

**MINUTES OF THE TOWN OF LADY LAKE
REGULAR PLANNING AND ZONING BOARD MEETING
LADY LAKE, FLORIDA**

**March 13, 2017
5:30 p.m.**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

CALL TO ORDER: Vice Chairperson/Member Sigurdson

PLEDGE OF ALLEGIANCE

ROLL CALL: Carole Rohan, Member
William Sigurdson, Vice Chair/Member
Robert Conlin, Member
Regis LeClerc, Member

ABSENT: John Gauder, Chairperson

STAFF MEMBERS PRESENT: Thad Carroll, Growth Management Director; Wendy Then, Town Planner; Carol Osborne, Staff Assistant to Town Clerk; and Kris Kollgaard, Town Manager

Also Present: Attorney Sasha Garcia, BRS Legal

OPEN FORUM:

Vice Chairperson/Member Sigurdson asked if anyone in the audience wished to speak. There were no comments.

NEW BUSINESS:

1. Approval of Minutes – February 13, 2017 Regular Meeting

Upon a motion by Member Conlin and a second by Member Rohan, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board meeting of February 13, 2017 by a vote of 4-0.

2. Selection of Chairperson and Vice Chairperson

Growth Management Director Thad Carroll stated because Member Gauder is not present tonight, the Board could elect to wait until a full Board is present to select the Chairman and Vice Chairman.

Vice Chairperson/Member Sigurdson stated the Board will proceed with the selections tonight. He opened the floor for nominations for the Planning and Zoning Board Chairperson and Vice Chairperson.

Upon a nomination by Member LeClerc and a second by Member Rohan, the Planning and Zoning Board elected to retain Mr. Gauder as Chairperson of the Planning and Zoning Board by a vote of 4-0.

Upon a nomination by Member Rohan and a second by Member LeClerc, the Planning and Zoning Board elected to retain Mr. Sigurdson as Vice Chairperson of the Planning and Zoning Board by a vote of 4-0.

3. Resolution No. 2017-102 – Variance Request – The Villages Operating Company – Pursuant to Town of Lady Lake Land Development Regulations Chapter 5, Section 5-4. n). 4). E). 3). a). - Requesting a 10-foot East Side Yard Setback and a 15-foot West Side Yard Setback Instead of the Required 25 Feet to Erect a Warehouse Building on a .46-Acre Parcel – Located at 505 Sunbelt Road (Alternate Key 3792693) (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated the applicant, Martin L. Dzuro, on behalf of The Villages Operating Company, has submitted an application for a variance from Chapter 5, Section 5-4. n). 4). E). 3). a)., of the Town of Lady Lake Land Development Regulations (LDRs) which requires that the side yard setback be a minimum distance of 25 feet within the Industrial (I) Zoning District. Staff recommends approval of this resolution.

On Thursday, February 9, 2017, Town staff received site plan and variance applications for a 0.46 +/- acre parcel located at 505 Sunbelt Road. The applicant proposes the construction of a 4,500 sq. ft. warehouse building, and to be able to maximize the building allowable area, the applicant is requesting to allow a 10-foot side yard setback on the east boundary and a 15-foot side yard setback on the west boundary instead of the required 25-foot setback.

Because the parcel is zoned Industrial, the applicant is permitted to establish a “Warehouses: Construction and Contractors Office, Yards and Storage” land use operation. This particular piece of property is located within the vicinity of the Duck Lake Industrial Park and is surrounded by industrial uses and the VCCDD District Wastewater Treatment Plant Plan. The site does not front a public road but has access through a 60-foot easement along Sunbelt Road.

Ms. Then presented civil plans, landscaping plans and an aerial map of the proposed site.

The subject property lies in Section 18 Township 18 South Range 24 East, in Lady Lake Florida. The future land use map designation for the site is I (Industrial) and is zoned industrial. The future land use and zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Properties	Lady Lake- Industrial (I)
Future Land Use of Adjacent Properties	
West	Lady Lake- Government Facilities (GF)
East	Lady Lake – Industrial (I)
North	Lady Lake – Industrial (I)
South	Lady Lake- Government Facilities (GF)

Zoning

Subject Property	Lady Lake - Industrial (I)
Zoning of Adjacent Properties	
West	Lady Lake - Public Facilities District (PFD)
East	Lady Lake - Industrial (I)
North	Lady Lake - Industrial (I)
South	Lady Lake - Public Facilities District (PFD)

As part of the variance application, a Justification Statement is required and has been provided. The applicant states that:

- The required setback of 25 feet restricts the feasibility and practical use of this industrial site. Site area is approximately one-half of an acre; building size of 4,500 sq. ft. is needed for economic feasibility; parking is based on building size, and storm water retention area is required for building and parking improvements.
- The land use for the adjacent site to the west and south is a wastewater treatment plant.
- The land use for the adjacent site to the east is an industrial plumbing supply warehouse.
- The land use for the adjacent site to the north is a commercial/industrial site that looks similar to the proposed site.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Notices to inform the surrounding property owners (2) within 150’ of the property of the proposed variance were mailed by on Monday, February 27, 2017. The property was also posted this same date.

Ms. Then presented photographs of the proposed site from various neighboring locations, and photographs of the posting.

The Technical Review Committee individually reviewed the variance application for Resolution No. 2017-102 on Wednesday, March 1, 2017, provided comments, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is tentatively scheduled to consider Resolution No. 2017-102 for first and final reading at the regular meeting to be held on Monday, April 3, 2017 at 6:00 p.m. The site plan for the development will be considered at the same meeting.

Ms. Then stated the applicant is present if there are any questions.

Vice Chairperson/Member Sigurdson stated the retention pond appears large in proportion to the size of the parcel. He asked if the building needs to be so large as to take 15 feet of easement on either side.

Martin Dzuro, applicant and representative for The Villages Operating Company, stated the size of the retention pond was determined by the engineers and they adhered to the St. John's River Water Management District guidelines. Regarding the size of the building, Mr. Dzuro stated the land development codes and side yard setbacks have changed since the Duck Lake Industrial Park was originally designed. The parcels were divided according to the code specifications at that time. He stated the building needs to be this size for the economic feasibility of attracting businesses.

Member LeClerc inquired about a small item on the southeast corner of the building.

Mr. Dzuro stated this is a compressor that will be used by the tenants.

Member LeClerc questioned the safety of the compressor unit outside of the building.

Jeff Head with Farner Barley and Associates, the project engineer of record, stated compressors are common at maintenance sites and industrial sites. He stated he is not aware of any dangers.

Member Conlin asked what the intended use of building will be and if there will be any hazardous material.

Martin Dzuro stated he has been told that a carpentry manufacturing company is slated to be in the building, and he does not know what materials will be used. He stated a variety of industrial uses are permitted in this zoning area.

Mr. Carroll stated the fire inspector will also review the building site plan and the material that will be stored on site; adequate fire protection will be provided in accordance with the fire codes for the Town.

Member LeClerc asked if the compressor could be installed inside the building.

Mr. Head stated he will discuss this with the architect and report back.

Vice Chairperson/Member Sigurdson asked if there were any further questions, and hearing none, asked for a motion.

Upon a motion by Member LeClerc and a second by Member Rohan, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2017-102 to the Town Commission for consideration by the following roll call vote:

<i>ROHAN</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>LeCLERC</i>	<i>YES</i>

CHAIRPERSON/MEMBERS' REPORT: There was no report.

ADJOURN

With nothing further to discuss, the meeting was adjourned at 5:46 p.m.

Carol Osborne, Staff Assistant to the Town Clerk John Gauder, Chairperson

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk