

1           **DRAFT PLANNING AND ZONING BOARD MEETING MINUTES**  
2                                   **TOWN OF LADY LAKE, FLORIDA**

3                                   **September 14, 2020**

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

6    **A. CALL TO ORDER**

7    Chairperson Sigurdson

8    **B. PLEDGE OF ALLEGIANCE**

9    **C. ROLL CALL:**

10   Vice Chairperson/Member Regis LeClerc; Chairperson/Member William Sigurdson; and Member  
11   Nora Choquette

12   **STAFF PRESENT:**

13   Thad Carroll, Growth Management Director; Wendy Then, Senior Planner; Becky Higgins,  
14   Development Coordinator; Deputy Chief Jason Brough, Lady Lake Police Department; Officer  
15   Mave, Lady Lake Police Department; and Carol Osborne, Staff Assistant to the Town Clerk

16   **OTHERS PRESENT:**

17   Sasha Garcia, Attorney, BRS Legal; Commissioner Paul Hannan; and Commissioner Ruth  
18   Kussard

19   **D. PUBLIC COMMENT**

20   Chairperson Sigurdson asked if anyone in attendance would like to speak. There were no  
21   comments.

22   Growth Management Director Thad Carroll requested that Item 4, Item 5, and Item 6 be heard  
23   first.

24   **E. NEW BUSINESS**

25   **1. Approval of Minutes**

26   **Member Choquette made a motion to approve the August 10, 2020 Planning and Zoning**  
27   **Board meeting minutes as presented. Member LeClerc seconded the motion, and the motion**  
28   **passed by an all-in-favor vote of 3 to 0.**

29   Chairperson Sigurdson announced that items 4 though 6 on the agenda will be heard first.

1 **4. Resolution 2020-108 — Granting a Variance for the Provisions of Chapter 17). Section**  
2 **7).A).17)., of the Town of Lady Lake Land Development Regulations to Allow the Placement**  
3 **of a Freestanding Sign Off-Premises Located 25 Feet East of the Intersection of Old Vineyard**  
4 **Road and Highway 27/441; Sign Being Situated within the Public Right-of-Way of Old**  
5 **Vineyard Road (Wendy Then)**

6 Senior Planner Wendy Then presented the background summary for this agenda item (on file in  
7 the Clerk's Office).

8 Chairperson Sigurdson asked if there will also be a sign at the entrance of CR 25.

9 Ms. Then explained that area is on private property and will not require a variance.

10 Member LeClerc and Chairperson Sigurdson expressed concerns regarding visibility.

11 Ms. Then stated the developer will construct the sign to allow clear visibility for vehicles  
12 entering. The intersection is currently signalized and when the widening project reaches this  
13 area, any unforeseen issues will be addressed.

14 Chairperson Sigurdson asked if placing the sign off of the road was considered.

15 Ms. Then stated that area would require easements from private property owners rather than  
16 right-of-way utilization permit from the Town.

17 Growth Management Director Thad Carroll noted this type of sign is known as a boulevard sign.  
18 He stated that a similar sign is located at the entrance to the Publix plaza.

19 Martin DelleBovi with the Benchmark Group stated that he has consulted with Public Works  
20 Director C.T. Eagle and the Florida Department of Transportation (FDOT) and has a copy of the  
21 Hwy 27/441 widening plans. He stated there will be no obstruction of views because of the  
22 code requirements in regard to the location of the sign placement.

23 Chairperson Sigurdson asked if there were any questions or comments from the public  
24 regarding this issue.

25 Nancy Barsic of 1810 Augustine asked if the developer pays for use of the road.

26 Mr. Carroll stated that the developer does not pay the Town for placing the sign on this road.  
27 He stated the developer submits a bond for sign maintenance and repairs, along with  
28 permitting fees.

29 Kenneth Humbard of 1235 Cabella Circle in Lady Lake asked if tractor trailers will have  
30 difficulty entering or exiting this road.

31 Mr. Dellebovi replied that the entrance to Old Vineyard Road is being widened. He advised that  
32 he conducts a truck pattern with every project and stressed that the turning ratio is not being

1 altered, just constructing a sign in the median that is 25 feet from Hwy 441 during the FDOT  
2 widening project.

3 Member Choquette stated that she finds boulevard signs beneficial as they provide clear  
4 direction for drivers when entering and existing.

5 Chairperson Sigurdson asked if there were any further questions or comments. Hearing none,  
6 he asked for a motion.

7 **Member Choquette made a motion to forward Resolution 2020-108 to the Town Commission**  
8 **with the recommendation of approval. Member LeClerc seconded the motion. The motion**  
9 **passed by the following roll call vote:**

Member	Vote
LeClerc	YES
Choquette	YES
Sigurdson	YES

10 **5. Resolution 2020-109 — Granting a Variance from the Provisions of Chapter 5). 5-4).**  
11 **n).4).B)., of the Town of Lady Lake Land Development Regulations Which Restricts Building**  
12 **Height Within the Heavy Commercial Zoning District to 45 Feet with a Limitation of Three**  
13 **Stories for Multi-Family Apartments. The Variance Request is to Allow One Apartment**  
14 **Building (BLDG F) to be Four Stories and 50 Feet in Height Within the Lady Lake Square**  
15 **Apartment Complex Proposed at the Southwest Corner of County Road 25 and Griffin**  
16 **Avenue; Referenced by Alternate Keys 3306376 and 3302494; Owned by Lady Lake Square**  
17 **LLC (Wendy Then)**

18 Senior Planner Wendy Then presented the background summary for this agenda item (on file in  
19 the Clerk's Office).

20 She advised that this project will straddle two zoning districts and two variance resolutions are  
21 before the board this evening for this project.

22 Chairperson Sigurdson verified this variance is for one building only.

23 Ms. Then stated this is building F and will have 84 units; the entire project will consist of 288  
24 units, and the remaining buildings will each be three stories in height.

25 Chairperson Sigurdson stated that he has expressed his concern with future growth in the  
26 Town pertaining to tall buildings. He stated that it does not appear that this particular building  
27 will be visible from CR 25 or from Griffin Avenue. He stated this is a good location for a four-  
28 story building because of that.

1 Member LeClerc asked if the fire department approved this plan.

2 Ms. Then advised that at this time, the applicant is looking for approval of the variance so they  
3 can move forward with the site plan process. The buildings will require fire sprinkler systems;  
4 any building with an elevator must undergo special review during site plan submittal and  
5 building permit review. All projects must be reviewed by fire and safety agencies and state  
6 agencies.

7 Chairperson Sigurdson asked if anyone in the audience would like to speak on this issue.

8 Jim C., resident of The Villages, asked if there will be onsite sewage and how will it affect the  
9 residents of Lady Lake.

10 Ms. Then stated the applicant is currently working with the Town's Public Works department to  
11 bring very needed sewer improvements to that area. She advised that this will be included in  
12 the site plan process.

13 Chairperson Sigurdson expressed his concern regarding water supply due to three major areas  
14 adding homes to the Town.

15 Anna Hanlon of historical section of The Villages asked how zoning can be approved without  
16 impact studies.

17 Growth Management Director Thad Carroll clarified that an apartment building is a permitted  
18 use in that area. He stated the applicant is just requesting to exceed the three-story height  
19 restriction and build a fourth floor on one building. He stated that impacts are analyzed during  
20 the site plan review.

21 Mr. Carroll stated the Town has adequate water and sewer supply and will be extending the  
22 sewer lines. Currently, the Town's consumption is 730K gallons per day and is entitled to nearly  
23 1.2 million gallons of water. He stressed that plans are evaluated to ensure that all of those  
24 items are in place prior to the development order and building permits are issued.

25 Mr. Carroll stated this property was designated as light commercial and heavy commercial  
26 zoning districts in the early 2000's. The Town does not have the right to deny a project that has  
27 the right to develop. He noted that the board has the right to deny the variance. He reiterated  
28 that apartment buildings are a permitted use in the light commercial and the heavy  
29 commercial zoning districts. If that right is denied by the Town, the Town would be sued.

30 Chairperson Sigurdson clarified to those in attendance that the Planning and Zoning Board is  
31 an advisory board and makes recommendations to the Town Commission. He stressed that the  
32 ultimate decision on any issue is made by the Town Commission. He stated that those with

1 concerns regarding this issue need to attend the Town Commission meeting when this issue  
2 comes before them.

3 Mr. Dellebovi clarified that the height of this building is 46-feet, which is the same height as a  
4 three-story building. However, because Building F will be serviced with an elevator, the actual  
5 reading is to the top of the elevator shaft which takes it to the 50-foot height. This is state code  
6 and is reviewed by local fire services and state code. If this project does not meet the  
7 requirements, it will not be approved by those entities.

8 Member LeClerc stated that he is not in favor of a four-story building.

9 Member Choquette clarified with Mr. Carroll that the variance is required solely because of the  
10 elevator shaft. She asked if the developer could construct a four-story building if the elevator  
11 shaft was not a factor.

12 Mr. Carroll replied negatively and stated that an elevator is required for a four-story building  
13 being constructed.

14 Chairperson Sigurdson asked if there were any questions or comments. Hearing none, he  
15 asked for a motion.

16 **Member Choquette made a motion to forward Resolution 2020-109 to the Town Commission**  
17 **with the recommendation of denial. Member LeClerc seconded the motion. The motion**  
18 **passed by the following roll call vote:**

Member	Vote
LeClerc	YES
Choquette	YES
Sigurdson	YES

19 **6. Resolution 2020-110 — Granting a Variance from the Provisions of Chapter 5).5-**  
20 **4).M).4).B)., of the Town of Lady Lake Land Development Regulations which Restricts**  
21 **Building Height within the Light Commercial Zoning District to 45 Feet with a Limitation of**  
22 **Three Stories for Multi-Family Apartments. The Variance Request is to Allow One Apartment**  
23 **Building (Building “F”) to be Four Stories and 50 Feet in Height Within the Lady Lake Square**  
24 **Apartment Complex Proposed at the Southwest Corner of County Road 25 and Griffin**  
25 **Avenue; Referenced by Alternate Keys 3306376 and 3302494; Owned by Lady Lake Square**  
26 **LLC (Wendy Then)**

27 Senior Planner Wendy Then presented the background summary for this agenda item (on file in  
28 the Clerk’s Office).

1 Mr. Carroll stated that the footprint of the whole development straddles two zoning districts.

2 Chairperson Sigurdson asked if there were any questions or comments. Hearing none, he  
3 asked for a motion.

4 **Member Choquette made a motion to forward Resolution 2020-110 to the Town Commission**  
5 **with the recommendation of denial. Member LeClerc seconded the motion. The motion**  
6 **passed by the following roll call vote:**

Member	Vote
LeClerc	YES
Choquette	YES
Sigurdson	YES

7 **2. Ordinance 2020-08 — Adopting the Eleventh Amendment to the Amended Development**  
8 **Order for the Tri-County Villages Development of Regional Impact (DRI) Lake County (Wendy**  
9 **Then)**

10 Senior Planner Wendy Then presented the background summary for this agenda item (on file in  
11 the Clerk’s Office).

12 Darren Taylor, representing The Villages, clarified that all that is proposed in this amendment is  
13 to add the ability to have multi-family on the second floor. He stressed that no businesses are  
14 being eliminated, just adding the option to enable the buildings to be utilized as commercial or  
15 multi-family.

16 Chairperson Sigurdson asked if there are businesses currently on the second floor.

17 Marty Dzuro, representing The Villages Lake-Sumter, Inc., stated the only area being  
18 considered for multi-family units is the former Katie Belle’s Saloon. He stressed that there are  
19 no current plans to construct multi-family units in these buildings. He stated that he has  
20 received requests for that lifestyle by current and future residents. He noted that The Lofts, a  
21 free-standing multi-family building in Brownwood, The Villages, is beginning to become  
22 successful and wants to offer that opportunity in the other town centers of The Villages.

23 Mr. Taylor added that the Town’s comprehensive plan already permits multi-family in this area.  
24 The request is to add multi-family as an option within the DRI to match what the Town already  
25 permits within the comprehensive plan. He stated that commercial use is already in place;  
26 adding residential use as a potential use adds more usability to the area.

27 Chairperson Sigurdson asked if there were any questions or comments.

1 Member LeClerc clarified that the request is not to remove any buildings or businesses; only to  
2 constructing multi-family units on the second floors of current buildings.

3 Mr. Taylor replied that the application states the use of the second floor would be the option to  
4 have the multi-family use, if needed. This application does not indicate removing any  
5 buildings.

6 Mr. Dzuro reiterated that no buildings will be removed. He stated should the commercial  
7 offices on the second floors become vacant, the option to construct multi-family units would  
8 be considered.

9 Member Choquette asked what the maximum units on the second floor would be.

10 Mr. Dzuro stated that is unknown at this time as no design has been considered.

11 Member Choquette asked if the Town will face any recourse should this board deny this  
12 request.

13 Attorney Sasha Garcia advised that this board forwards their recommendations of approval or  
14 denial to the Town Commission, as it is the Town Commissioners who make the final decision.  
15 She stated that the DRI has been amended through the state legislature and is no longer an  
16 option for the developer. The objective is to conform the language regarding the DRI by giving  
17 the Town complete control to make decisions for development.

18 Mr. Taylor stated they are not changing the amount of development permissible. He stated  
19 that multi-family residential is a permitted use in the area defined as Town Center Commercial,  
20 but it is not specifically listed with the other permitted uses.

21 Mr. Carroll clarified with Mr. Dzuro that Ordinance 2020-09 stipulates that multi-family  
22 residential units are limited to the specific four areas defined in that ordinance.

23 Member LeClerc verified that this amendment is for these locations.

24 Mr. Taylor advised that these requests are specifically for these four locations. Any future  
25 proposals would need to be presented and approved by the Town.

26 Commissioner Paul Hannan, who represents Ward 4, read a prepared statement. He stated  
27 that, as a Commissioner, he cannot vote against requests that come before him that follow  
28 state statutes and the Town of Lady Lake's regulations and codes, but he can express his  
29 opinion as a resident of the Lady Lake portion of The Villages. Commissioner Hannan stated  
30 that he is not in favor of what is presented tonight, as it is continuing the "takeaways", not  
31 stopping them. He stated the Morse family is not following the promises made originally by  
32 Harold Schwartz when he developed The Villages.

33 Several residents spoke against multi-family units in The Villages town square.

1 At 7:10 p.m. Chairperson Sigurdson called for a brief recess.

2 The meeting resumed at 7:15 p.m.

3 **Member Choquette made a motion to forward Ordinance 2020-08 to the Town Commission**  
4 **with the recommendation of approval of Item 1 — Remove References to State and Regional**  
5 **review from the DRI Development Order; and recommend denial on Item 2 — Add multi-**  
6 **family as a permitted use in the town center, Item 3 — Remove references to acreage for**  
7 **residential and non-residential uses; and Item 4 — Extend the phase and buildout dates for**  
8 **the DRI to December 31, 2025. Member LeClerc seconded the motion. The motion passed by**  
9 **the following roll call vote:**

Member	Vote
LeClerc	YES
Choquette	YES
Sigurdson	YES

10 **3. Ordinance 2020-09 — Requesting Amendment of the Planned Commercial “CP” Zoning**  
11 **Classification for Certain Property Owned by the Villages Operating Company; Located in**  
12 **the Vicinity of Main Street, Alvarez Avenue, and Del Mar Drive in Lady Lake, Florida;**  
13 **Providing for a Second Supplemental Agreement to the Regulations of the Village of**  
14 **Downtown Center (Wendy Then)**

15 Senior Planner Wendy Then presented the background summary for this agenda item (on file in  
16 the Clerk’s Office).

17 Chairperson Sigurdson asked if there were any questions or comments. Hearing none, he  
18 asked for a motion.

19 **Member Choquette made a motion to forward Ordinance 2020-09 to the Town Commission**  
20 **with the recommendation of denial. Member LeClerc seconded the motion. The motion**  
21 **passed by the following roll call vote:**

Member	Vote
LeClerc	YES
Choquette	YES
Sigurdson	YES

22 **F. CHAIRPERSON and MEMBERS’ REPORT - No report.**

23 **G. ADJOURN**

1 With nothing further to discuss, the meeting adjourned at 7:45 p.m.

2 Respectfully submitted,

3 \_\_\_\_\_

4 Carol Osborne, Staff Assistant to Town Clerk

5 \_\_\_\_\_

6 William Sigurdson, Ch10irperson