



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 7

Public Hearings: Planning & Zoning Board (PZB): July 6, 2022  
Board of County Commissioners (BCC): August 2, 2022

Case No. and Project Name: RZ-22-02-2, Hampton Manor Assisted Living Facility

Applicant: Sarah Propst, AICP, PMP, Axis Infrastructure

Owner: Steven Hithersay, Trustee of the Clermont Land Trust Dated December 31, 2003

Requested Action: Amend Community Facility District (CFD) Ordinance #2002-5 to establish a new CFD ordinance to accommodate an Assisted Living Facility with a maximum of 92 beds.

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Janie Barrón, Chief Planner

PZB Recommendation:

### Subject Property Information

Size: 4.83 +/- Acres

Location: West of US Highway 27 and north of Hidden Court, in the Clermont area

Alternate Key No.: 1412277

Future Land Use Category: Urban Low Density (Attachment "A")

Existing Zoning District: Community Facility District (CFD) by Ordinance #2002-5 (Attachment "B")

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area/ISBA: City of Clermont JPA and ISBA

Overlay Districts: N/A

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Agriculture	RV and Mobile Home Park	Torchlite RV and Mobile Home Park
South	Urban Low Density	CFD by Ordinance #2015-4	Right-of-Way and Civic Use	Hidden Court North of R-O-W and Vacant CFD Parcel located south of R-O-W
East	Municipal	Municipal	Right-of-Way and Agriculture	US Highway 27 and Large Undeveloped Agriculture Tract of Land with wetlands east of R-O-W
West	Urban Low Density	Planned Unit Development	Residential	Louisa Grande subdivision

**- Summary of Analysis -**

The subject parcel is identified by Alternate Key Number 1412277, comprised of 4.83 +/- acres, is zoned Community Facility District (CFD) by Ordinance #2002-5 (Attachment "C"), and designated an Urban Low Density Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The parcel is vacant and undeveloped. The subject parcel is located along US Highway 27, south of the Torchlight RV and Mobile Home Park and east of Louisa Grande subdivision, in the Clermont area of unincorporated Lake County.

Ordinance #2002-5 allows the subject parcel to be developed as a church, and multi-purpose building including accessory uses. The application seeks to amend Ordinance #2002-5 to facilitate the construction of an Assisted Living Facility with a maximum of 92 beds. The Concept Plan (Attachment "D") depicts a 35% minimum floor area ratio, 60% maximum impervious surface ratio, and a 75-foot maximum building height. In addition, the Applicant is requesting that the removal of Section B.1 of Ordinance #2002-5 which states that the site's sole access shall be via US Highway 27 / State Road 25. The Applicant has indicated that the access from US Highway 27 / State Road 25 will be an emergency access. All non-emergency access will be from Hidden Court. Pursuant to Comprehensive Plan Policy I-1.3.2, civic uses are permissible within the FLUC. The 2030 Comprehensive Plan defines "civic uses" as a county, municipal, state, or federal use or service, and community facility uses, excluding schools. An Assisted Living Facility is listed as a Community Facility Use pursuant to Land Development Regulation (LDR) Section 3.01.03.

<b>Table 1. Existing and Proposed Development Standards.</b>									
	Zoning District	Maximum ISR	ISR	Minimum Open Space	Open Space	Maximum Floor Area Ratio	Floor Area Ratio	Maximum Building Height	Building Height
Existing	CFD	45%	0%	20%	80% (LDR)	1.0 (LDR)	0%	40-Feet	0
Proposed	CFD	60%	55.9%	35%	71%	35%	33.1%	75-Feet	20'-11" Feet

The subject parcel is located within the City of Clermont Joint Planning Area (JPA), and Interlocal Service Boundary Agreement (ISBA) area. The rezoning application was sent to the City of Clermont for a determination of consistency with their regulations. The City of Clermont did not provide comments, nor have they opposed the request.

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

The request is consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows Assisted Living Facility uses to the extent they are specifically identified, or specifically not excluded, in an approved zoning ordinance for a particular property. Should the rezoning request be approved, the Ordinance will satisfy this requirement.

Should the rezoning request be approved, the Assisted Living Facility will be required to comply with the design standards set forth in LDR Section 9.10.02 to enhance the visual appearance of the built environment and maintain an image of commercial quality.

The request is consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which establishes lands that benefit the public and general welfare.

**B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;**

The request is consistent with Comprehensive Plan Policy I-1.3.2, Urban Low Density Future Land Use Category, which allows civic uses. The 2030 Comprehensive Plan defines “civic uses” as a county, municipal, state, or federal use or service, and community facility uses, excluding schools. An Assisted Living Facility is listed as a Community Facility Use pursuant to LDR Section 3.01.03. The application seeks the amendment of Ordinance #2002-5 to accommodate development of an Assisted Living Facility.

The concept plan demonstrates consistency with Comprehensive Plan Policy I-1.3.2, which allows CFD uses to be developed with a 35% minimum floor area ratio, 60% maximum impervious surface ratio, and a 75-foot maximum building height.

**C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;**

The property is currently zoned CFD and allows the subject parcel to be developed as a church and multi-purpose facility including accessory uses. Amending Ordinance #2002-5 is consistent with all applicable elements of the Comprehensive Plan. An Assisted Living Facility use is an establishment primarily for the benefit and service of the community, consistent with the Urban Low Density FLUC. The Urban Low Density FLUC allows Assisted Living Facility uses to the extent they are specifically identified, or specifically not excluded, in an approved zoning ordinance for a particular property. Should the rezoning request be approved, the Ordinance will satisfy this requirement.

The Applicant provided a Project Narrative (Attachment “E”) to demonstrate compatibility with the existing and proposed land uses.

**D. Whether there have been changed conditions that justify a rezoning;**

The property is currently zoned CFD and allows the subject parcel to be developed as a church and multi-purpose facility including accessory uses. Amending Ordinance #2002-5 is consistent with all applicable elements of the Comprehensive Plan. The subject property is designated with an Urban Low Density FLUC, which allows Assisted Living Facilities. LDR Section 3.01.03 allows Assisted Living Facility uses to the extent they are specifically identified, or specifically not excluded, in an approved zoning ordinance for a particular property. Should the rezoning request be approved, the Ordinance will satisfy this requirement.

The Applicant provided a Project Narrative (Attachment “E”) to demonstrate a justification for the proposed rezoning request.

**E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

Water and Sewer

The City of Clermont has provided documentation (Attachment “F”) indicating that the subject parcel is located within the City’s sewer utility service area and can provide utility service subject to compliance with applicable City Codes. Final approval for the provision of utility services to the property must be granted by the City Council and may be subject to additional conditions. In addition, Utilities, Inc of Florida has provided documentation (Attachment “G”) indicating that the subject parcel is located within the Utilities, Inc of Florida – Lake Utility Services FPSC certificated service area for the provision of potable water service. Utilities, Inc. of Florida – Lake Utility Services will provide service subject to the execution of a mutually acceptable agreement and remittance of applicable fees.

Office of Public Safety

Lake County Fire Rescue Station #109 is located less than five (5) miles of the subject property at 11630 Lakeshore Drive, Clermont, and will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the site plan review process, should the rezoning request be approved by the Board.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of US 27 is "D" with capacity of Lake Louisa Road operating at 42%. This project will be generating approximately 33 PM peak hour trips, in which 23 trips will impact the peak hour direction. The transportation impact analysis was reviewed and found adequate.

The Applicant provided a Project Narrative (Attachment "E") to demonstrate that the proposed request would not exceed the capacity of such public facilities.

**F. Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;**

Should the rezoning be approved, all sensitive resources will be addressed through the development application review and approval process. New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended, for natural resource protection and mitigation. The required Environmental Assessment (EA) must identify the presence of natural resources and specify protection and necessary mitigation of any endangered or threatened wildlife, flora and/or fauna, to include those that are species of special concern.

To further lessen any negative impacts to the surrounding parcels, pursuant to LDR Section 9.09.00, a noise assessment shall be submitted for review and acceptance prior to the commencement of the operation of the new uses identified in the Ordinance.

The Applicant provided a Project Narrative (Attachment "E") to demonstrate that the proposed development will not result in significant adverse impacts on the natural environment.

**G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;**

The Applicant provided a Project Narrative (Attachment "E") to demonstrate that the proposed development will not affect property values in the area.

**H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The property is currently zoned CFD and allows the subject parcel to be developed as a church and multi-purpose facility including accessory uses. Amending Ordinance #2002-5 to accommodate the development of an Assisted Living Facility is consistent with the existing approved uses. However, the surrounding area is indicative of existing residential and vacant parcels zoned CFD. CFD zoning districts are permitted within all future land use categories.

The Applicant provided a Project Narrative (Attachment "E") to demonstrate that the proposed development will result in an orderly and logical development pattern.

**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

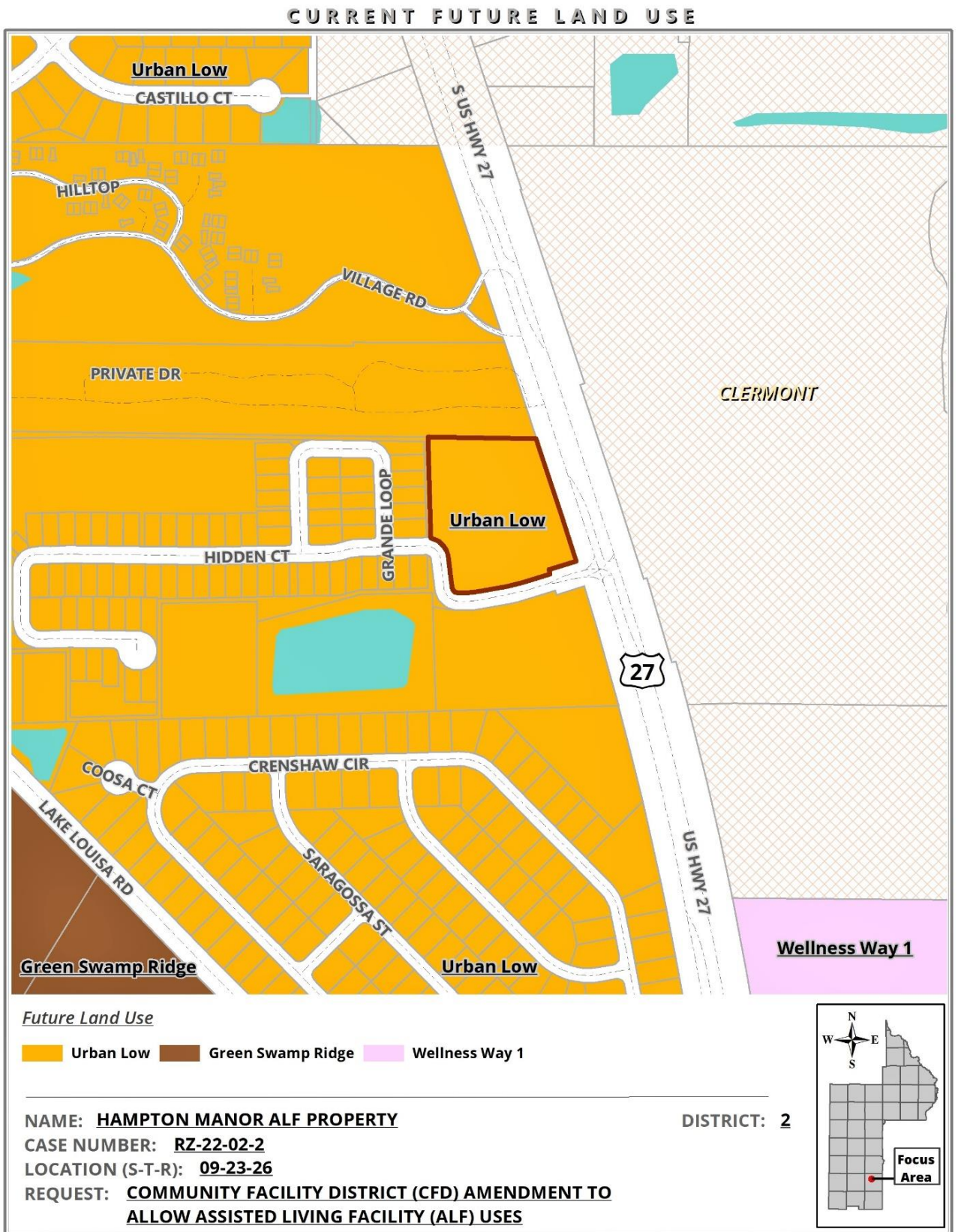
The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

The Applicant provided a Project Narrative (Attachment "E") to demonstrate that the proposed development is not in conflict with the public interest and in harmony with the purpose and intent of these regulations.

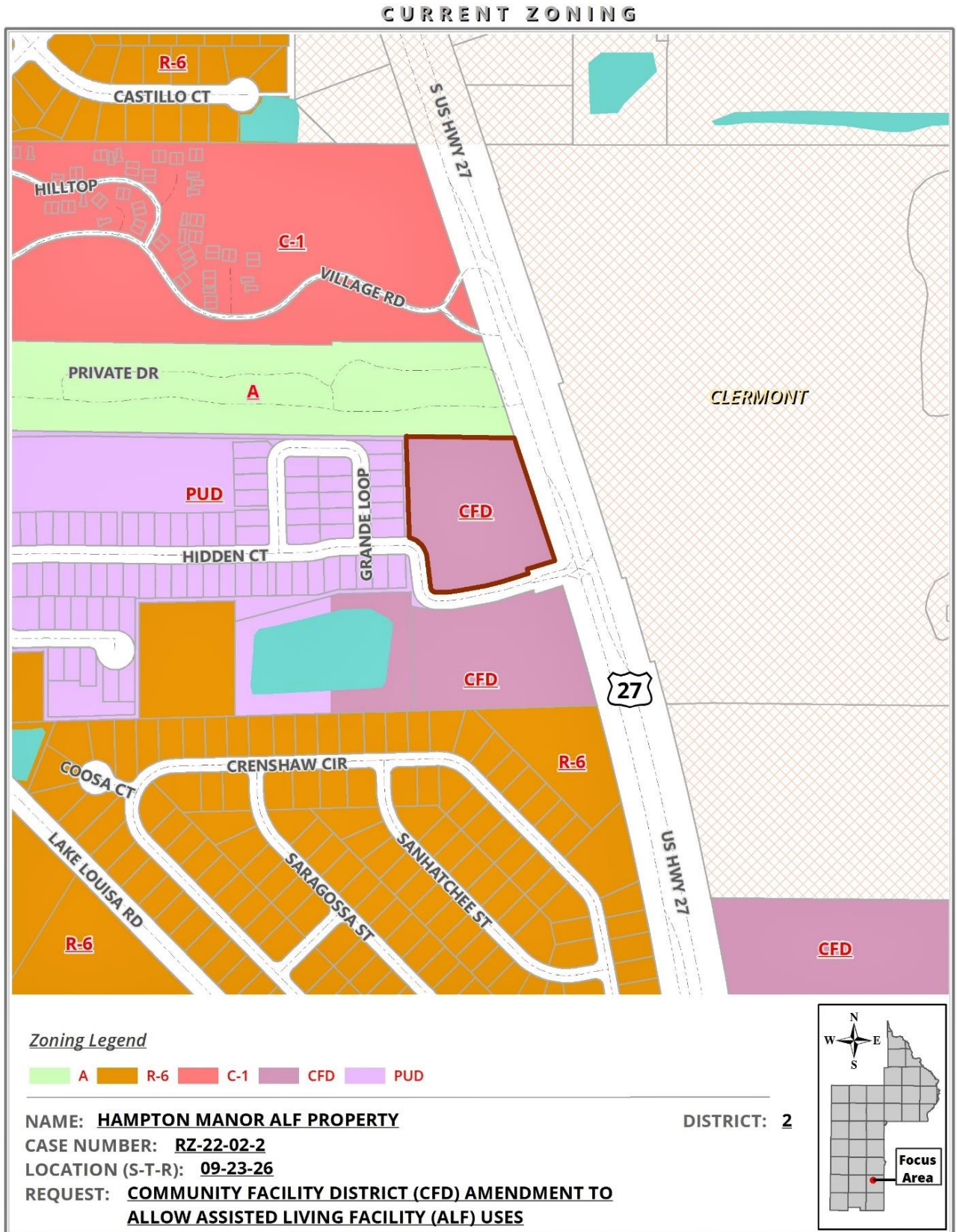
**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A.

# Attachment "A" – Future Land Use Map



# Attachment "B" – Zoning Map



# Attachment "C" – Ordinance #2002-5 (Page 1 of 4)

RECORDING FEE \$10.00 PER PAGE. THE FEE IS \$10.00 PER PAGE FOR THE FIRST PAGE AND \$5.00 PER PAGE FOR THE REMAINING PAGES.

**ORDINANCE #2002-5**  
**Tracking No.#154-01-CFD**  
**Central Florida Presbytery**  
**William "Tag" Smith**  
**John F. Hychko**  
**PH#81-01-2**

CFN 2002014346  
Bk 02067 Pgs 2316 - 2319; (4pgs)  
DATE: 02/08/2002 10:39:12 AM  
JAMES C. WATKINS, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 17.00  
TRUST FUND 2.50

**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Lake County Planning and Zoning Commission did, on the 2<sup>nd</sup> day of January, 2002 review petition PH#81-01-2, a request for rezoning from R-6 (Urban Residential) + CUP#267-3 & CUP#267-3A to CFD (Community Facility District) on property generally located in the South Lake County area – Property located W of US 27 /SR 25 and S of the Vistas subdivision. (Sec 9 Twp. 23S Rge 26E) (4.93 +/-acres)

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

**AND**, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 22<sup>nd</sup> day of January, and

**WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the public and surrounding property owners at a Public Hearing duly advertised, and

**WHEREAS**, upon review, certain terms pertaining to the development of the above described property have been duly approved, and

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land subject to the following terms:

**FILED**  
2002 FEB -4 PM 2:12  
DEPARTMENT OF STATE  
TALLAHASSEE FLORIDA

*R- Board Support*

# Attachment "C" – Ordinance #2002-5 (Page 2 of 4)

OR BOOK 02067 PAGE 2317

**ORDINANCE NO. #2002-5**

(Tracking #154-01-CFD) (PH#81-01-2) (John F. Hychko / Central Florida Presbytery)

- I. Terms: This Ordinance shall mean and include the following land uses as incorporated herein. The County Manager or designee shall amend the Lake County Zoning Maps to reflect a change from R-6 +CUP#276-3 & CUP#267-3A to CFD, in accordance with this ordinance.
  - A. Land Uses: The use of the site shall be for the construction of a church, multi-purpose facility and accessory uses related thereto.
  - B. Conditions:
    - 1. The site's sole access shall be via US Hwy 27/SR 25
    - 2. A type "B" landscape buffer shall be provided along the western boundary of the development.
    - 3. Lighting fixtures shall be a maximum of 30-feet in height within the parking lot. Lighting shall be properly shaded so that the nearby residences are not affected.
    - 4. The site shall comply with the Access Management Ordinance. Off-site road improvements shall be provided, if warranted by the development impact. A driveway permit from the Florida Department of Transportation will be required.
  - B. Development Review and Approval: Prior to the issuance of any permits, the applicant shall be required to submit a site plan for review and approval by the Lake County site plan review process. The site plans shall meet all submittal requirements and comply with all County codes and ordinances, as amended.
  - C. Future Development Orders: Any requested development order must comply with the Lake County Land Development Regulations, as amended, and the Lake County Comprehensive Plan, as amended.
  - D. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations, include any future amendments to the Statutes, Code, Plan, and/or regulations.



# Attachment "C" – Ordinance #2002-5 (Page 3 of 4)

OR BOOK 02067 PAGE 2318

ORDINANCE NO. #2002-5  
(Tracking #154-01-CFD) (PH#81-01-2) (John F. Hychko / Central Florida Presbytery)

Section 4. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 02nd day of January 2002.

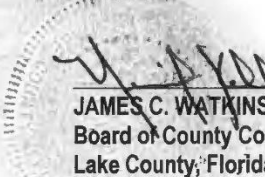
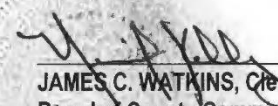
FILED with the Secretary of State February 4 2002.

EFFECTIVE February 4 2002.

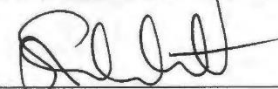
BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

  
ROBERT A. POOL, CHAIRMAN

ATTEST:

  
  
JAMES C. WATKINS, Clerk of the  
Board of County Commissioners  
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY

  
SANFORD A. MINKOFF, County Attorney

# Attachment "C" – Ordinance #2002-5 (Page 4 of 4)

OR BOOK 02067 PAGE 2319

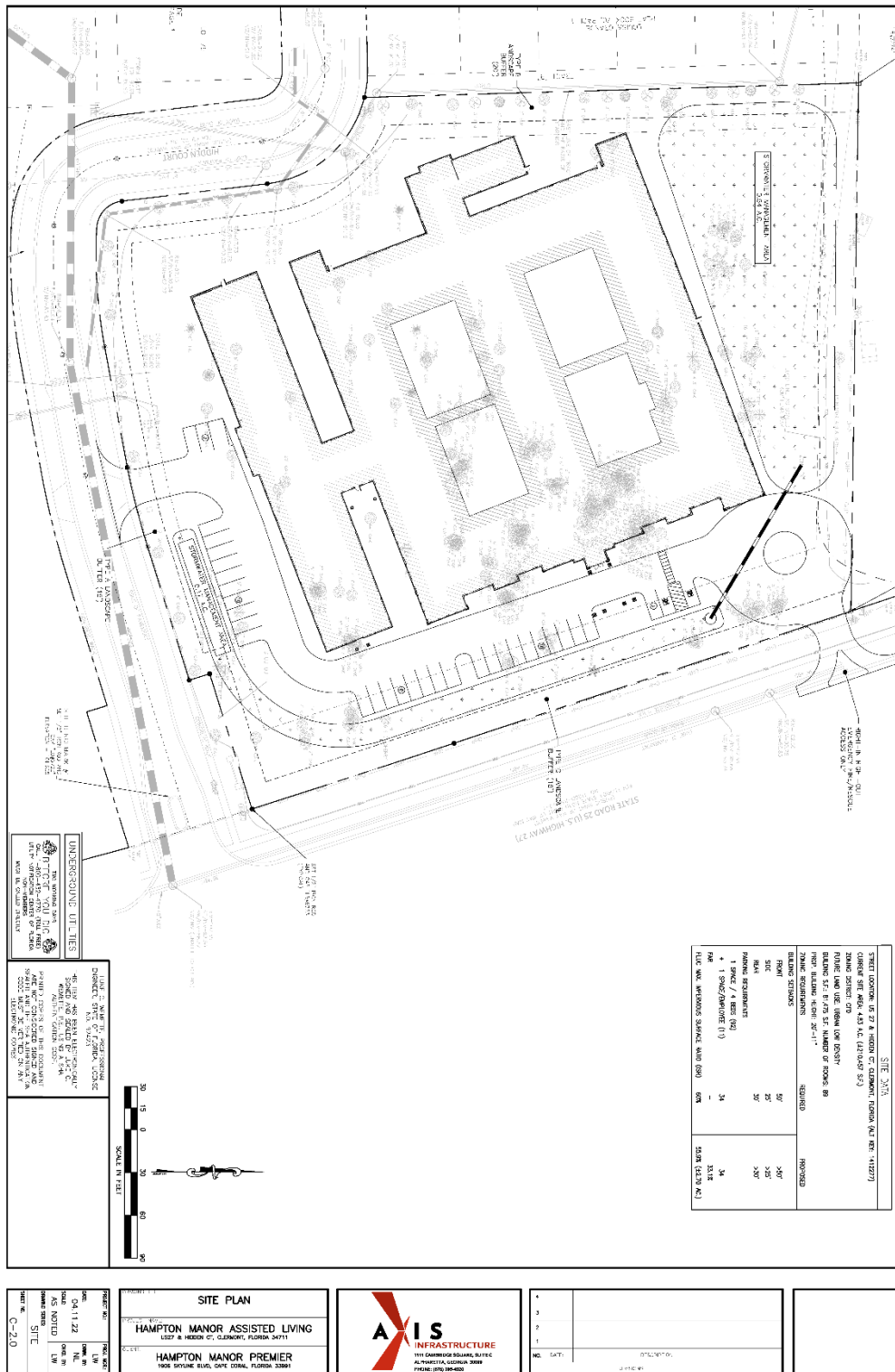
## EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2002-5  
PH#81-01-2  
Tracking No. #154-01-CFD  
John Hychko & William Smith  
Central Florida Presbytery Church

AN ORDINANCE BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS  
AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE  
DATE.

**LEGAL DESCRIPTION:** S 3/ of SE 1/4 of SW 1/4 W of Hwy in Sec 9 Twp. 23S Rge 26E.

# Attachment "D" – Conceptual Plan



**SITE PLAN**

PROJECT LOCATION: 16 27 A HIGHWAY 271, HAMPTON MANOR, FLORIDA (AL 16277)

OWNER: HAMPTON MANOR ASSISTED LIVING FACILITY

DESIGNER: AXIS INFRASTRUCTURE

DATE: 04/11/22

SCALE: 1" = 30'

PROJECT NO.: C-20

TYPE	REQUIRED	PROVIDED
TOTAL SQUARE FEET	97,000	97,000
NET SQUARE FEET	25,000	25,000
NET SQUARE FEET PER ACRE	250	250
TOTAL PARKING SPACES	24	24
TOTAL VISITOR PARKING SPACES	0	0
TOTAL VISITOR PARKING SPACES PER 100 SF	0	0

<p><b>SITE PLAN</b></p> <p><b>HAMPTON MANOR ASSISTED LIVING</b></p> <p>1627 A HIGHWAY 271, HAMPTON MANOR, FLORIDA 34941</p> <p><b>HAMPTON MANOR PREMIER</b></p> <p>1605 SCOTLAND BLVD, GAITHERSBURG, MARYLAND 20878</p>	<p><b>AXIS</b> INFRASTRUCTURE</p> <p>1111 GARDNER BLVD, SUITE 200 ALPHARETTA, GEORGIA 30201 PHONE: (770) 884-0000</p>	<p>NO. 1</p> <p>NO. 2</p> <p>NO. 3</p> <p>NO. 4</p>
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## Attachment “E” – Project Narrative (Page 1 of 4)



### Project Narrative

#### 14.03.03 Standards for Review.

A. Whether the rezoning is in conflict with any applicable provisions of the Code.

*This ordinance amendment is not in conflict with any provisions of the code. The zoning district, Community Facility District (CFD) lists the use of nursing home as an allowed use within the district. Staff has advised that ALF, although not specifically listed, is considered an allowed use.*

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

*The ordinance amendment is consistent with all elements of the comprehensive plan, which were in place at the time the ordinance was adopted.*

*The proposed use of the property is aligned with Policy I-1.3.2 Urban Low Density Future Land Use Category. The Urban Low Density district lists Nursing and Personal Care Facilities as a typical use in this land use category. Additionally, the property is located on an arterial roadway to minimize traffic on local streets.*

*The development meets Policy I-1.1.3 Direct Orderly, Compact Growth. The development is proposed adjacent to an arterial roadway and where water and sewer services are available.*

*The proposed development will be consistent with Policy III-2.2.5 Stormwater Management Requirements. The development will be designed to meet the adopted level of service and will implement low impact development principles where possible.*

*The proposed development meets the intent of Policy V-1.3.1 Promote Diversity in Housing Types and Sizes. The ALF will provide several residential care options and unit styles and will include a memory care unit.*

*The current comprehensive plan has deleted institutional uses from the Urban Low Density category, however nursing and personal care facilities are still listed as a typical use. We would argue an Assisted Living Facility is institutional in nature and meets the criteria that was established for those uses at the time of the adoption of the ordinance.*

## Attachment “E” – Project Narrative (Page 2 of 4)



C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses.

*The request to amend the ordinance for the development as an assisted living facility (ALF) is compatible with existing land uses. The zoning district will not be changed to accommodate this proposal. The existing future land use is Urban Low Density and the proposed use is listed as a typical use in this district. The adjacent properties are primarily residential. The ALF architecture is a single-story and will be residential in nature. A 30-foot vegetated buffer will separate the ALF from the Louisa Grande neighborhood and a 50-foot vegetated setback will buffer the facility from the roadway. The use will generate very little traffic or noise and generous landscaping will create a park-like feeling on the property. The ALF will be compatible with the existing character of the neighborhood.*

D. Whether there have been changed conditions that justify a rezoning.

*Conditions have not changed; the current ordinance is still appropriate but requires a change to the specific proposed use. The adopted ordinance is for a church and church facilities and the proposed use is an ALF. Nursing homes and personal care facilities are listed as a typical use in the Urban Low Density category and a permitted use in the CFD zoning district. No change is proposed to the zoning, only a change to the adopted ordinance.*

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

*This ordinance amendment will allow for the development of housing for up to 92 senior residents.*

*Water and Sewer: The City of Clermont and Utilities, Inc. of Florida have both provided letters of adequate service availability for water and sewer to the site.*

*Traffic: The proposed use will generate approximately 31 AM Peak Hour new vehicle trips and 39 PM Peak Hour new vehicle trips; this small amount of traffic will have little impact on US Highway 27.*

*Stormwater: The site will be designed to ensure water quality and stormwater runoff rates will meet the requirements of Lake County and St. John's River Water Management District.*

## Attachment “E” – Project Narrative (Page 3 of 4)



***Fire and EMT: Hampton Manor Premier Assisted Living has nursing staff available 24 hours per day, which is not required by state law. Emergency services are called only when a resident is having an acute episode and a clinical determination is made that the resident needs emergency transport to the hospital. Emergency services are called from most Hampton Manor Premier Assisted Living Facilities an average of once or twice per month.***

***Police, Parks, Schools: The ALF will put very little demand on police and parks and no demand on the school system.***

F. Whether, and the extent to which, the rezoning would result in significant impacts on the natural environment.

***This ordinance amendment will not result in significant impacts to the natural environment. This vacant parcel is surrounded on all sides by development and has been periodically impacted from vehicles and adjacent construction activity. The parcel contains no wetlands or habitats of critical importance. Gopher tortoise burrows were identified on this site, and they will be rehomed in accordance with all applicable regulations. The proposed site development will result in the removal of trees only where it is necessary for the development of the ALF and trees will be replanted to create vegetated buffers and tree canopies as required by code.***

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

***This ordinance amendment would not negatively affect property values in the area. The ALF will be a calm and quiet home for up to 92 senior residents. It will be a single-story construction with ample landscaping to buffer adjacent properties. ALFs do not generate high levels of traffic, a typical shift includes six to eight employees and about 12 employees during shift changes. Most residents do not drive and the ALF provides a small bus for transportation. The facility will be constructed between Highway 27 and Louisa Grande, which will block some highway noise currently reaching the neighborhood. The proposed ALF will not have a negative impact on the adjacent properties and will likely reduce the highway noise that Louisa Grande currently experiences.***

***The ALF architecture is a single-story and will be residential in nature. A 30-foot vegetated buffer will separate the ALF from the Louisa Grande neighborhood and a 50-foot vegetated setback will buffer the facility from the roadway. The ALF will be attractive and compatible with the existing character of the neighborhood.***

## Attachment “E” – Project Narrative (Page 4 of 4)



H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

***This ordinance amendment will result in an orderly and logical development pattern. The proposed development is within an area served by water and sewer and adjacent to an arterial roadway. The adjacent properties have been developed residentially and the proposed use is compatible with residential uses.***

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

***This ordinance amendment is not in conflict with the public interest and it is in harmony with the purpose and intent of these regulations. This development will provide needed senior living accommodations with personal care services for the residents of Lake County. The facility will be designed to be both comfortable and beautiful, with Florida vernacular architecture, abundant landscaping and thoughtful design. The facility will not overburden the public utilities and will not create a noxious or unpleasant environment for adjacent properties.***

# Attachment “F” – City of Clermont Sewer Availability Letter



**Stoney Brunson**  
Public Services Director

352-241-0178  
sbrunson@clermontfl.org

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April 12, 2022

Sarah Propst, AICP, PMP  
Axis Infrastructure  
1111 Cambridge Square  
Alpharetta, GA 30009

**RE: Assisted Living Facility - Alt Key 1412277**

This letter is in response to your request regarding sewer availability for the project located at:  
Alt Key 1412277 - US-27 and Hidden Ct.

The property referenced is not located within the city limits of Clermont. The property is, however, located within the City's sewer utility service area and therefore, the City can provide utility service subject to compliance with applicable City Codes.

Final approval for the provision of utility services to the property must be granted by the City Council and may be subject to additional conditions. To initiate the consideration process, the property owner must submit a request for a sewer utility agreement to be approved by City Council. Please contact Curt Henschel, Planning and Development Services Director, to proceed with requesting utility service for this project.

If you have any questions regarding the information provided, please contact me at (352) 241-0178.

Sincerely,

A handwritten signature in black ink that reads "Stoney Brunson".

Stoney Brunson  
Public Services Director



## Attachment “G” – Utilities, Inc of Florida Potable Water Availability Letter



September 30, 2021

Ms. Sarah Propst  
Axis Infrastructure  
1111 Cambridge Square, Suite C  
Alpharetta, GA 30009

RE: Potable Water Service  
Alternate Key 1412277, Clermont

Dear Ms. Propst:

Please allow this letter to serve as verification that the above referenced property is located within the Utilities Inc. of Florida – Lake Utility Services FPSC certificated service area for the provision of potable water service. Utilities Inc. of Florida – Lake Utility Services is ready, willing, and able to provide service subject to the execution of a mutually acceptable agreement between the Owner and the Utility and remittance of applicable fees.

Should you have any questions, I can be reached directly by calling 866.842.8432, extension 1360 or via email at [bryan.gongre@uiwater.com](mailto:bryan.gongre@uiwater.com).

Sincerely,  
UTILITIES INC. OF FLORIDA

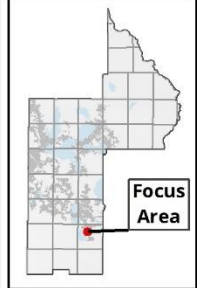
A handwritten signature in blue ink that reads "Bryan K. Gongre".

Bryan K. Gongre  
Director, State Operations

# Aerial of Subject Property

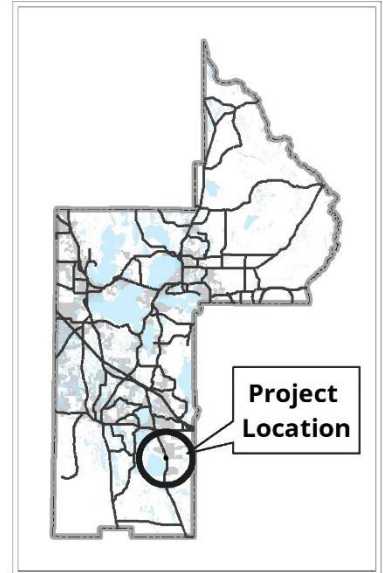
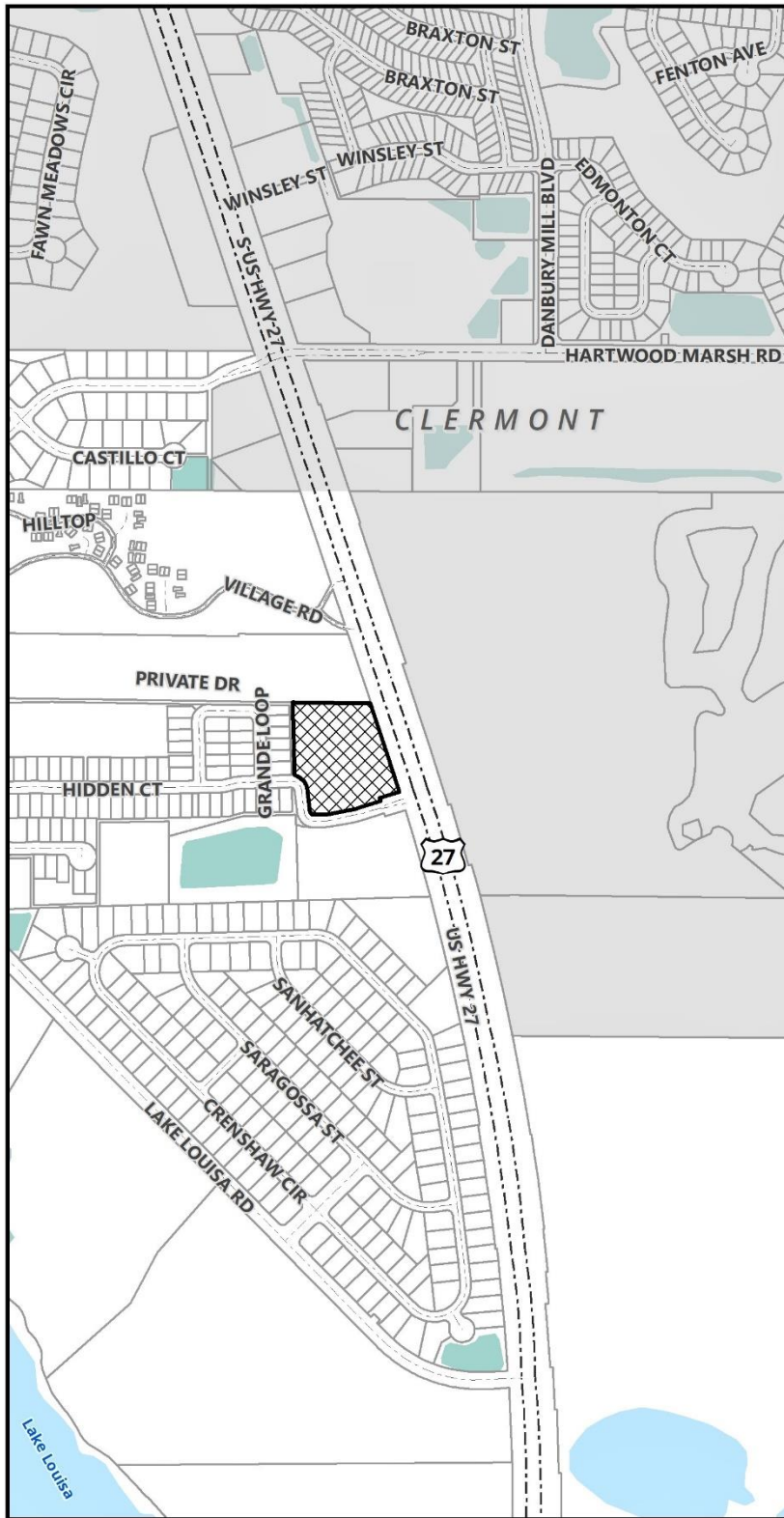


RZ-22-02-2  
Hampton Manor ALF Property



Community Facility  
District (CFD)  
Amendment  
to  
Allow Assisted Living  
Facility (ALF) Uses

# Subject Property



**ORDINANCE #2022-\_\_\_\_\_**  
**Hampton Manor Assisted Living**  
**RZ-22-02-2**

**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sarah Propst, AICP, PMP, Axis Infrastructure (the “Applicant”) submitted a Rezoning application on behalf of Steven Hithersay, Trustee of the Clermont Land Trust Dated December 31, 2003 (“the Owner”) to amend Community Facility District (CFD) Ordinance #2002-5 to accommodate an Assisted Living Facility; and

**WHEREAS**, the subject property consists of 4.83 +/- acres located at the intersection of US Highway 27 and Hidden Court, in the Clermont area of unincorporated Lake County, in Section 09, Township 23 South, Range 26 East, consisting of Alternate Key Number 1412277, more particularly as described in Exhibit “A” – Legal Description:

**WHEREAS**, the property subject to the request is located within the Urban Low Density Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

**WHEREAS**, the Lake County Planning and Zoning Board did review Petition RZ-22-02-2 on the 6th day of July 2022, after giving notice of the hearing on the petition for change in zoning, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 2nd day of August 2022; and

**WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, the staff report, and any comments, favorable or unfavorable from the public and surrounding property owners at a public hearing duly advertised; and

**WHEREAS**, upon review, certain terms pertaining to the development of the above-described property has been duly approved.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the property described herein, subject to the following terms:

**Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to reflect this Ordinance. To the extent where there are conflicts between Exhibit “B” – Conceptual Plan and this Ordinance, this Ordinance shall take precedence. Ordinance #2002-5 and all previously approved ordinances will be superseded and replaced upon the adoption of this new ordinance.

**A. Land Uses.**

1. Assisted Living Facility (maximum 92 beds)
2. \_Accessory uses may be approved by the County Manager or designee.
3. Any other use of the property will require approval of an amendment to this Ordinance by the Board of County Commissioners.

- 1                   **B. Building Height, Floor Area Ratio, Open Space, and Impervious Surface Ratio.**  
2                   Building height, floor area ratio, open space, and impervious surface ratio shall be in  
3                   accordance with the Comprehensive Plan and Land Development Regulations (LDR),  
4                   as amended.
- 5                   **C. Commercial Design Standards.** Commercial design standards shall be in accordance  
6                   with the Land Development Regulations (LDR), as amended.
- 7                   **D. Concurrency Management Requirements.** All development must comply with the Lake  
8                   County Concurrency Management System, as amended.
- 9                   **E. Environmental Requirements.** An Environmental Assessment dated within six (6)  
10                  months of the date a Site Plan application is submitted must specify the presence of  
11                  vegetation, soils, threatened and endangered species that may exist on the site. Any  
12                  State permitting or mitigation will be required before development can commence to  
13                  ensure compliance with the Comprehensive Plan and LDR, as amended.
- 14                  **F. Fire Protection.** Fire protection shall be in accordance with all applicable federal, state,  
15                  and local codes and/or regulations, as amended.
- 16                  **G. Landscaping, Buffering and Screening.**
- 17                      1. Existing vegetation and trees on the eastern portion of the parcel shall remain  
18                      undisturbed pending the future submittal of a development application for the  
19                      western area.
- 20                      2. All other landscaping, buffering, and screening shall be in accordance with the  
21                      Comprehensive Plan and LDR, as amended.
- 22                  **H. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and  
23                  consistent with Dark-Sky Principles. All outdoor lighting shall be so shaded and  
24                  adjusted that the light therefrom is directed to fall only on the subject site.
- 25                  **I. Noise.** Compliance must be in accordance with the LDR, as amended.
- 26                  **J. Parking Requirements.** Off-street parking must be provided in accordance with the  
27                  LDR, as amended.
- 28                  **K. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.
- 29                  **L. Signage.** All signage must be in accordance with the Comprehensive Plan and LDR, as  
30                  amended.
- 31                  **M. Stormwater and Floodplain Management.**
- 32                      1. The stormwater management system must be designed in accordance with all  
33                      applicable Lake County and St. Johns River Water Management District  
34                      requirements, as amended.
- 35                      2. The developer shall be responsible for any flood studies required for developing the  
36                      site and comply with all FEMA requirements.

1                   **N. Transportation Improvements.**

- 2                   1. Sidewalks will be required per LDR commercial design standards, as amended.
- 3                   2. Direct access to the site shall be from Hidden Court with emergency access only
- 4                   directly on US Highway 27.
- 5                   3. All access management shall be in accordance with the Comprehensive Plan and
- 6                   LDR, as amended.

7                   **O. Utilities.** Central water and sewer connection shall be provided in accordance with the

8                   Comprehensive Plan and LDR, as amended.

9                   **P. Development Review and Approval.** Prior to the issuance of any permits, the Owner

10                  shall be required to submit a Site Plan and tree removal application generally consistent

11                  with Exhibit "B" – Conceptual Plan, attached, for review and approval in accordance with

12                  the Comprehensive Plan and LDR, as amended.

13                  **Q. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific

14                  references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake

15                  County Comprehensive Plan, and Land Development Regulations (LDR) shall include

16                  any future amendments to the Statutes, Code, Plans, and/or Regulations.

17                  **Section 2. Conditions.**

18                  **A.** After establishment of the facilities as provided herein, the property may only be used for

19                  the purposes identified in this Ordinance. Any other proposed use must be specifically

20                  authorized by the Lake County Board of County Commissioners.

21                  **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,

22                  improve, move, convert, or demolish any building structure, add other uses, or alter the

23                  land in any manner within the boundaries of the above-described land without first

24                  obtaining the necessary approvals, including site plan, in accordance with the Lake

25                  County Code, as amended and obtaining the permits required from the other appropriate

26                  governmental agencies.

27                  **C.** This Ordinance will inure to the benefit of and will constitute a covenant running with the

28                  land and the terms, conditions and provisions of this Ordinance will be binding upon the

29                  present Owners and any successor and will be subject to each condition set out in this

30                  Ordinance.

31                  **D.** Construction and operation of the proposed use shall always comply with the regulations

32                  of this and other governmental permitting agencies.

33                  **E.** The transfer of ownership or lease of any or all the property described in this Ordinance

34                  must include in the transfer or lease agreement, a provision that the purchaser or lessee

35                  is made aware of the conditions established by this Ordinance and agrees to be bound

36                  by these conditions. The purchaser or lessee may request a change from the existing

37                  plans and conditions by following the procedures contained in the LDR, as amended.

1 F. The Lake County Code Enforcement Special Master will have authority to enforce the  
2 terms and conditions set forth in this Ordinance and to recommend that the ordinance  
3 be revoked.

4 **Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be  
5 invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way  
6 affect the validity of the remaining portions of this Ordinance.

7 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this  
8 Ordinance to the Secretary of State for the State of Florida in accordance with Section  
9 125.66, Florida Statutes.

10 **Section 5. Effective Dates.** This Ordinance will become effective as provided by law.

11  
12 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

13 **FILED** with the Secretary of State \_\_\_\_\_, 2022.

14 **EFFECTIVE** \_\_\_\_\_, 2022.

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**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

\_\_\_\_\_  
**SEAN M. PARKS, CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**GARY J. COONEY, CLERK OF THE  
BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**MELANIE MARSH, COUNTY ATTORNEY**

## Exhibit "A" – Legal Description

1  
2 FROM SW COR OF SW 1/4 OF SEC 9-23-26 RUN N 0-01-0 E ALONG WLINE OF SW 1/4 A DIST OF  
3 1010.46 FT TO N LINE OF S 1/2 OF SAID TRACT 56 MONTE VISTA PARK FARMS PB 2 PG 27,  
4 THENCE RUNS 89-10-12 E 1570.62 FT FOR POB, RUN S 01-40-07 E 346.70 FT TO A NON-TANGENT  
5 CURVE CONCAVE TO THE SW, THENCE RUN SE'LY ALONG SAID CURVE HAVING A CENTRAL  
6 ANGLE OF 69-31-01 A RADIUS OF 80 FT, AN ARC LENGTH OF 97.06 FT, A CHORD BEARING OF  
7 S 41-34-16 E & A CHORD DIST OF 91.22 FT, THENCE RUN S 06-48-46 E 102.58 FT TO A CURVE  
8 CONCAVE TO THE NE, THENCE RUN SE'LY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF  
9 80-14-23, A RADIUS OF 20.04 FT, AN ARC LENGTH OF 28.07 FT, A CHORD BEARING OF S 46-55-  
10 22 E & A CHORD DIST OF 25.83 FT TO A COMPOUND CURVE CONCAVE TO THE N, THENCE RUN  
11 E'LY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 13-36-16, A RADIUS OF 353 FT, AN ARC  
12 LENGTH OF 83.82 FT, A CHORD BEARING OF N 86-09-16 E & A CHORD BEARING OF N 86-09-16  
13 E & A CHORD DIST OF 83.62 FT, THENCE RUN N 79-21-08 E 85.82 FT TO A CURVE CONCAVE  
14 TO THE NORTH, THENCE RUN E'LY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 06-23-  
15 50, A RADIUS OF 515.80 FT, AN ARC LENGTH OF 57.59 FT, A CHORD BEARING OF N 75-49-25 E  
16 & A CHORD DIST OF 57.56 FT, THENCE RUN N 72-37-30 E 97.93 FT, THENCE RUN N 17-12-43 W 15  
17 FT, THENCE RUN N 72-37-30 E 99.29 FT TO THE WR/W LINE OF SR 25, BEING A NON-TANGENT  
18 CURVE CONCAVE TO THE W, THENCE RUN N'LY ALONG SAID CURVE HAVING A CENTRAL  
19 ANGLE OF 0-45-01, A RADIUS OF 11380.14 FT, AN ARC LENGTH OF 149.04 FT, A CHORD BEARING  
20 OF N 18-0-41 W & A CHORD DIST OF 149.04 FT, THENCE RUN N 18-23-12 W 293.39 FT, N 89-10-12  
21 W 370.44 FT TO POB OR B 2481 PG 913



