolution No. 2017-38 Blue Water Express Conditional Use Permit		
Requested Action		
Recommend approval of Resolution 2017-38		
Staff Report		
The applicant is requesting a Conditional Use Permit (Resolution No. 2017-38) to allow a full service carwash facility in the Urban Estate Low Density Residential zoning district. The subject property will be an outparcel located within the Plaza Collina Planned Unit Development. The approved Master Development Plan allows automotive services establishments as a permitted use with a Conditional Use Permit. The subject property is approximately 1.43 acres+/- and will be developed to meet the City's Architectural Standards and Land Development Codes. The conceptual site plan dated 9/2017; as submitted will require two variances in order to comply with the Land Development Regulations for development that include (1) To allow for a reduction of the required 30 feet special setback for accessory structure canopies, as required by the Land Development Code, Section 122-342 and (2) To allow for a reduced perimeter landscape buffer between abutting properties instead of the minimum ten-foot wide landscape buffer, as required by the Land Development Code, Section 118-37. The variance request will be heard concurrently by the City Council on October 24, 2017. Staff has reviewed the application and believes that the proposed use is consistent with the Plaza Collina Planned Unit Development Master Plan and will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential zoning district with the conditions contained in Resolution 2017-38.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Resolution 2017-38	2017-38BlueWater.docx
2.	Location map	Blue Water Express location map.pdf
3.	Site Map	blue water map.pdf
4.	Elevations	Blue Water elevations.pdf
5.	Site Plan	03_2016.0431 C1 Site Dimension Plan.pdf

6.	Application	Blue Water Express App.pdf
7.	Legal Ad 2	Blue Water Carwash CUP legal Ad 2.docx
8.	Legal Ad	Blue Water Carwash CUP legal Ad.docx

**CITY OF CLERMONT
RESOLUTION NO. 2017-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A
CONDITIONAL USE PERMIT TO ALLOW FOR A CARWASH FACILITY
IN THE URBAN ESTATE LOW DENSITY RESIDENTIAL ZONING
DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 3, 2017 recommended approval of this Conditional Use Permit to allow for a carwash facility, at the following location:

LOCATION:

Blue Water Express Carwash
A vacant parcel of land lying North of State Road 50
and East of Auto Plex Lane
1.43+/- Acres

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

WHEREAS, the applicant has applied for a Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential Zoning District, the subject parcel is part of the Plaza Collina Planned Unit Development Master Plan;

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

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

This application for a Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential zoning district; be granted subject to the following conditions:

Section 1 - General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.

CITY OF CLERMONT
RESOLUTION NO. 2017-38

2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.
3. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
4. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.

CITY OF CLERMONT
RESOLUTION NO. 2017-38

Section 2 - Land Uses and Specific Conditions:

1. This permit is for a self and full service carwash facility located as an outparcel in the Plaza Collina Planned Unit Development Master Development Plan.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Interplan, LLC, dated September 5, 2017 Preliminary Conceptual Plan. The conceptual plan submitted with the Conditional Use Permit application is not an approved site 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. The site will be developed to meet the City's Architectural Standards and Land Development Code.
3. The site may also be used for any permitted use in the C-2 General Commercial zoning district. All uses must adhere to the requirements of the Land Development Code.

CITY OF CLERMONT
RESOLUTION NO. 2017-38

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of October, 2017.

CITY OF CLERMONT

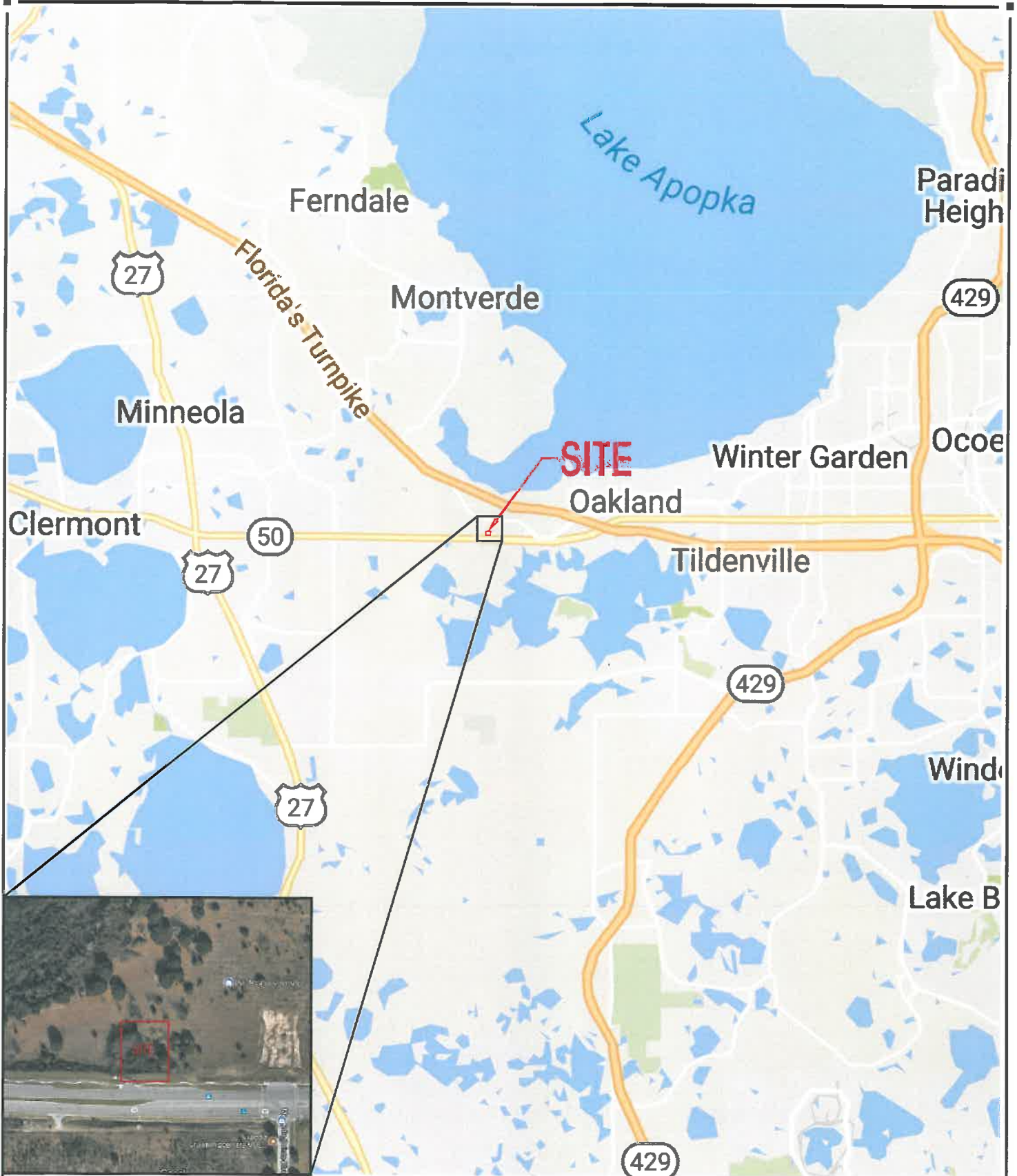
Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



VICINITY MAP

INTERPLAN

ARCHITECTURE / ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

604 COURTLAND STREET
SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.629.9124

AA 003420 CA 8660

BLUE WATER EXPRESS

@ PLAZA COLLINA (S.R. 50)
CLERMONT, FL

COPYRIGHT c YEAR
INTERPLAN LLC RESERVES
COPYRIGHT & OTHER RIGHTS
RESTRICTING THESE
DOCUMENTS TO THE
ORIGINAL SITE OR PURPOSE
FOR WHICH THEY WERE
PREPARED. REPRODUCTIONS,
CHANGES OR ASSIGNMENTS
ARE PROHIBITED.

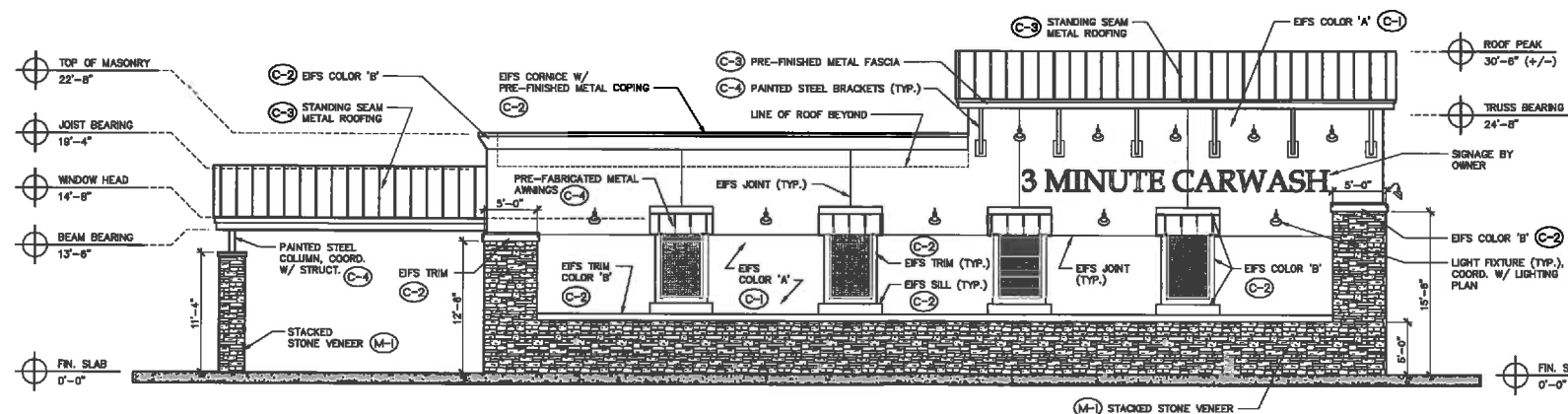
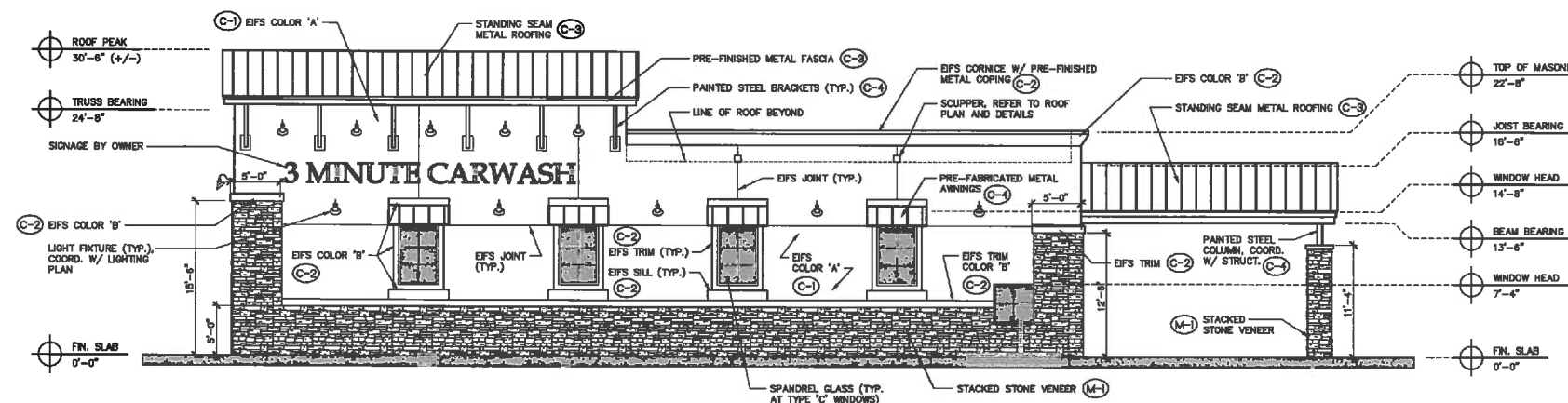
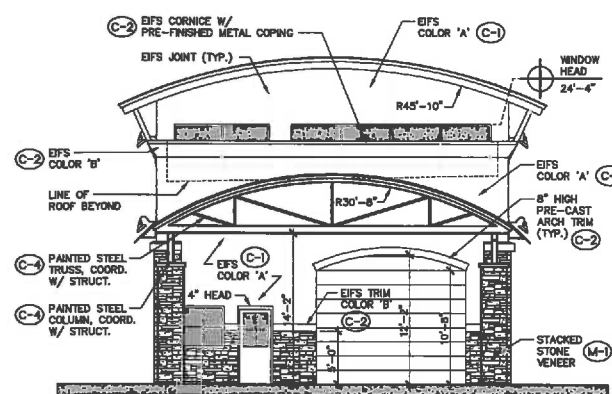
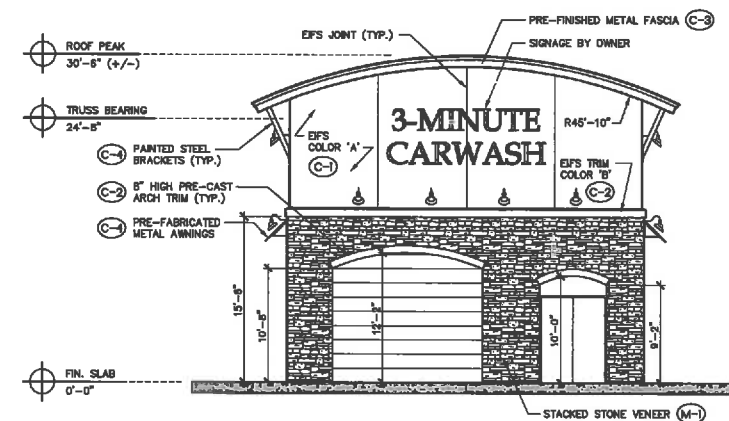
PROJECT NO: 2016.0431
DATE: 7-19-17

EX-01

CHECKED: DMM

Blue Water Carwash - Site Map





COLOR AND MATERIAL SCHEDULE

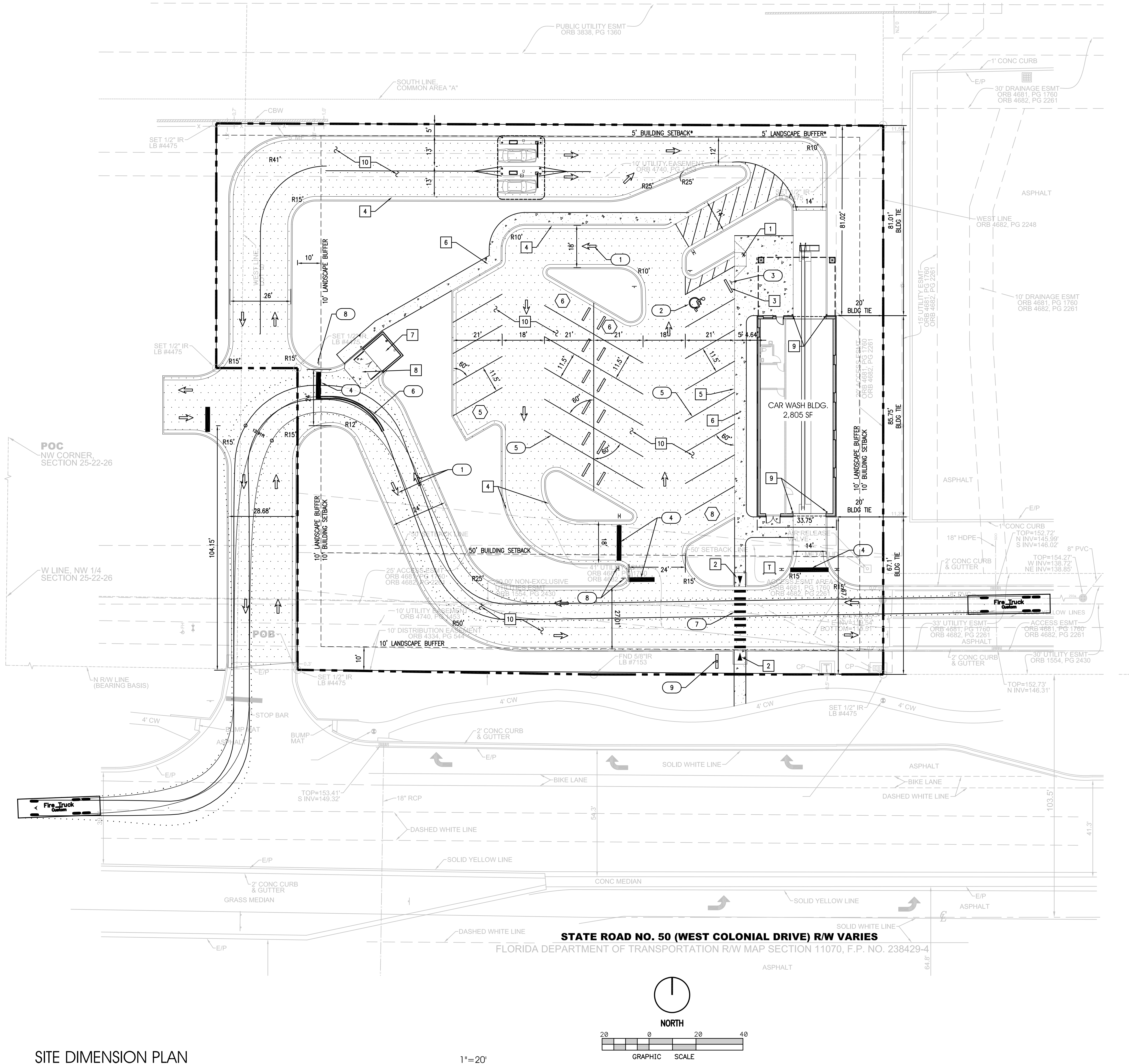
COLOR SPECIFICATIONS	
(C-1)	EFS MAIN BODY COLOR (COLOR "A"): DRYWT #448 "BUCKSKIN", FINE SAND TEXTURE.
(C-2)	EFS ACCENT / TRIM COLOR (COLOR "B"): DRYWT #102 "BRITE WHITE", FINE SAND TEXTURE.
(C-3)	PAINTED STEEL STANDING SEAM METAL ROOF PANELS AND TRIM: "DARK BRONZE" BY "BERTRIDGE MANUFACTURING CO."
(C-4)	PAINTED STEEL BRACKETS AND EXPOSED STEEL STRUCTURE: BENJAMIN MOORE, COLOR-MATCH TO "DARK BRONZE" ROOF PANELS, SEMI-GLOSS SHEEN.
MATERIAL SPECIFICATIONS	
(M-1)	STACKED STONE VENEER: "LEDGESTONE GLACIER VALLEY" BY "RURAL PROSTONE".

**BLUE WATER EXPRESS CAR WASH
LANDSTAR BOULEVARD, ORLANDO, FLORIDA**

PROPOSED EXTERIOR ELEVATIONS

CONN ARCHITECTS
ASSOCIATES
1901 S. Dillard Blvd. • Tallahassee, Florida 32308 • Phone/Fax: 904-478-4704
www.connandassociates.com • License No. AA-0011662

DATE	APRIL 12, 2017
DRAWN BY	SAM
REVIEWED	
JOB NO.	17-144
DATE	
SHEET NUMBER	A1.0



SITE DIMENSION PLAN

TRAFFIC CONTROL & SIGNAGE

- 1 DIRECTIONAL ARROW (11/11) (TYP.)
- 2 HANDICAP PAVEMENT SYMBOLS (12/12) (TYP.)
- 3 HANDICAP SIGN (13/13) (TYP.)
- 4 24" WIDE WHITE STOP BAR (TYP.)
- 5 PAVEMENT STRIPING (4" WHITE) (TYP.)
- 6 4" DOUBLE YELLOW LINE
- 7 24" WIDE WHITE CROSSWALK STRIPING
- 8 30" STOP SIGN (R1-1)
- 9 MONUMENT SIGNAGE

ALL TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION.

WORK DONE WITHIN F.D.O.T. R.O.W. SUBJECT TO F.D.O.T. REVIEW AND APPROVAL.

SITE NOTES

- 1 HANDICAP RAMP (14/14) (TYP.)
- 2 SIDEWALK RAMP (15/15) (TYP.)
- 3 WHEEL STOP (9/9) (TYP.)
- 4 6" CURB (5/5) (TYP.)
- 5 MONOLITHIC CURB AND SIDEWALK (6/6) (TYP.)
- 6 CONCRETE SIDEWALK (8/8) (TYP.)
- 7 DUMPSTER ENCLOSURE (1/1) (TYP.)
- 8 CONCRETE APRON (7/7) (TYP.)
- 9 BOLLARD (4/4) (TYP.)
- 10 ASPHALT PAVEMENT (10/10) (TYP.)
- 11 EXISTING OR PROPOSED FIRE HYDRANT
- 12 DRAINAGE STRUCTURES
- 13 TRANSFORMER PAD
- 14 LIGHT POLE
- 15 BIKE RACK
- 16 VALLEY GUTTER

REFER TO SHEET C0 FOR GENERAL NOTES, SPECIFICATIONS, AND LEGENDS, IN ADDITION TO SITE-SPECIFIC NOTES AND REQUIREMENTS.

INTERPLAN

ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

AA 003420
CA 8660

604 COURTLAND STREET
SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.629.9124

SEAL:
THIS DOCUMENT IS "NOT FOR CONSTRUCTION"
UNLESS THE ARCHITECT OR ENGINEER'S
SIGNATURE AND SEAL APPEAR BELOW.

STUART ANDERSON, P.E.
FL. REG. #60848

NO DATE REMARKS
REVISIONS

BLUE WATER EXPRES
PLAZA COLLINA
CLERMONT, FL.

PROJECT NO: 2016.0431
DATE: Value

C1
SITE DIMENSION PLAN

CHECKED: DM DRAWN: JFH



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 6/29/2017

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Blue Water Express - Car Wash

APPLICANT: Blue Water Express Wash 8, LLC

CONTACT PERSON: Kenneth Tyrrell

Address: 1607 Village Square Blvd, Suite 8

City: Tallahassee State: Florida Zip: 32301

Phone: 850-545-1507 Fax: _____

E-Mail: mozaik@earthlink.net

OWNER: Plaza Collina (orlando) ASLI VI, L.L.L.P.

Address: 923 N. Pennsylvania Ave

City: Winter Park State: Florida Zip: 32789

Phone: 407-628-8488 Fax: 407-644-3115

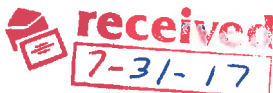
Address of Subject Property: State Road 50, Clermont FL 34711

General Location: Approximately 1/2 mile East of SR 50 & Hartle Rd on the
north side of SR 50.

Legal Description (include copy of survey): see attached

Land Use (City verification required): Regional Commercial

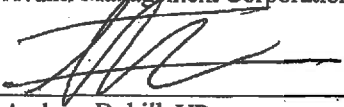
Zoning (City verification required): PUD



PLAZA COLLINA (ORLANDO) ASLI VI, L.L.L.P., a Delaware limited liability limited partnership

By: **Avanti Properties Group II, L.L.L.P., a Delaware limited liability limited partnership, its general partner**

By: **Avanti Management Corporation, a Florida corporation, its general partner .**

By: 

Andrew Dubill, VP

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential Zoning District, at the following location:

LOCATION

Blue Water Express Carwash
North of State Road 50 and East of Auto Plex Lane
1.43+/- Acres

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

This request will be considered by the Planning & Zoning Commission on, Monday October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 24, 2017 at 6:30pm. 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
September 26, 2017
October 17, 2017

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a carwash facility in the Urban Estate Low Density Residential Zoning District, at the following location:

LOCATION

Blue Water Express Carwash
North of State Road 50 and East of Auto Plex Lane
1.43+/- Acres

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

This request will be considered by the Planning & Zoning Commission on, Monday September 11, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, September 26, 2017 at 6:30pm. 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
September 1, 2017 and September 18, 2017

**CITY OF CLERMONT
RESOLUTION NO. 2017-51**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE
PERMIT TO ALLOW FOR AN AUTOMOTIVE TRANSMISSION REPAIR
FACILITY IN THE C-2 COMMERCIAL ZONING DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 3, 2017 recommended approval of this Conditional Use Permit to allow for a carwash facility, at the following location:

LOCATION:
1220 Oakley Seaver Dr.

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

WHEREAS, the applicant has applied for a Conditional Use Permit to allow an automotive transmission repair facility in the Commercial Zoning District;

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:
This application for a Conditional Use Permit to allow an automotive transmission repair facility in the C-2 Commercial zoning district; be granted subject to the following conditions:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use, additions to the use, or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the conceptual site plan dated May 2004 and prepared by McCoy and Associates, (hereafter called "Conceptual Site Plan"). Formal site development plans, incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The site plans shall meet all submittal requirements and comply with the

CITY OF CLERMONT
RESOLUTION NO. 2017-51

conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and the City Comprehensive Plan, as amended. The conceptual site plan submitted with the Conditional Use Permit application is not the approved final development plans.

4. 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.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. This conditional use permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 – Land Use

1. The proposed development will consist of a shopping center to include restaurants, retail, light duty auto service, oil change facility, automotive transmission repair facility, full service car wash, and professional office.
2. Only one (1) of the restaurants proposed to be located on the out parcels shall be permitted to have a drive through window.
3. Out parcels shall be limited to one structure per out parcel.
4. Hours of operation for the light duty auto service facility (Tire Kingdom) shall be limited from 7:00 a.m. to 7:00 p.m. The light duty auto service facility shall remain closed on Christmas, Easter and Thanksgiving.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

5. The car wash and automotive service center hours of operation are limited from 7:00 a.m. to 8:00 p.m.
6. ~~The oil change facility shall not utilize power hydraulic or air powered tools. All operations within the oil change facility shall be performed by hand tools.~~

Section 3 - Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy Equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy Equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved workday.
3. All excavated material shall be stored in a location approved by the City Engineer.
4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the City as part of the Site Review process .
5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with best management practices (BMPs) of the U.S.D.A. Soil Conservation Service.
6. A dust abatement plan shall be submitted to the City detailing measures to be taken in eliminating the migration of dust particles from the site. The plan must specifically outline those measures

CITY OF CLERMONT
RESOLUTION NO. 2017-51

recommended by the United States Department of Agriculture Soil Conservation Service and the Florida Department of Environmental Protection.

7. All areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded.
8. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
9. The Developers will construct a six foot stucco wall on the north side of the service drive, behind Tire Kingdom and the Elite Car Wash. The wall will begin at the property line between the Messy Dog, LLC and Pavilion Land Company ending at the southeast corner of Lot 4, Southlake Forest Sub. (*Ratliff parcel*) The developers will landscape the north side of the wall with trees and ivy or shrubs.
10. The Developers will construct a four foot stucco wall on the north end of the property, between the Messy Dog, LLC and Pavilion Land Company, stretch east, northeast between the parking lot and the water retention area up to the northern end of the parking lot – turning east (parallel to Hunt Race Blvd.). The wall will be designed to meet acceptable visibility safety standards. The developer will landscape both sides of the wall.
11. The Service Bays for Tire Kingdom shall be designed and constructed so as the open bays do not face west (turned inward).
12. The Car Wash facility shall be designed and constructed with sound attenuating devices (mufflers) added to the vacuum system and dryers placed at the greatest distance from the residential zones.
13. The Developers are required to conduct all uses on the property that the decibel level as measured at the property line of adjacent residential properties shall not exceed seventy (70) decibels.

Section 4 - Transportation Improvements

1. The permittee shall purchase and install streetlights per City code along Oakley Seaver Drive frontage. Installation and maintenance of lighting internal to the project shall be the responsibility of the permittee.
2. Prior to construction and development of the Planned Unit Development project, the permittee/developer shall provide a traffic analysis that identifies the development's impact on the City's transportation system.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

Based upon results of the traffic study, the City may require that transportation improvements necessitated by the portion of the project for which a building permit is sought be made at the time of construction of that portion of the project. The permittee/ developer shall pay a pro rata share of improvement costs based on traffic counts prior to the issuance of the first certificate of occupancy for the shopping center portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.

3. Roadway improvement plans for State Road 50, Citrus Tower Boulevard, Oakley Seaver Drive and Hancock Road, including but not limited to, access drives, accel/decel lanes, turn lanes, traffic signalization devices, and internal signage and traffic movement lanes shall be submitted to and approved, appropriately, by the City Site Review Committee, the Florida Department of Transportation and Lake County prior to commencement of any development activity for any portion of the project.
4. Ingress and egress to the site for construction shall be as approved by the City Site Review Committee.
5. No driveway access shall be provided from Hunt Trace Boulevard.
6. A northbound left turn lane from Oakley Seaver Drive into the site shall be provided at the northern driveway (north entrance) on Oakley Seaver Drive.
7. A revised site plan shall reflect the median on Oakley Seaver Drive (at the middle access point) shall be extended north to properly reconfigure the proposed intersection.
8. A signal at the intersection of SR 50 and Oakley Seaver Drive shall be installed and operational prior to the issuance of the first certificate of occupancy for the properties .

Section 5 -Site Improvements/Landscaping

1. The landscape buffer on the north property line shall run the length of the entire parcel, including the water retention area. The Developer shall landscape both sides of the wall, as reflected in the conceptual plan for *Resolution 1370*, dated May 2004.
2. All walls and buffers shown on the Conceptual Site Plan dated May 2004 must be constructed as shown, and must be maintained in good condition for the duration of this Permit.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

Section 6 - Utilities

1. The permittee shall connect to the water line on the frontage road and extend the water main on Oakley Seaver Drive to S.R. 50 and terminate at the S.R. 50 right-of-way with a cross, three valves, and a hydrant at the Southeast corner of the property. The water main shall be shown in the Oakley Seaver Drive right-of-way and shall be installed using ductile iron pipe under pavement.
2. Irrigation water shall be provided by well until such time as reuse water is available. The irrigation system shall be constructed using purple pipe to designate reuse water.
3. The permittee shall be responsible for purchasing, installing, and maintaining fire hydrants within the project. They shall be installed according to City code.
4. The permittee shall provide a stub out from the Southwest manhole to the property line.
5. The restaurants will be required to install grease traps at a size to be determined by the Public Works Director.

Section 7 - Signage

1. No new signage shall be allowed on Hunt Trace Boulevard.
2. One monument sign on State Road 50 not to exceed fifteen (15) feet in height and 150 square feet in size.
3. One monument sign on Oakley Seaver Drive not to exceed ten (10) feet in height and 100 square feet in size.

Section 8 - Architectural Design Standards

Architectural finish and building plans for the commercial center shall be submitted and approved by the Site Review Committee prior to any development activity to ensure aesthetic and public safety considerations are properly addressed. The following design standards shall apply to all development on the site and shall apply until such time as citywide architectural design standards are adopted unless otherwise approved by the City of Clermont Site Review Committee.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

Facades and Exterior Walls:

1. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.
3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10 ft. wide landscape buffer along the rear of the structures. All storage of pallets, cardboard boxes, etc. shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Each use shall have a clearly defined customer entrance featuring three or more of the following:

1. Canopies or porticos;
2. overhangs;
3. recesses/projections;
4. arcades;
5. peaked roof forms;
6. Arches;
7. Tile work and moldings which are integrated into the structure and design.
8. Integral planters or wing walls that incorporate landscaped areas

and/or sitting areas. Signage:

1. Neon tubing shall not be used in building signage. The letters in the signage shall be the primary color.

Lighting:

1. Light poles shall not be painted in primary colors. Parking lot lights shall be aimed straight down and be enclosed in a shroud so that light will not project out in an upward or horizontal direction. No portion of the bulb shall extend beyond the bottom of the shroud.

Outdoor storage:

1. All materials stored outside must be within an opaque enclosure.
2. Mobile storage systems shall be prohibited. Mobile storage systems are the metal shipping containers and trailers that are used to store additional inventory outside of the store.

Other:

1. Chain link fencing shall be prohibited.
2. Fencing around water retention areas and all other fencing shall be ornamental metal fencing.

CITY OF CLERMONT
RESOLUTION NO. 2017-51

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of October, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

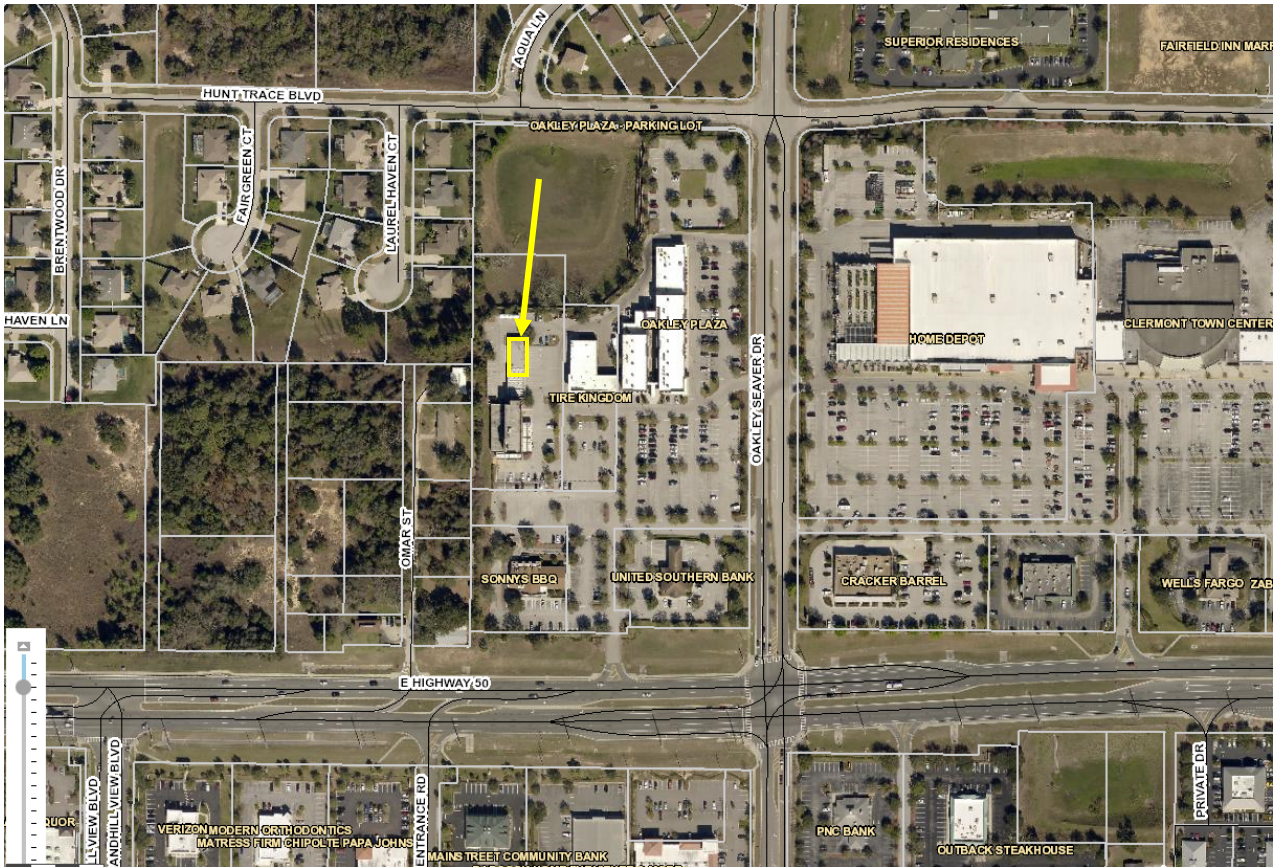
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map / Trans Tech Auto





August 17, 2017

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

**RE: TransTech Auto and Transmission Service LLC
1220 Oakley Seaver Drive, Clermont**

Dear Ms. Hollerand:

Florida Capital Bank, N.A., through its subsidiary Tiger Investment Group, Inc., is owner of a mixed used commercial property located at 1220 Oakley Seaver Drive, Clermont. Part of the property includes a stand-alone retail building constructed and used as an automotive lube center. The building has been vacant for some time, and Tiger Investment has entered into a lease agreement with TransTech Auto and Transmission Service LLC for use of this space.

As you are aware, the building is subject to a conditional use permit. Attached is a signed copy of the agreement and application to allow the building to be used by TransTech.

If questions, you may reach me at tel. (904) 472-2745, or e-mail, phayes@fclcb.com. As well, the representative for TransTech is Jeremiah Doll (tel. 407-929-1874), and the leasing agent is Chris Adams of NAI Realvest (tel. 863-559-2829).

Thank you for your assistance and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter W. Hayes", is written over a horizontal line.

Peter W. Hayes
Senior Credit Administrator

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a Conditional Use Permit to amend Resolution# 1370 for Oakley Seaver Plaza to allow the addition of an automotive service center.

LOCATION

Oakley Seaver Plaza, northwest corner of Highway 50 and Oakley Seaver Dr.
Alternate Key 3826070,3784813,3826071

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

This request will be considered by the Planning & Zoning Commission on Tuesday, October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 24, 2017 at 6:30pm.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 26, 2017
October 17, 2017

CUP 1708-0003

07/31/2017 13:58 3529885285
Jul 31 17:02:07p Rafael & Elvira Calderon

3529885285

p.1



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 7/31/2017

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): TRANSTECH AUTO & TRANSMISSION SERVICE LLC

APPLICANT: _____

CONTACT PERSON: RAFAEL A CALDERON

Address: 235 HUNT ST

City: CLERMONT State: FL Zip: 34711

Phone: 352-241-6341 Fax: 352-708-3590

E-Mail: CALDERON11242@yahoo.com

OWNER: Tiger Investment Group, Inc.

Address: 10151 Deerwood Park Blvd Bldg 100 Suite 200

City: Jacksonville State: Florida Zip: 32256

Phone: 904-472-2745 Fax: _____

Address of Subject Property: 1220 Oakley Seaver Drive, Clermont

General Location: near intersection of SR 50 and Oakley Seaver Dr.

Legal Description (include copy of survey): Parcel ID 09-22-26-130500300004

Land Use (City verification required): _____

Zoning (City verification required): C2, General Commercial District / Commercial





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

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

AUTO TRANSMISSION SERVICE.
 REMOVE AND REPAIR TRANSMISSION.
 THERE ARE NO TRANSMISSION SERVICE IN THIS AREA
 ITS IN A REAR CORNER OF THIS LOCATION, WHERE THE
 OIL LUBE SHOP IS. 1220 OAKLEY SEAWAY DRIVE
 LUBE CENTER, CLERMONT FL 34711

PETER W. HAYES
 Applicant Name (print)

x Peter W. Hayes
 Applicant Name (signature)

Peter W. Hayes, VP Tiger Investment Group Inc.
 Owner Name (print)

Peter W. Hayes
 Owner Name (signature)

***** NOTICE *****

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

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 3, 2017		
Agenda Item Name		
Ordinance No. 2017-38 Keating/Hancock Public Works Large-Scale Comprehensive Plan Amendment		
Requested Action		
Recommend approval of Ordinance 2017-38.		
Staff Report		
The applicant, John Kingman Keating, is requesting a large-scale comprehensive plan amendment for the subject property. The property is approximately 35.87 +/- acres in size. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA) between the City and Lake County. This request is being heard concurrently with a request for annexation. The rezoning will come before the Planning and Zoning Commission later this year. The large-scale comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to the City's Industrial designation. The property is currently zoned Planned Industrial in Lake County and the applicant desires to continue those permitted uses in the City of Clermont. The City's Industrial Future Land Use designation is supported by the physical characteristics of the site, such as a high voltage transmission line with a 200-foot power easement extending over a third of the property and the location of the property to major transportation corridors with the existing industrial uses in the area. In addition, Industrial uses are permitted through the current Lake County zoning classification, which would continue under the City's Industrial future land use designation. Lake County's Regional Commercial FLU, under Policy I-1.2.2, Table FLUE 2 in their comprehensive plan, allows a floor area ratio of 3.0 FAR. The City's Industrial Land Use, under Policy 1.10.3 limits the floor area ratio to 1.0 FAR, which is considerably less than allowable under Lake County and decreases the intensity. Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in December. Staff recommends approval of the large scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Industrial in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Ordinance 2017-38	2017-38 Hancock Storage LScale CPA.doc
2.	Maps	Hancock Public Works Maps.pdf
3.	City/County Comp Plan Policies	Comp Plan Exhibit.pdf
4.	Application	CPA Application.pdf
5.	Legal ad	CPA AD Hancock Pub Works.docx

CITY OF CLERMONT
ORDINANCE No. 2017-38

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

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

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

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

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

Section 1.

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

LEGAL DESCRIPTION

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a

CITY OF CLERMONT
ORDINANCE No. 2017-38

distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

Containing a total of 35.87 acres, more or less. AK 1593093

**CHANGE IN FUTURE LAND USE CLASSIFICATION
FROM LAKE COUNTY – REGIONAL COMMERCIAL
TO CITY OF CLERMONT INDUSTRIAL**

Section 2.

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

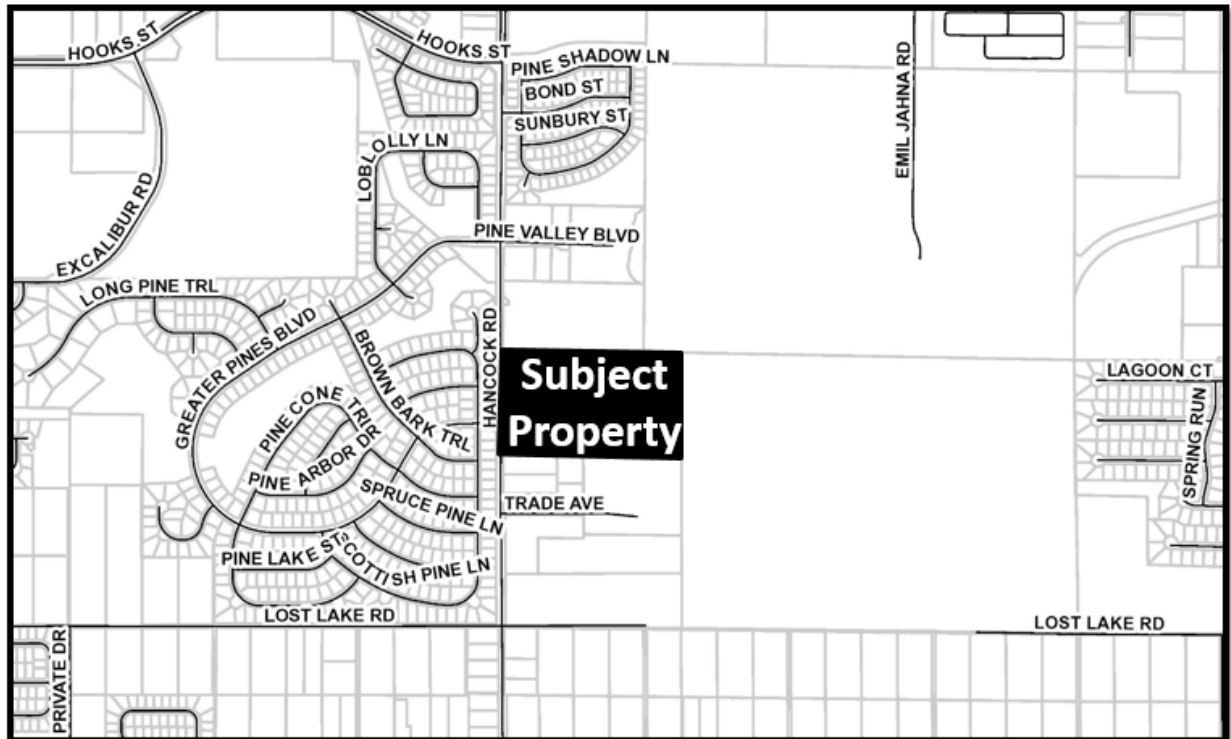
Section 3.

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

Section 4.

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

CITY OF CLERMONT
ORDINANCE No. 2017-38



CITY OF CLERMONT
ORDINANCE No. 2017-38

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of December, 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

Keating/Hancock Public Works Site

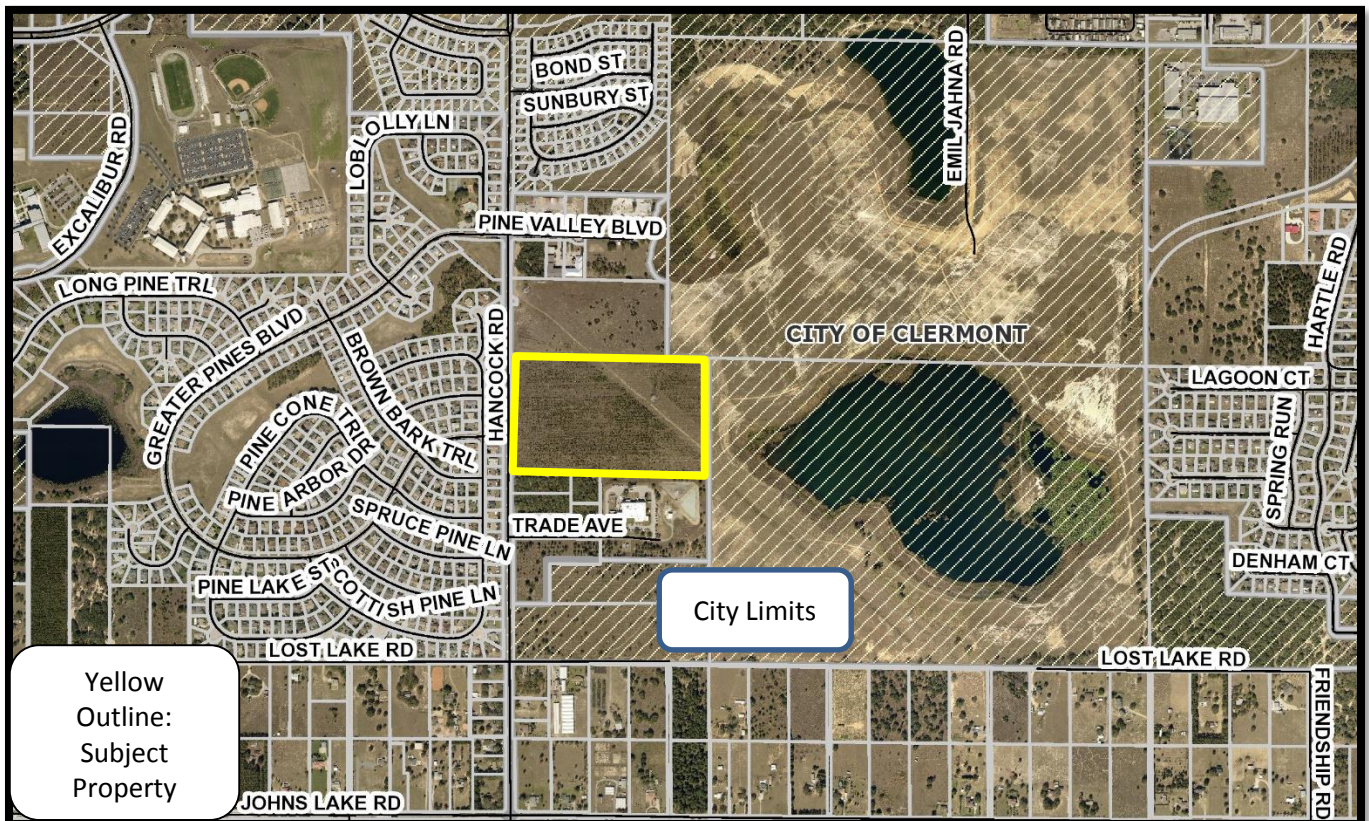
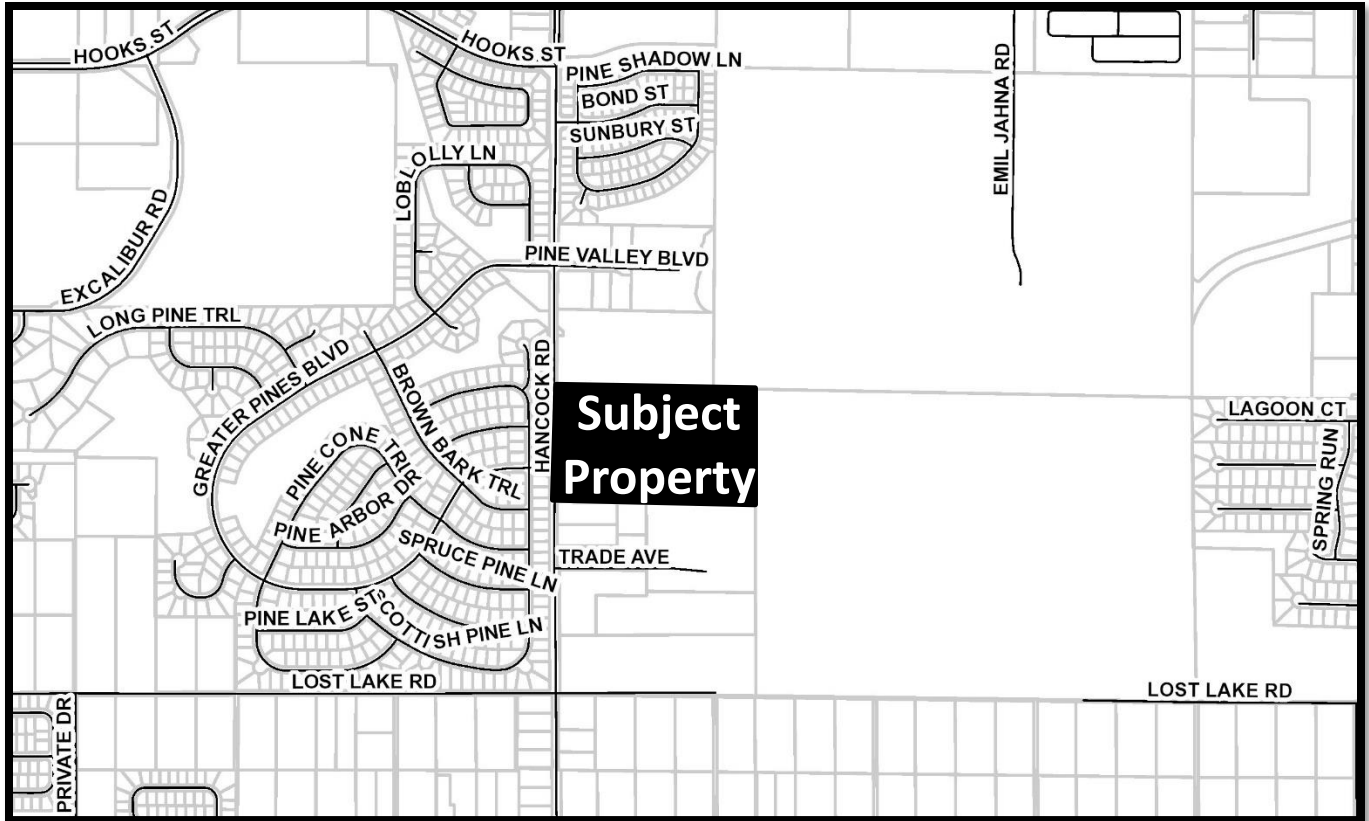


Exhibit – Future Land Use Map
Keating/Hancock Public Works Site

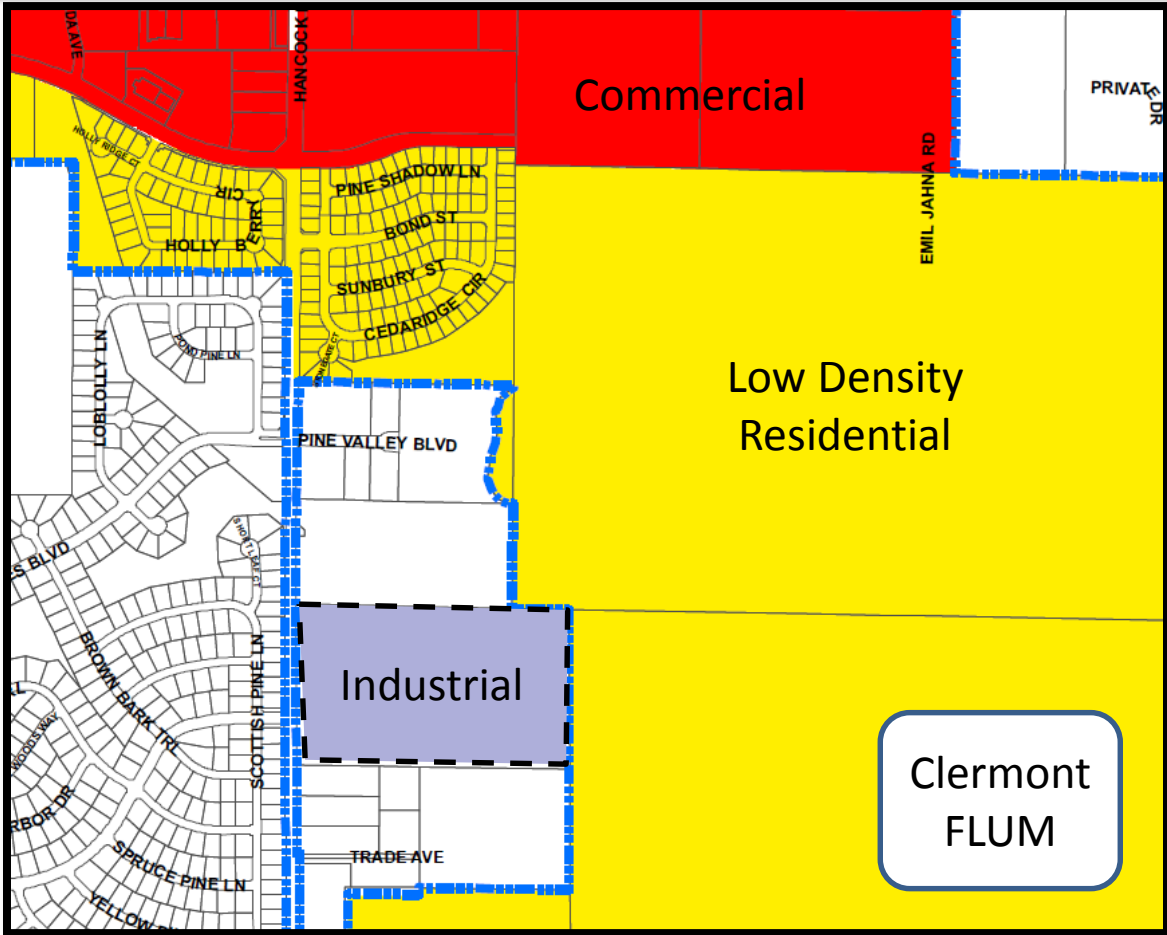
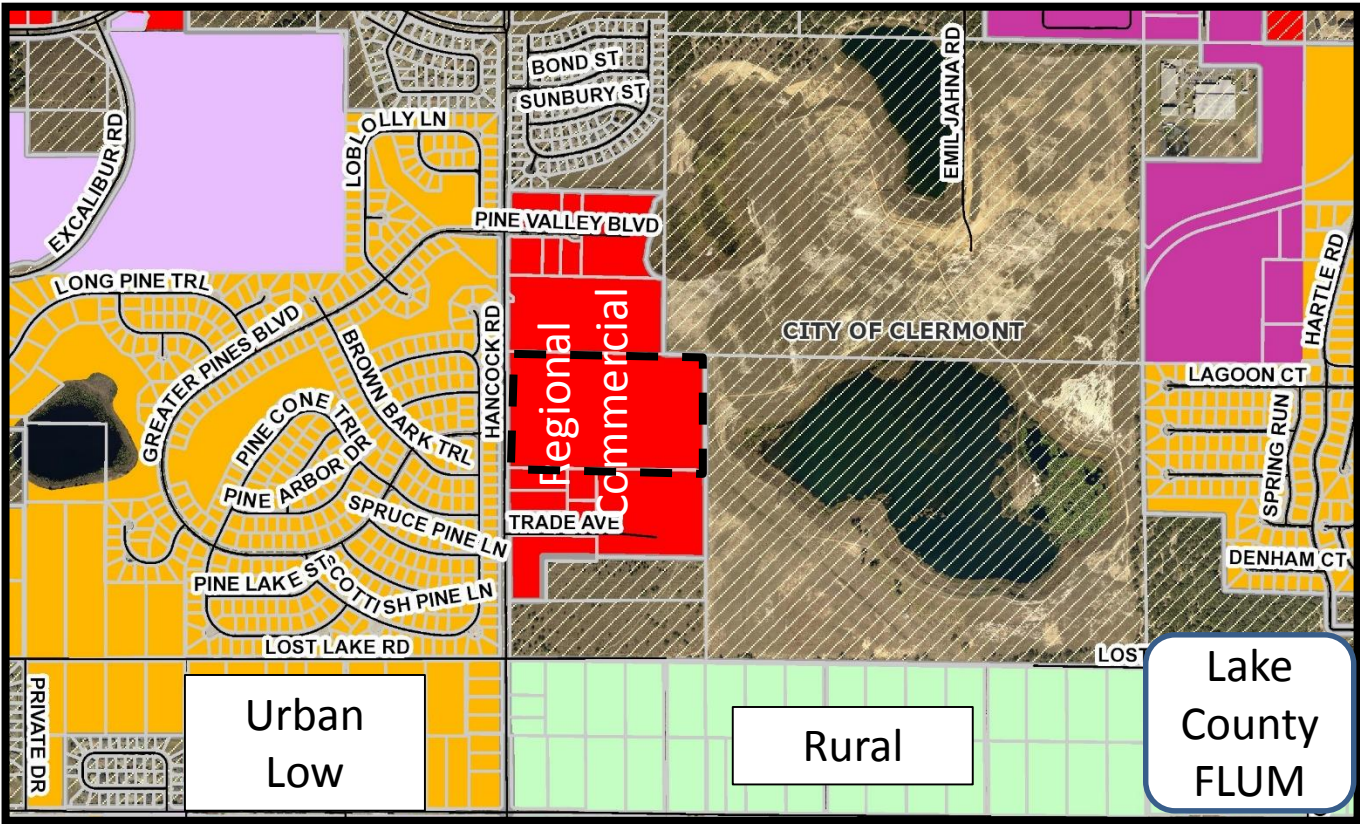
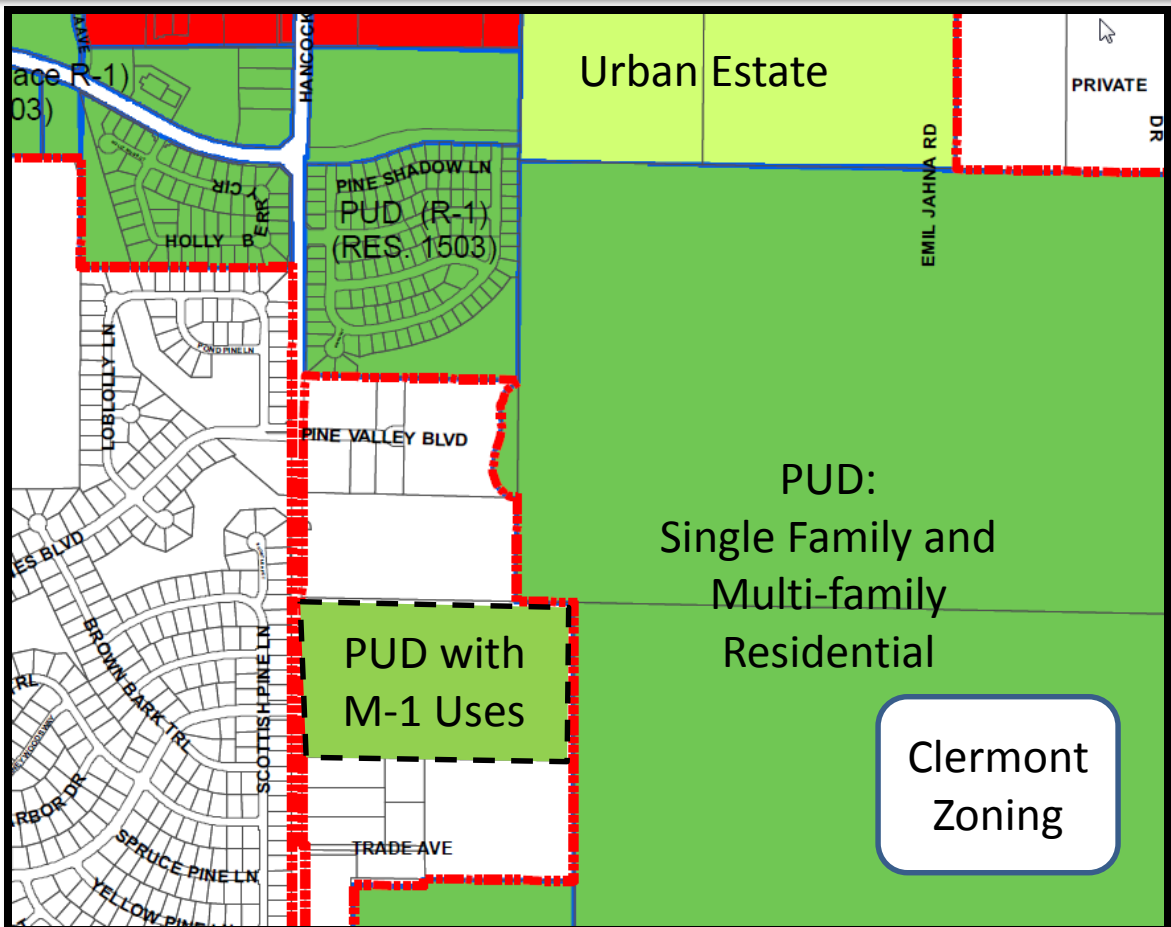
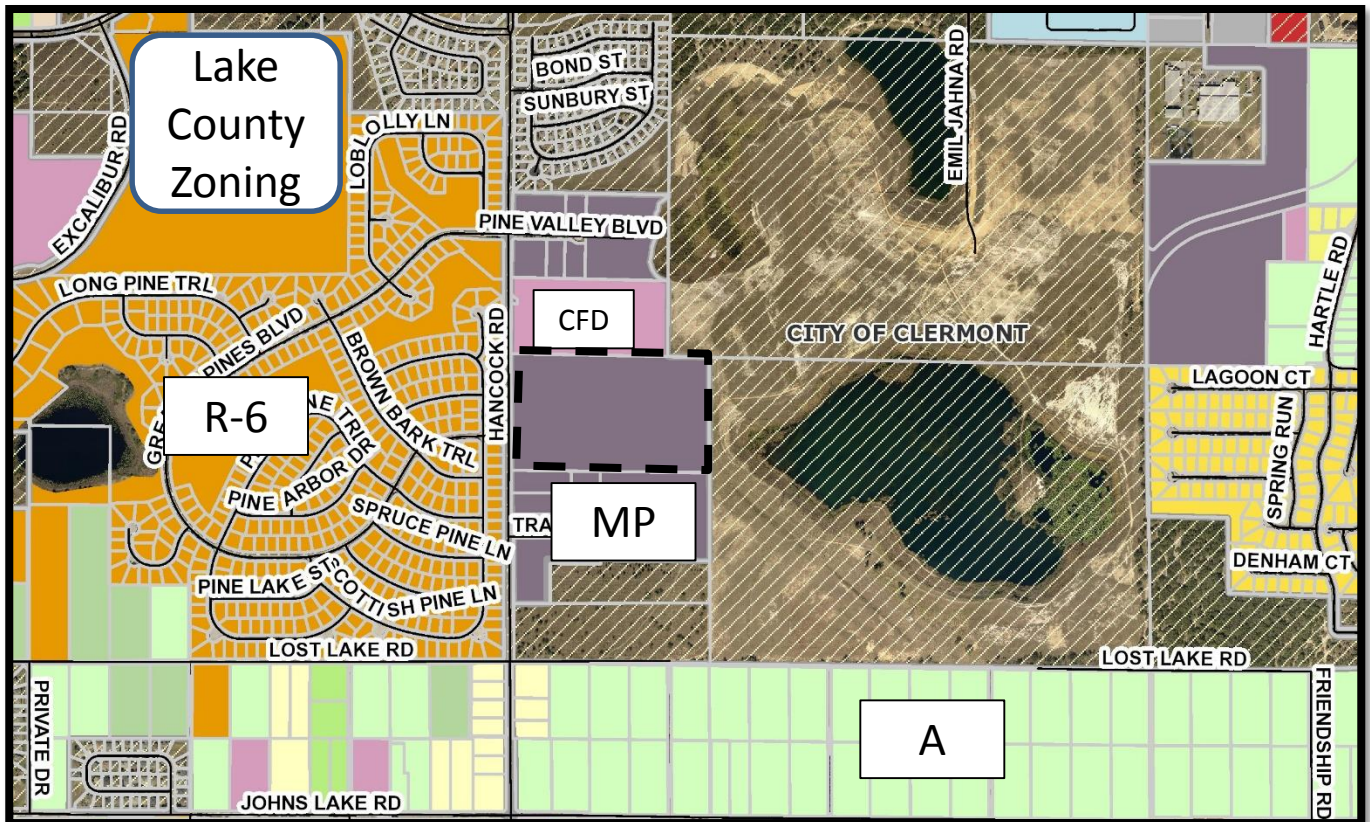


Exhibit - Zoning Map Keating/Hancock Public Works Site



Supporting Comprehensive Plan Policies

Future Land Use Element
Goals, Objectives & Policies

Table FLUE 2 - Future Land Use Categories Table

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Urban Low Density	4 d.u./1 acre	0.25 to 0.35	0.60	25%	Note (3)
Urban Medium Density	7 d.u./1 acre	0.35 to 0.50	0.70	20%	Note (3)
Urban High Density	Min. 4 d.u./1 acre Max 12 d.u./1 acre	2.0	0.80	10%	Note (3)
Bella Collina	868 d.u.	500,000 s.f.	0.60	25%	Note (3)
Summer Bay (351 acres) (7)	2,040 d.u.	Note (7)	NS	NS	Note (3)
Cagan Crossings (728.5 acres) (4)	8,000 d.u.	700,000 s.f.	NS	44%	Note (3)
Regional Office	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)
Regional Commercial	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)

CITY OF CLERMONT COMPREHENSIVE PLAN

FUTURE LAND USE

manufacturing or refining, rubber or plastics manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited.

Policy 1.10.3: The maximum intensity of industrial development shall be limited to 1.0 FAR.



**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: August 22, 2017

FEE: _____

Project Name (if applicable): Hancock Road Property

Applicant: John Kingman Keating

Contact Person: John Kingman Keating

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

E-Mail: jkk@keatlaw.com

OWNER: See Schedule "A", Item 1 attached

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

E-Mail: jkk@keatlaw.com

General Location: 12838 Hancock Road, Clermont, Florida

Legal Description (include copy of survey):
See Scheudle "A", Item 2 attached

Property size (in acres or square feet): 35.871 (+/-)

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

Existing (Actual) Land Use: Agricultural

Existing Zoning: MP (Planned Industrial District) (Lake County)

Existing Future Land Use: Regional Commercial (Lake County)

Proposed Future Land Use: See Schedule "A", Item 3

Type of development proposed: See Schedule "A", Item 4



Proposed density (dwelling units/acre) or intensity: See Schedule "A", Item 5 attached

Proposed Zoning District: See Schedule "A", Item 6 attached

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).

See Schedule "A", Item 7 attached

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



Prepared by and Return to:
JOHN KINGMAN KEATING, ESQUIRE
KEATING & SCHLITT, P.A.
TELEPHONE: 407.425.2907 ♦ FACSIMILE: 407.425.6345
250 EAST COLONIAL DRIVE, SUITE 300
ORLANDO, FLORIDA 32801
E MAIL: jkk@keatinglaw.com

LAKE COUNTY CLERK OF COURT
CFN 2010059734
Bk 03915 Pgs 2121 - 2123 (3pgs)
DATE: 06/11/2010 02:46:19 PM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DOC 0.70

PARCEL IDENTIFICATION NUMBER(S): 34-22-26-0002-000-00101

RECORDING INFORMATION ABOVE THIS LINE

WARRANTY DEED

THIS WARRANTY DEED is made and executed this 20th day of May, 2010 by John Kingman Keating, a married person (the "Grantor") with a mailing address of 250 East Colonial Drive, Suite 300, Orlando, Florida 32801, to John Kingman Keating, as Trustee of the *Hancock Road Land Trust*, with full power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein (the "Grantee") with a mailing address of 250 East Colonial Drive, Suite 300, Orlando, Florida 32801.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain property situate in Lake County, Florida, viz:

See attached Exhibit "A".

THE GRANTOR WARRANTS THAT THE ABOVE-DESCRIBED PROPERTY CONVEYED HEREBY IS NOT HOMESTEAD PROPERTY AS DEFINED BY THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA.

THIS WARRANTY DEED IS EXEMPT FROM DOCUMENTARY STAMP TAX PURSUANT TO CHAPTER 12B-4.013(32), F.A.C., AS IT IS TO A TRUSTEE AND WITHOUT CONSIDERATION.

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

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

FURTHER, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said real property in fee simple; that the Grantor has good right and lawful authority to sell and convey said real property; that the Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever; and that said real property is free from all encumbrances: except, taxes and assessments accruing subsequent to December 31, 2009 and all subsequent years, and all conditions, restrictions, reservations, limitations, easements of record, if any, zoning and other governmental regulations and other matters of record, provided, however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, the said Grantor has executed this Warranty Deed on the day and year first above written.

WITNESSES:



WITNESS SIGNATURE

PAMELA E. KLECKER

WITNESS NAME PRINTED



WITNESS SIGNATURE

MARY L. YARBROUGH

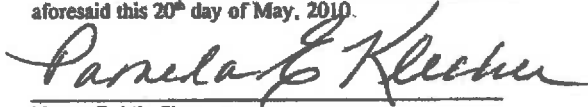
WITNESS NAME PRINTED

GRANTOR
JOHN KINGMAN KEATING


John Kingman Keating

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY, as an officer duly authorized to take acknowledgments and oaths in the State and County aforesaid, that at the execution of this instrument on the date set forth below, John Kingman Keating personally appeared before me, and executed or acknowledged his/her/their previous execution of this instrument. I HEREBY FURTHER CERTIFY, that John Kingman Keating is/are the same person(s) either executing or acknowledging execution of the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license or ☐ Other identification: _____, WITNESS my hand and official seal in the State and County aforesaid this 20th day of May, 2010.


Notary Public Signature

(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)



EXHIBIT "A" - LEGAL DESCRIPTION

An undivided fifty percent (50.00%) interest in the real property described as follows:

PARCEL 1

That part of the West 1,660 feet of the Northwest one-quarter ($\frac{1}{4}$) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half ($\frac{1}{2}$) of the West 1,660 feet of said Northwest one-quarter ($\frac{1}{4}$) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

The above tract of land lies in Lake County, Florida and contains 35.871 acres more or less.

Alternately described as:

PARCEL 1

That part of the West 1,660 feet of the Northwest one-quarter ($\frac{1}{4}$) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half ($\frac{1}{2}$) of the West 1,660 feet of said Northwest one-quarter ($\frac{1}{4}$) and less the road right-of-way of Lake Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run North 90°00'00" East, along the North line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Lake Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run North 90°00'00" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°57'45" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter ($\frac{1}{4}$), a distance of 949.22 feet to the North line of aforesaid South 1,575.00 feet; Thence run South 89°43'18" West, along said North line, a distance of 1,635.12 feet to the aforesaid East right-of way line, Thence run North 00°57'47" West, along said right-of-way line, a distance of 957.16 feet to the Point of Beginning.

SCHEDULE "D"
OWNER SIGNATURE PAGE
ATTACHED TO OWNERS'S AFFIDAVIT
(COMPREHENSIVE PLAN AMENDMENT APPLICATION)

**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST
(OWNER)**

John Kingman Keating, as Trustee

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

TONY H. ROPER (OWNER)

Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP (OWNER)**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

JOHN KINGMAN KEATING (APPLICANT)

John Kingman Keating, as Applicant

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this ____ day of August, 2017.

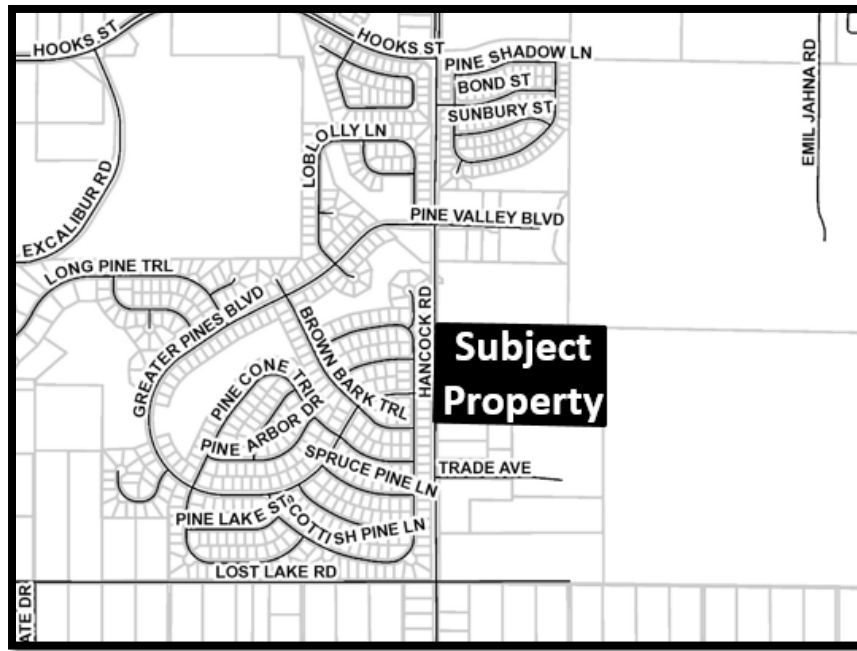
Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2017-38

The City of Clermont will hold public hearings on Tuesday, October 3, 2017 at 6:30 p.m. before the Planning and Zoning Commission to consider a proposed change to the City's Future Land Use Map; and on Tuesday, October 10, 2017 at 6:30 p.m. before the City Council to consider introduction of the ordinance and transmittal of the proposed amendment. The map amendment would change the Future Land Use designation for the parcel below from Lake County Regional Commercial to Industrial.

The City of Clermont will hold a public hearing on Tuesday, December 12, 2017 (final hearing) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



***Location: South of Hooks Street, North of Trade Avenue, East of Hancock Road.
Alternate Key 1593093 35.87 +/- acres***

Ordinance #2017-38:

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

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

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 22 and November 28, 2017



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 3, 2017		
Agenda Item Name		
Resolution No. 2017-52 Quick Lane @ Ford of Clermont		
Requested Action		
Recommend Approval of Resolution 2017-52		
Staff Report		
The applicant is seeking to expand the Ford of Clermont Automotive dealership located at 1101 East Highway 50. The existing Ford dealership operates under resolution 1173 which was last approved in January of 2001 allowing the expansion and renovation of the showroom and the construction of a new body shop and service center on the south side of the site. The current proposal includes expanding the dealership parking area to the western parcel which remains unpaved with vehicle inventory on site, and also the addition of a Quick Lane service center. The proposed service center is a 12 bay center with a one bay car wash (11,000 square feet total). The service center will provide minor service and repairs such as oil changes, tire service, and maintenance services. This expansion will free up the existing service center located behind the dealership for major service and repairs. Access to the service center will be through the dealership or the existing frontage road to the northwest of the parcel. The existing commercial future land use and commercial zoning district do permit this proposed use with an approved Conditional Use Permit. Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for the expansion of the automotive dealership and service center with up to 11,000 square feet of building space in the C-2 zoning district with the conditions contained in Resolution 2017-52.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution	Resolution 2.docx	

2.	Location Map	Location Map.docx
3.	Site Map	Quick Lane Map.pdf
4.	Elevations	Quick Lane elevations.pdf
5.	Exhibit	Quick Lane Exhibit.pdf
6.	Legal Ad	Ford Legal Ad.docx
7.	App	Quick Lane App.pdf

**CITY OF CLERMONT
RESOLUTION NO. 2017-52**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE
PERMIT TO ALLOW FOR AN EXPANSION OF AN AUTOMOTIVE
DEALERSHIP IN THE C-2 COMMERCIAL ZONING DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 3, 2017 recommended approval of this Conditional Use Permit to allow for an automotive dealership expansion, at the following location:

LOCATION:
1101 East Highway 50.

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

WHEREAS, the applicant has applied for a Conditional Use Permit to allow an automotive dealership expansion in the Commercial Zoning District;

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:
This application for a Conditional Use Permit to allow an automotive dealership expansion in the C-2 Commercial zoning district; be granted subject to the following conditions:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use, additions to the use, or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the conceptual site plan dated May 2004 and prepared by McCoy and Associates, (hereafter called "Conceptual Site Plan"). Formal site development plans, incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The site plans shall meet all submittal requirements and comply with the

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conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and the City Comprehensive Plan, as amended. The conceptual site plan submitted with the Conditional Use Permit application is not the approved final development plans.

4. 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.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. This conditional use permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

Section 2 – Land Use

1. The proposed development will consist of a shopping center to include restaurants, retail, light duty auto service, oil change facility, automotive transmission repair facility, full service car wash, and professional office.
2. Only one (1) of the restaurants proposed to be located on the out parcels shall be permitted to have a drive through window.
3. Out parcels shall be limited to one structure per out parcel.
4. Hours of operation for the light duty auto service facility (Tire Kingdom) shall be limited from 7:00 a.m. to 7:00 p.m. The light duty auto service facility shall remain closed on Christmas, Easter and Thanksgiving.

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5. The car wash and automotive service center hours of operation are limited from 7:00 a.m. to 8:00 p.m.
6. ~~The oil change facility shall not utilize power hydraulic or air powered tools. All operations within the oil change facility shall be performed by hand tools.~~

Section 3 - Site Development

1. The applicant shall submit a detailed excavation, grading and erosion control plan for the site during the site plan review process which must be approved by the City Site Review Committee prior to initiation of development activity.
2. Noise levels during construction shall not exceed those recommended by the Florida Department of Environmental Protection. Any vibratory compaction shall be limited to the hours of 8:00 A.M. to 6:00 P.M. Monday through Saturday only. Vibrations shall be limited to avoid any damages to neighboring persons or properties. Heavy Equipment and normal work operations will be allowed on the site between the hours of 7:00 A.M. and 7:00 P.M. Monday through Saturday. Heavy Equipment or heavy machinery engines will not be started earlier than 7:00 A.M. on any approved workday.
3. All excavated material shall be stored in a location approved by the City Engineer.
4. Geotechnical information regarding the soil characteristics of the site shall be submitted to the City as part of the Site Review process .
5. The permittee/developers shall provide both temporary and permanent grassing including fertilizer application on all disturbed areas where construction is not immediately intended. Said plan shall be provided in accordance with an approved ground cover plan acceptable to the City in accordance with best management practices (BMPs) of the U.S.D.A. Soil Conservation Service.
6. A dust abatement plan shall be submitted to the City detailing measures to be taken in eliminating the migration of dust particles from the site. The plan must specifically outline those measures

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recommended by the United States Department of Agriculture Soil Conservation Service and the Florida Department of Environmental Protection.

7. All areas being modified to a slope of three (3) horizontal to one (1) vertical (3:1), such as water retention areas, shall be sodded.
8. Ingress/egress to the site for construction shall be as approved by the City Site Review Committee.
9. The Developers will construct a six foot stucco wall on the north side of the service drive, behind Tire Kingdom and the Elite Car Wash. The wall will begin at the property line between the Messy Dog, LLC and Pavilion Land Company ending at the southeast corner of Lot 4, Southlake Forest Sub. (*Ratliff parcel*) The developers will landscape the north side of the wall with trees and ivy or shrubs.
10. The Developers will construct a four foot stucco wall on the north end of the property, between the Messy Dog, LLC and Pavilion Land Company, stretch east, northeast between the parking lot and the water retention area up to the northern end of the parking lot – turning east (parallel to Hunt Race Blvd.). The wall will be designed to meet acceptable visibility safety standards. The developer will landscape both sides of the wall.
11. The Service Bays for Tire Kingdom shall be designed and constructed so as the open bays do not face west (turned inward).
12. The Car Wash facility shall be designed and constructed with sound attenuating devices (mufflers) added to the vacuum system and dryers placed at the greatest distance from the residential zones.
13. The Developers are required to conduct all uses on the property that the decibel level as measured at the property line of adjacent residential properties shall not exceed seventy (70) decibels.

Section 4 - Transportation Improvements

1. The permittee shall purchase and install streetlights per City code along Oakley Seaver Drive frontage. Installation and maintenance of lighting internal to the project shall be the responsibility of the permittee.
2. Prior to construction and development of the Planned Unit Development project, the permittee/developer shall provide a traffic analysis that identifies the development's impact on the City's transportation system.

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Based upon results of the traffic study, the City may require that transportation improvements necessitated by the portion of the project for which a building permit is sought be made at the time of construction of that portion of the project. The permittee/ developer shall pay a pro rata share of improvement costs based on traffic counts prior to the issuance of the first certificate of occupancy for the shopping center portion of the project. Project specific on-site/off-site transportation improvements consistent with identified project impacts, per the traffic study, will be the sole responsibility of the developer.

3. Roadway improvement plans for State Road 50, Citrus Tower Boulevard, Oakley Seaver Drive and Hancock Road, including but not limited to, access drives, accel/decel lanes, turn lanes, traffic signalization devices, and internal signage and traffic movement lanes shall be submitted to and approved, appropriately, by the City Site Review Committee, the Florida Department of Transportation and Lake County prior to commencement of any development activity for any portion of the project.
4. Ingress and egress to the site for construction shall be as approved by the City Site Review Committee.
5. No driveway access shall be provided from Hunt Trace Boulevard.
6. A northbound left turn lane from Oakley Seaver Drive into the site shall be provided at the northern driveway (north entrance) on Oakley Seaver Drive.
7. A revised site plan shall reflect the median on Oakley Seaver Drive (at the middle access point) shall be extended north to properly reconfigure the proposed intersection.
8. A signal at the intersection of SR 50 and Oakley Seaver Drive shall be installed and operational prior to the issuance of the first certificate of occupancy for the properties .

Section 5 -Site Improvements/Landscaping

1. The landscape buffer on the north property line shall run the length of the entire parcel, including the water retention area. The Developer shall landscape both sides of the wall, as reflected in the conceptual plan for *Resolution 1370*, dated May 2004.
2. All walls and buffers shown on the Conceptual Site Plan dated May 2004 must be constructed as shown, and must be maintained in good condition for the duration of this Permit.

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Section 6 - Utilities

1. The permittee shall connect to the water line on the frontage road and extend the water main on Oakley Seaver Drive to S.R. 50 and terminate at the S.R. 50 right-of-way with a cross, three valves, and a hydrant at the Southeast corner of the property. The water main shall be shown in the Oakley Seaver Drive right-of-way and shall be installed using ductile iron pipe under pavement.
2. Irrigation water shall be provided by well until such time as reuse water is available. The irrigation system shall be constructed using purple pipe to designate reuse water.
3. The permittee shall be responsible for purchasing, installing, and maintaining fire hydrants within the project. They shall be installed according to City code.
4. The permittee shall provide a stub out from the Southwest manhole to the property line.
5. The restaurants will be required to install grease traps at a size to be determined by the Public Works Director.

Section 7 - Signage

1. No new signage shall be allowed on Hunt Trace Boulevard.
2. One monument sign on State Road 50 not to exceed fifteen (15) feet in height and 150 square feet in size.
3. One monument sign on Oakley Seaver Drive not to exceed ten (10) feet in height and 100 square feet in size.

Section 8 - Architectural Design Standards

Architectural finish and building plans for the commercial center shall be submitted and approved by the Site Review Committee prior to any development activity to ensure aesthetic and public safety considerations are properly addressed. The following design standards shall apply to all development on the site and shall apply until such time as citywide architectural design standards are adopted unless otherwise approved by the City of Clermont Site Review Committee.

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Facades and Exterior Walls:

1. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.
2. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) feet. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.
3. The loading areas shall be properly screened from public view. Proper screening shall include but not be limited to provision of a minimum 10 ft. wide landscape buffer along the rear of the structures. All storage of pallets, cardboard boxes, etc. shall be within screened enclosures.

Roofs:

1. Parapet walls or other design features shall be used to conceal flat roofs and rooftop equipment such as HVAC units from public view from all sides of the building. Parapet walls or other design features shall be constructed at a height of at least one (1) inch above the tallest roof top unit. A metal or other enclosure for roof top equipment does not constitute screening from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall.
2. No uninterrupted length of any roofline or parapet wall shall exceed one hundred (100) horizontal feet.

Materials and colors:

1. The predominant exterior finish shall be of high quality materials, including, but not limited to, brick, stone, stucco and textured concrete masonry units. The finished surface of the exterior walls shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.
2. Façade colors shall be low reflective, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

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3. Building trim and accent areas shall be limited to one primary color. The use of a primary color in the building trim is limited to a one (1) foot wide band around the building. Neon tubing shall not be an acceptable feature for building trim or accent areas.

Each use shall have a clearly defined customer entrance featuring three or more of the following:

1. Canopies or porticos;
2. overhangs;
3. recesses/projections;
4. arcades;
5. peaked roof forms;
6. Arches;
7. Tile work and moldings which are integrated into the structure and design.
8. Integral planters or wing walls that incorporate landscaped areas

and/or sitting areas. Signage:

1. Neon tubing shall not be used in building signage. The letters in the signage shall be the primary color.

Lighting:

1. Light poles shall not be painted in primary colors. Parking lot lights shall be aimed straight down and be enclosed in a shroud so that light will not project out in an upward or horizontal direction. No portion of the bulb shall extend beyond the bottom of the shroud.

Outdoor storage:

1. All materials stored outside must be within an opaque enclosure.
2. Mobile storage systems shall be prohibited. Mobile storage systems are the metal shipping containers and trailers that are used to store additional inventory outside of the store.

Other:

1. Chain link fencing shall be prohibited.
2. Fencing around water retention areas and all other fencing shall be ornamental metal fencing.

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DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of October, 2017.

CITY OF CLERMONT

Gail L. Ash, Mayor

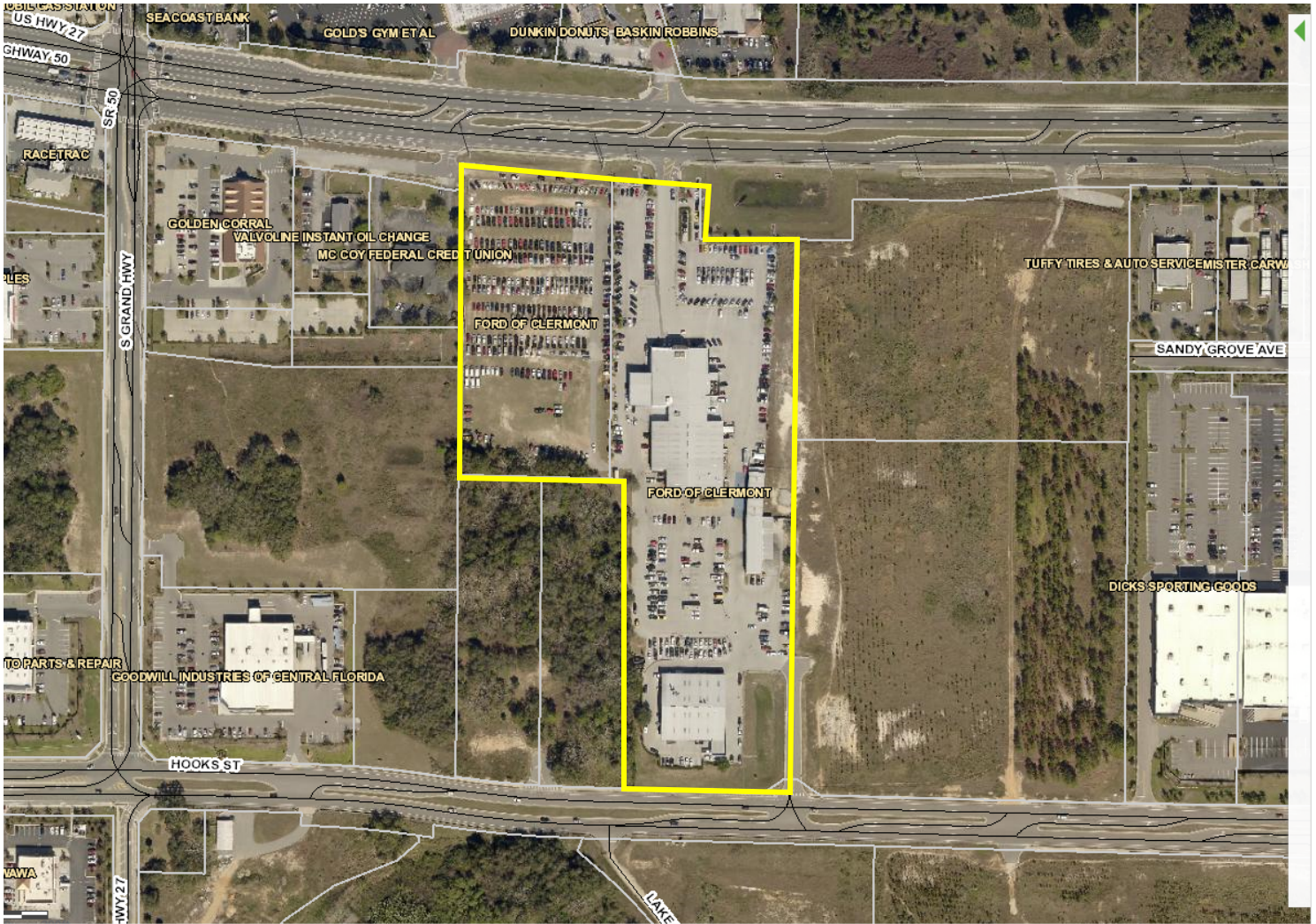
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

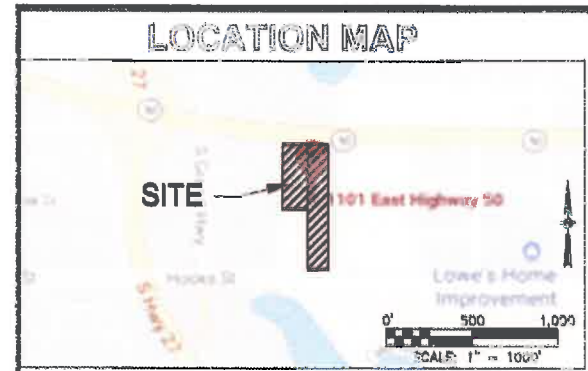
Daniel F. Mantzaris, City Attorney

Location Map



LOCATION MAP

The map shows the project site at the intersection of 101 East Highway 50 and 22nd Street. The site is marked with a red hatched rectangle and labeled "SITE". The map includes a scale bar (0 to 1,000 feet) and a north arrow.



LOCATION MAP

The map shows a network of roads: Highway 27 (top left), Highway 52 (bottom left), and Highway 50 (horizontal center). A red hatched rectangle labeled "SITE" is located on Highway 50, just west of the intersection with Highway 52. A north arrow is in the top right corner. A scale bar at the bottom indicates 0, 500, and 1,000 feet, with a scale of 1" = 1000'.

TRACT 1:

ADJACENT TRACTS 23 AND THE EAST 1/2 OF TRACT 36, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT PROPERTY OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THAT PART:

LYING NORTHERLY OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES: COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.29 FEET NORTH 07°42'31" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 29, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST TO THE EXISTING RIGHT OF WAY LINE OF STATE ROAD 30; THENCE CONTINUE TO RUN SOUTH 07°58'22" WEST A DISTANCE OF 14.25 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'08" EAST A DISTANCE OF 193.81 FEET; THENCE RUN SOUTH 04°54'56" WEST A DISTANCE OF 98.24 FEET; THENCE RUN SOUTH 89°15'50" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

LESS AND EXCEPT:

THAT PART OF TRACTS 23 AND 28, SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DISCLOSED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST LINE OF LOT 23, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 30, THENCE NORTH 89°13'37" WEST, A DISTANCE OF 181.92 FEET TO THE POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHERLY, AND HAVING A RADIUS OF 8,660.41 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°07'57", A DISTANCE OF 178.08 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF STATE ROAD 30 BY TURNING LEFT, A DISTANCE OF 458.06 FEET TO THE SOUTHERLY LINE OF LOT 28, THENCE SOUTH 15°40'43" EAST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 36.34 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF TRACT 36, THENCE SOUTH 00°17'10" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 36, A DISTANCE OF 66.18 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 36; THENCE SOUTH 81°39'24" WEST, 380.72 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 36; THENCE NORTH 00°11'39" EAST ALONG THE EAST LINE OF SAID TRACT 28 AND 23, A DISTANCE OF 1,303.31 FEET TO THE POINT OF BEGINNING.

LESS THAT PART:

LYING NORTHERLY OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES:

COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.29 FEET NORTH 07°42'31" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 29, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST TO THE EXISTING RIGHT OF WAY LINE OF STATE ROAD 30; THENCE CONTINUE TO RUN SOUTH 07°58'22" WEST A DISTANCE OF 14.25 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'08" EAST A DISTANCE OF 193.81 FEET; THENCE RUN SOUTH 04°54'56" WEST A DISTANCE OF 98.24 FEET; THENCE RUN SOUTH 89°15'50" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

AND

TRACT 2:

EAST HALF OF LOTS 23 AND 28, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DISCLOSED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST LINE OF LOT 23, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 30, THENCE NORTH 89°13'37" WEST, A DISTANCE OF 181.92 FEET TO THE POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHERLY, AND HAVING A RADIUS OF 8,660.41 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°07'57", A DISTANCE OF 178.08 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF STATE ROAD 30 BY TURNING LEFT, A DISTANCE OF 458.06 FEET TO THE SOUTHERLY LINE OF LOT 28, THENCE SOUTH 15°40'43" EAST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 36.34 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 36, THENCE SOUTH 00°17'10" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 36, A DISTANCE OF 66.18 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 36; THENCE SOUTH 81°39'24" WEST, 380.72 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 36; THENCE NORTH 00°11'39" EAST ALONG THE EAST LINE OF SAID TRACT 28 AND 23, A DISTANCE OF 1,303.31 FEET TO THE POINT OF BEGINNING.

LESS THAT PART:

LYING NORTHERLY OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES:

COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.29 FEET NORTH 07°42'31" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 29, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°39'39" EAST TO THE EXISTING RIGHT OF WAY LINE OF STATE ROAD 30; THENCE CONTINUE TO RUN SOUTH 07°58'22" WEST A DISTANCE OF 14.25 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'08" EAST A DISTANCE OF 193.81 FEET; THENCE RUN SOUTH 04°54'56" WEST A DISTANCE OF 98.24 FEET; THENCE RUN SOUTH 89°15'50" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

ALSO LESS AND EXCEPT:

THAT PORTION LYING IN THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA BEING MORE CLEARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTHWEST 1/4 OF SAID SECTION 28, THENCE SOUTH 38°58'36" EAST 592.81 FEET AND THEN THE LINE OF SECTION 28; SAID NORTHWEST 1/4 OF SECTION 28, THENCE SOUTH 00°04'24" EAST 120 FEET TO THE NORTH CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28, THENCE SOUTH 15°40'43" EAST 120 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28, THENCE SOUTH 00°17'10" WEST 120 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 81°39'24" WEST 380.72 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 36; THENCE NORTH 00°11'39" EAST 120 FEET TO THE POINT OF BEGINNING.

TRACT 1:

ADJACENT TRACTS 23 AND THE EAST 1/2 OF TRACT 36, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT PROPERTY OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2, PAGE 25, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THAT PART:

THAT PORTION OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES: COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.20 FEET NORTH 07°49'24" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28; SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'00" EAST A DISTANCE OF 9-2.81 FEET; THENCE RUN SOUTH 04°04'50" WEST A DISTANCE OF 98-24 FEET; THENCE RUN SOUTH 89°15'00" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

LESS AND EXCEPT:

THAT PART OF TRACTS 23 AND 28, SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DISCLOSED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST LINE OF LOT 23, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 50, THENCE NORTH 89°13'37" WEST, A DISTANCE OF 181.92 FEET TO THE POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHERLY, AND HAVING A RADIUS OF 8,660.41 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°19'24", A DISTANCE OF 178.06 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF STATE ROAD 50, THENCE NORTH 07°12'52" WEST, A DISTANCE OF 458.06 FEET TO THE SOUTHERLY LINE OF SAID LOT 28, THENCE SOUTH 14°04'00" EAST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 36.34 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF TRACT 36; THENCE SOUTH 00°17'00" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 36, A DISTANCE OF 66.18 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 26; THENCE SOUTH 87°38'24" WEST, 380.72 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 26; THENCE NORTH 00°11'39" EAST ALONG THE EAST LINE OF SAID TRACT 28 AND 23, A DISTANCE OF 1,303.31 FEET TO THE POINT OF BEGINNING.

LESS THAT PART:

THAT PORTION OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES:

COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.20 FEET NORTH 07°49'24" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28; SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'00" EAST A DISTANCE OF 9-2.81 FEET; THENCE RUN SOUTH 04°04'50" WEST, A DISTANCE OF 98-24 FEET; THENCE RUN SOUTH 89°15'00" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

N.B.

TRACT 1:

THAT PART OF TRACTS 23 AND 28, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DISCLOSED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST LINE OF LOT 23, SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, PROPERTY OF LAKE HIGHLANDS COMPANY AS RECORDED IN PLAT BOOK 2, PAGE 25, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, WITH THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 50, THENCE NORTH 89°13'37" WEST, A DISTANCE OF 181.92 FEET TO THE POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHERLY, AND HAVING A RADIUS OF 8,660.41 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°19'24", A DISTANCE OF 178.06 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF STATE ROAD 50, THENCE NORTH 07°12'52" WEST, A DISTANCE OF 458.06 FEET TO THE SOUTHERLY LINE OF SAID LOT 28, THENCE SOUTH 14°04'00" EAST, ALONG SAID SOUTHERLY LINE A DISTANCE OF 36.34 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 36; THENCE SOUTH 00°17'00" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 36, A DISTANCE OF 66.18 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID TRACT 26; THENCE SOUTH 87°38'24" WEST, 380.72 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 26; THENCE NORTH 00°11'39" EAST ALONG THE EAST LINE OF SAID TRACT 28 AND 23, A DISTANCE OF 1,303.31 FEET TO THE POINT OF BEGINNING.

LESS THAT PART:

THAT PORTION OF A LINE BEING DESCRIBED AS FOLLOWS FOR ROAD PURPOSES:

COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.20 FEET NORTH 07°49'24" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28; SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'00" EAST A DISTANCE OF 9-2.81 FEET; THENCE RUN SOUTH 04°04'50" WEST, A DISTANCE OF 98-24 FEET; THENCE RUN SOUTH 89°15'00" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

ALSO LESS AND EXCEPT:

THAT PORTION OF A LINE BEING DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE WEST LINE OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 26 EAST, SAID POINT BEING 1433.20 FEET NORTH 07°49'24" EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 28; SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8,594.37 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET; THENCE FROM A TANGENT BEARING OF SOUTH 81°38'39" EAST THROUGH A CENTRAL ANGLE OF 17°24'40" A DISTANCE OF 212.03 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 83°30'00" EAST A DISTANCE OF 9-2.81 FEET; THENCE RUN SOUTH 04°04'50" WEST, A DISTANCE OF 98-24 FEET; THENCE RUN SOUTH 89°15'00" EAST A DISTANCE OF 200 FEET TO THE END OF THIS DESCRIBED LINE.

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PROPERTY OWNER (PARCEL 1):
 DEARDORF LIMITED
 1800 E. MERRITT ISLAND CAUSEWAY
 MERRITT ISLAND, FLORIDA 32952
 ID: 09-22-26-130502300000

PROPERTY LOCATION:
 1101 E. HIGHWAY 50
 CLEWMOFT, FL 34711

PARCEL ID NUMBERS:
 PARCEL 1: 09-22-26-130502300000
 PARCEL 2: 09-22-26-130502300001

PROPERTY AREA:
 PARCEL 1: ±4.37 AC
 PARCEL 2: ±9.02 AC
 TOTAL: ±13.39 AC

PROPERTY ADDRESS:
 PARCEL 1: 1101 E. HIGHWAY 50
 CLEWMOFT, FL 34711
 PARCEL 2: NO ADDRESS

BUILDING SETBACK REQUIREMENTS:
 MINIMUM REQUIRED:
 FRONT: (EAST) 10'
 SIDE: (WEST) 12'
 SIDE: (EAST) 12'
 REAR: (SOUTH) 25'
 REAR: (SOUTH, HOOKS ST.) 25'

PROPERTY OWNER (PARCEL 2):
 FORD OF CLEWMOFT, INC.
 1800 E. MERRITT ISLAND CAUSEWAY
 MERRITT ISLD., FLORIDA 32952
 ID: 09-22-26-130502300001

FUTURE LAND USE:
 COMMERCIAL (C)

PROPERTY ZONING:
 C-2 (GENERAL COMMERCIAL DISTRICT)
 FAR = 0.25 (PER COMP PLAN)
 SR = 80%

MAXIMUM BUILDING HEIGHT:
 ALLOWED: 55 FEET
 PROPOSED: < 65 FEET

EXISTING USES:
 AUTOMOBILE AND TRUCK SERVICES
 CARWASHES, AND AUTOMOBILE, TRUCK, BOAT
 AND FARM EQUIPMENT SALES & AUTOMOBILE
 AND TRUCK REPAIR GARAGES: PAINTING,
 WELDING AND BODY SHOP'S

PROPOSED CONDITIONAL USES:
 AUTOMOBILE AND TRUCK SERVICES
 CARWASHES, AND AUTOMOBILE, TRUCK, BOAT
 AND FARM EQUIPMENT SALES & AUTOMOBILE
 AND TRUCK REPAIR GARAGES: PAINTING,
 WELDING AND BODY SHOP'S

EXISTING INTENSITY:
 BUILDING(S) / SITE AREA = FAR (FLOOR AREA RATIO)
 0 SF / 190,357 SF = 0.00 FAR (PARCEL 1)
 58,649 SF / 393,130 SF = 0.15 FAR (PARCEL 2)
 58,649 SF / 593,457 SF = 0.10 FAR (TOTAL)

PROPOSED INTENSITY:
 BUILDING(S) / SITE AREA = FAR (FLOOR AREA RATIO)
 10,818 SF / 190,357 SF = 0.06 FAR (PARCEL 1)
 58,649 SF / 393,130 SF = 0.15 FAR (PARCEL 2)
 70,586 SF / 593,457 SF = 0.12 FAR (TOTAL)

PARKING (AUTOMOTIVE SERVICES):
 FORD AUTOMOBILE DEALERSHIP & SERVICE CENTER
 4/SERVICE RACK 1 /EMPLOYEE
 (4x2 SERVICE BAYS) + (1x65 EMPLOYEES) =
 173 SPACES

PROPOSED QUICK LANE TRUCK AUTO CENTER:
 (1x12 SERVICE BAYS) + 1x10 CAR WASH BAY) +
 (1x1 EMPLOYEE) = 60 SPACES
 REQUIRED PARKING SPACES: 233 SP.
 PROPOSED PARKING SPACES: 224 SP.
 12 SP WHICH ARE LOCATED WITHIN
 SERVICE BAYS & CAR WASH QUEUING
 REQUIRED ADA SPACES: 7 SP.
 PROPOSED ADA SPACES: 7 SP.

PROPERTY OWNER (PARCEL 1):
 DEARDORF LIMITED
 1800 E. MERRITT ISLAND CAUSEWAY
 MERRITT ISLAND, FLORIDA 32952
 ID: 09-22-26-130502300000

PROPERTY LOCATION:
 1101 E. HIGHWAY 50
 CLEWMOFT, FL 34711

PARCEL ID NUMBERS:
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 PARCEL 2: ±9.02 AC
 TOTAL: ±13.39 AC

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 PARCEL 1: 1101 E. HIGHWAY 50
 CLEWMOFT, FL 34711
 PARCEL 2: NO ADDRESS

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 SIDE: (EAST) 12'
 REAR: (SOUTH) 25'
 REAR: (SOUTH, HOOKS ST.) 25'

PROPERTY OWNER (PARCEL 2):
 FORD OF CLEWMOFT, INC.
 1800 E. MERRITT ISLAND CAUSEWAY
 MERRITT ISLD., FLORIDA 32952
 ID: 09-22-26-130502300001

FUTURE LAND USE:
 COMMERCIAL (C)

PROPERTY ZONING:
 C-2 (GENERAL COMMERCIAL DISTRICT)
 FAR = 0.25 (PER COMP PLAN)
 SR = 80%

MAXIMUM BUILDING HEIGHT:
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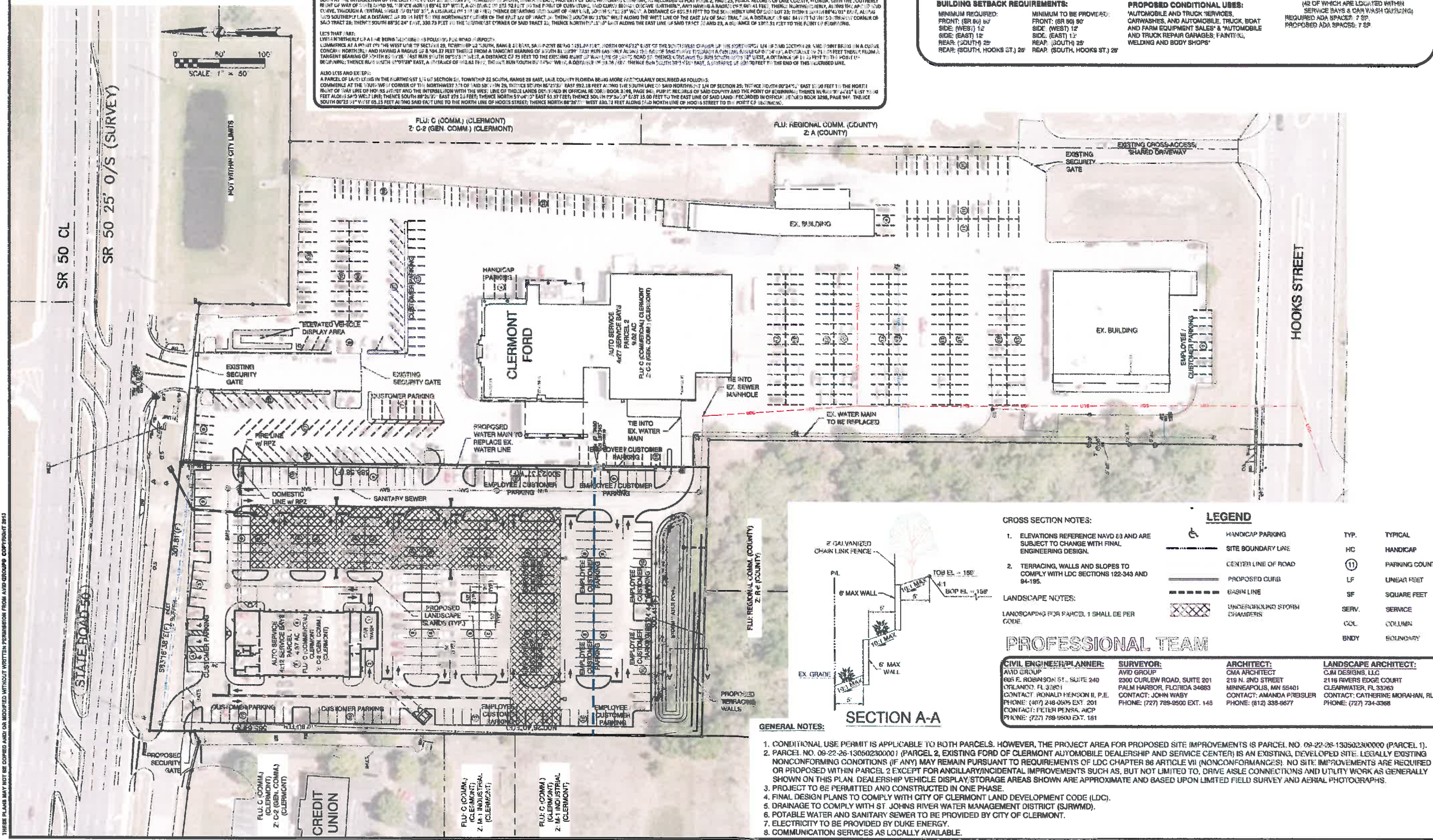
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1. ELEVATIONS REFERENCE NAVD 83 AND ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING DESIGN.
2. TERRACING, WALLS AND SLOPES TO COMPLY WITH LDC SECTIONS 122-343 AND

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	HANDICAP PARKING	TYP.	TYPICAL
	SITE BOUNDARY LINE	HC	HANDICAP
	CENTER LINE OF ROAD	(11)	PARKING COUNTS
	PROPOSED CURB	LF	LINEAR FEET
	BASIN LINE	SF	SQUARE FEET
	UNDERGROUND STORM CHAMBERS	SERV.	SERVICE
		COL.	COLUMN
		BNDRY	BOUNDARY

	HANDICAP PARKING	TYP.	TYPICAL
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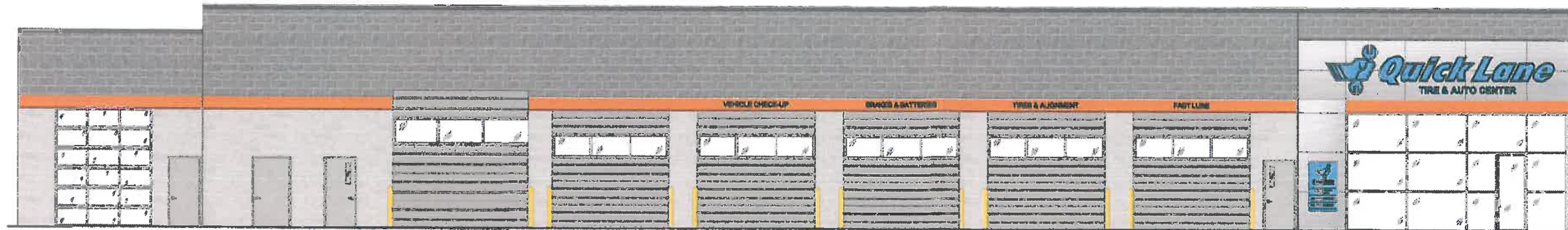
<u>CIVIL ENGINEER/PLANNER:</u> AVID GROUP 105 E. ROBINSON ST., SUITE 240 CHICAGO, IL 60601 CONTACT: RONALD HENKON III, P.E. PHONE: (407) 248-0605 EXT. 201 CONTACT: PETER PENNA, AICP PHONE: (727) 788-9500 EXT. 181	<u>SURVEYOR:</u> AVID GROUP 3200 CURLEW ROAD, SUITE 201 PALM HARBOR, FLORIDA 34883 CONTACT: JOHN WARD PHONE: (727) 788-9500 EXT. 148	<u>ARCHITECT:</u> OMA ARCHITECT 219 N. AND STREET PAINE/POLIS, MI 48401 CONTACT: AMANDA PRESSLER PHONE: (612) 338-9677	<u>LANDSCAPE ARCHITECT:</u> CJM DESIGNS, LLC 219 RIVERS EDGE COURT SEAWATER, FL 33563 CONTACT: CATHERINE MORAHAN, RLA PHONE: (727) 734-3366
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<u>CIVIL ENGINEER/PLANNER:</u> AVD GROUP 105 E. ROBINSON ST., SUITE 240 CHICAGO, IL 60601 CONTACT: RONALD HENKON III, P.E. PHONE: (407) 248-0605 EXT. 201 CONTACT: PETER PENNA, AICP PHONE: (727) 788-9500 EXT. 181	<u>SURVEYOR:</u> AVD GROUP 3200 CURLEW ROAD, SUITE 201 PALM HARBOR, FLORIDA 34683 CONTACT: JOHN WARD PHONE: (727) 788-9500 EXT. 146	<u>ARCHITECT:</u> OMA ARCHITECT 219 N. AND STREET PAINE/POLIS, MI 48041 CONTACT: AMANDA PRESSLER PHONE: (612) 338-9677	<u>LANDSCAPE ARCHITECT:</u> CJM DESIGNS, LLC 219 NIVERS EDGE COURT SEAWATER, FL 33563 CONTACT: CATHERINE MORAHAN, RLA PHONE: (727) 734-3366
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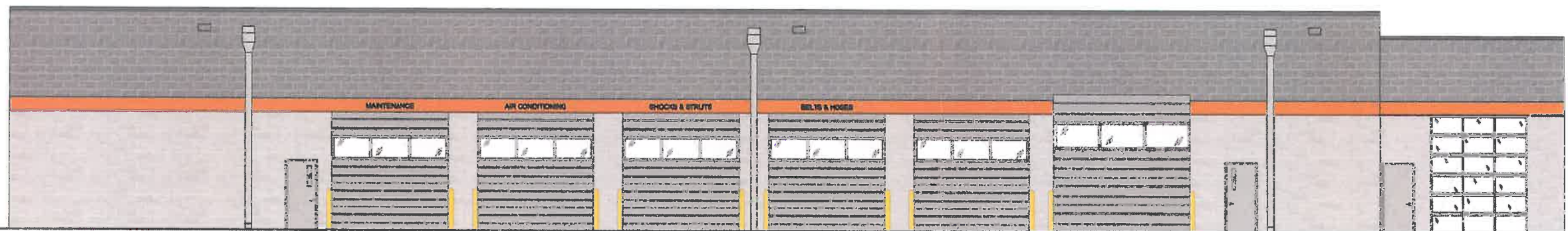
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3. PROJECT TO BE PERMITTED AND CONSTRUCTED IN ONE PHASE.
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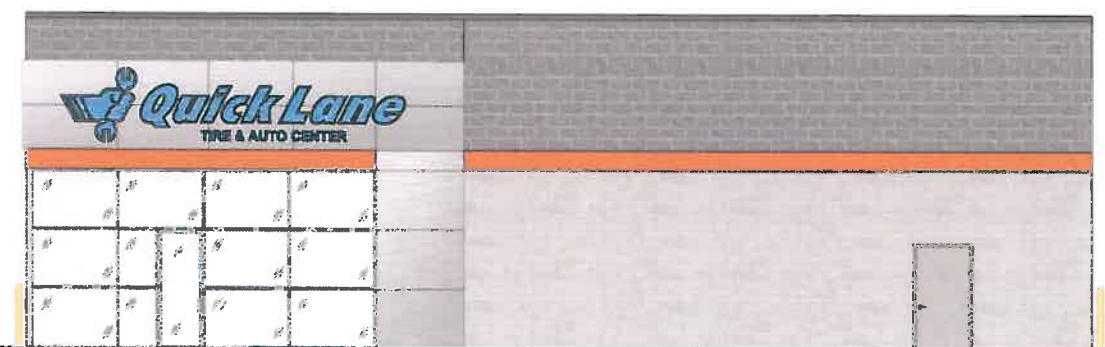
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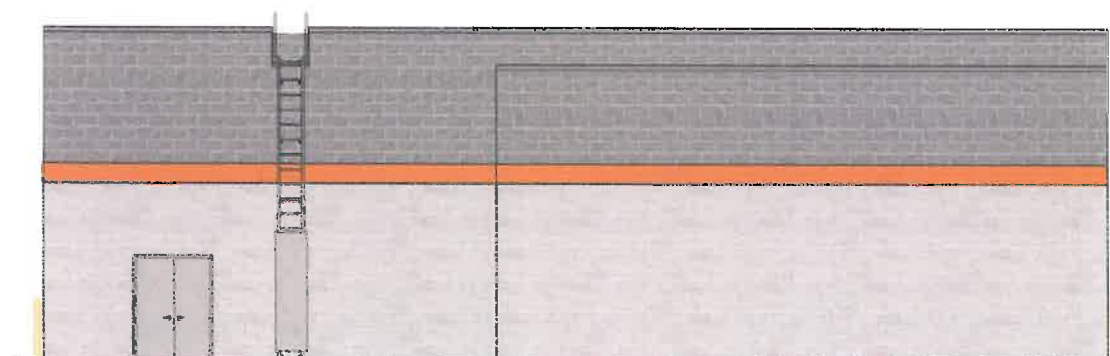
1 EAST ELEVATION
SCALE: NTS



2 WEST ELEVATION
SCALE: NTS



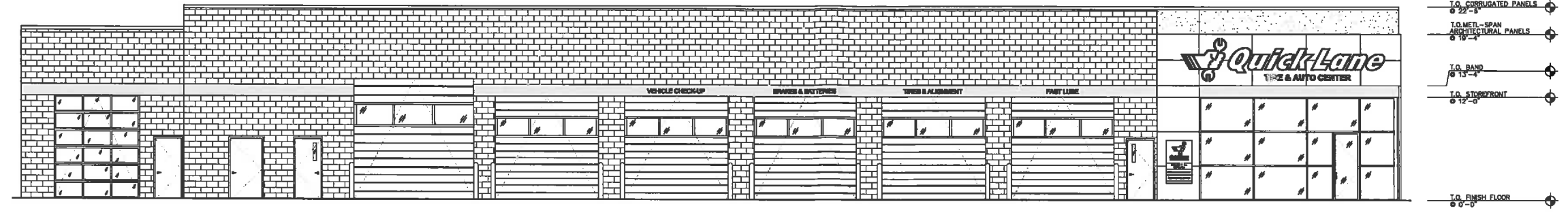
3 NORTH ELEVATION
SCALE: NTS



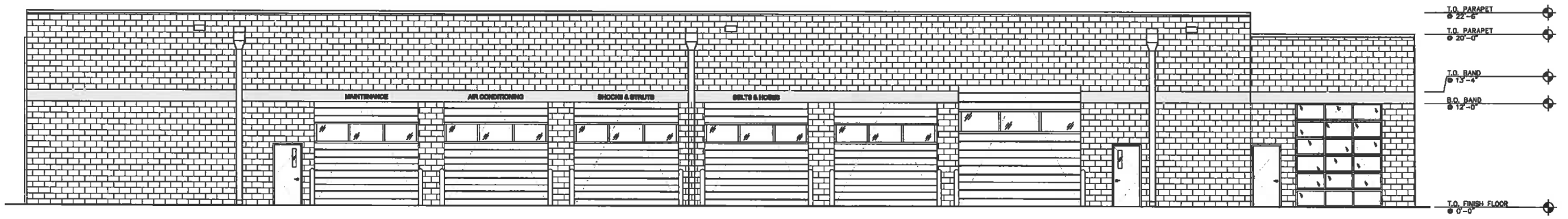
4 SOUTH ELEVATION
SCALE: NTS

PATRICK
G. BLEES
architecture . planning . interior design
PATRICK G. BLEES, ARCHITECT, PLLC
800 WASHINGTON AVE. N. SUITE 208
MINNEAPOLIS, MN 55401
PHONE: (612) 547-1300
FAX: (612) 547-1301
E-MAIL: pblees@pblees.com
CONTACT: AMANDA PREISLER

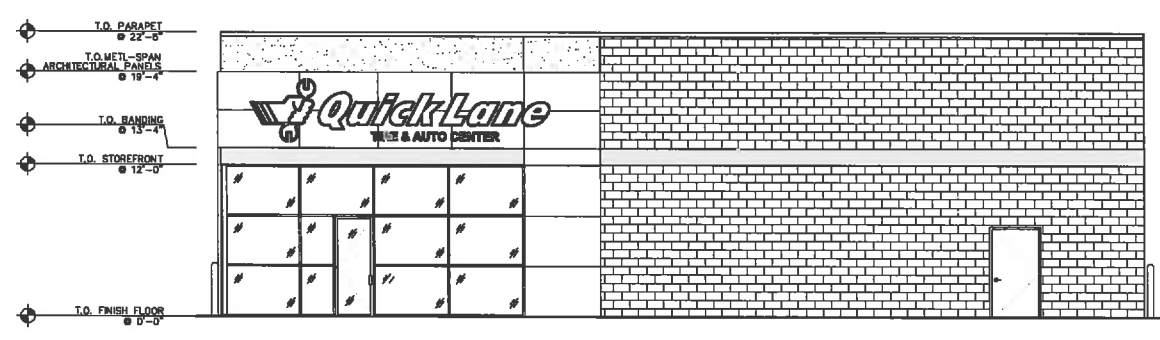
CONSULTANTS:



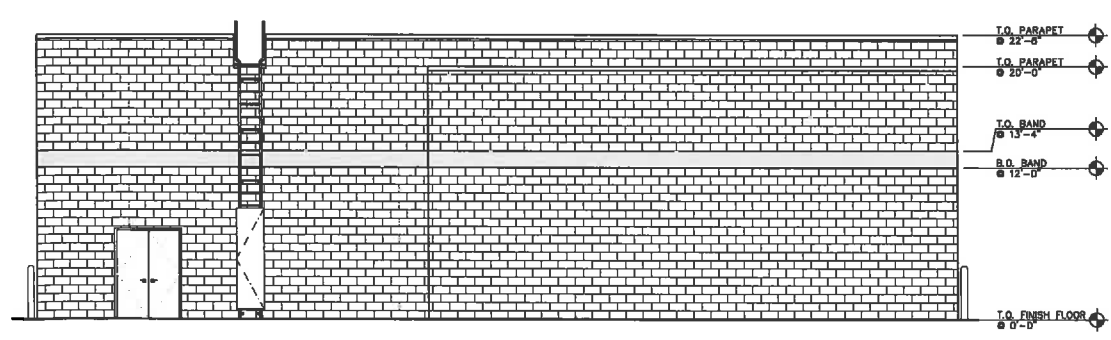
1 FRONT ELEVATION
A5 3/16"=1'-0"



2 FRONT ELEVATION
A5 3/16"=1'-0"



3 SIDE ELEVATION
A5 3/16"=1'-0"



4 SIDE ELEVATION
A5 3/16"=1'-0"

Quick Lane
TIRE & AUTO CENTER
QUICK LANE
E. HIGHWAY 50
CLERMONT, FL 34711

NEW CONSTRUCTION

SHEET TITLE:
EXTERIOR ELEVATIONS
12-BAY WITH CARWASH

REVISIONS:		
NO.	DATE:	BY:

PROJECT NO: 17180.001
DRAWN BY: JDN

A5(12)

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Quick Lane at Ford of Clermont Conditional Use Permit Application

Narrative & Justification Statement

Project Description:

Subject property is a total of 13.39 acres comprised of two parcels of land located on the south side of State Road 50, between S Grand Highway and Sandhill View Boulevard in the city of Clermont. The 4.37-acre parcel where the site improvements are proposed is owned by Deardoff Limited (herein after referred to as Parcel 1). The 9.02-acre parcel with the existing Ford of Clermont automobile dealership and service center is owned by Ford of Clermont Inc. (herein after referred to as Parcel 2).

The parcels are zoned C-2 (General Commercial District) with a future land use map designation of C (Commercial). The developer seeks a conditional use permit to expand the existing uses of the property, which are: "automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales" and "automobile and truck repair garages; and painting, welding and body shops".

Parcel 1 is part of the existing Ford of Clermont auto dealership and currently serves as unpaved parking for the dealership. The owners wish to develop the property with a 12-bay service building, 1 bay car wash, and paved parking for the dealership. The proposed expansion will provide dedicated space for performing minor service and repairs (oil changes, tires, etc.) and free up the existing 27-bays for performing major service and repairs. No improvements are proposed on Parcel 2, except for ancillary/incidental improvements such as drive aisle connections between the parcels and utility work (water and sewer connections and replacement of the aged water/fire line).

Vehicular access will be through the dealership's existing driveway onto State Road 50 and through the frontage road stub-out and shared driveway onto State Road 50 located in front of the adjacent McCoy Federal Credit Union property. The driveway is also shared with two other commercial uses to the west (Valvoline and Golden Corral). The dealership also connects to a shared access at the rear onto Hooks Street.

The conditional use site plan is attached, which shows the overall layout of the existing and proposed site improvements. Architectural renderings for the new building are also attached.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

1. **The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of an established and successful business to expand upon the already existing uses, which are consistent with the properties underlying Commercial future land use map designation and the C-2 zoning district.

2. **Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed expansion is consistent with the range of services typically provided at an automobile dealership and service center and is consistent with the City's C-2 General Commercial District (LDC Sec. 122-223). The development is located on a state highway and surrounded by commercially zoned and developed properties. Similar uses are located within close proximity to both the west and the east on State Road 50.

3. **The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

4. **The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed use is an expansion of the existing automobile dealership and service center that is already successfully operating at this particular location.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed expansion is consistent with the character and type of development that is allowed within the City's land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed increase in intensity by 10,919 sq.ft. for a total of 70,568 sq.ft. of building area on 13.40 acres (0.12 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. The proposed expansion area already serves as grass parking for the existing automobile dealership. There are no known complaints of nuisances or dangers to abutting property owners. The expansion will utilize existing driveway connections (no new curb cuts) and stormwater runoff will be treated and released at pre-development rates.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way and street widths are adequate to serve the project. The developer is proposing to access the site via the existing automobile dealership's access and will construct the cross connection to the existing frontage road that serves three commercial sites to the west.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: City utilities are available to serve the development. Potable water and sewer exist on the adjacent automobile dealership. The owners will install water and fire service connections as needed to serve the development, including replacement of the aging water main that runs down the west side of Parcel 2. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's SR 50 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. **Site planning.** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.
 - h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The building location is similar to other buildings along the corridor. The stormwater pond will be located to the rear of the site, along with underground chambers within the parking lot as shown on the site plan. There is only one row of parking in front of the building. Site access is via existing driveways as discussed in previous findings above, in order to minimize impacts on traffic flow and provide for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity to the abutting street.

7. **Solid waste disposal.** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of domestic solid waste from the development. Hazardous waste disposal to be consistent with all regulatory rules and regulations.

Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a Conditional Use Permit to allow for the expansion of an automotive dealership in the C-2 General Commercial zoned district.

LOCATION

Ford of Clermont 1101 East Highway 50.
Alternate Key 1103924, 1648343,

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

This request will be considered by the Planning & Zoning Commission on Tuesday, October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, October 24, 2017 at 6:30pm.

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

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 26, 2017
October 17, 2017



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 8/31/17

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Quick Lane @ Ford of Clermont

APPLICANT: AVID Group

CONTACT PERSON: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-234-8015 (cell) Fax: N/A

E-Mail: peter.pensa@avidgroup.com

OWNER: (1) Deardoff Limited & (2) Ford of Clermont Inc.

Address: 1850 E Merritt Island Causeway

City: Merritt Island State: FL Zip: 32952

Phone: 321-452-9285 Fax: N/A

Address of Subject Property: (1) TBD & (2) 1101 E Hwy 50, Clermont, FL 34711

General Location: South side of State Road 50, between Grand Highway and Sandhill View
Boulevard.

Legal Description (include copy of survey): see attached legal description

Land Use (City verification required): C (Commercial)

Zoning (City verification required): C-2 (General Commercial)





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

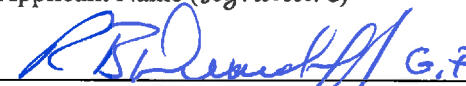
Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

See attached project narrative & justification statement.

Peter Pensa, AICP, Director of Planning,
Applicant Name (print) AVID Group

R.B. Deardoff
Owner Name (print) Deardoff Limited

X 
Applicant Name (signature)

X  G.P.
Owner Name (signature)

***** NOTICE *****

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

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



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

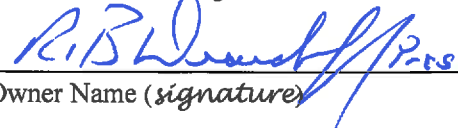
Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

See attached project narrative & justification statement.

Peter Pensa, AICP, Director of Planning,
Applicant Name (print) AVID Group

R. B. Deardo Jr
Owner Name (print) Ford of Clermont Inc.

X 
Applicant Name (signature)

X 
Owner Name (signature)

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

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

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

LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 9.38 acres, m.o.l. tract that is generally located on the south side of State Road 50, between Grand Highway and Sandhill View Boulevard in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26-130502300001	9.38 acres m.o.l.	1101 E Highway 50 Clermont, FL 34711

Property Owner:

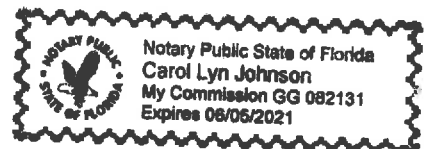
R.B. Deardorff
Name: R.B. Deardorff
Title: President
Ford of Clermont Inc.
1850 E Merritt Island Causeway
Merritt Island, FL 32952-2665

STATE OF Florida COUNTY OF Brevard On
this the 16 day of Aug 2017 before me, the undersigned Notary Public of
the State of Florida, personally appeared R.B. Deardorff and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are ☒ personally known to me, or ☐ presented the following
identification: _____.

WITNESS MY HAND AND SEAL:

NOTARY SEAL &
COMMISSION EXPIRATION:

[Signature]
NOTARY SIGNATURE



LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 4.14 acres, m.o.l. tract that is generally located on the south side of State Road 50, between Grand Highway and Sandhill View Boulevard in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26-130502300000	4.14 acres m.o.l.	No Address, State Road 50 Clermont, FL 34711

Property Owner:


Name: R.B. Deardoff
Title: General Partner
Deardoff Limited
1850 E Merritt Island Causeway
Merritt Island, FL 32952-2665

STATE OF Florida COUNTY OF Brevard On
this the 16 day of Aug 20 17 before me, the undersigned Notary Public of
the State of Florida personally appeared R.B. Deardoff and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are ☒ personally known to me, or ☐ presented the following
identification: _____.

WITNESS MY HAND AND SEAL:

NOTARY SEAL &
COMMISSION EXPIRATION:


NOTARY SIGNATURE





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, October 3, 2017		
Agenda Item Name		
Ordinance No. 2017-27 <i>Sign Code Amendment</i>		
Requested Action		
Recommend approval of Ordinance 2017-27.		
Staff Report		
The Florida Constitution provides that it is the policy of the state to conserve and protect its scenic beauty, and the regulation of signage for purposes of aesthetics directly serves that policy. The regulation of signs as provided herein is based upon their function, and is not based upon the content of the message contained on any such sign. Following an opinion of the United States Supreme Court that local governments may not impose more stringent restrictions on directional signs than on signs conveying a message, the City of Clermont seeks to repeal in its entirety and replace Land Development Code, Chapter 102 – Signs. The City Attorney has amended the existing sign code to comply with the Florida Constitution and recent Court findings by removing regulations that are dependent on the communicative content of the sign with Ordinance No. 2017-27. The existing regulations of signs regarding the size, height, type and location of signs has not been changed in the amended sign ordinance. Staff recommends approval of Ordinance No. 2017-27 to repeal in its entirety and replace Land Development Code, Chapter 102 – Signs.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Amended Chapter 102 - Signs Clermont Revised Sign Code - Final.pdf 2. Ordinance No. 2017-27 2017-27 NEW LDC Sign Amendment 10-2017.pdf		

CHAPTER 102 - SIGNS

Sec. 102-1. – Purpose and intent of chapter.

- (a) The intent of this chapter is to ensure adequate means of communication through signage while maintaining a safe environment and attractive visual appearance within the city. By specifying criteria for all signage, this chapter is intended to serve the following purposes:
- (1) Maintain the established suburban character of the city by regulating all exterior signage in a manner which promotes low profile signage of high quality design.
 - (2) Protect and maintain the visual integrity of roadway corridors within the city by establishing a maximum amount of signage on any one site to reduce visual clutter.
 - (3) Establish locations and setback for signage which are designed to protect motorists from visual distractions, obstructions and hazards.
 - (4) Enhance the appearance of the physical environment by requiring that signage be designed as an integral architectural feature of the site and structure for which such signage is intended to identify, and sited in a manner which is sensitive to the existing natural environment.
 - (5) Provide for signage which satisfies the needs of the local business community for visibility, identification and communication.
 - (6) Establish procedures for the removal or replacement of nonconforming signs, enforcement of these regulations, maintenance of existing signs, and consideration of variances and appeals.
 - (7) Facilitate clear communication of messages.
 - (8) Reduce traffic and structural hazards.
 - (9) To allow signs that will not:
 - (i) Endanger the public safety;
 - (ii) Create distractions that may jeopardize pedestrian or vehicular traffic safety;
 - (iii) Mislead, confuse, or obstruct the vision of people seeking to locate or identify uses or premises; and
 - (iv) Destroy or impair aesthetic or visual qualities of the city which are so essential to the suburban character of the city and the general welfare of its citizens and visitors.
- (b) The regulation of signs as provided herein is based upon their function, and is not based upon the content of the message contained on any such sign. The Florida Constitution provides that it is the policy of the state to conserve and protect its scenic beauty, and the regulation of signage for purposes of aesthetics directly serves that policy. In order to preserve the city as a desirable community in which to live, visit and do business, a pleasing, visually attractive suburban environment is of foremost importance. The regulation of signs within the city is a highly contributive means by which to achieve this desired end. These sign regulations are prepared with the intent of enhancing the suburban environment and promoting the continued well-being of the city. The enhancement of the visual environment is critical to a community's image and safety, and the sign control principles set forth herein create a sense of character and ambiance that distinguishes the city as one with a commitment to maintaining and improving an attractive and safe environment.

The city council recognizes that there are various persons and entities that have an interest in communicating with the public through the use of signs that serve to identify businesses and services, residences and neighborhoods, and also to provide for expression of opinions. The council is also responsible for furthering the city's obligation to its residents and visitors to maintain a safe and aesthetically pleasing environment where signs do not create excessive visual clutter and distraction or hazards for pedestrians and vehicles; where signs do not adversely impact the predominantly suburban character of the city; and where signs do not conflict with the natural and scenic qualities of

the city. It is the intent of the council that the regulations contained in this chapter shall provide a uniform sign criteria that regulates the size, height, number and placement of signs in a manner that is compatible to the suburban scale and character of the city, and which shall place the fewest possible restrictions on personal liberties, property rights, free commerce, and the free exercise of Constitutional rights, all while achieving the city's goal of creating a safe, healthy, attractive and aesthetically pleasing environment that does not contain excessive clutter or visual distraction from right-of-ways and adjacent properties, the surrounding natural environment, and residential neighborhoods.

(c) Findings of Fact. The city council finds that:

- (1) The manner of the erection, location and maintenance of signs affects the public health, safety, morals and welfare of the people of this community.
- (2) The safety of motorists, cyclists, pedestrians, other users of the public streets is affected by the number, size, location, lighting and movement of signs that divert the attention of drivers.
- (3) The size and location of signs may, if uncontrolled, constitute an obstacle to effective fire-fighting techniques.
- (4) The construction, erection and maintenance of large signs suspended from or placed on the tops of buildings, walls or other structures may constitute a direct danger to pedestrian and vehicular traffic below, especially during periods of strong winds, such as those caused by hurricanes and Central Florida thunderstorms.
- (5) Uncontrolled and unlimited signs may degrade the aesthetic attractiveness of the natural and manmade attributes of the community and thereby undermine the economic value and growth of the city's suburban character.

(d) *Substitution clause.* It is not the intent of this chapter to afford greater protection to any one message over that of another message. Any sign, flag, display or device allowed under this chapter may contain any lawful message or copy that complies with all other requirements applicable to the sign. Thus, notwithstanding any provisions that may be interpreted to the contrary, this chapter allows all signs to display any message or copy the sign owner or speaker wishes to express or exhibit.

Sec. 102-2. – 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. Unless specifically defined below, words, terms or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and most reasonable application. With respect to any definitions below that attempt to define a particular type of sign, such definition is merely for the purpose of understanding the sign code's provisions in a reasonable manner. In defining a sign type, it is not the city's intent to regulate or restrict the content that may be displayed on the sign. Rather, the definition is to explain the common purpose or activity for which the owner or speaker generally uses the sign. By no means is that a restriction on the content the sign may display, as the final decision of what message to express or copy to exhibit is entirely for the owner or speaker to make in accordance with all other content-neutral regulations that apply to the sign.

Awning: A structure made of metal or similar framing material, cloth or other material, and attached to a building and/or carried by a frame supported by the building.

Awning sign: A sign painted on, printed on, or attached flat against the surface of an awning.

Banner: A sign having the copy applied to lightweight material such as cloth, paper, fabric, vinyl, plastic, or other synthetic material of any kind, with only such material for a backing, including any incorporated devices that are animated, rotate or flutter in a designed manner to attract attention, and which is attached to one or more poles, halyard, rope, wire, string, cord or similar device, or to a building at one or more edges or corners. Banners do not include flags.

Billboard: An off-site commercial sign normally erected and maintained by an advertising business for purposes of selling, renting or leasing the display area to another establishment for purposes of that establishment advertising its goods or services.

Canopy: A structure constructed of rigid materials, including but not limited to metal, wood, concrete, plastic or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground.

Canopy sign: A sign that is suspended from, is attached to, is supported from or forms a part of a canopy.

Commercial district: A commercial district is any property which is zoned C-1, C-2 CBD, PUD Commercial Mixed Use and CD, approved primarily for commercial uses, and any site plan controlled districts approved primarily for any of the aforementioned districts.

Commercial sign: A sign that identifies, promotes or advertises an activity, product or service available for purchase.

Copy: The letters, colors, text or other graphics displayed or exhibited on an object to convey a message or attract attention.

Directional sign: A sign that contains information providing or indicating the direction to or location of any object, place or area including, without limitation, those signs that indicate the avenues of ingress and egress from a particular premise; a sign designed for the guidance of traffic, such as entrance and exit signs.

Directory sign: A sign consisting of the names of tenants to, or stating the use of, a multitenant building, center or complex.

Display area: The area above the base or in between the structural supports of a sign for displaying copy on the face of the sign.

Double-faced sign: A sign with two faces which are usually but not necessarily parallel and usually but not necessarily with the same copy.

Drive-in menu sign. A permanent freestanding sign or wall sign associated with an establishment that provides services to an individual in a motor vehicle parked in a space designated by the establishment and approved by the city for receiving the drive-in service.

Drive-thru menu sign. A permanent freestanding sign or wall sign associated with an establishment providing drive-thru or carryout service to an individual in a motor vehicle.

Establishment. An individual business, enterprise, or organization that has its own specific mailing address and is located on a parcel of property, in a shopping center, or in a multitenant building.

Façade: The entire building wall, including wall face, parapet, fascia, windows and doors.

Flag: An item made of cloth or other similar material that is traditionally secured at 1 side or edge by a pole or staff such that the material hangs freely when not set in motion by the movement of air or wind, and the material is used to display copy.

Flashing sign: A sign that contains an intermittent, scintillating, blinking, flashing or traveling light source, including a sign that gives the illusion of such a light source by means of, without limitation, animation or an externally mounted light source. Flashing signs are prohibited in the city.

Foot candle: An English unit of measurement for the amount of light falling upon a surface (i.e., illuminance) that can be measured by an illuminance meter. A 1-foot candle is equal to 1 lumen per square foot.

Freestanding sign: A sign that is supported by a structure, such as 1 or more uprights, columns, poles, pylons, or braces made of masonry, wood, metal or other similar material, and is permanently installed, placed, or anchored in or on the ground on a permanent base and intended to be permanently affixed thereto and which is wholly independent of any building, fence, vehicle or object other than the supporting sign structure.

Frontage: The linear footage of property abutting a dedicated street or highway as measured along a lot or parcel of land. For businesses in shopping centers it shall be measured along the front face of that portion of the building occupied by the business.

Ground sign: A detached sign installed at ground level in low profile with a sign face/display area supported by one or more columns, upright poles, or braces extending from the ground, or from a ground-mounted base, and which is independent and not attached or affixed in any way to a building or other structure.

Human sign: A temporary sign that is held or worn by a person for the purpose of conveying a message or attracting attention to any place, subject, person, establishment, event, or merchandise whatsoever.

Identification sign: A sign on a parcel of property that depicts or identifies the name, address, and/or occupants of a building or establishment, or the neighborhood and/or development in which a building or establishment is located, as a means of identifying said building or establishment.

Illuminated sign: Any sign illuminated internally or from the rear of the sign by silhouette lighting or luminous tubing, or a sign illuminated externally from a light source such as a spotlight or other such light projector.

Industrial district: An industrial district is any property which is zoned M-1, CD and PUD Industrial Mixed Use, Industrial primarily for industrial uses.

Inflatable sign: A sign or other display, with or without copy, that is inflated or supported by air, wind, water, helium, hydrogen, nitrous oxide, oxygen, or any other element or compound supplied through a pneumatic pressure system or device, and by its nature serves to attract attention.

Informational sign: A sign indicating the types of services available at location, events occurring at a location, function of an establishment or premises, hours of operation, and/or contact information for an establishment or premises on which the sign is located.

Marquee: A permanent roof-like structure supported and extending from part or all of the building face and that fully or partially covers a sidewalk, public entrance or other pedestrian way, which is constructed of some durable material such as metal, glass or plastic.

Marquee sign: A sign attached to or part of a marquee, fixed awning or canopy. Marquee signs shall not extend above the highest point of a marquee.

Monument sign: A low-profile freestanding sign anchored near or at ground level, which has the vertical structure supports concealed in an enclosed base. The width of such enclosed base shall be equal to at least one-half the horizontal width of the sign surface.

Mural sign: A sign painted directly on any exterior building wall or door surface, exclusive of window and door glass area.

Office district: An office district is any property which is zoned O-1, and PUD Office Mixed Use, approved primarily for industrial uses.

Off-site sign: A sign identifying, advertising or directing the public to a business, merchandise, service, institution, residential area, entertainment or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than on the property on which the sign is located.

On-site sign: A sign related in its subject matter to the premises on which it is located.

Permanent sign: Any sign that is designed, constructed, and intended for more than short-term use and that is fixed to a building or the ground in such a manner as to be immobile without the use of extraordinary means, such as disassembly.

Portable sign: Any sign not permanently erected to a building or other structure and not permanently attached to the ground that is designed to be moved readily from place to place by, without limitation, pull attachments or wheels, even though the wheels may be removed and the remaining chassis is attached to the ground.

Projecting sign: A sign, other than a wall sign, which projects from and is supported by the wall of a building or structure.

Residential district: A residential district is any property which is zoned UT, UE, R-1-A, R-1, R-2, R-3-A, R-3, and PUD Residential Mixed Use, and site plan controlled districts approved primarily for residential use.

Roof sign: A sign erected over or on, and wholly or partially dependent upon, the roof of any building for support, or attached to the roof in any way.

Sandwich board sign: Any freestanding single or double faced sign that is designed to be placed upon, but not affixed to, the ground, sidewalks or pavement, which is self-supported by its own frame most often forming the shape of the letter “A” when viewed from the side, and which is portable, can be folded and carried by an individual so as to be readily moveable from place to place.

Shingle sign: A projecting sign or wall sign not over 4 square feet in area, constructed of metal or other durable material, attached securely to a building.

Shopping center: A group of 4 or more retail stores, service establishments or any other businesses, not necessarily owned by one party or by a single land ownership, which are adjacent to and utilizing a common parking area.

Sign or Signage: A display of copy—such as in the form of any letters, figure, character, mark, plane, point, marquee, design, poster, picture, stroke, stripe, symbol, line, trademark, or any combination of these—that is placed, attached, painted, erected, fastened, constructed, or otherwise displayed in any manner whatsoever, so that the copy is visible from outside and used to convey a message or attract attention to any place, subject, person, establishment, event, or merchandise whatsoever. A sign shall include all types of mobile signs.

Snipe sign: A sign that is tacked, nailed, posted, pasted, glued or by other means attached to trees, power poles, street poles, stakes, fences, or other objects in the right-of-way, or that are otherwise displayed on public or private property without permission of the property owner.

Spectacular sign: A sign wired for incandescent lighting, luminous tube lighting, or both, animated with copy action controlled by flasher circuit breakers, moving lighting, or similar devices.

Tablet sign: A sign cut into any masonry surface or constructed of bronze or other non-combustible materials and attached to the surface of a building.

Temporary sign: Any sign that is designed, constructed, and intended to be used on a short-term, non-permanent basis incidental to an event or activity and which is allowed to be displayed for a limited period by the planning & zoning department, such as those signs set forth in Section 102-8(a).

Vehicle sign: A sign designed to be temporarily emplaced or affixed to a vehicle or trailer without a permanent base or fastening. Temporary tie downs or weighting may be required by the administrative official to meet safety requirements.

Walk-up menu sign: A permanent wall sign or temporary freestanding sign located within X feet of the main entrance to an establishment that provides services directly to an individual that is physically present at the establishment's premises and which displays copy that is visibly legible only by standing directly in front of the sign.

A permanent freestanding sign or wall sign associated with an establishment that provides services to an individual

Wall sign: A sign affixed to or painted on the wall façade of any building that projects less than 18 inches, and where the exposed face of the sign is in a plane parallel to the planes of the wall. Wall signs may not extend above the roofline or outside limits of the wall façade and may display only 1 surface for copy.

Warning sign: A sign that is designed to provide public notice of a clear and present danger to public health, safety and welfare.

Window sign: Any sign attached to, painted on, or affixed by any method directly to the interior or exterior of the glass of any door or window, or located within 6 inches of the glass of any door or window surface, that is facing outside and intended to be seen from outside.

Wind sign: A sign consisting of one or more pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind, other than a flag as defined in this chapter.

Zoning district and zoning requirements, or words of similar import, pertain to the zoning regulations, Chapter 122, for buildings, similar structures and land use in the city.

Sec. 102-3. – Enforcement; removal of unlawful signs.

- (a) *Responsibility for enforcement.* The administrative official or his/her established designee shall be empowered to enforce this chapter.
- (b) *Removal of prohibited signs.*
 - (1) *Unauthorized signs on public property.* Prohibited signs on public property or rights-of-way shall be removed immediately, and they may be removed by the city or its agent without notice.
 - (2) *Temporary signs.* Temporary signs which are or have become in violation of this chapter shall be removed within 48 hours after receipt of written notification by the city.
 - (3) *Abandoned signs.* Abandoned signs shall be removed by the owner, agent or person in charge of the premises within 30 days after receipt of written notification by the administrative official or his/her established designee. If the sign is not removed in a timely manner, the code enforcement officer may refer the violation to the code enforcement board for formal action.
- (c) *Removal or repair of unsafe signs.* Should any sign become unsecured or in danger of falling, or in a disrepair or a deteriorated state so as to otherwise constitute an unsafe condition, the owner, agent or person in legal possession of the premises shall, upon formal notification, immediately in the case of imminent danger, or within 10 days in other instances, cause it to be removed or be placed in good repair in a manner consistent with applicable city codes. If such notification is not complied with, the city may remove the sign at the expense of the owner and may place a lien for the cost thereof upon the property on which the sign was located, together with any other cost incurred by the city by filing such lien.
- (d) *Illegally erected signs.* Where this chapter requires work to be done by a licensed contractor and such work is not performed by a licensed contractor, the owner or lessee of the property where such illegally erected sign is located shall either:
 - (1) Have the sign immediately removed; or
 - (2) Acquire the services of a duly licensed contractor to secure a permit for such sign and obtain the required city inspections.

If neither of these actions is completed within 10 days of written notification by the city, the violation may be referred to the code enforcement board for formal action.

- (e) *Termination of unlawful illumination.* Upon receipt of written notification by the city that a sign is unlawfully illuminated in violation of this chapter, the owner or his/her agent, or the person in possession of the premises, shall immediately terminate the prohibited illumination of such sign. If this action is not completed within 10 days of the written notification, the violation may be referred to the code enforcement board for formal action.

- (f) *Signs no longer in use.* Signs which advertise or identify a business, firm or similar activity must be removed within 60 days of the date the business, firm or similar activity goes out of business or vacates the premises. The removal of the sign shall be the responsibility of the owner of the property upon which the sign is located. Thereafter, if this required action for removal is not completed within 10 days of written notification by the city, the violation may be referred to the code enforcement board for formal action.
- (g) *Violations and penalties.* Violations of this chapter, including those sections authorizing city removal of signs or other penalties, may be referred to the code enforcement board as prescribed by Chapter 2, Article V of this code.

Sec. 102-4. – Interpretation of chapter.

This chapter shall be interpreted by the administrative official in accordance with the requirements of this chapter and all other applicable laws of the city and state. Appeals of disputed decisions shall be referred to the city council as set forth in Section 102-5 below, which is in accordance with Chapter 86.

Sec. 102-5. – Appeals.

Pursuant to the procedures outlined in Chapter 86, any individual or entity, or their duly authorized agent, aggrieved by a decision of the administrative official or his/her established designee with respect to this chapter may file a written appeal within 30 days after the disputed decision is made by the administrative official or designee. Appeals shall be filed with the city manager and shall state fully the grounds for the appeal and all facts relied upon by the petitioner. The city manager shall schedule the appeal to be heard by the city council within 21 days from receipt of the written appeal. The city council shall then render a decision within 30 days after hearing the appeal. If the city council does not grant the appeal, the petitioner may seek relief in the Circuit Court for Lake County, FL, as provided by law.

Sec. 102-6. – Sign permit.

- (a) *Required; application.* It shall be unlawful for any person to erect, alter, display, change or relocate any sign within the city, except exempt signs, until after a permit therefor has been issued by the administrative official or his/her established designee and a fee paid to the city. Application for a sign permit shall be made by the owner of the premises or his/her appointed agent on a form provided by the city prior to the erection or placing of any proposed sign. Such application shall include the following:
 - (1) The name and address of the owner of the property;
 - (2) The name and address of the sign company erecting the sign;
 - (3) The street address or legal description of the property upon which the proposed sign is to be located;
 - (4) The height, size and shape of the proposed sign;
 - (5) A plan, sketch, blueprint or similar presentation, drawn to scale, showing all pertinent structural details of the proposed sign;
 - (6) A site plan, sketch, blueprint or similar presentation, drawn to scale, showing all pertinent information, verifying the specific location of the proposed sign, and the height, size, shape and location of existing signage on the premises.
- (b) *Fees.* Fees under this chapter shall be as set by resolution of the city council and on file in the city clerk's office.

(c) *Persons authorized to perform work.* The work necessary to construct, install, erect, illuminate, paint or modify signage within the city shall conform to the following:

(1) The following work may be performed by a property owner or lessee:

- (i) Painting the face of any freestanding or wall sign;
- (ii) Installation or attachment of any individual letters, which does not require electrical service or structural modification of the surface or wall to which such letters are being attached; or
- (iii) Construction and erection of any freestanding sign with a height less than 6 feet, which is non-illuminated.

(2) The following work shall be performed by a sign contractor, general contractor or building contractor licensed with the city to perform such work:

- (i) Construction, installation, erection or electrical connection of any sign that is illuminated;
- (ii) Construction, installation or erection of any freestanding sign requiring wind load calculations, over the height of 6 feet;
- (iii) Construction, installation or erection of any sign that is located above a pedestrian walkway or on the front fascia of a canopy over a pedestrian walkway;
- (iv) Construction, installation or erection of any projecting sign allowed by this chapter; or
- (v) Construction, installation or erection of any sign not described in subsection (c)(1) of this section.

(d) *Issuance.* Upon receipt of an application for a sign permit, the administrative official or his/her established designee shall review the plans, specifications and other data relating to such sign, and, if considered necessary, inspect the premises upon which the sign is proposed to be erected prior to issuing a permit. The administrative official or established designee shall approve, deny, or request additional information from the applicant seeking a sign permit within 60 days after receipt of the required application and permit fee. If the permit fee has been paid, the permit application was accurate and did not include any false or misleading information, and the proposed sign is in compliance with the provisions of this chapter that govern it, as well as with all other applicable laws and codes of the city, then the administrative official or established designee shall issue the sign permit.

(e) *Exemptions.* Exemption from the requirement to obtain a sign permit shall be allowed under the following circumstances:

- (1) The erection, construction or installation of any sign described in Section 102-7;
- (2) The repair, maintenance or repainting of any existing sign that is deemed conforming or allowed to continue as nonconforming under the provisions of this chapter; or
- (3) The replacement of any existing sign panel or face on a structure which is deemed conforming or allowed to continue as nonconforming under the provisions of this chapter.

See Section 102-19 for modification standards applicable to existing signs.

(f) *Expiration.* A sign permit shall expire and become invalid in accordance with the rules set forth in the city's land development code for all permits in general.

Sec. 102-7. – Permit exempt signs.

The following signs are exempt from the permit requirements of this chapter, provided they are not placed or constructed so as to create a hazard of any kind. The following signs must still meet applicable construction and electrical standards required by city, county, state or federal laws.

- (1) Temporary on-site signs incidental to selling or leasing a building or property subject to the requirements of Section 102-8(a)(3)(i).
- (2) One marquee sign over a window or door of a store or business limited to 4 square feet of total display area.
- (3) One informational sign painted on a door or window with the copy limited to 6 inches in height.
- (4) One ground identification sign limited to 2 square feet in total area.
- (5) One wall or ground directory sign per multitenant building, center or complex limited to 2 square feet in total area.
- (6) One wall or ground identification sign, limited to 2 square feet in total area, per tenant in a multitenant building, center or complex that is located in a commercial district.
- (7) On-site directional ground signs subject to the following requirements:
 - (i) The maximum height shall not exceed 4 feet.
 - (ii) Each sign's total display area shall not exceed 4 square feet.
 - (iii) The copy shall not exceed a height of 6 inches.
- (8) Tablet signs.
- (9) Signs erected on public property by any individual or entity with the permission of the appropriate city, county, state or federal government agency that owns or is responsible for the property.
- (10) Window signs that do not exceed 25% of the window area and do not move or contain flashing lights.
- (11) On-site bulletin boards limited to 24 square feet in total area.
- (12) Temporary banners subject to the requirements of Section 102-8(b).
- (13) Temporary off-site directional ground signs subject to the requirements of Section 102-8(a)(2).
- (14) Flags subject to the following requirements:
 - (i) *Number.* There shall be no more than 3 flags displayed on any one parcel of land or commercial development.
 - (ii) *Size and placement.* Flags shall be set back at least 5 feet from all property lines and shall be displayed only from a flagpole or flagstaff. Government flags are recommended to conform to the United States Flag Code, Public Law, 344, 36 USC 171—178. The size of a flag, whether on flagpole or flagstaff, shall be in accordance with the chart below.

Pole Height	Flag Size (max.)
Up to 15'	3' × 5'
20'–25'	4' × 6'
25'–35'	5' × 8'

35'-45'	6' × 10'
45'-55'	8' × 12'

- (iii) *Flagpole height.* The maximum height of any flagpole shall not exceed 10 feet above the height of any primary structure located on the same premises as the flag pole, or 55 feet, whichever is less.
- (15) In the commercial business district, sandwich board signs may be utilized subject to the following requirements:
 - (i) Only 1 sandwich board sign may be displayed per establishment
 - (ii) The sandwich board sign shall have a maximum of 2 back-to-back sides for copy.
 - (iii) The sandwich board sign shall be a maximum height of 4 feet and a maximum width of 3 feet.
 - (iv) The sandwich board sign cannot block sidewalk access, in accordance with ADA requirements, by maintaining at least a 4-foot wide passage from one property to another using the sidewalk.
 - (v) The sandwich board sign shall not be allowed within the 4-foot area from the inside of the curb toward the front of the establishment.
 - (vi) The sandwich board sign cannot be electrical and must adhere to the requirements listed in Section 102-15 (prohibited signs; exceptions), unless otherwise indicated herein.
 - (vii) The sandwich board sign may be displayed only during the establishment's open hours.
- (16) Awning signs subject to the following requirements:
 - (i) Awning signs shall be limited to a maximum of 4 square feet.
 - (ii) Awning signs may be printed on, or attached flat against, the surface of the lower portion of an awning.
 - (iii) An 8-foot clearance must be maintained from the sidewalk to the lowest portion of the awning or awning sign.
 - (iv) Any awning sign shall count toward the maximum wall sign size per code.
 - (v) A maximum of 1 awning sign per wall.
 - (vi) Awning signs not used in conjunction with wall signage may use up to the maximum total square footage as allowed by this code for wall signage.

Sec. 102-8. – Temporary signs and banners.

(a) Temporary signs.

- (1) Temporary signs incidental to any vote of the electorate are allowed subject to the following requirements:
 - (i) The total display area for each sign shall not exceed the following:
 - a. Residential districts - 6 square feet.
 - b. Commercial or industrial districts - 32 square feet.
 - (ii) Signs may be erected 30 days prior to the established voting day to which the signs pertain.

- (iii) Signs shall be removed within 7 days after the last voting day to which the signs pertain. If they are not removed within the specified period of time, the city may remove the signs and charge the offending party the actual cost of removal.
 - (iv) Signs shall be placed on private property only with the consent of the property owner(s). Signs that are placed within the public right-of-way or on public property without permission are prohibited and shall be removed by the city without notice.
 - (v) Signs shall be constructed and placed in a manner that will not harm any person that approaches or touches the signs.
- (2) Temporary off-site directional signs are allowed subject to the following requirements:
 - (i) The total display area for such signs shall not exceed the following:
 - a. Residential districts - 4 square feet.
 - b. Commercial or industrial districts - 16 square feet.
 - (ii) Signs may be erected without a permit when they do not exceed the total display area listed in subsection (a)(2)(i) of this section.
 - (iii) Signs may be placed on a parcel of property for a period not exceeding 3 consecutive days.
 - (iv) Signs must be removed by the owner not more than 1 day after the event has concluded for which the temporary off-site directional sign was displayed.
- (3) Temporary on-site signs.
 - (i) Temporary on-site sign incidental to selling a house, building or property are allowed subject to the following requirements:
 - a. Residential districts:
 - 1. Only 1 temporary ground sign shall be allowed under this subsection for each house, building or property being sold.
 - 2. The total display area shall not exceed 4 square feet.
 - 3. The maximum height shall not exceed 6 feet.
 - b. Commercial or industrial districts:
 - 1. A maximum of 2 temporary ground signs shall be allowed under this subsection for each building or property being sold.
 - 2. The total display area for each sign shall not exceed 32 square feet.
 - 3. The maximum height for each shall not exceed 8 feet.
 - (ii) Temporary on-site signs incidental to new construction are allowed subject to the following requirements:
 - a. Signs under this subsection may be allowed on all lots or parcels of land in any district of the city for which a building permit has been secured and construction has commenced on the parcel of property.
 - b. Only 1 temporary ground sign shall be allowed for each street frontage, except as provided for in subsection (a)(3)(ii)h of this section.
 - c. The total display area shall not exceed 32 square feet.
 - d. The maximum height shall not exceed 8 feet.
 - e. The sign shall be setback a minimum of 5 feet from a front property line and 25 feet from any side property line.
 - f. The sign shall not be illuminated in residential districts.

- g. The sign shall be removed under the following circumstances:
 - 1. If construction has been halted for a period of more than 30 days.
 - 2. Within 5 days after final inspection of the building or project under construction has been made and a certificate of occupancy has been secured.
- h. Subcontractors may display a sign with a total display area of 4 square feet or less, which is in addition to the 32 square feet of total display area provided for in subsection (a)(3)(ii)b of this section, that shall be affixed to or placed immediately adjacent to the main sign allowed by this specific subsection.
- (iii) Temporary on-site sign incidental to future development or improvements are allowed subject to the following requirements:
 - a. For subdivisions, planned unit developments or multitenant projects, only 1 temporary sign per street frontage may be placed on any lot or parcel of land, at the time of preliminary plat or site plan approval.
 - b. The total display area for each sign shall not exceed 32 square feet.
 - c. The maximum height for each sign shall not exceed 8 feet.
 - d. Signs under this subsection shall be removed when 75% of the lots in a platted subdivision are sold, or when 75% of the building is completed (for apartment complexes, commercial buildings, etc.), or within 2 years after plat or site plan approval by the city council, whichever comes first.
 - e. Signs shall require a minimum setback of 5 feet from a front property line and 25 feet from any side property line.
 - f. Signs shall not be illuminated in residential districts.
- (b) Temporary banners.
 - (1) Temporary banners that are incidental to an upcoming special event are allowed subject to the following requirements:
 - (i) The total display area for each banner shall not exceed 32 square feet.
 - (ii) Banners may be displayed for 30 consecutive days.
 - (iii) Banners must be placed on the parcel of land where the event is to be held or on a location approved by the city administrative official or his/her established designee.
 - (iv) Banners cannot be connected in any fashion to landscaping, retaining walls, fences or light poles.
 - (v) Banners may not be placed across any street or thoroughfare.
 - (vi) An application and site plan must be submitted to the planning & zoning department for approval by the administrative official or his/her designee 2 weeks prior to the first day the banner is sought to be displayed.
 - (2) Temporary banner incidental to a grand opening are allowed subject to the following requirements:
 - (i) Only 1 banner is allowed within the first 30 days of a grand opening.
 - (ii) The banner may be displayed for only one period of 10 consecutive days.
 - (iii) The total display area shall not exceed 24 square feet.
 - (iv) The banner is to be installed by the owner or agent of the property or business.
 - (v) The banner may be attached temporarily to the building at which the grand opening is located provided they do not interfere with pedestrian access.

- (vi) The banner cannot be connected in any fashion to landscaping, retaining walls, fences, light poles or flag poles.
 - (vii) The banner may not be placed across any street or thoroughfare.
 - (viii) The banner must adhere to all other applicable regulations of this chapter.
 - (ix) Prior to any sign or banner being installed under this subsection, a grand opening package and application must be submitted to and approved by the planning & zoning department under a promotional activity permit.
- (3) Temporary flag banners incidental to a model home or apartment building open for inspection are allowed subject to the following requirements:
- (i) Such banners may be displayed only during the time the model home(s) or apartment(s) are open for inspection.
 - (ii) A maximum of 2 flag banners may be displayed at the entrance to a residential subdivision or apartment complex.
 - (iii) A maximum of 1 flag banner may be displayed at each model home or apartment building
 - (iv) Maximum flag banner area shall be 16 square feet total.
 - (v) Such banners may not be placed across any street or thoroughfare.

Sec. 102-9. – Permanent off-site signs.

- (a) Off-site directional signs of a permanent nature may be erected with the approval of the administrative official or his/her designee in accordance with the requirements of this chapter and subject to the following requirements:
 - (1) Such signs shall require a permit.
 - (2) The total display area for each sign shall not exceed 4 square feet.
- (b) Off-site signs shall be allowed on vacant property in zoning districts C-2 and M-1 subject to the following requirements:
 - (1) Signs shall be placed on a lot containing a minimum area of 5,000 square feet, and be a minimum of 500 feet from any other off-site sign on the same side of the street.
 - (2) The total display area for each sign shall not exceed 64 square feet.
 - (3) Signs shall be setback a minimum of 50 feet from any street right-of-way line on U.S. Highways 50 and 27, or a minimum of 25 feet from any other street right-of-way line.
 - (4) A minimum side-yard setback of 12 feet shall be maintained from adjacent properties.
- (c) All other off-site signs of a permanent nature are prohibited.

Sec. 102-10. – Permanent on-site signs.

- (a) *Commercial districts.* The following provisions govern permanent signage in commercial districts:
 - (1) *Single occupancy commercial, office, and industrial sites, including out parcels.*
 - (i) *Ground signs.*

- a. Ground signs are not allowed on vacant property except as provided for in Section 102-9.
- b. One ground sign per parcel shall be allowed for each primary street frontage.
- c. The maximum allowable display area is as follows:
 - 1. Sites on designated arterial roadways – 60 square feet.
 - 2. Sites on designated collector roadways – 48 square feet.
 - 3. Sites on internal roadways – 32 square feet.
- d. If a single occupancy business has multiple frontages with an architectural design indicating front street orientation to both frontages, an additional ground sign shall be allowed with a maximum square footage of up to 50% of that allowed on the primary frontage.
- e. Height and width.
 - 1. Ground signs fronting on local roadways shall not exceed a height of 6 feet.
 - 2. Ground signs fronting on collector roadways shall not exceed a height of 8 feet.
 - 3. Ground signs fronting on SR 50 and U.S. Highway 27 shall not exceed a height of 10 feet.
 - 4. Ground signs shall not exceed a width of 10 feet.
 - 5. Ground signs may be an additional 12 inches in height for ornamental display only.
- f. Setback.
 - 1. The minimum setback from the right-of-way line shall be 5 feet.
 - 2. The minimum setback from any side or rear yard property line shall be 10 feet.
 - 3. The minimum setback from any residential zoning district shall be 20 feet.
- g. Corner lots visibility triangle. No ground sign shall be located nearer than 50 feet from intersecting street right-of-way lines on U.S. Highways 50 and 27, and 30 feet on other streets.
- h. Design.
 - 1. Vertical structure supports for ground signs shall be concealed in an enclosed base. The width of such enclosed base shall be equal to at least one-half the horizontal width of the sign surface.
 - 2. The base shall be of an architectural style similar to that of the principal building to include split face block, finished metal or brick or stucco finish.
 - 3. The base of the sign shall be a minimum height of 2 feet.
 - 4. Shall have a maximum of 2 faces.
- i. Sign landscaping. A landscaped planting area a minimum of 100 square feet in size shall be provided around the base of any ground sign. The landscape shall include shrubs and groundcover. The landscape area shall be counted towards the minimum landscape and previous area requirements for a site.
- j. Sign illumination. Ground signs may be illuminated internally or externally. The source of externally illuminated signs shall be installed to that it is arranged or screened as to not shine, glare or adversely impact adjacent properties or roadways.

(ii) *Wall signs.*

- a. One primary wall sign on each wall of the building, parallel or perpendicular to a road or street, not exceeding an area equal to 15% of the front wall face height multiplied by the building width, not exceeding 200 square feet. A secondary wall sign may be allowed on up to 2 walls provided it is a maximum 50% of the primary wall sign's square footage, and both signs square footage shall be counted separately toward the maximum total square footage as allowed by this code for wall signage.
- b. One wall sign facing the interior of a non-residential development may be allowed for outparcels or interior development facing entrances. The interior facing wall sign may only be a maximum of 50% of any front wall sign square footage, or a maximum 32 square feet in total area, whichever is less, as allowed by this code.
- c. One marquee sign parallel or perpendicular to the road or street, not exceeding 32 square feet may be allowed provided no other wall sign is utilized on the same fascia.
- d. One projecting sign per business, below a marquee or canopy, a minimum of 8 feet in height above any pedestrian way, and not project beyond the sidewalk. Such signs shall not exceed 4 square feet.

(2) *High-rise, multiunit office, retail and industrial centers.*

- (i) High-rise, multiunit office, retail and industrial centers that have a common primary entrance may be allowed only 1 wall sign. Wall signs for each individual business within such a center are not allowed.
- (ii) Signs shall be placed upon the wall of a building, or upon the parapet of a building.
- (iii) Signs shall not extend above the roofline of any building except when placed upon a parapet, in which case the sign shall not extend above the parapet wall.
- (iv) All high-rise signs must clearly be on-site signs. Should circumstances change so that said signs are no longer on-site signs, they shall be deemed illegal and be removed.
- (v) Where a high rise sign would be within 1,000 feet of residential districts, such high-rise sign shall not be lit.
- (vi) The total display area for signs below 30 feet above ground level shall not exceed 1 square foot for each lineal foot of building frontage along the primary street frontage of the building. The total display area for signs higher than 30 feet above ground level shall be 5 square feet for every 1,000 square feet of gross floor area; provided, however, that in no event shall the total display area exceed 800 square feet.
- (vii) A canopy located over a building front sidewalk area, parking area or storage area, or similar temporary parking use, may be utilized for a maximum 10-square-foot sign.

(3) *Multiple occupancy commercial sites.*

- (i) *Commercial center identification ground signs.*
 - a. Multitenant office buildings and commercial centers, including shopping centers, shall be allowed signage under this section. A center identification ground sign shall be located on site.
 - b. If the building has multiple frontage with an architectural design indicating front street orientation of both frontages, and additional ground center identification sign shall be allowed with a maximum square footage of up to 50% of that allowed on the primary frontage.
 - c. Maximum signage area. Total display area shall be in addition to the display area allowed for the individual occupants and shall be on the gross leasable areas (GLA) within the centers.
 - 1. Centers of 75,000 square feet or more shall not exceed 120 square feet.

2. Centers of 10,000 square feet to 75,000 square feet shall not exceed 75 square feet.
 3. Centers up to 10,000 square feet shall not exceed 60 square feet.
 - d. Height. The maximum height for any commercial center sign shall be 15 feet.
 - e. Setbacks.
 1. A minimum setback from any side lot lines shall be 50 feet, or equidistant from side lot.
 2. The minimum setback from the right-of-way line shall be 10 feet.
 - f. Sign landscaping. A landscaped planting area a minimum of 100 square feet in size shall be provided around the base of any ground sign. The landscape shall include shrubs and groundcover. The landscape area shall be counted towards the minimum landscape and previous area requirements for a site.
- (ii) *Wall signs.*
- a. One primary wall sign on each wall of the building, parallel or perpendicular to a road or street, not exceeding a display area equal to 15% of the front wall face height multiplied by the building width, not exceeding 200 square feet. A secondary wall sign may be allowed on up to 2 walls provided it is a maximum 50% of the primary wall sign's square footage, and both signs square footage shall be counted separately toward the maximum total square footage as allowed by this code for wall signage display area.
 - b. One wall sign facing the interior of a non-residential development may be allowed for outparcels or interior development facing entrances. The interior facing wall sign may only be a maximum of 50% of any front wall sign square footage, or a maximum 32 square feet in total display area, whichever is less, as allowed by this code.
 - c. One marquee sign parallel or perpendicular to the road or street, not exceeding 32 square feet in total display area may be allowed provided no other wall sign is utilized on the same fascia.
 - d. One projecting sign per business, below a marquee or canopy, which is a minimum of 8 feet in height above any pedestrian way, and does not project beyond the sidewalk. Such signs shall not exceed a total display area of 4 square feet.
- (4) *Shopping centers.* Shopping centers may be allowed permanent signage under this subsection, subject to the following requirements:
- (i) All shopping center signage shall be reviewed and approved by the city as to final size, location and coordination as part of the site development plan review process.
 - (ii) Individual businesses in shopping centers shall not be allowed to have personalized ground signs.
 - (iii) Each shopping center shall be allowed 1 wall sign on each end of the building, not exceeding a display area of 128 square feet.
 - (iv) Each tenant of a shopping center shall be allowed to construct the following signs:
 - a. One wall or marquee sign per business, not exceeding a display area equal to 15% of the front wall face height multiplied by the business frontage, including windows and door area.
 - b. One sign per business, erected perpendicular to the building, not projecting beyond the sidewalk, and below a marquee or canopy. Construction shall be a minimum of 8 feet in height above any pedestrian way, and the display area shall not exceed 4 square feet.

- (v) Each internal tenant of a shopping center shall be allowed to construct 1 wall sign per business with a total display area for each sign that shall not exceed 32 square feet.
- (b) *Industrial districts.* Industrial complexes and industrial park subdivisions may be allowed permanent signage under this subsection, subject to the following requirements:
 - (1) All complex and park signage shall be reviewed and approved by the city as to final size, location and coordination as part of the site development plan review process.
 - (2) Each industrial multitenant complex or industrial park subdivision shall be allowed 1 identification ground sign on each arterial street frontage or principal entry to the park according to the following standards.
 - (i) Such signs shall not exceed 15 feet in height and 20 feet in width.
 - (ii) Ground signs shall be set back a minimum of 25 feet from the side lot lines and 5 feet from rights-of-way.
 - (iii) Industrial multitenant complexes or parks having under 50,000 square feet of floor area may be allowed park or complex identification signage with a display area that shall not exceed 100 square.
 - (iv) Industrial multitenant complexes or parks having 50,000 or more square of floor area may be allowed complex or park identification signage with a display area that shall not exceed 120 square feet.
 - (3) Each platted lot in an industrial park subdivision may be allowed an identification ground sign on each street frontage, not to exceed a display area of 32 square feet. Such signs shall not exceed 8 feet in height and 20 feet in width. Ground signs shall be set back a minimum of 25 feet from the side lot lines and 5 feet from rights-of-way.
 - (4) Each industrial multitenant complex or detached building in an industrial park may be allowed 1 wall sign on each end of the building, not exceeding a display area of 32 square feet. The design and height requirements for the wall signs shall meet the following design guidelines:
 - (i) Signs shall consist of individual letters.
 - (ii) Signs shall be illuminated by means of reverse channel opaque faced individual letters or external floodlighting.
 - (iii) Signs shall primarily be made of wood or metal, or other materials simulating wood or metal. Solid plastic sign faces shall be prohibited.
 - (5) Each tenant of a multitenant complex shall be allowed to construct the following signs:
 - (i) One wall or marquee sign per business, not exceeding a display area equal to 10% of the front wall face height multiplied by the business frontage, including windows and door area, not to exceed 100 square feet.
 - (ii) One sign per business, erected perpendicular to the building, not projecting beyond the sidewalk, and below a marquee or canopy. Construction shall be a minimum of 8 feet in height above any pedestrian way, and display area shall not exceed 4 square feet.
 - (6) Directory signage for multitenant complexes may consist of 1 wall or ground directory sign for each building, not to exceed a display area of 2 square feet per tenant, or 24 square feet in total display area, whichever is less. Such signage shall be oriented to parking and pedestrian areas for directional purposes only, and shall not be oriented outside the complex. The maximum height of copy within the allowed area shall not exceed 4 inches. Freestanding directory signs shall not exceed a height of 8 feet.
- (c) *Office districts.* Office districts may be allowed a permanent identification ground sign on each street frontage or principal entry to a park, subject to the following requirements:
 - (1) Such signs shall not exceed 15 feet in height and 20 feet in width.

- (2) Ground signs shall be set back a minimum of 25 feet from side lot lines and 5 feet from rights-of-way.
 - (3) Each office complex or office park shall be allowed 1 identification ground sign on each street frontage or principal entry to a park, according to the following standards.
 - (i) Such signs shall not exceed 15 feet in height and 20 feet in width.
 - (ii) Ground signs shall be set back a minimum of 25 feet from side lot lines and 5 feet from rights-of-way.
 - (iii) Developments having under 25,000 square feet of floor area may be allowed complex or park identification signage with a display area that shall not exceed 100 square feet.
 - (iv) Developments having 25,000 or more square feet of floor area may be allowed complex or park identification signage with a display area that shall not exceed 120 square feet.
 - (4) Each platted lot in an office park subdivision may be allowed 1 identification ground sign on each street frontage, not to exceed a display area of 32 square feet. Such signs shall not exceed 8 feet in height and 20 feet in width. Ground signs shall be set back a minimum of 25 feet from side lot lines and 5 feet from rights-of-way.
 - (5) Each office complex or detached building in an office park may be allowed 1 wall sign on each end of the building, not exceeding a display area of 32 square feet. The design and height requirements for the wall signs shall meet the following guidelines:
 - (i) Signs shall consist of individual letters.
 - (ii) Signs shall be illuminated by means of reverse channel opaque faced individual letters or external floodlighting.
 - (iii) Signs shall primarily be made of wood or metal, or other materials simulating wood or metal. Solid plastic sign faces shall be prohibited.
 - (iv) Signs shall have a maximum copy height not exceeding 2 feet.
 - (6) Each tenant of an office complex shall be allowed to construct the following signs:
 - (i) One wall or marquee sign per business, not exceeding a display area equal to 10% of the front wall face height multiplied by the business frontage, including windows and door area, not to exceed 100 square feet.
 - (ii) One sign per business, erected perpendicular to the building, not projecting beyond the sidewalk, and below a marquee or canopy. Construction shall be a minimum of 8 feet in height above any pedestrian way, and the sign shall not exceed a display area of 4 square feet.
 - (7) Directory signage for office complexes may consist of 1 wall or directory ground sign for each internally accessed office building, not to exceed 2 square feet of display area per tenant, or 24 square feet in total display area, whichever is less. Such signage shall be oriented to parking and pedestrian areas for directional purposes only, and shall not be oriented outside the complex. The copy shall not exceed a height of 4 inches. Directory ground signs shall not exceed a height of 8 feet.
- (d) *Residential districts (UE, R-1-A, R-1, R-2, R-3-A, R-3 and PUD Residential zones).* Single-family, two-family and multifamily uses may be allowed permanent signage under this subsection; however, the following criteria are to be considered guidelines for maximum signage:
- (1) Signs with a total display area that do not exceed 4 square feet.
 - (2) Identification signs with a total display area that do not exceed 2 square feet.
 - (3) Subdivisions may be allowed 2 identification signs for each principal street entrance that does not exceed a total display area of 32 square feet.

- (4) Off-site signs, other than those allowed in all districts, are prohibited.
- (5) Multiple-family dwelling units and nonresidential uses in residential districts, including but not limited to trailer courts, professional offices, schools, hospitals and other uses requiring a conditional use permit may construct 1 wall or 1 ground identification sign not exceeding a height of 9 feet for each principal street frontage. The total display area shall not exceed 32 square feet.

Sec. 102-11. – Portable signs.

Portable signs may be allowed in commercial and industrial districts subject to the following requirements:

- (1) Only 1 portable sign is allowed upon approval from the administrative official or his/her established designee.
- (2) An application must be made to the administrative official or his/her designee with a fee as approved by resolution of the city council and on file in the city clerk's office, which fee will be returned upon compliance with all conditions.
- (3) A portable sign permit may be provided for a maximum period of 30 consecutive days, and an individual or entity may be issued only 1 portable sign permit in a 12-month period.
- (4) Only 1 portable sign may be placed per shopping center, industrial or commercial multitenant complex, industrial or commercial subdivision, or on a lot or parcel.
- (5) The total display area for a portable sign shall not exceed 50 square feet.
- (6) Portable signs shall meet the specified conditions as to setback, location and tie-down requirements for the specific zoning district in which the portable sign is located.

Sec. 102-12. – Vehicle signs.

Vehicle signs may be allowed subject to the following requirements:

- (1) Vehicle signs that do not increase the size of a vehicle in any direction shall be exempt from the provisions of this chapter so long as such vehicles are not utilized or positioned in a manner so as to be used as a permanent on-site sign.
- (2) Vehicle signs which may increase the dimensions of a vehicle are prohibited except as approved by the administrative official or his/her established designee.
- (3) Illuminated vehicle signs larger than 3 square feet are prohibited.
- (4) No vehicle shall be painted or marked so as to be used as a permanent off-site sign.

Sec. 102.13. – Menu signs.

A. Drive-in menu signs. When an establishment provides individual parking spots for a drive-in service, then drive-in menu signs shall be allowed subject to the following requirements:

1. Permissible zoning districts:
 - a.
2. Size restrictions:
 - a. Maximum display area – X square feet per parking spot
 - b. Maximum height – X feet
3. Other restrictions:

- a. Signs shall be located at the establishment's designated drive-in parking spots and shall not be used to display copy that is visibly legible from a public right-of-way.
- B. *Drive-thru menu signs.* When an establishment provides a drive-thru service with city approved drive-thru lanes, then drive-thru menu signs shall be allowed subject to the following requirements:
 - 1. Permissible zoning districts:
 - a.
 - 2. Size restrictions:
 - a. Maximum display area – X square feet per drive-thru lane.
 - b. Maximum height – X feet
 - 3. Other restrictions:
 - a. Signs shall be erected at the drive-thru lane and shall not be used to display copy that is visibly legible from a public right-of-way.
- C. *Walk-up menu signs.*
 - 1. Permissible zoning districts:
 - a. –
 - 2. Size restrictions:
 - a. Maximum display area – X square feet.
 - b. Maximum height – X feet
 - 3. Other restrictions:
 - a. Only 1 sign per establishment.
 - b. Signs shall not be displayed in a public right-of-way or in a manner that may cause a hazardous condition to the health, safety or welfare of the public.

Sec. 102-14. – Changeable copy signs.

Changeable copy signs shall be regulated under the following guidelines. This section shall not include electronic message boards and the like, which are prohibited under this chapter. Changeable copy signs shall be allowed in the following manner:

- (1) Motor vehicle service stations and convenience stores with gasoline pumps may utilize up to 50% of allowed display area for changeable prices of gasoline only.
- (2) Movie theaters and other performance or entertainment facilities may utilize up to 80% of allowed display area for names of films, plays or other performances currently showing. Such changeable copy areas shall be included as part of the allowed display area.
- (3) Changeable copy signs shall be prohibited for office, industrial and residential uses except for changes in tenant listing.
- (4) Use of changeable copy signs as part of allowed wall display area is prohibited, except as described in subsection (2) of this section.
- (5) Electronic number changeable copy signage.
 - (i) Freestanding monument signs are allowed electronic number changeable copy for a price section only. Such electronic copy area shall be for static display only. Flashing, animated coursing, and the appearance of any movement other than an instantaneous change from one price to another are explicitly prohibited.

- (ii) Electronic number changeable copy (LED or similar) signage displays shall not have the capability to have dynamic displays even if not used. Only one continuous LED (or similar) display area for numbers only is allowed on a sign face. Multiple copy signs adjacent to each other are permissible in a sign face.
- (iii) Time duration. The changeable copy numbers for price may change no more than once every ten seconds.
- (iv) Only the numbers themselves may be lit with the remaining background non-lit or black. No neon or similar lighting shall be allowed in conjunction with a sign using electronic number changeable copy signage.
- (v) Brightness or glare shall be controlled to avoid distractions to vehicular traffic, pedestrian, and adjoining properties. Adjustments shall be made upon written request from the city.
- (vi) All electronic copy number signs shall be installed with an ambient light monitor.
- (vii) Dimmer control electronic number changeable copy signs must have an automatic dimmer control that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
- (viii) Brightness. No electronic number changeable copy sign shall exceed a brightness level of 0.3 foot candles above ambient light conditions, as measured using a foot candle (Lux) meter at a preset distance depending on display area. The measurement distance shall be calculated with the following formula: The square root of the product of the display area times 100. Example: $\sqrt{(30 \text{ square feet} \times 100)}$ 54 feet.

Sec. 102-15. – Prohibited signs; exceptions.

It shall be unlawful to erect, or cause to be erected, and maintain, or cause to be maintained, any sign described as follows:

- (1) Commercial or office signs within residential districts. No commercial or office use sign shall be located upon any property in a residential district, except signs allowed outright, by variance, or by conditional use permit in that residential district that conform with the sections of this chapter and other provisions of this land development code relating to that use.
- (2) Any sign that constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring or method of illumination; or any sign that obstructs vision between pedestrians and vehicles using the public right-of-way, including but not restricted to those not meeting visibility requirements of this land development code. Specifically prohibited are:
 - (i) Signs using rotating or flashing signal lamps similar to those used on emergency vehicles, regardless of location or color.
 - (ii) Signs that resemble any official sign or marker erected by any government agency so as to mislead a person to believe the sign is an official sign, or that by reason of position, shape or color would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, color or illumination that may be reasonably confused with or construed as, or conceal, a traffic control device.
 - (iii) Signs using lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color.
 - (iv) Signs within 50 feet of public rights-of-way or 100 feet of traffic control lights that contain red or green lights that might be confused with traffic control lights.
 - (v) Signs using words and/or traffic control symbols such as "stop," "look," "caution," "danger" or "slow" so as to interfere with, mislead or confuse traffic due to the sign appearing to resemble an official sign.

- (vi) Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
- (3) Signs of any description erected or placed in any location where the sign's presence will interfere with clear sight distances of either motor vehicles or pedestrian traffic.
- (4) Signs that are in violation of the Florida Building Code or electrical codes adopted by the city.
- (5) Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means.
- (6) Signs with the optical illusion of movement by means of a design that presents a pattern capable of giving the illusion of motion or changing copy, except as allowed by Section 102-14.
- (7) Wind signs.
- (8) Signs or sign structures that interfere in any manner with free use of any fire escape, emergency exit, standpipe, window, door or opening used as a means of ingress or egress or ventilation or so as to prevent free passage from one part of a roof to any other part thereof.
- (9) Signs that display any statement, word, character or illustration of an obscene or sexually explicit nature as defined in or prohibited by Chapter 847, *Florida Statutes*.
- (10) Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
- (11) Banners or signs placed across any street or other public way or premises without first having obtained written approval of the administrative official.
- (12) Signs having florescent colors.
- (13) The following signs or sign features:
 - (i) Bull's eye, sequential or flashing lights designed to focus attention to a single point.
 - (ii) Signs that incorporate projected images or that emit audible sound, odor or visible matter such as smoke or steam that is intended to attract the attention of the general public, or that involve the use of live animals.
 - (iii) Handmade, nonprofessional signs.
- (14) Signs in any public right-of-way of the federal, state, county or city government without permission from the relevant government agency.
- (15) Signs on seawalls and retaining walls.
- (16) Abandoned signs.
- (17) Roof signs.
- (18) Permanent off-site signs, except for those allowed in Section 102-9.
- (19) Handbills, circulars or other similar forms of signage matter distributed by throwing or placing the signage matter on or into any vehicle within the city.
- (20) Strings of light bulbs used on nonresidential structures for commercial purposes, other than during the months of October through December.
- (21) Ancillary signage attached to the sign face, frame or support structure of an allowed sign shall be prohibited (i.e., credit cards, copies, cigarettes, etc.), this section shall include the placement of stickers or banners on the sign face, frame or support structure.
- (22) Off-site human signs.
- (23) Snipe signs.

- (24) Flashing signs.
- (25) Inflatable signs.
- (26) Signs using, displaying, or incorporating in any fashion, light-emitting diode (LED), except as allowed in Section 102-14.
- (27) Any other signs that are not specifically allowed or exempted by this chapter.

Sec. 102-16. – Signs in newly annexed areas.

Signs in newly annexed areas are allowed to remain until the land is designated for a specific land use. Upon formal designation, such signs must conform to the requirements for the appropriate zoning district.

Sec. 102-17. – Illumination.

The illumination of any sign located so as to be visible from any street or thoroughfare shall not exceed 3-foot candles above ambient light conditions, as measured using an illuminance meter at a pre-set distance that depends on the sign's display area. The illumination brilliance at any location shall conform to the standards of the commercial district at the borders of residential property.

Sec. 102-18. – Construction and maintenance standards.

- (a) All signs, together with their supports, braces, guys and anchors, shall be erected, constructed and maintained in accordance with the provisions and requirements of the Florida Building Code, the electrical code, and all other applicable codes, ordinances or requirements of the city. All copy shall be maintained so as to be legible and complete, and if of painted material, in whole or in part, shall be kept well painted, and shall be repainted whenever the paint is peeling, blistered or faded.
- (b) The area immediately surrounding ground signs shall be kept free of all untended vegetation and debris so as to comply with the intent of this chapter.
- (c) No sign of any type shall be constructed, placed or erected on any space used to meet the city minimum parking requirements.
- (d) The administrative official or his/her established designee shall inform the owner whenever the requirements of this chapter are not complied with. Signs not in compliance shall be removed by the owner, agent or person having beneficial use of the location within 30 days after written notification from the administrative official.
- (e) Any sign not in compliance within this section for longer than 90 days shall be deemed not to be in continuous use as provided in Section 102-23.

Sec. 102-19. – Modification of conforming signs.

- (a) Modifications shall not result in a sign that violates the requirements of this chapter or other requirements of this land development code.
- (b) Modifications which alter height or display area shall require a sign permit as provided in this chapter.
- (c) Modifications shall be subject to the appropriate and applicable provisions of this chapter.

Sec. 102-20. – Height and setbacks.

- (a) Measurements for height and setback for all signs shall be made from that portion of the sign nearest that point of ground reference to which the measurements are to be made. The height shall be measured from grade level at the location of the sign and shall include all decorative portions of the signs. All setback measurements shall be made from the property line as a point of reference unless otherwise specified.
- (b) The following measurements apply to the listed sign types:
 - (1) *Ground signs.* No ground sign shall be located nearer than 50 feet from intersecting street right-of-way lines on Highways 50 and 27, and 30 feet on other streets.
 - (2) *Wall signs.* Wall signs may not project more than 18 inches from the wall and may not extend above the roof or facade line.
 - (3) *Projecting signs.* Projecting signs must be a minimum of 8 feet above grade level or pedestrian ways and may not extend above the roof or facade line.
 - (4) *Vehicle signs and portable signs.* Vehicle signs and portable signs may be located adjacent to the property line with permission of the administrative official or his/her established designee.
 - (5) *Directional ground signs.* Directional ground signs may be located adjacent to the property line.

Sec. 102-21. – Limitation on total area and number; division of property.

Except where specifically allowed, the number, type and area of signs may not be combined to allow a larger size or greater number of signs than that listed for the specific parcel in the designated zoning district. Where the frontage of a parcel has been utilized previously to permit a sign or signs and one or more lots or parcels are subsequently sold or subdivided, no new sign may be erected on the property sold or subdivided until the size of the original sign or signs is brought into conformity with the remaining frontage.

Sec. 102-22. – Determination of area and number.

- (a) *Area.* For the purpose of determining display area, the total area that is within the smallest single parallelogram, triangle, circle or semicircle which will completely enclose the outside perimeter of the overall sign, including the border, if any, shall be considered the square footage for calculation of display area. Braces and other support mechanisms shall be excluded from such calculations.
- (b) *Number.* For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related or composed to form a unit. Where matter is displayed on more than one plane, or there is reasonable doubt about the relationship of elements, each element shall be considered a single sign. Where a sign consists of a group of detached letters or two or more detached letters, or two or more panels on the same plane which utilize the same supports and are presented as a single entity for display, the entity shall be considered as one sign. The area for the sign shall be calculated as described in subsection (a) of this section. A double-faced or back-to-back sign, in which the faces are parallel, shall be considered a single sign and the area computed using one face. Exempt signs shall not be counted in the allowed number of signs.

Sec. 102-23. – Nonconforming signs.

- (a) It is the intent of this chapter to allow nonconforming signs allowed before the adoption of the ordinance from which this land development code is derived to continue until they are no longer used, or become hazardous, but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this chapter. Thereafter, all such nonconforming signs shall be deemed unlawful and prohibited and subject to the enforcement provisions of this chapter.

- (b) Subject to the limitations imposed by this chapter, a nonconforming sign use may be continued and shall be maintained in good condition as required by Section 102-18; however, a nonconforming sign shall not:
- (1) Be structurally changed, but its pictorial content may be changed.
 - (2) Be structurally altered to prolong the life of a sign except to meet safety requirements.
 - (3) Altered in any manner that increases the degree of nonconformity.
 - (4) Expanded.
 - (5) Continued in use after cessation or change of the business, business ownership or activity to which the sign pertains.
 - (6) Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 50% of the replacement cost.
 - (7) Continued in use when a conforming sign or sign structure is allowed and erected on the same premises or unit.
 - (8) Continued in use when any land use to which the sign pertains has ceased for a period of 30 consecutive days.
- (c) The casual, temporary or illegal use of any sign shall not be sufficient to establish the existence of a nonconforming sign or to create any rights in the continuance of such sign.

Sec. 102-24. – Severability.

- (a) The sections, paragraphs, sentences, clauses and phrases of this chapter are severable, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared unconstitutional or void or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this chapter.
- (b) This subsection (b) shall not be interpreted to limit the effect of subsection (a) of this section, or any other applicable severability provision in this code or any adopting ordinance. The city council specifically intends that severability shall be applied to sign regulations even if the result would be to allow less speech in the city, whether by subjecting currently exempt signs to permitting or by some other means.
- (c) This subsection (c) shall not be interpreted to limit the effect of subsections (a) or (b) of this section, or any other applicable severability provision in this code or any adopting ordinance. The city council specifically intends that severability shall be applied to prohibited signs so that each of the prohibited sign types listed in Section 102-15 shall continue to be prohibited irrespective of whether another or any other sign prohibition is declared unconstitutional or invalid.
- (d) This subsection (d) shall not be interpreted to limit the effect of subsections (a), (b) or (c) of this section, or any other applicable severability provision in this code or any adopting ordinance. The city council specifically intends that severability shall be applied to Section 102-7 so that if all or any of such provisions are declared unconstitutional or invalid by a valid final judgment of any court of competent jurisdiction, the city council intends that such declaration shall not affect any other permit exemption.

Sec. 102-25. – Illustrations.

CITY OF CLERMONT
ORDINANCE No. 2017-27

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, REPEALING IN ITS ENTIRETY AND REPLACING LAND DEVELOPMENT CODE, CHAPTER 102 SIGNS, PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on October 3, 2017 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont finds that it is in the best interests of the health, safety, and welfare of the citizens of Clermont to repeal in its entirety and replace the Land Development Code, Chapter 102 “Signs”, to be consistent with the Florida Constitution by deleting or amending regulations and definitions that are dependent on the communicative content of the sign; and

WHEREAS, the regulation of signs is provided herein is based upon their function, and is not based upon the content of the message contained on any such sign Florida Constitution provides that it is the policy of the state to conserve and protect its scenic beauty, and the regulations of signage for purposes of aesthetics directly serves that policy; and

WHEREAS, City of Clermont Code of Ordinances, Land Development Code, Chapter 102 “Signs” is for the purpose and intent is to ensure adequate means of communication through signage while maintaining attractive visual appearance within the city, and

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

SECTION 1.

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

SECTION 2. Repeal and Replacement.

City of Clermont Code of Ordinances, Land Development Code, Chapter 102 – “SIGNS” shall be repealed in its entirety and replaced with the following:

Chapter 102 - SIGNS

CITY OF CLERMONT
ORDINANCE No. 2017-27

SECTION 3. Conflict

All Ordinances of part of Ordinances, all City Code Sections or parts of City Code Sections, and all Resolutions or parts of Resolutions in conflict with this Ordinance are hereby repealed to the extent of conflict.

SECTION 4. Severability

Should any provision of this Ordinance be declared invalid by any court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared invalid.

SECTION 5. Codification

The text 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 the “Article” for “Ordinance”. “Section” for “Paragraph”, or otherwise to take such editorial license.

SECTION 6. Effective Date

This Ordinance shall be effective immediately upon adoption as provided by law.

CITY OF CLERMONT
ORDINANCE No. 2017-27

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 14th day of November 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