

## CITY OF CLEWISTON

### PLANNING BOARD MEETING AGENDA

August 26, 2025 at 5:00 PM

City Hall Commission Chambers – 115 W Ventura Ave

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#### Board Members:

Greg Thompson, Chair  
Haitham Kaki, Vice Chair  
Carolina Bentancor, Board Member  
Ed Vazquez, Board Member  
Louis Vallejo, Board Member

#### Administration:

Christopher Cooper, Building Official  
City Attorney, Kaylee Tuck  
Administrative Assistant Community Development, Leslie Almanza

**Civility:** Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in the City of Clewiston. Civility is practiced at all City meetings.

**Special Needs:** In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, City Hall is wheelchair accessible and accessible parking spaces are available. Please contact the City Clerk's office at (863) 983-1484, extension 105, or email [lakisha.burch@clewiston-fl.gov](mailto:lakisha.burch@clewiston-fl.gov) for information or assistance.

**Quasi-Judicial Hearings:** Some of the matters on the agenda may be "quasi-judicial" in nature. City Commission Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. An unsworn comment will be given its appropriate weight by the City Commission.

**Appeal of Decision:** If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

**Consent Calendar:** Those matters included under the Consent Calendar are typically self-explanatory, noncontroversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any City Commission Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a City Commission Member, or by any member of the public desiring it to be heard, without a motion.

## **PLANNING BOARD AGENDA ITEMS:**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **ADDITIONS, DELETIONS, MODIFICATIONS**

### **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

Public Comments for all meetings may be received by email, or by writing to the City Clerk's Office until 3:00 PM on the day of the meeting. Comments will be "received and filed" to be acknowledged as part of the official public record of the meeting. City Commission meetings are livestreamed and close-captioned for the public via our website, instructions are posted there.

### **CONSENT AGENDA**

1. Consideration of approval of Meeting Minutes.
  - a. July 29, 2025 Planning Board Meeting Minutes

### **REGULAR AGENDA**

2. Consideration of approval on Special Exception at 805 N. Lopez Street.
3. Consideration of approval of Conditional Use Application at 820 E. Sugarland Highway and 815 E. Sagamore Avenue.

### **CITY STAFF COMMENTS**

### **BOARD MEMBER COMMENTS**

### **ADJOURNMENT**

**Comment Cards:** Anyone from the public wishing to address the City Commission, it is requested that you complete a Comment Card before speaking. Please fill it out completely with your full name and address so that your comments can be entered correctly in the minutes and given to the City Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comments. Any person who decides to appeal against any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodation to participate should contact the City Clerk's Office (863-983-1484), at least 48 hours in advance to request such accommodation.



## Agenda Item Memorandum

**TO:** Planning Board  
**FROM:** Lakisha Burch, City Clerk  
**VIA:** Christopher Cooper  
**DATE:** August 26, 2025  
**SUBJECT:** Consideration of approval Meeting Minutes

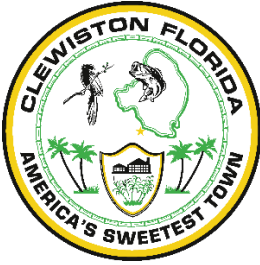
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### **Background:**

Approval of the attached meeting minutes.

### **Recommendation:**

Staff recommends the approval of the attached meeting minutes.



## CITY OF CLEWISTON

### PLANNING BOARD MEETING AGENDA

July 29, 2025, at 05:00 PM

City Hall Commission Chambers – 115 W Ventura Ave

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#### Planning Board:

Caroline Bentancor, Board Member

Haitham Kaki, Board Member

Greg Thompson, Board Member

Luis Vallejo, Board Member

Eddie Vazquez, Board Member

#### Planning Board Staff:

Danny Williams, City Manager

Kaylee Tuck, City Attorney

Christopher Cooper, Building Official

Lakisha Burch, City Clerk (Acting Planning Board Clerk)

### PLANNING BOARD AGENDA ITEMS:

#### CALL TO ORDER

Acting Planning Board Clerk Burch called the meeting to order at 5:10 p.m.

#### ROLL CALL

Board Members Bentancor, Kaki, Thompson, Vallejo, and Vazquez. City Attorney Kaylee Tuck, Building Official Christopher Cooper, and Acting Planning Board Clerk Lakisha Burch.

#### ADDITION, DELETIONS, AND MODIFICATIONS

There were no additions, deletions and modifications.

#### PUBLIC COMMENTS

There were no public comments.

### PLANNING BOARD AGENDA

1. Selection of Chair of the Planning Board.

**Motion was made by Board Member Kaki and seconded by Board Member Vallejo to select Greg Thompson Chair of the Planning Board; it was voted as follows: Ayes: Board Member Bentancor, Kaki, Thompson, Vallejo, and Vazquez. Motion passed unanimously.**

2. Selection of Vice Chair of the Planning Board.

**Motion was made by Board Member Vallejo and seconded by Chair Thompson to select Haitham Kaki, Vice Chair of the Planning Board; it was voted as follows: Ayes: Chair Thompson, Board Members Bentancor, Kaki, Vallejo, and Vazquez. Motion passed unanimously.**

3. Approval of Meeting Minutes.

**There was a consensus to hold off on approving the last Planning Board meeting minutes until the Clerk investigates the matter.**

4. Introduction of the new Building Official.

Building Official Cooper gave a summary of his professional resume.

### **DISCUSSION**

5. Discussion and direction on Commercial Modules.

Building Official Cooper presented the item to the Planning Board regarding Commercial Modulares referring to the ones located on 208 Dean Duff Avenue. He stated that he has met with Contractor, Pastor, and Project Manager. There was discussion among the board where they asked questions such as who approved of the permit, in which the Permit Clerk responded. If a modular is moved twice, if it can get insured, in which Mr. Cooper responded. The board also stated that the church needs to be held to the same standards as a commercial or residential building must.

**The consensus of the Planning Board was to violate it due to not having sufficient permits, to let the Special Margistrate back the decision, bring back the Planning Board and follow the Attorney's suggestions.**

### **CITY STAFF COMMENTS**

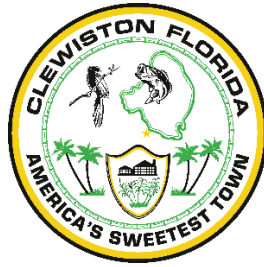
No comments from staff.

### **BOARD MEMBER COMMENTS**

No comments from the board.

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 5:54 p.m.



## Agenda Item Memorandum

**TO:** Planning Board

**FROM:**

**VIA:** Christopher Cooper

**DATE:** August 26, 2025

**SUBJECT:** Consideration of Special Exception at 805 N. Lopez Street

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### Background:

An application was submitted in April 2025 requesting a special exception for the allowance to encroach into the rear and side setbacks to construct a garage. At the Planning and Zoning Board meeting in May 2025

### Recommendation:

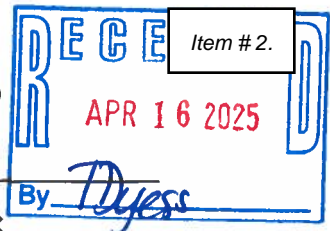
Board's Discretion

# City Of Clewiston

121 Central Avenue Clewiston, Florida 33440 • Phone: 863-983-1500 • Fax: 863-983-1430

[www.clewiston-fl.gov](http://www.clewiston-fl.gov)

[permitting@clewiston-fl.gov](mailto:permitting@clewiston-fl.gov)



## APPLICATION FOR APPEALS OR SPECIAL EXCEPTIONS

Application Fee (non-refundable):	Major (requires site development)	\$1,500.00
	Minor (use change only)	\$ 500.00
	Appeal of administration decision	\$ 500.00

Due in the Planning Department by the 10<sup>th</sup> of the month

THIS APPLICATION MUST HAVE ALL INFORMATION FIELDS COMPLETED. RETURN IT TO THE COMMUNITY DEVELOPMENT DEPARTMENT AT 121 CENTRAL AVENUE. IT IS IMPORTANT THAT THE APPLICANT OR A REPRESENTATIVE BE PRESENT AT EACH REQUIRED PUBLIC MEETING TO ANSWER ANY BOARD QUESTIONS REGARDING YOUR REQUEST. YOU WILL BE NOTIFIED OF MEETING DATES.

Owner(s) Name: Yoel Martinez, Taira Hernandez

Address: 805 N Lopez Street

City, State: Clewiston, FL 33440

Phone Number(s): 786-367-2222

Legal Description: Lot(s) 3 Block B

Subdivision: Ridgeview Estate Present Zoning: \_\_\_\_\_

Property Information: Address 805 N Lopez Street

Street boundaries: \_\_\_\_\_

Property boundaries lengths: (in feet)

Front 94.75' Right side: 100'

Rear: 100' Left side: 150.14'

Type of request: ☐ Appeal of Administrative Decision ☒ Special Exception

☐ Other Aggravatingly at 0@gmail.com

Reason or need for request:

need Garage to store my Boat. There is no other place  
in the property where the boat can be backed up.

The following information and documentation has to be submitted with this application:

- (a) Developed property: Provide a Plot (or site) plan which shows existing buildings, (with dimensions), and their distance from adjacent property lines. Indicate the area of your (proposed) new construction – or your reason for applying for a modification to the conforming uses allowed within your property's present Zoning classification.
- (b) Undeveloped property: If the property is vacant, submit a Plot plan describing and/or illustrating what sort of changes or alterations, (to the current Zoning list of allowable uses), that you wish to make on the above described property.

**Helpful tips:** √ Most of the legal information needed can be found on your **mortgage survey**.  
√ A copy of your **mortgage survey** may also be used as a basis for your **Plot plan**

Signature of Owner or Agent [Signature] Date 4/16/24

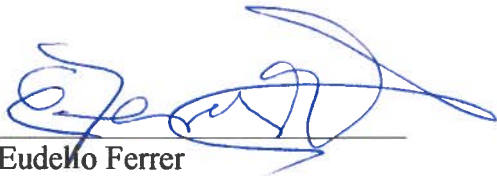
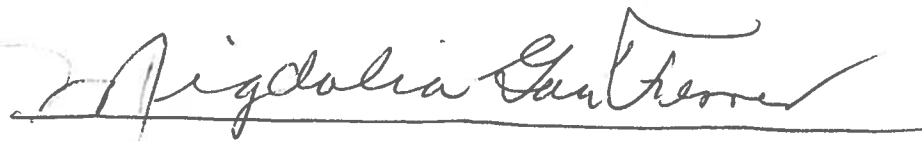
B:\Community Development\Building Department Forms\Website forms\Special Exception Application 06.12.doc

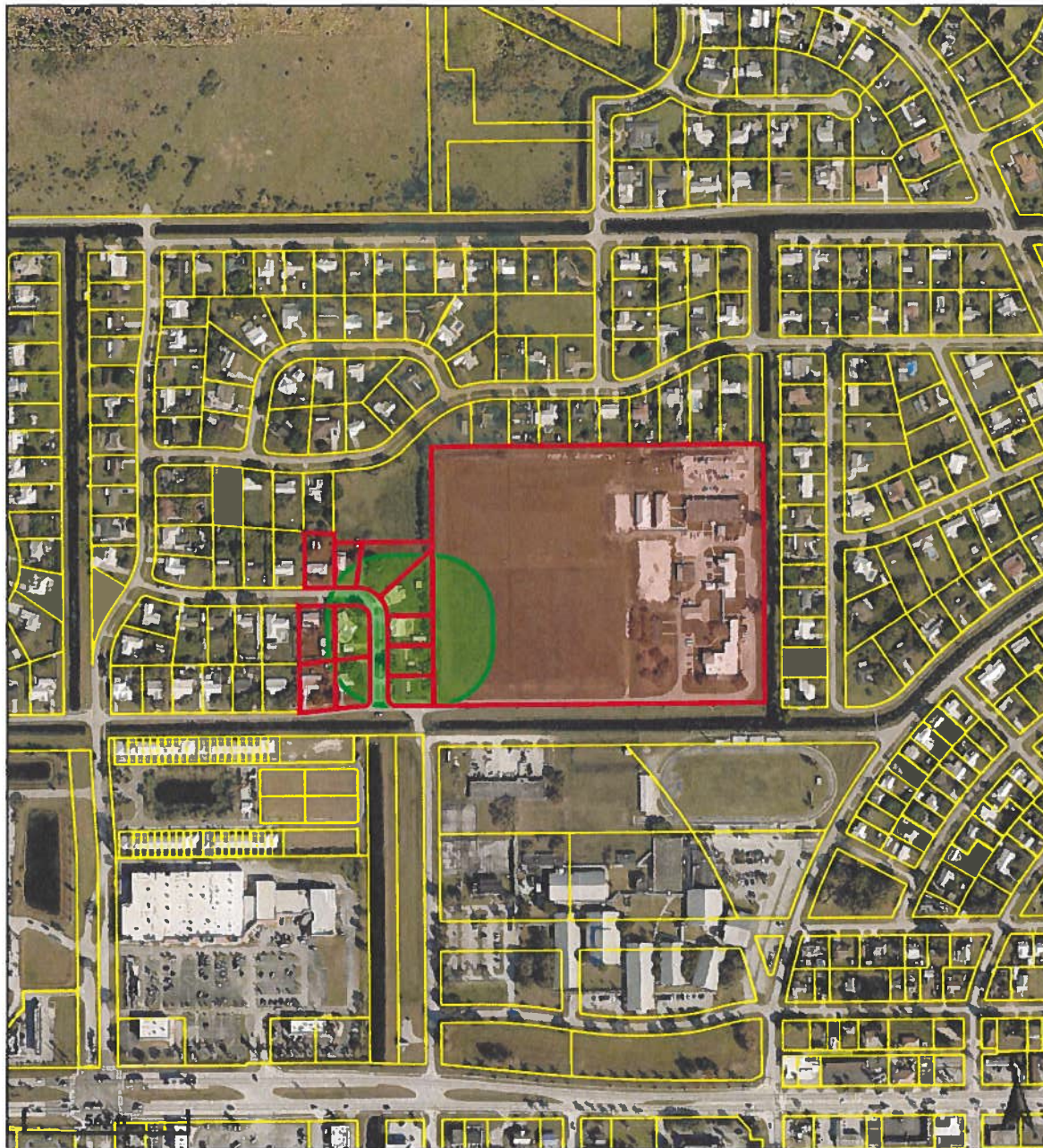
3/26/2025

To Whom It May Concern:

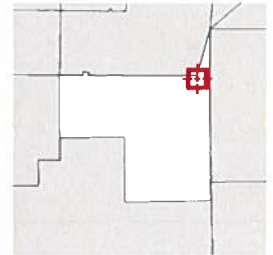
This is to notify you that I Eudelio Ferrer, resident of 803 N Lopez Street in Clewiston, Florida, 33440 wish to inform you that I do not oppose to my neighbor's building construction in his backyard. If you should have any other questions, feel free to reach me via email at Kukigari@Yahoo.com or at (786) 901-3477.

Regards,

  
Eudelio Ferrer  
Migdalia G. Ferrer



### Overview



### Legend

- City Limits
- Banyan Village
- Christopher Lane
- Double J Acres
- Everhigh Acres
- Felda
- LaDeca Acres
- Midway Acres
- Montura Ranch Estates
- Pioneer Plantation
- Pt LaBelle Units 1-9
- Seven K Estates
- Wheeler Road
- Parcels
- County Outlines
  - Hendry
  - <all other values>

Date created: 4/25/2025  
Last Data Uploaded: 4/24/2025 9:32:51 PM


Developed by  **SCHNEIDER**  
GEOSPATIAL

3/26/2025

To Whom It May Concern:

This is to notify you that I Eudelio Ferrer, resident of 803 N Lopez Street in Clewiston, Florida, 33440 wish to inform you that I do not oppose to my neighbor's building construction in his backyard. If you should have any other questions, feel free to reach me via email at Kukigari@Yahoo.com or at (786) 901-3477.

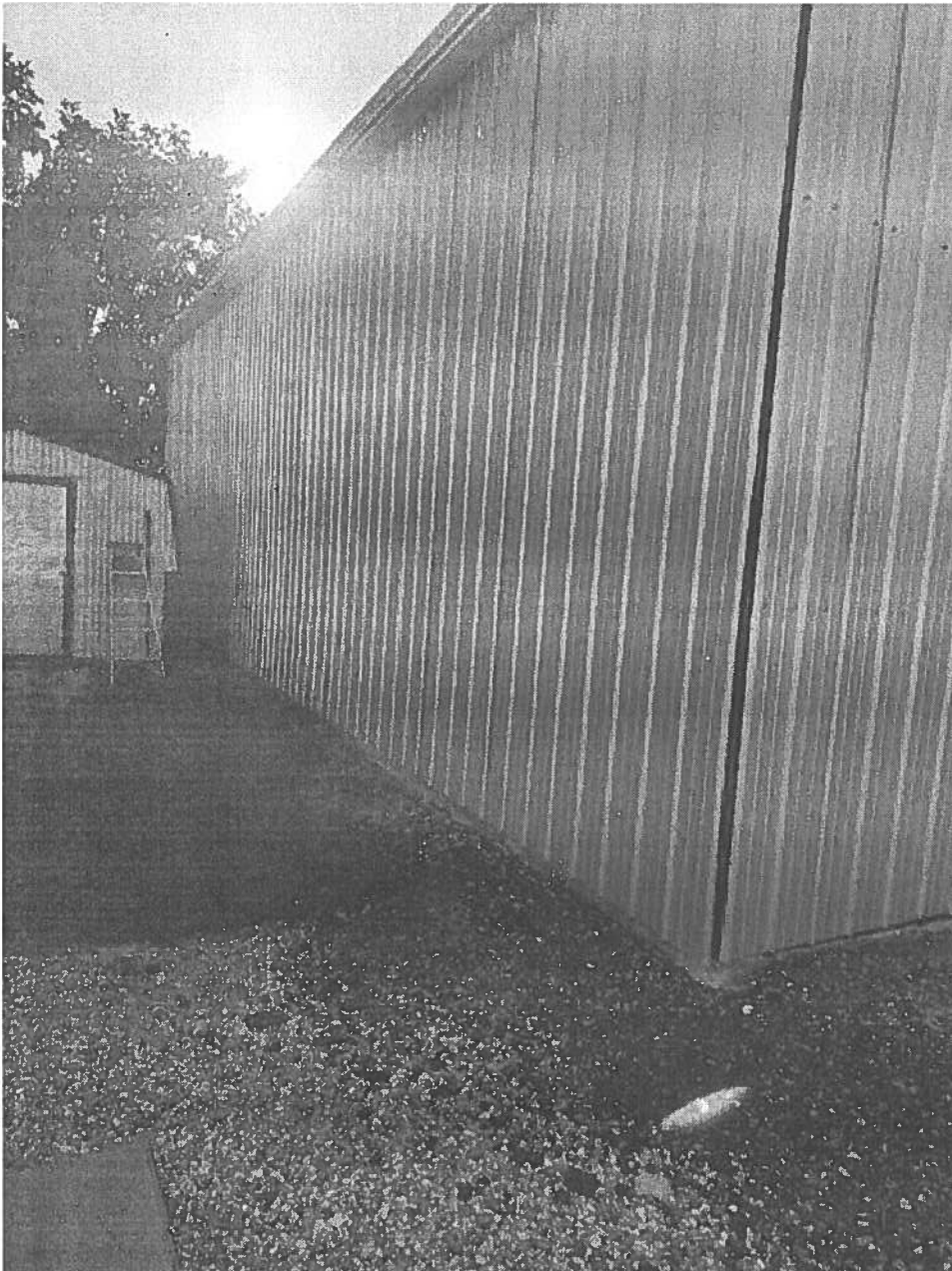
Regards,

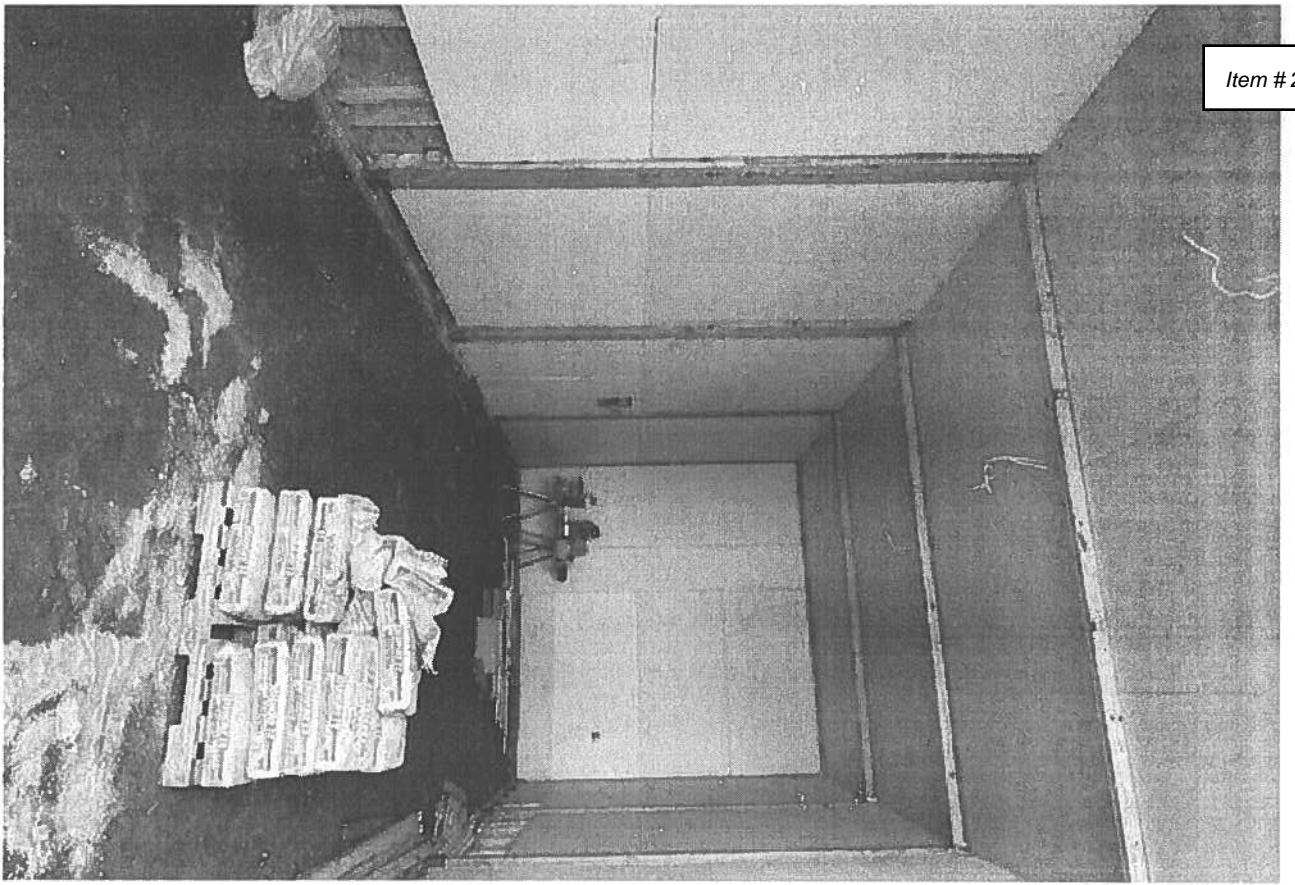


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Eudelio Ferrer







Item # 2.

PROPERTY 34806

R RES 10/25/2015

OWNER ID: MARTINEZ YOEL

TAX AREA: 15

IMPROVEMENT VALUE

Legal Description

237215 185 US HIGHWAY 27

\*34806\*

LAND MARKET +

CLEWISTON RIDGEVIEW EST S/D ADD 1 BLK B LOT 3

SOUTH BAY, FL 33493

TOTAL MARKET VALUE = 205,757

ACRES: 0.3400

AG VALUE = 0

APPR VAL METHOD: Cost

PRODUCTIVITY LOSS = 0

SOH %: 0.00

ASSESSED VALUE = 205,757

NSOH 54 %: 100.00

EXEMPTION VALUE =

NSOH 55 %: 0.00

TAXABLE VALUE = 205,757

3 34 43 02 390 000B-003.0

Map ID: 7-9

DBA:

SITUS 805 N LOPEZ ST CLEWISTON, FL 33440

GENERAL										SKETCH FOR IMPROVEMENT #1															EXEMPTIONS														
UTILITIES		LAST APPR.		ER																																			
TOPOGRAGPHY		LAST APPR. YR		2024																																			
ROAD ACCESS		LAST INSP. DATE		03/28/2024																																			
ZONING		CL-R1B		NEXT INSP. DATE																																			
PRIMARY USE		0100		# OF IMPRV																	1																		
NEXT REASON																																							
REMARKS																																							
BUILDING PERMITS																																							
ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL																																			
06/12/2023	RF		I	11,870																																			
09/29/2004	RF		I	2,300																																			
SALES INFORMATION																																							
SALE DT	PRICE	GRANTOR	DEED INFO																																				
11/03/2023	355,000	CONGLETON NICHOLA	WD / 1064 / 0517																																				
05/05/2023	187,000	LOVELL TIMOTHY S	WD / 1050 / 1186																																				
01/27/2010	142,000	HARVEY RICHARD F	DWD / 0813 / 1697																																				
REGION:										SUBD: 3344302390 (100 NBHD 301900.00 (91%) SUBSET:										IMPROVEMENT VALUATION										LIVING AREA: 1,442 APPR/SQFT: 142.69 SALE/SQFT: 246.19 B-USE: 0101									
#	TYPE	SHAPE	MTHD	CLASS/SUB	Quality	LF	LENGTH	WIDTH	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE																	
1	*BAS		R	C/*	03	100	0.00	0.00	1,442.0	127.12	1	1984	1984		183,307	70.00%	0%	0%	0%	0.70	128,315																		
2	FGR		R	*/*	03	100	0.00	0.00	324.0	69.92	1	1984	1984		22,654	70.00%	0%	0%	0%	0.70	15,858																		
3	FOP		R	*/*	03	100	0.00	0.00	49.0	38.14	1	1984	1984		1,869	70.00%	0%	0%	0%	0.70	1,308																		
4	POOL		MISC	*/*	03	100	30.00	15.00	450.0	45.05	1	1990	1990		20,273	40.00%	0%	0%	0%	0.40	8,109																		
5	SLAB		MISC	*/*	03	100	0.00	0.00	425.0	6.64	1	1990	1990		2,822	52.00%	0%	0%	0%	0.52	1,467																		
6	SHED		MISC	*/*	03	100	16.00	10.00	160.0	0.01	1	1990	1990		0	40.00%	0%	0%	0%	0.40	0																		
7	ALOP		MISC	*/*	03	100	27.00	14.00	378.0	10.29	1	1990	1996		3,890	40.00%	0%	0%	0%	0.40	1,556																		
8	PAV C		MISC	*/*	03	100	37.00	12.00	444.0	5.59	1	1984	1984		2,482	46.00%	0%	0%	0%	0.46	1,142																		
REGION:										SUBD: 3344302390 (100 NBHD: 301900.00 (360% SUBSET:										LAND VALUATION										IRR Wells: Capacity: IRR Acres: Oil Wells:									
L#	DESCRIPTION	ZONING	LUSE	SOIL	CLS	TABLE	HS	METH	UNITS	UNIT PRICE	GROSS VAL	ADJ	LAND	ADJ	SRC	MKT VAL	AG	ACRES	AG USE	AG TABLE	AG UNIT	PRC	AG VALUE																
1	SFR	CL-R1	0100			SPECIAL	Y	LOT	1.00	L	17,000.00	17,000	1.00	3.60	A	61,200	N				0.00		0																
Land Total : 61,200										1.0000						61,200																							

14

PROPERTY 34806      R      RES      10/25/2015

**Legal Description**  
CLEWISTON RIDGEVIEW EST S/D ADD 1 BLK B LOT 3

OWNER ID: 237215

MARTINEZ YOEL  
185 US HIGHWAY 27  
SOUTH BAY, FL 33493

TAX AREA: 15  
\*34806\*

ACRES: 0.3400

APPR VAL METHOD: Cost

SOH %: 0.00  
NSOH 54 %: 100.00  
NSOH 55 %: 0.00

IMPROVEMENT VALUE  
LAND MARKET  
TOTAL MARKET VALUE  
AG VALUE  
PRODUCTIVITY LOSS  
ASSESSED VALUE  
EXEMPTION VALUE  
TAXABLE VALUE

+  
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57  
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205,757  
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205,757

3 34 43 02 390 000B-003.0      Map ID: 7-9

SITUS 805 N LOPEZ ST CLEWISTON, FL 33440

DBA:

Item # 2.

GENERAL														SKETCH INFORMATION														EXEMPTIONS									
UTILITIES TOPOGRAGPHY ROAD ACCESS ZONING PRIMARY USE NEXT REASON REMARKS																																					
																												PICTURE									
BUILDING PERMITS																																					
SALES INFORMATION																																					
REGION: SUBD: 3344302390 (100' NBHD 301900.00 (91%) SUBSET: IMPROVEMENT VALUATION LIVING AREA: 1,442 APPR/SQFT: 142.69 SALE/SQFT: 246.19 B-USE: 0101														IMPROVEMENT FEATURES																							
#	TYPE	SHAPE	MTHD	CLASS/SUB	Quality	LF	LENGTH	WIDTH	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE	DESCRIPTION	UNITS	CODE	DESCRIPTION	UNITS	CODE									
9	PAV	C	IISC	*I*	03	100	26.00	12.00	312.0	5.59	1	2001	2001		1,744	63.00%	0%	0%	0%	0.63	1,099																
1 Single Family Residential														Living Area: 3,984.0 (E1984) Homesite: (100) 239,041 Living Area: 1,442 158,854																							
</																																					



City of Clewiston  
121 Central Avenue  
Clewiston, FL 33440

Phone: 8639831500 8639831484  
Fax: 8639831430

DATE	4/25/2025
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ACCOUNT :

Yoel Martinez  
805 N Lopez St  
Clewiston FL 33440  
  
Phone: 786-367-2222

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
4/25/2025		25000220	001-0034-341200	Special Exception	Paid	(-) 500.00

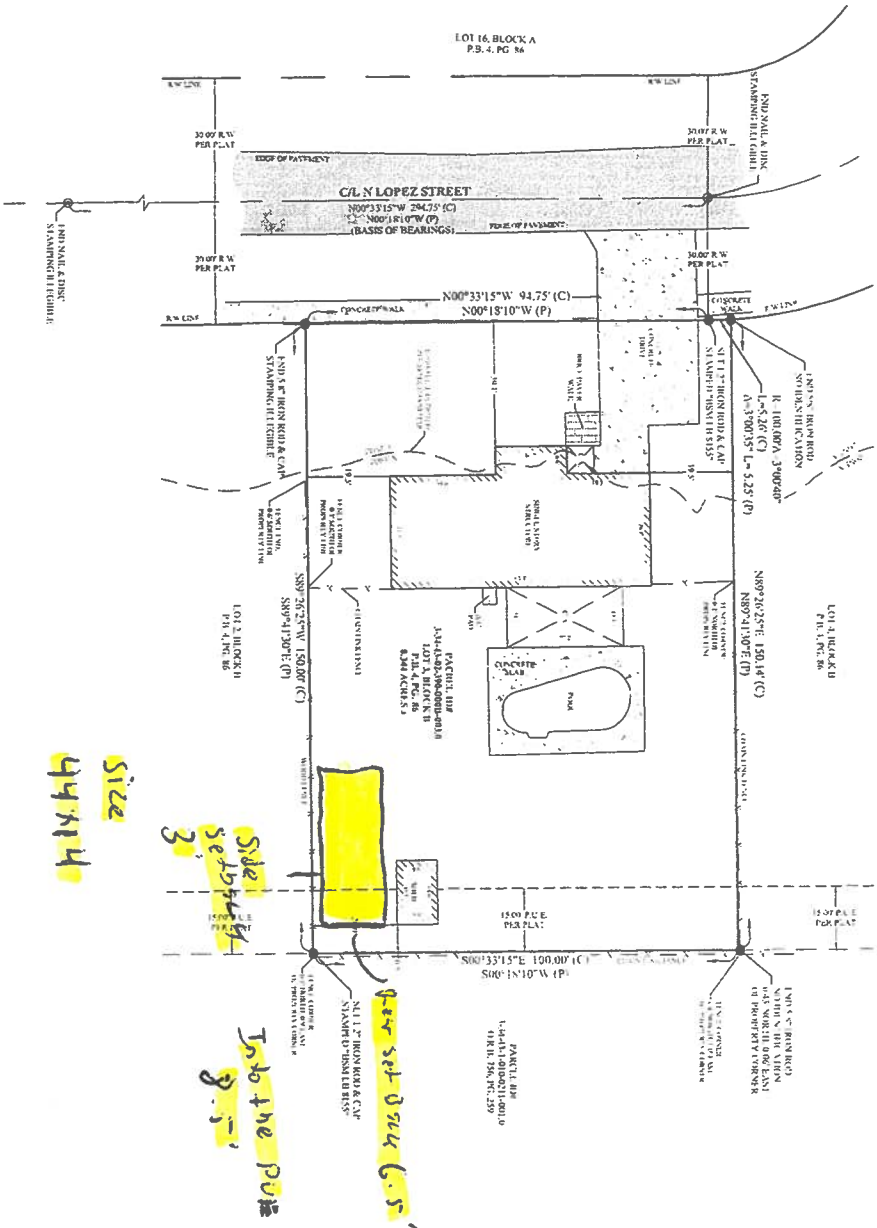
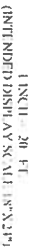
Date	InvoiceNum	Status	Payment	Amount
4/25/2025	25000220	Original Due		500.00
4/25/2025	25000220	Paid	Check 257	(-) 500.00

Total Due	0.00
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PROPERTY ADDRESS:  
LOPEZ STREET  
CLEWISTON, FLORIDA 33440

**BOUNDARY SURVEY**  
LOCATED IN SECTION 2  
TOWNSHIP 42 SOUTH  
RANGE 34 EAST

GRAPHIC SCALE



**SURVEYOR'S NOTES:**

1. THIS IS A BOUNDARY SURVEY, AS DEFINED IN CHAPTER 34-17, 050 (1) OF THE FLORIDA ADMINISTRATIVE CODE, UNLESS IT BEARS THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS SURVEY IS NOT VALID.
2. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE PARTIES LISTED HEREIN AND NO OTHER PARTY OR INDIVIDUAL WHOEVER. LIKEWISE, ANY REUSE OF THIS SURVEY FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER WITHOUT THE WRITTEN PERMISSION OF THE LICENSED SURVEYOR AND MAPPER IS PROHIBITED. THE SURVEYOR AND MAPPER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY AND FOR THE CONSEQUENCES OF ANY REUSE OF THIS SURVEY FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
3. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
4. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
5. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
6. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
7. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
8. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
9. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
10. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.
11. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER. THE SURVEYOR HAS BEEN ADVISED BY THE PARTIES TO THE SURVEY THAT THE SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE OR FOR ANY OTHER PARTY OR INDIVIDUAL WHOEVER.

2. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. NORTH AMERICAN DATUM OF 1983. 2011 ADJUSTMENT. THE BEARING BASE FOR THIS SURVEY IS THE CENTERLINE OF NORTH LOPEZ STREET SAID CENTERLINE BEARS N00°13°15'W 150.00' (P) AND ALL OTHER BEARINGS ARE RELATIVE THERE TO.
3. THIS SURVEY IS BASED ON A REVIEW OF A TITLE COMMITMENT BY OLD REPUBLIC NATIONAL INSURANCE COMPANY THE NUMBER 210254 P2, EFFECTIVE DATE: SEPTEMBER 20, 2023 AT 6:00 A.M. THE TITLE EXCEPTIONS LISTED ON THIS SURVEY ARE FROM SCHEDULE B, SECTION 2 OF THE TITLE COMMITMENT LISTED ABOVE.
4. ADJOINING PROPERTY INFORMATION WAS OBTAINED FROM HENRY COUNTY PROPERTY SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE A AND A PER FEMA MAP NUMBER 12016C, PANEL NUMBER 0196, WITH AN EFFECTIVE DATE OF 06/15/20.

**CERTIFICATION:**

I, RICHARD E. BARNES, THE SURVEYOR, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR AND MAPPER IN THE STATE OF FLORIDA. I HAVE READ THE ENTIRE SURVEY AND I CERTIFY THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION. I HAVE ALSO READ THE FLORIDA ADMINISTRATIVE CODE, CHAPTER 34-17, 050 (1), AND I CERTIFY THAT THIS SURVEY IS IN ACCORDANCE WITH THE SAME.

FOR THE BENEFIT OF THE FOLLOWING PARTIES ONLY:

- 1) RICHARD E. BARNES, SURVEYOR
- 2) RICHARD E. BARNES, SURVEYOR
- 3) RICHARD E. BARNES, SURVEYOR
- 4) OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

**RICHARD E. BARNES**  
III, PSM #7074  
Date: 2023.10.11 11:47:56

SHOWN: RETURNED TO: JAMES H. HENRY, HENRY COUNTY, FLORIDA

FIELD WORK: 10/17/23

REVISION: DATE: 10/17/23

SHEET: 1 OF 1

DRAWN BY: TB

CHECKED BY: MB

DATE: 10/17/23

JOB #:

21,491

**BSM**

LAND SURVEYING SERVICES

1545 S. 15th Ave., Suite 100, Ft. Lauderdale, FL 33304

Phone: 954.354.1111 Fax: 954.354.1112

**LEGAL DESCRIPTION:**

FILE: 1050, PG. 1180

LOT 16, BLOCK A, RIDGEVIEW ESTATES SUBDIVISION, ADDITION NUMBER 1, A SUBDIVISION IN THE CITY OF CLEWISTON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGES 85 AND 86, PUBLIC RECORDS OF HENRY COUNTY, FLORIDA

**LEGEND:**

- A. BOUNDARY OF CURVATURE
- A.C. AIR CONDITIONER
- C. CALCULATED
- C.A. COVERED AREA
- C.L. CENTERLINE
- P.S.D. PERMANENT
- 1. AREA LENGTH
- C.R.H. OFFICIAL RECORD BOOK
- Q.D. QUANTITY
- P.H. PLAT BOOK
- P.S. PUBLIC UTILITY EASEMENT
- R. RADII
- R.O. RIGHT-OF-WAY
- R.W. RIGHT-OF-WAY



## Agenda Item Memorandum

**TO:** Planning Board

**FROM:**

**VIA:** Christopher Cooper, Building Official

**DATE:** August 26, 2025

**SUBJECT:** Consideration of approval of Conditional Use Application at 820 E. Sugarland Hwy and 815 E. Sagamore Avenue

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### Background:

Pursuant to a request by the property owner at 820 E. Sugarland Hwy and 815 E. Sagamore Avenue, an application has been received for a conditional use to allow the construction of a mechanic shop in conjunction with an auto and golf cart dealership. At Block 385, Lots 20 to 20 and Block W ½ of Lots 5 + all Lots 6 to 10 in Commercial Zone of the Official Zoning Map of Clewiston.

### Recommendation:

Board's Discretion



## COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING

### APPLICATION for CONDITIONAL USE PERMIT / AMENDMENT

SUBMIT ALL

**SECTION 1: APPLICATION**

**SECTION 2: CHECKLIST - Required documents**

email to: [permitting@clewiston-fl.gov](mailto:permitting@clewiston-fl.gov)

City of Clewiston  
Community Development Department  
121 Central Avenue Clewiston, FL 33440  
863-983-1500  
[www.clewiston-fl.gov](http://www.clewiston-fl.gov)



## SECTION 1: APPLICATION FOR CONDITIONAL USE PERMIT

**INSTRUCTIONS:** Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable).

**Check one type ONLY (Use separate applications if applicable)**

☒ Conditional Use Permit

☐ Conditional Use Permit Amendment

### DEVELOPMENT/PROJECT NAME:

DEVELOPMENT/PROJECT ADDRESS OR LOCATION: 815 SAGAMORE AVE, CLEWISTON, FL 33440

Legal Description (attach separate sheet if necessary): REPAIR SHOP

All Tax ID Folio Numbers:

Project Narrative (Brief description)(Please attach Letter of Intent as a separate sheet)

Residential Use(s)/Unit Type(s): n/a

Site Area (sq. ft. & acres): 33,000 sq. ft. (approx.) / 0.758 acres

Number of Residential Units: 0

Existing Zoning Designation(s):

Non-Residential Use(s) (Type & sq. ft.): Golf Cart, Powersport & Vehicle Sales & Repair

Proposed Zoning Designation(s):

Current Use(s) of Property: Vacant / Former Motel

Existing Land Use Designation(s):

Proposed Use(s) of Property: Sales and repair of golf carts, powersports, and vehicles

Proposed Land Use Designation(s):

Will the plat be affected by this application? If yes, please explain.  
no

Is the property the subject of Code Enforcement Action?  
If yes, Code Enforcement Case No.:

### PROPERTY OWNER / APPLICANT / AGENT INFORMATION

Property Owner (s) 820 SUGARLAND LLC

Address 11335 NW 18TH CT, PLANTATION, FL 33323

Phone 7866832486 Fax E-mail EREZTOBOL@AOL.COM

Applicant

Address

Phone Fax E-mail

Agent

Address

Phone Fax E-mail

### CONTACT PERSON

Identify one person to serve as the contact for the City during the application process. This will be the person notified by the City regarding comments and meetings (if needed).

Name EREZ TAL

Address 11335 NW 18TH CT, PLANTATION, FL 33323

Phone 7866832486 Fax E-mail EREZTOBOL@AOL.COM

**CERTIFICATION**

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing the application I am acting with the knowledge and consent of those persons who are owners of the subject property or are parties to this application. I understand that all materials required by the City of Clewiston must be submitted prior to having this application processed and that additional fee or materials may be required as a result of processing of this application.

Owners Signature Ever TalDate 07/22/2025

**OWNER'S SWORN-TO-CONSENT  
PERMITTING AGENT TO FILE FOR A HEARING**

I, EREZ TAL, being the first duly sworn, depose and say that I am the owner of the property describe herein and which is the subject matter of the proposed hearing, do hereby authorize EREZ TAL to file this application for a public hearing.

Signature Ever TalDate 07/22/2025**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_

(Signature of Notary Public – State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_ Type of Identification Produced \_\_\_\_\_

**FOR CITY STAFF USE ONLY**
☐ Application Fee: \$ \_\_\_\_\_
**SUPPORTING DOCUMENTS RECEIVED**

APPLICATION NO: \_\_\_\_\_

☐ Mail Public Notice Required

☐ Proof of Ownership

INTAKE DATE: \_\_\_\_\_

☐ Sign Public Notice Required

☐ Warranty Deed

☐ Letter of Consent

RECEIPT NO.: \_\_\_\_\_

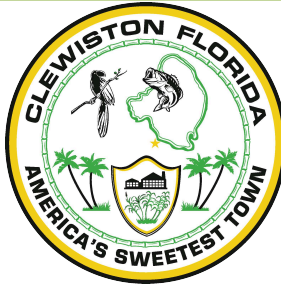
☐ Project Narrative/Letter of Intent

Application Complete: YES \_\_\_ NO \_\_\_

☐ Required Submittal Documents
**RECEIVED & REVIEWED BY:**

\_\_\_\_\_

**COMMENTS:**



**OWNER'S LIMITED POWER OF ATTORNEY PERMITTING APPLICANT TO FILE FOR THE REQUEST**  
**(CORPORATION)**

**STATE OF FLORIDA**  
**COUNTY OF HENDRY**

On behalf of 820 SUGARLAND LLC, a FLORIDA (state) corporation,  
EREZ TAL being first duly sworn, deposes and says that as the  
☒ **President** ☐ Vice-President, or CEO (circle one) of the aforesaid Corporation, which is the owner of the property legally described below  
 and which is the subject property of the proposed request, does hereby grant limited power of attorney to EREZ TAL  
 \_\_\_\_\_, as applicant, to file this application for the proposed request.

**LEGAL DESCRIPTION:**

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**WITNESSES:**

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Name of Corporation

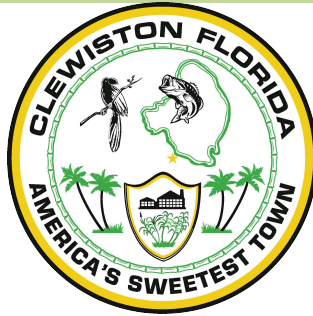
\_\_\_\_\_  
 Address

By: President, Vice-President or CEO (circle one)

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
 Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Notary \_\_\_\_\_

Commission Expires:



**OWNER'S LIMITED POWER OF ATTORNEY PERMITTING APPLICANT TO FILE FOR THE REQUEST**  
**(INDIVIDUAL)**

**STATE OF FLORIDA**  
**COUNTY OF HENDRY**

I, \_\_\_\_\_, the fee owner, which is the fee owner of the property legally described below and which is the subject of the proposed request, do hereby grant limited power of attorney to \_\_\_\_\_, to file this application for the proposed request.

**LEGAL DESCRIPTION:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WITNESSES:**

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Fee Owner's Signature

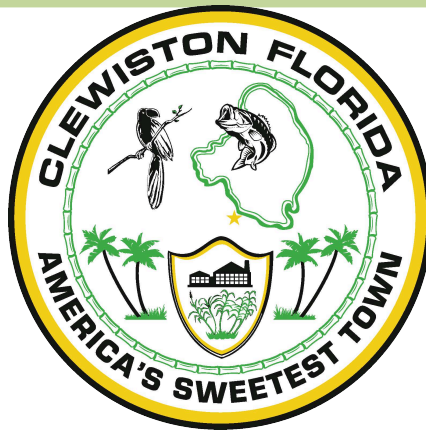
\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Address

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
 Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Notary \_\_\_\_\_

Commission Expires:



## SECTION 2: CHECKLIST

1. **Completed** application form, including information on the subject property location, legal description and appropriate Affidavit and/or disclosure forms. Along with "narrative" stating how it is compatible with the City's Comprehensive Plan.
2. Processing fee totaling **\$500**. Checks should be made payable to the "City of Clewiston". Please note that all fees are non-refundable and do not guarantee approval.
3. Development plans including: site plan, landscaping, elevations and renderings. **(Only applicable if in the CPID Commerce Park Industrial District)**
4. Provide a survey of the parcel.
5. **Please note the following processes of submission:**
  - A. Submit completed application to building department for review by the City's technical review committee.
  - B. Once all deficiencies in plans are corrected the application goes before the Planning & Zoning Board for recommendations.
  - C. The Planning & Zoning Board will submit their written recommendations to the City Commissioner's for final approval.
  - D. The City Commissioner's will review the proposal and all development plans, PZB recommendations, and shall either approve the project with conditions of approval, modify the PZB recommendations, or deny the proposal.

NOTE: Prior to submitting an application for a Conditional Use Permit, a pre-application meeting is required. Contact the City Planning Assistant for additional information regarding the application and review process.



### PROPOSED ELEVATION: SHOWROOM & MECHANIC'S SHOP

Estimated Layout: Rectangular - One building for Showroom, Office, & Mechanic shop.

Estimated Square Footage: 4,000 to 10,000 SF

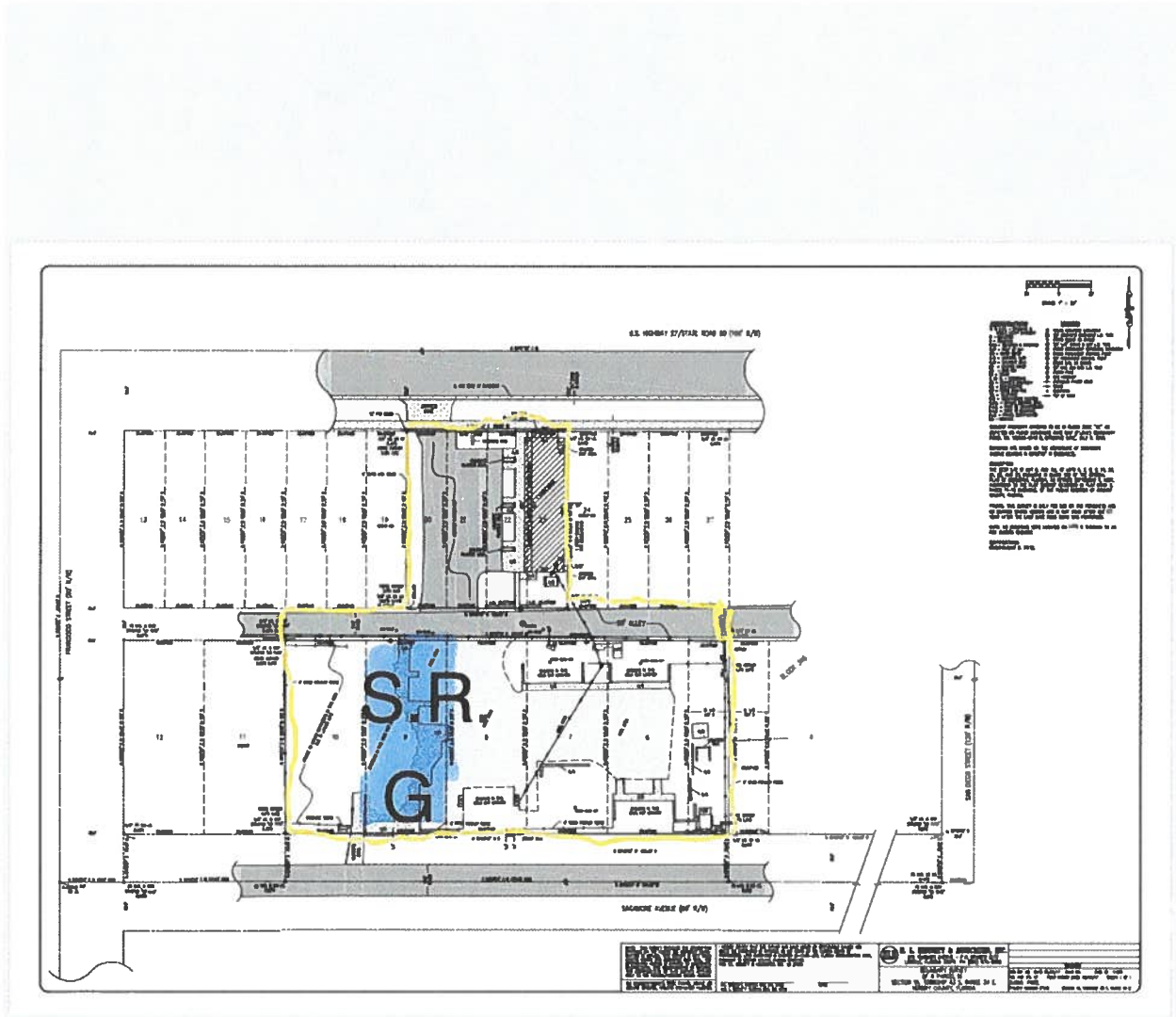
Architectural Design & Color: Will Coordinate with Revitalization planning of the entire block.

**NARRATIVE:** 820 Sugarland LLC d/b/a Big Time Powersports

The proposed Auto & Golf Cart Dealership would like to offer **mechanic shop services** including general maintenance and repair for public vehicles and for dealership inventory including automobiles and outdoor recreational vehicles. Outdoor sport inventory will include Golf Carts and All-Terrain Vehicles (ATVs). Services provided to both gas and electric models will include: Oil, tire, battery, transmission, and customization. All servicing will be performed inside of the garage portion of the building.

Allowing a New Auto & Golf Cart Dealership structure to replace the declining 1950's and older structures of the Relax Inn Motel, will be an enormous sign of **Revitalization upon the "East Block of Blight"** that welcomes so many visitors to our City. This new 1 acre site is willing to tie into the planning and efforts of facade improvement from the Francisco St light to San Diego St to create vibrance at the entry of Clewiston. **Big Time Powersports** also matches our community theme of appreciation for our natural surroundings, areas of Sports & Recreation and Time to enjoy them!

# SURVEY: 820 E Sugarland Hwy & 815 E Sagamore Ave (Formerly the Relax Inn Hotel)

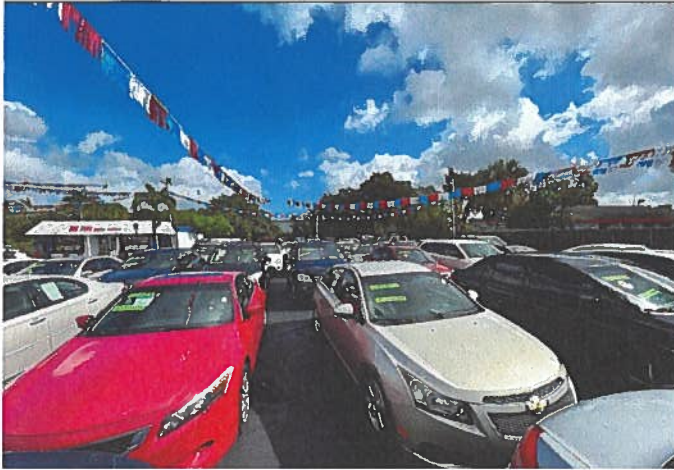


The proposed NEW Dealership building will replace the old Relax Inn building on the southwest side of the property. The mechanic shop (G) will be located behind the Show Room (SR).

Current Dimensions of the Relax Inn Hotel Structure on the southside are 115' by 25' (blue).

The frontage Units of the Hotel will also be removed to allow room for Inventory to be seen along US Hwy 27. See photos of metal fence for the frontage & wooden fence for the rear parcel.

## 820 Sugarland LLC d/b/a Big Time Powersports



Conditional Usage Application: For Mechanic's Shop

## Parcel Summary

**Parcel ID** 3 34 43 01 010 0385-003.2  
**Prop ID** 33965  
**Location Address** 820 E SUGARLAND HWY  
 CLEWISTON, FL 33440  
**Neighborhood/Area** COMM CLEWISTON (301000.00)  
**Subdivision** CLEWISTON RAILROAD TRACTS  
**Brief Legal Description\*** CLEWISTON BLK 385 LOTS 20 TO 23  
 (Note: \*The Description above is not to be used on legal documents.)  
**Property Use Code** MOTEL/HOTEL (3900)  
**Sec/Twp/Rng** 01-43-34  
**Tax District** City of Clewiston (District 3)  
**Millage Rate** 22.1936  
**Acreage** 0.253  
**Homestead** N

[View Map](#)



## Internal Info

Market Area 30

## Owner Information

[PATEL MINESHKUMAR B](#)  
 412 W SUGARLAND HWY  
 CLEWISTON, FL 33440

## Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values
Just Market Value	\$117,143	\$83,363	\$79,664
Land Value	\$92,400	\$59,400	\$59,400
Agricultural (Market) Value	\$0	\$0	\$0
Agricultural Classified Value	\$0	\$0	\$0
Improvement Value	\$24,743	\$23,963	\$20,264
Non School Assessed Value	\$91,699	\$83,363	\$79,664
School Assessed Value	\$117,143	\$83,363	\$79,664
Exempt Value	\$0	\$0	\$0
Non School Taxable Value	\$91,699	\$83,363	\$79,664
School Taxable Value	\$117,143	\$83,363	\$79,664
Save Our Homes Deferred	\$0	\$0	\$0
Non Save Our Homes Deferred	\$25,444	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

## Trim Notices

[2024 TRIM Notice \(PDF\)](#)

## Property Record Cards

[2024 Property Record Card \(PDF\)](#)

## Tax Collector

[Link to Tax Collector](#)

## Land Information

Land Use	Land Use Desc	Acres	Square Feet	Eff. Frontage	Depth	Zoning
3900	MOTEL	0.25	11000	100	110	

## Building Information

Type	Motel	Heat Index	None -- None
Heated Area	1,496	Air Conditioning	None
Exterior Walls	CBS,Slump/Fluted,IC Form	Bathrooms	
Roof Cover	Built UP Tar & Gravel	Bedrooms	
Interior Walls	Drywall	Stories	1.0
Floor Cover	Carpet	Effective Year Built	1951
Actual Year Built	1951		

Type	Description	Sq. Footage	Act Year	Eff Year	Quality	Imprv Use	Imprv Use Descr
BAS	BAS Segment	1,496	1951	1951	03	CS 1 STORY	COM
CARSTOP	Car Stops	6	1985	1985	03	*	Item # 3.
PAV ASP	Paving Asphalt	4,786	1984	1984	03	*	ALL
SLAB C	Slab Concrete	1,047	1951	1979	03	*	ALL
UOP	Open Porch, Unfinished	332	1951	1951	03	*	ALL
UOP	Open Porch, Unfinished	56	1951	1951	03	*	ALL
UOP	Open Porch, Unfinished	52	1951	1951	03	*	ALL
UOP	Open Porch, Unfinished	28	1951	1951	03	*	ALL
UOP	Open Porch, Unfinished	28	1951	1951	03	*	ALL

## Sales

Sales Date	Sale Price	Instrument	Book/Page	Qualification	Vacant/Improved	Grantor	Grantee
8/22/2014	\$70,000	WD	<a href="#">0881/1467</a>	Unqualified (U)	Improved	PATEL NANUBHAI R JASHODABEN	PATEL MINESHKUMAR B
12/14/1984	\$290,000	WD	<a href="#">0348/0219</a>	Qualified (Q)	Improved	**None**	**None**

## Permits

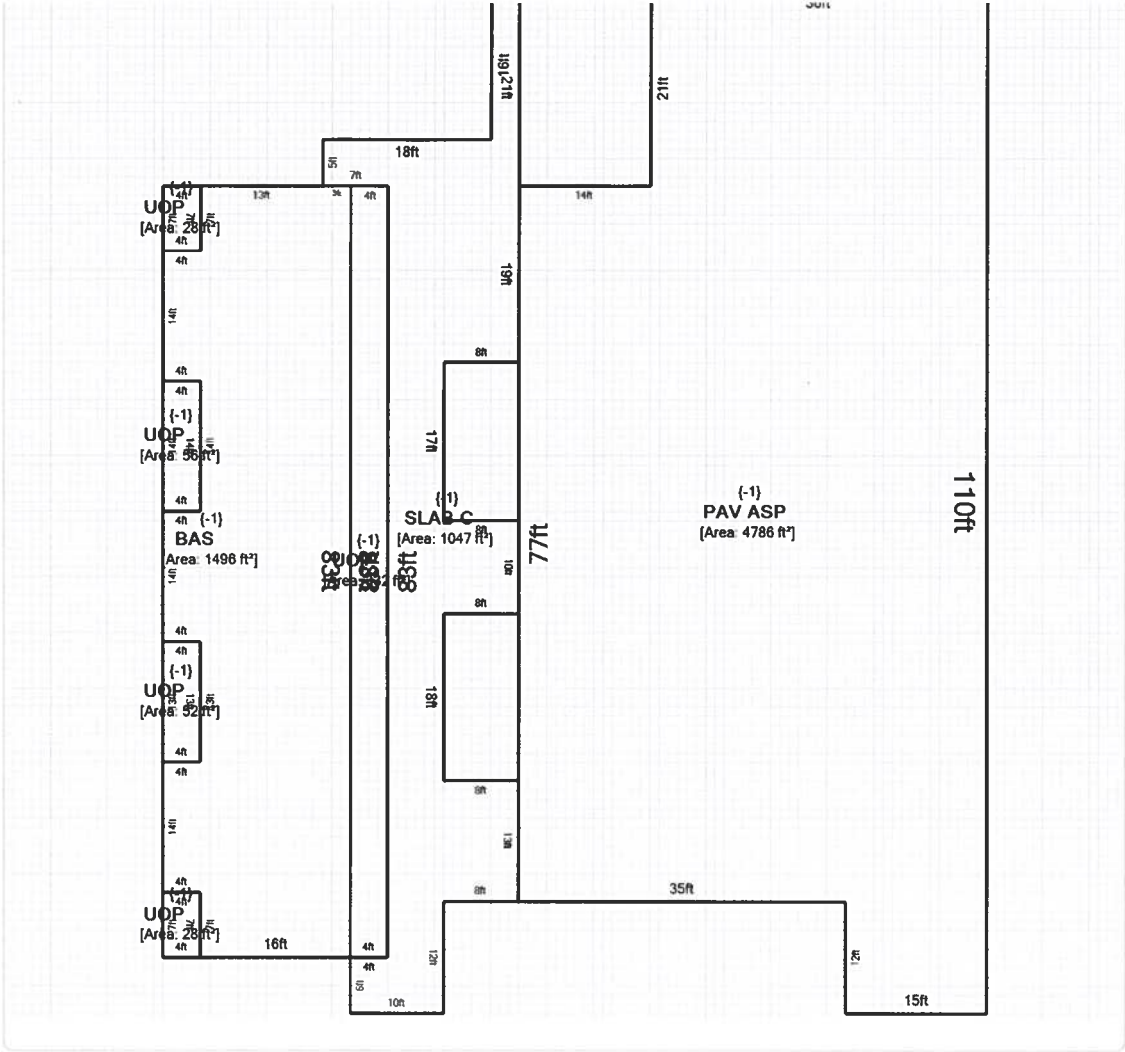
Permit Number	Type	Primary	Active	Issue Date	Value
20C0011	REMODEL / RENOVATION	Yes	No	1/21/2020	\$1,300
18C0595	FENCE	Yes	No	12/10/2018	\$700
13C0323	CM	Yes	No	11/14/2013	\$375
06C0426	ROOF	Yes	No	3/17/2006	\$1,500
05C0327	ROOF	Yes	No	5/9/2005	\$2,500
040498	FENCE	Yes	No	11/19/2004	\$0

Our permitting information is pulled from the Hendry County Permitting Offices. Permitting information shown here is all the Property Appraiser has on file for this property. Any detailed questions about permits should be directed to the Permitting Offices. Their website is: <https://hndy-trk.aspgov.com/eTRAKIT/>

## Photos



## Sketches



**No data available for the following modules: Extra Features.**

[User Privacy Policy](#) | [GDPR Privacy Notice](#)  
Last Data Upload: 4/28/2025, 9:43:19 PM

Developed by



**SCHNEIDER**  
GEOSPATIAL





City of Clewiston  
121 Central Avenue  
Clewiston, FL 33440

Phone: 8639831500 8639831484  
Fax: 8639831430

# Paid Receipt Summary

Page 1 of 1

Item # 3.

DATE

4/29/2025

## ACCOUNT :

Mineshkumar B Patel  
4760 S Cleveland Ave  
Fort Myers FL 33907

Phone: 863-599-0242

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
4/29/2025		25000230	001-0034-341200	Conditional Use Application	Paid	(-) 500.00

Date	InvoiceNum	Status	Payment	Amount
4/29/2025	25000230	Original Due		500.00
4/29/2025	25000230	Paid	Check CK#1095 by Erez Tal	(-) 500.00

**Total Paid**

500.00

Application is for conditional use for 820 E Sugarland Hwy/815 E Sagamore

---

## ***DIVISION 14. US 27 COMMERCIAL CORRIDOR DISTRICT***

### **Sec. 110-501. Purpose.**

The purpose of the US 27 Commercial Corridor District is to provide lands for business and industry which support the economic base of the city and contribute to its economic growth and self-sufficiency. The US 27 Commercial Corridor District uses shall include commercial activities consisting of mixed-use not likely to be objectionable to neighboring properties. The US 27 Commercial Corridor District development standards provided herein are intended to result in new commerce that is attractive in appearance for the benefit of the property, the City of Clewiston and the owners and/or lessees of all lots within the US 27 Commercial Corridor. These requirements are intended to provide a pleasant, attractive, and safe business environment for the convenience and benefit of business owners and customers, and to foster an environment of economic growth and redevelopment in the City of Clewiston.

The US 27 Commercial Corridor District designation and development standards contained herein shall apply to all lands within the district at the date of adoption of this division and to all future expansions of the district. All requirements of chapter 110, Zoning, also apply in the US 27 Commercial Corridor District; section 110-501 through section 110-518 are additional requirements of the District. When the US 27 Commercial Corridor District requirements conflict with other provisions of chapter 110, the more stringent requirements shall be applied.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-502. Permitted uses.**

Permitted uses within the US 27 Commercial Corridor District are as follows:

- (1) Appliance and furniture stores.
- (2) Bakeries, confectionery providing on-premises retail sales.
- (3) Clinics, medical and dental out-patient only.
- (4) Commercial or municipal parking lots or garages.
- (5) Commercial recreation facilities, including marinas.
- (6) Convenience food and beverage store.
- (7) Department stores.
- (8) Financial institutions with or without drive-thru teller units.
- (9) Gasoline service stations.
- (10) General retail establishments.
- (11) Hardware, paint, and garden supplies.
- (12) Hotels or motels.
- (13) Indoor and outdoor vehicular sales such as automobile, motorcycle, and all-terrain vehicles and boat and boat trailer and utility trailer sales.

- (14) Laundries and dry-cleaning plants, which do not use flammable solvents.
- (15) Mortuary and funeral homes.
- (16) Newsstand.
- (17) Personal services (including, but not limited to, barbershops, beauty salons, spas).
- (18) Pharmacy.
- (19) Theaters.
- (20) Professional services.
- (21) Public assembly buildings.
- (22) Repair and service of personal, household, and office items and equipment.
- (23) Restaurants.
- (24) Shopping centers.
- (25) Supermarkets.
- (26) Veterinarian clinics.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-503. Conditional uses.**

The following uses are not permitted in the US 27 Commercial Corridor District, but may be authorized by the imposition of conditions of approval, if all negative impacts are ameliorated by those conditions:

- (1) Liquor store.
- (2) Nightclubs, lounges, bars.
- (3) Repair and services for automobiles, trucks, boats, recreational vehicles, and other automotive equipment.
- (4) Pawn shops.
- (5) Payday, check cashing or deferred deposit loan businesses.
- (6) Tobacco retailers.
- (7) Extended-stay hotel or motel, with occupancy limits for each unit established by condition.
- (8) Kindergarten and daycare facilities.
- (9) Vocational schools, limited to office-oriented vocations, such as, but not limited to secretarial, business, real estate and computer programming.
- (10) Automatic amusement centers/game rooms.
- (11) Limited residential use must be in harmony with overall development and not as a primary or principal use and not allowed on ground floor.

(Ord. No. 2022-10, § 1, 10-17-2022)

## Sec. 110-504. Development standards.

Setback requirements.

- (1) *Street side.* All parcels shall have a minimum street side yard setback of four feet and, for every ten feet the building length exceeds 150 feet, an additional one foot of setback shall be required, up to the maximum of 30 feet. Street side yard setbacks shall be measured from back of street property line. Reduction in front yard setback may be approved by the TRC if additional conditions are met.
- (2) *Interior side yard.* The minimum interior side yard shall be 12 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:
  - a. A wall constructed of brick or maintenance-free masonry material with a stucco finish is constructed at the zero-setback side, and the opposite side yard is increased to 24 feet.
  - b. In the event that two contiguous property owners desire to construct buildings using zero side yard setbacks, utilizing a common driveway for ingress and egress to the rear of both properties, said opposite side yard may be reduced to 12 feet provided easements are obtained and recorded ensuring a 24-foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 24-foot accessway shall be maintained free of obstructions skyward and with no openings that would facilitate any loading or unloading, in any portion of the buildings which fronts on the easement.
- (3) *Rear yard.* There shall be a minimum rear yard setback of feet.
- (4) *Height.* Maximum height of building in the US 27 Commercial Corridor District shall not exceed 55 feet.

\*Special exception height allowance may be authorized by the imposition of additional conditions of approval, if all negative impacts are ameliorated, height maximum may be increased not to exceed 65 feet.

(Ord. No. 2022-10, § 1, 10-17-2022)

## Sec. 110-505. Reserved.

## Sec. 110-506. Trash receptacles.

- (a) All properties must comply with chapter 74, article VI.
- (b) Trash receptacles located on public sidewalks for use by pedestrians shall be consistent with the size and style approved by city public works department.

(Ord. No. 2022-10, § 1, 10-17-2022)

## Sec. 110-507. Parking.

- (a) *Alternative parking plans (APP).* An alternative parking plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with Code requirements. Applicants seeking to meet the requirements of this section by alternative means shall be required to secure approval of an alternative parking plan by the technical review committee (TRC).
  - (1) *Contents:* Alternative parking plans shall be submitted in a form and with such documentation as established by the community development director. At a minimum, such plans shall include the parking alternative and rationale for how the alternative will compensate for the provision of the required parking on site.

- (2) *Eligible alternatives:* Potential alternatives to be considered include, but are not limited to:

*Shared parking:* Shared parking is encouraged to promote efficient use of land and resources by allowing users to share off-street parking facilities for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

- a. *Location.* Shared off-street parking spaces shall be located no further than 600 feet from the buildings and uses they are intended to serve.
- b. *Shared parking agreement.* A shared parking plan shall require an application for shared parking and submission of a shared parking agreement, acceptable to the community development director and city attorney, which shall include an agreement by the owners(s) of record of the parking area and of the applicant. The owner who has applied for shared parking shall be responsible for recording the shared parking agreement in the county's official records and providing copies of the recorded agreement to the city prior to the issuance of site plan approval. The agreement shall specify that the shared spaces are not leased for a use that operates during the same time frame and would create a conflict. The agreement shall specify the time frame, number, and location of spaces to be shared.
- c. *Site plan.* A site plan shall be submitted to indicate the spaces that are to be shared, the location and access to the properties to be served, the number of spaces, and the projected time of use of the properties which are sharing the spaces.
- d. *Changes in uses or other conditions.* Once established, in order to maintain compliance with a shared parking agreement, the owner shall take one of the following actions to address any change in the uses identified in the agreement which would cause an increase in parking demand or to address a finding of any other related change in conditions by the community development director:
  1. Submit a new shared parking plan agreement approved by the community development director with an application to officially amend the shared parking plan approval for the property.
  2. Provide the required number of parking spaces for each use to negate the need for shared parking and submit an application to officially amend the site plan approval accordingly.
  3. Revise the existing shared parking agreement addressing the changes.

Until such action is taken a certificate of zoning compliance shall not be approved for any proposed use on the property subject to the shared parking agreement which generates a parking demand, as determined by the town's parking requirements, which exceeds that of the previous use identified in the shared parking agreement.

- (3) *Credit for on-street parking spaces.* On-street parking spaces may be used to satisfy 50 percent of the requirements for off-street parking. Such on-street parking may be located in the public right-of-way and shall be located within 1,000 feet of the use. All such spaces must meet size and delineation requirements.
- (4) *Bicycle parking.* The TRC may approve a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists.
  - a. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.

- b. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

(b) *Parking lot landscaping.* The following shall apply:

- (1) A landscaped area shall have a minimum width of two feet, excluding curbs, retaining walls or similar enclosing structures.
- (2) All front yard perimeter landscaping shall include concrete, masonry or metal barriers to contain and/or protect landscaping materials.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-508. Landscape requirements.**

All areas not improved for parking, or occupied by a structure, or paved walkway, shall be landscaped in accordance with the landscaping requirements as follows:

- (1) *Quality.* Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the state department of agriculture, or equal.
- (2) *Trees.* Tree species shall have a minimum of five feet of clear trunk immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall be prohibited.
- (3) *Shrubs and hedges.* Shrubs and hedges shall be a minimum of two feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous unbroken solid visual screen within one year after time of planting. At intersections and driveways, shrubs cannot be more than 24 inches high at maturity and any tree, in the visibility triangle, must have at least seven feet of clear trunk immediately after planting.
- (4) *Vines.* Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
- (5) *Ground covers.* Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage and shall be used with a decorative mulch, such as pine or cypress bark or other material of a similar nature. In no instance shall stone or gravel be utilized for more than 20 percent of the ground cover area.
- (6) *Plan approval.* All new construction, prior to the issuance of a building permit, must have a landscape plan approved by the TRC. The landscape plan shall be drawn to a scale not less than one inch equals 20 feet and shall include all pertinent dimensions, walls, parking spaces, and vehicular use areas, buildings and accessory structures, pools, ponds and waterways, hydrants and irrigation systems, landscape materials, including types and location of planting protective devices, and a stormwater management plan with calculations.
- (7) *Installation.* All landscaping shall be installed in accordance with the landscape plan prior to issuance of a certificate of occupancy. All landscaping shall be installed in accordance with accepted landscape practices.
- (8) *Maintenance.* The owner and tenant, if any, shall be jointly and severally responsible for the maintenance of all landscaping, and landscaped areas shall be so maintained as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. If trees, shrubs, or other landscape material should die, such materials must be replaced within 30 days.

- (9) *Preservation of existing plant material.* Where healthy plant material exists on a site prior to its development, an applicant will be encouraged to retain such landscaping where possible.
- (10) *Landscaped areas.* 50 percent of all lot lines fronting a public street shall be landscaped.
- (11) *Other materials.* Required landscaped areas shall be adequately landscaped with shrubs, grass, ground cover, or other approved landscape treatment. The TRC may approve alternative landscaping plans that include container plantings.
- (12) *Areas abutting an interior property line.* On any parcel providing an off-street parking area or other vehicular use area, storage area, outdoor dining area, or loading area there shall be provided landscaping between such area and the property line as follows:

Areas abutting to residential zoning: Where such area abuts property zoned for residential for that portion not entirely screened visually by an intervening structure or conforming buffer on the subject property, there shall be provided a landscaped buffer.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-509. Fences, walls and hedges.**

Fences, walls and hedges shall be constructed and maintained in accordance with section 110-524 Fences, walls and hedges with the following exceptions:

- (1) Chain link fences and other wire fences are prohibited in front yard of lots in the US 27 Commercial Corridor District. Other fencing subject to TRC approval.
- (2) Barbed wire and razor wire are prohibited.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-510. Outside storage.**

Except as expressly permitted by this section, no material, refuse, machinery, merchandise, or vehicles shall be stored outside of any enclosed structure within this district. This requirement shall not apply to the following:

- (1) Placement, storage, or keeping of construction equipment, tools, supplies, material, pallets, and all other material related to new construction, provided that all required permits have been obtained for that construction, and that all materials and products shall be removed from the premises promptly upon completion of that construction.
- (2) Motorized vehicles, boats or recreational vehicles for sale by an authorized dealer provided such outdoor storage is solely for display of vehicles immediately available for sale or lease.
- (3) Other outside storage uses as expressly permitted under a final site plan approval by the TRC.

(Ord. No. 2022-10, § 1, 10-17-2022)

### **Sec. 110-511 Accessory structures.**

Accessory structures located within the US 27 Commercial Corridor District must comply with the following regulations.

- (1) All accessory uses shall not exceed 30 percent of the gross floor area of the principal use. An accessory use shall be located on the same lot as the principal use, except for off-site parking, as approved by a valid development order.
- (2) Maximum height shall not exceed the principle structure or 20 feet in height.
- (3) Accessory structures shall not be used as living quarters.
- (4) Shall not be located on street side or front yard of parcel.
- (5) Exterior of structure shall match the principal building aesthetically.

(Ord. No. 2022-10, § 1, 10-17-2022)

**Secs. 110-512—110-523. Reserved.**

