

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

**December 11, 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 opened the meeting at 5:30 p.m. and stated he would like to wait until Chairperson Gauder arrives.

Vice Chairperson/Member Sigurdson continued the meeting at 5:32 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Carole Rohan, Member
Robert Conlin, Member
John Gauder, Chairperson/Member
William Sigurdson, Vice Chair/Member

ABSENT: Regis LeClerc, Member

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

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 – November 13, 2017 Special Meeting

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board approved the minutes of the November 13, 2017 Planning and Zoning Board meeting as presented by a vote of 3-0.

Chairperson/Member Gauder arrived at 5:43 p.m. and requested that Vice Chairperson Sigurdson continue to facilitate the meeting.

2. Ordinance No. 2017-51 –Annexation – The Villages of Lake-Sumter, Inc. – Annexation of Property Being 0.65+/- Acres of Land Owned by The Villages of Lake-Sumter, Inc.; Referenced by Alternate Key Numbers 1482500, 1371228, 1483913, and 2701153; Four Lots which are Located Within Orange Blossom Gardens Units 1, 2, 3 and 4, Within Lake County, FL (Wendy Then)

Senior 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 of Lake-Sumter, Inc., has filed an application to annex property consisting of four lots located within Orange Blossom Gardens Units 1, 2, 3, and 4. The annexation application involves 0.65 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Staff recommends approval of this ordinance.

The lots are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

Ms. Then noted this is the 21st wave of annexations from The Villages, totaling approximately 79 lots. She stated the lots are located throughout different areas of Orange Blossom Gardens in The Villages.

The subject properties are located in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the properties were included with the submitted application. The lots will be served by The Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

Ms. Then presented photographs and boundary surveys of the subject properties, along with photographs of the postings.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex properties into the Town that are non-contiguous to the existing municipal boundary.

The annexation application was received on Wednesday, November 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (80) within 150 feet of the properties proposed by the annexation request were mailed Monday, November 27, 2017. The properties were also posted on Monday, November 27, 2017. Ms. Then stated there have been no objections or letters of support from the surrounding property owners.

The Technical Review Committee members individually reviewed the application for Ordinance No. 2017-51, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-51 for first reading on Wednesday, January 17, 2018 at 6:00 p.m. The second and final reading is scheduled for Monday, February 5, 2018 at 6:00 p.m.

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

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

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-51 to the Town Commission for consideration by the following roll call vote:

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

3. Ordinance No. 2017-52 – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc., From Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Four Lots Located within Orange Blossom Gardens Units 1, 2, 3, and 4 Being Approximately 0.65 +/- Acres of Land Referenced by Alternate Key Numbers 11482500, 1371228, 1483913, and 2666714), Located Within Lake County, FL (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda items (on file in the Clerk’s Office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to amend the future land use comprehensive plan designation for properties consisting of four lots located within Orange Blossom Gardens Units 1, 2, 3, and 4, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. Staff recommends approval of this ordinance.

The application involves 0.65 +/- acres of property and the lots are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

The Small Scale Future Land Use Map Amendment application was received on Wednesday, November 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Concurrency Determination Statement: A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment application, which the applicant submitted to explain expected impacts on Town services. The Villages proposes to remove the existing manufactured homes on the lots to construct conventional built homes. There will be no increase in utility services, traffic, population, or recreation use.

Ms. Then explained there will be no impact on Town services as shown below:

Potable Water - No impact; the lots are served by the Village Center Community Development District Central Water System.

Sewer - No impact; the lots are served by the Village Center Community Development District Central Sewer System.

Schools - Not factored for project; no foreseen impact of students as the project is located within an active adult retirement community.

Transportation - No impact; the existing homes will be replaced with new homes. There will be no change in average daily trip generation.

Parks & Recreation – The small-scale future land use amendment will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, The Villages provides its residents with all Park and Recreation Amenities.

Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject property involves approximately 0.65 ± acres and lies in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	1012 Aloha Way – Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake Paradise
East	Lake County Medium Urban Density
North	Lake County Medium Urban Density
South	Lady Lake Manufactured Home – High Density

Subject Properties	1411 Lester Drive – Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density
East	Lady Lake Manufactured Home – High Density
North	Lady Lake Manufactured Home – High Density
South	Lake County Medium Urban Density

Subject Properties	814 Royal Palm – Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density
East	Lake County Medium Urban Density
North	Lady Lake Manufactured Home – High Density
South	Lady Lake Manufactured Home – High Density

Subject Properties	962 Tarrson Blvd – Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lady Lake Manufactured Home – High Density
East	Lady Lake Manufactured Home – High Density
North	Lake Paradise
South	Lady Lake Manufactured Home – High Density

Comments:

- 1) Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
- 2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A),. executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
- 3) Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Ms. Then stated that each property will be reviewed individually as to which Lady Lake Flood Plain Management ordinance will be applicable, as well as the St. John’s Water Management District guidelines.

Notices to inform the surrounding property owners (80) within 150 feet of the property proposed by the SSFLUM Amendment request were mailed Monday, November 27, 2017, and the properties were also posted this same date. Ms. Then stated there have been no objections or letters of support from the surrounding property owners.

Ms. Then reported that the Technical Review Committee members individually reviewed the application for Ordinance No. 2017-52, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance No. 2017-52 on Wednesday, January 17, 2018 at 5:30 p.m. The Town Commission is scheduled to consider Ordinance No. 2017-52 for first reading on Wednesday, January 17, 2018 at 6:00 p.m. The second and final reading will be held on Monday, February 5, 2018 at 6:00 p.m.

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

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

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-52 to the Town Commission for consideration by the following roll call vote:

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

4. Ordinance No. 2017-53 – Rezoning – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – Four Lots Located within Orange Blossom Gardens Units 1, 2, 3, and 4 Being Approximately 0.65 +/- Acres of Land Referenced by Alternate Key Numbers 11482500, 1371228, 1483913, and 2666714), Located Within Lake County, FL (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to rezone property consisting of four lots located Within Orange Blossom Gardens Units 1, 2, 3, and 4. The application involves rezoning 0.65 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages that are presently in the Town of Lady Lake’s jurisdiction. Staff recommends approval of this ordinance.

The proposed properties are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

The Rezoning application was received on Wednesday, October 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Ms. Then presented zoning maps of the subject properties showing the location of the subject properties and a zoning map of the adjacent properties.

Zoning

Subject Property	1012 Aloha Way - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake Paradise
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM)
South	Lady Lake Mixed Residential Medium Density (MX-8)

Subject Property	1411 Lester Drive - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
East	Lady Lake Mixed Residential Medium Density (MX-8)
North	Lady Lake Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM)

Subject Property	814 Royal Palm - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
East	Lake County Residential Medium (RM)
North	Lady Lake Mixed Residential Medium Density (MX-8)
South	Lady Lake Mixed Residential Medium Density (MX-8)

	962 Tarrson Blvd. - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lady Lake Mixed Residential Medium Density (MX-8)
East	Lady Lake Mixed Residential Medium Density (MX-8)
North	Lake Paradise
South	Lady Lake Mixed Residential Medium Density (MX-8)

Ms. Then reported that notices to surrounding property owners (80) within 150 feet of the property proposed by the rezoning request were mailed on Monday, November 27, 2017, and the properties were posted this same date. No objections or letters of support have been received to date.

Ms. Then stated that the Technical Review Committee members individually reviewed the application for Ordinance No. 2017-53 and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-53 for first reading on Wednesday, January 17, 2018 at 6:00 p.m. The second and final reading will be held on Monday, February 5, 2018 at 6:00 p.m.

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

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

Upon a motion by Member Conlin and a second by Member Rohan, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-53 to the Town Commission for consideration by the following roll call vote:

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

5. Ordinance No. 2017-54 – Annexation – Richard L. and Jennifer L. Daniels – Annexing One Lot (5.0 +/- Acres, Alternate Key #1204046) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated that applications have been filed with the Town of Lady Lake by Arlene Udick, on behalf of property owners Richard L. and Jennifer L. Daniels, to annex one lot located approximately 665 lineal feet east of South Rolling Acres Rd. and approximately 3,325 lineal feet north of the southwest corner of Lake Ella Rd. and Rolling Acres Rd., within Lake County, Florida. The application involves annexing 5.0 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Staff recommends approval of this ordinance.

Ms. Then reported that currently there is an existing single family residence and pole barn placed on the parcel. This property is currently serviced by an existing well for potable water and a residential septic tank for drainage water and waste matter.

A map of the subject property, a boundary survey, an aerial photograph of the property, photographs of the property from various views and photographs of the postings were presented. Ms. Then stated there is an easement on the north side and on the south side of the property. The property owner utilizes the easement to access to the property.

Ms. Then stated the primary reason for the annexation is for the applicant to be able to construct a single family residence on the property. She stated that they would like to convert the existing single family residence into an accessory building and then build a new home. Originally, this lot was part of a 20-acre tract of land that was later subdivided into four parcels. Lake County indicated that because the lot split was completed by deed and not through the County’s zoning process, the lot is not recognized as a legal lot, thus the applicant cannot obtain a permit application from Lake County Building Department. To that effect, the applicant has decided to annex into the Town. The applicant’s Justification Statement that was included in the packet has more in-depth details regarding this application.

Ms. Then stated the annexation application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements.

The subject properties lie in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application. The application was found to meet the requirements of

the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (6) within 150 feet of the properties proposed by annexation request were mailed Monday, November 27, 2017, and the properties were also posted this same date. Ms. Then stated there has been one inquiry from a neighboring property owner asking if they would be required to annex into the Town.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-54, provided comments by November 27, 2017 and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-54 for first reading on Wednesday, January 17, 2018 at 6:00 p.m. The second and final reading is scheduled for Monday, February 5, 2018 at 6:00 p.m.

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

Vice Chairperson/Member Sigurdson asked if there were any questions or comments.

Vice Chairperson/Member Sigurdson asked if the Town had any issues with assuming this property to work with legally.

Ms. Then replied that once this property is annexed into the Town and is adopted within our boundaries and future land use map, the property must adhere to the zoning code for that particular zoning district.

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

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board recommended transmittal with the recommendation for approval of Ordinance No. 2017-54 to the Town Commission for consideration by the following roll call vote:

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

6. Ordinance No. 2017-55 – Small Scale Future Land Use Comprehensive Plan Amendment –Richard L. and Jennifer L. Daniels – from Lake County Urban Low Density to Lady Lake Rural Low Density for One Lot (5.0 +/- Acres, Alternate Key #1204046) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated that applications have been filed with the Town of Lady Lake by Arlene Udick, on behalf of property owners Richard L. and Jennifer L. Daniels, to amend future land use designation of one lot located approximately 665 lineal feet east of South Rolling Acres Rd. and approximately 3,325 lineal feet north of the southwest corner of Lake Ella Rd. and Rolling

Acres Rd., within Lake County, Florida. The small-scale future land use map amendment application involves 5.0 +/- acres of property, proposing a change from unincorporated Lake County into the Town of Lady Lake. Staff recommends approval of this ordinance.

The primary reason for the annexation is for the applicant to be able to construct a single-family residence on the property.

Staff Recommendation and Basis for Recommendation:

1. The request is compatible with approved land uses and developments to the north, east, south, and west of the subject parcel.
2. The requested change will not affect Town’s water and sewer facilities.

Table 1- Existing and Proposed FLU for Site

Acres	Existing FLU	Proposed FLU
5.0 +/-	<u>Lake County- Urban Low Density</u>	<u>Lady Lake Rural Low Density (RLD)</u>

Table 2- Future Land Use Descriptions

Existing FLU	Proposed FLU
<u>Lake County- Urban Low Density</u> - This land use provides a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use, unless permitted as an Economic Development Overlay District Use.	<u>Lady Lake Rural Low Density (RLD)</u> - This land use category permits one dwelling unit per five (5) net buildable acres. This designation encourages rural communities and very low density for the purpose of maximizing open space. Rural equestrian communities and low densities for the purpose of maximizing open space are encouraged within this land use.

Applicant’s Justification from Application: The proposed land use and zoning changes will not adversely impact surrounding residential and commercial properties and will serve to limit the density allowed in the future.

An amendment map and a map of the surrounding properties were presented.

The subject properties lie in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application.

The small scale application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Ms. Then reviewed the impact on Town services as follows:

Potable Water – The Town does not service water at this location. This property is currently serviced by an existing well for potable water. No connection to Town Utilities will be needed at this time; therefore, there is no impact to Town Potable Water facilities in accordance to Objective FLU 1-5 coordinating future land uses with the concurrency management system for adequate Level of Service (LOS) as per the Comprehensive Plan Goal FLU 1-5.

Sewer – The Town does not service sewer at this location. This property is currently serviced by an existing Septic Tank System for drainage water and waste matter. No connection to Town Utilities will be needed at this time; therefore, there is no impact to Town Sewer facilities.

Schools – No additional impact to school facilities is expected as only one (1) single family residence will remain on the 5-acre parcel at any given time. Using the updated Lake County student generation rates based on the recently-updated impact fee study, the current impact is a maximum of three school children (one student for each school):

	SF-DU	Single Family School Impact (based on replacement)
Total	0.328	3
Elementary	0.152	1
Middle School	0.074	1
High School	0.102	1

Transportation – No additional impact is expected in that there will be no change in the average daily trip generation.

Parks & Recreation – The annexation, small scale future land use amendment, and the rezoning applications will cause minimum impact to the Town’s Parks and Recreation facility in that the highest use would be one single family dwelling unit. This small scale future land use map shall not affect the Town’s LOS for Parks and Recreation in accordance to Goal REC1 and Objective REC1-1 of the Town’s Comprehensive Plan.

Stormwater – Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0165E effective 12/18/2012, the subject parcel is within the Flood Zone X- Outside the 500-year Floodplain.

Table 3. Adjacent Property Characteristics

Direction	Current Use	Future Land Use
West	Pasture, vegetated, undeveloped vacant residential land	Lady Lake- Single Family Medium Density (SF-MD)
East	Pasture, vegetated, undeveloped vacant residential land	Lake County – Urban Low Density
North	Manufactured Home on 5-acre parcel	Lake County – Urban Low Density
South	Manufactured Home on 5-acre parcel	Lake County – Urban Low Density

Comments:

- 1) Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
- 2) If approved, the applicant will have to submit Building Permit applications to the Town’s Building Department for the new single family residence to make structural changes to any existing structures, and/or for other miscellaneous improvements.

Notices to inform the surrounding property owners (6) within 150 feet of the properties proposed by annexation request were mailed Monday, November 27, 2017, and the properties were also posted this same date. Ms. Then stated there has been one inquiry from a neighboring property owner.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-55, provided comments by November 27, 2017, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance No. 2017-55 on Wednesday, January 17, 2018, at 5:30 p.m. The Town Commission is scheduled to consider Ordinance No. 2017-55 for first reading on Wednesday, January 17, 2018 at 6:00 p.m.

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

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

Upon a motion by Member Conlin and a second by Member Rohan, the Planning and Zoning Board recommended transmittal with the recommendation for approval of Ordinance No. 2017-55 to the Town Commission for consideration by the following roll call vote:

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

7. Ordinance No. 2017–56 – Rezoning – Richard L. and Jennifer L. Daniels – Rezoning from Lake County Agriculture (AG) to Lady Lake Agriculture (AG–1) for One Lot (5.0 +/- Acres, Alternate Key #1204046) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated that property owners Richard L. and Jennifer L. Daniels, to amend future land use designation consisting of one lot located approximately 665 lineal feet east of South Rolling Acres Rd. and approximately 3,325 lineal feet north of the Southwest Corner of Lake Ella Rd. and Rolling Acres Rd., within Lake County, Florida. The annexation application involves 5.0 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake. She stated the primary reason for the annexation is for the applicant to be able to construct a single family residence on the property

The subject properties lie in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application.

Zoning

Subject Property	Lake County Agriculture (AG)
Zoning of Adjacent Properties	
West	Lady Lake- Planned Unit Development (PUD)- Residential
East	Lake County Agriculture (AG)
North	Lake County Agriculture (AG)
South	Lake County Agriculture (AG)

The rezoning application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (6) within 150 feet of the properties proposed by annexation request were mailed Monday, November 27, 2017, and the properties were also posted this same date. Ms. Then stated there has been one inquiry by a neighboring property owner.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-56, provided comments by November 27, 2017, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-56 for first reading on Wednesday, January 17, 2018 at 6:00 p.m. The second and final reading is scheduled on Monday, February 5, 2018 at 6:00 p.m.

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

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

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board recommended transmittal with the recommendation for approval of Ordinance No. 2017-56 to the Town Commission for consideration by the following roll call vote:

ROHAN	YES
SIGURDSON	YES
CONLIN	YES
GAUDER	YES

8. Resolution No. 2017-122 – Variance Request – Lady Lake Commercial Site MJM 10/17-001 – Variance Pursuant to Chapter 15, Art. II, Section 15-52).a).3).A). – Requesting to Allow a Two-Way Driveway to be Lengthened and Remain at 20 Ft. Wide Minimum Instead of the Required 24 Ft. – Located at 109 N. Highway 27/441 (Alternate Key #1333865 & #1333873) (Wendy Then)

Senior Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that on Wednesday, November 15, 2017, a variance application has been filed with the Town of Lady Lake by Michael Leeds with 441 & Lemon, LLC, on behalf of Whiteman Family Properties, LLC, for Affordable Lock & Security Solutions requesting a variance from the provisions of Chapter 15, Article II, Section 15-52. a). 3). A), of the Town of Lady Lake Land Development Regulations which requires that two-way commercial driveways be a minimum of 24 feet in width. Staff recommends approval.

Ms. Then stated that the applicant is requesting to allow a two-way driveway to be lengthened and remain at 20-foot wide minimum for the Lady Lake Commercial Site Project for property located at 109 N. Highway 27/441 (Alternate Key No. 1333865 & 1333873), within the Town limits of the Town of Lady Lake, Florida. The Lady Lake Commercial Site is a redevelopment project consisting of a 3,100-sq. ft. retail plaza/shopping center for the first phase, which will later be enhanced into 4,200 sq. ft. at Phase 2 after merging with the existing dentist's office (Lake Advanced Dentistry) building.

A location map and an aerial photograph of the adjacent properties were presented. Ms. Then stated this project has three frontages: one along W. McClendon, one along Hwy 27/441 and along Lady Lake Blvd.

As part of the application, a Justification Statement is required to be submitted outlining the reasons and unique challenges of the site that require such variance. Within the Justification Statement, the applicant stated the following:

- The applicant will be providing the required number of total parking spaces and the required number of ADA parking spaces, as well as adequate landscaping buffers for the site. The proposed development will be in character with development along Hwy 27/441, both north and south.
- Approval of the variance request will allow Affordable Lock to remain in the community in close proximity to its existing business location.
- FDOT acquired approximately 1,439 sq. ft. of right-of-way from this site along the west boundary, which would have been instrumental in complying with the 24-foot driveway width requirement. A Cure Plan application was approved by the Town Commission on June 6, 2011, approving reduction in the driveway width to 20 feet from the required 24 feet.
- The request is consistent with the spirit of the Code and the redeveloped site will be substantially in compliance with Code requirements considering the physical limitations of the property dimensions.

A photograph of the postings and photographs of the subject property from various view were presented.

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.

Ms. Then stated the application has been reviewed and been determined to be complete; the applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Planning and Zoning Board.

The subject property involving approximately 0.77 ± acres lies in Section 20, Township 18, and Range 24, in Lake County, Florida. The appropriate legal descriptions and a site plan of the property involved along with supplementary material have been included with the submitted applications. The Future Land Use for the site is Commercial General-Retail Sales and Services (RET) and is zoned Heavy Commercial (HC).

Notices to inform the surrounding property owners (6) within 150' of the property of the proposed variance were mailed on Monday, November 27, 2017, and the property was also posted this same date. There have been no objections or letters of support from the surrounding property owners.

The Technical Review Committee members individually reviewed the application for Resolution No. 2017-122 by November 27, 2017, deeming it complete and ready for transmittal to the Planning and Zoning Board. The Town Commission will review the application for Resolution No. 2017-122 for final consideration and concurrent with the Major Modification to Site Plan application at its regular meeting on Monday, December 18, 2017 at 6:00 p.m.

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

Vice Chairperson/Member Sigurdson asked if there were any questions or comments.

Vice Chairperson/Member Sigurdson clarified that the Planning and Zoning Board has not dealt with this property in the past.

Ms. Then stated site plans are not reviewed by the Planning and Zoning Board; however, variance requests are required to be reviewed by the Planning and Zoning Board.

Vice Chairperson/Member Sigurdson asked what the width of the driveway is on the Emergency Vehicle Access map.

Ms. Then replied it is a 20-foot width.

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

Upon a motion by Member Rohan and a second by Member Conlin, the Planning and Zoning Board recommended transmittal with the recommendation for approval of Resolution No. 2017-122 to the Town Commission for consideration by the following roll call vote:

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

CHAIRPERSON/MEMBERS' REPORT: There was no report.

ADJOURN: *With nothing further to discuss, the meeting was adjourned at 6:13 p.m.*

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

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