

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

February 13, 2023

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: Member Regan

PLEDGE OF ALLEGIANCE

ROLL CALL:

Member	Present
Furch	Yes
Saunders	Yes
Regan	Yes
Galloway	Yes
Vincent	Yes

STAFF PRESENT:

Thad Carroll, Growth Management Director; William Lawrence, Town Manager and Nancy Wilson, Town Clerk. Attorney Sasha Garcia was also present.

Member Regan welcomed new member Robert Galloway to sit on the Planning and Zoning Board. Mr. Galloway was chosen by the Town Commission at the February 6, 2023 meeting.

With Chairman Sigurdson's resignation at the January 9, 2023 Planning and Zoning Board meeting, a new Chairman was needed to replace him. Mr. Regan has sat in for Mr. Sigurdson in the past and is willing to be Chairman on a permanent basis. The balance of the Board supported his position as Chairman and a vote was taken.

Member Vincent made a motion to appoint Member Regan as Chairman on the Planning and Zoning Board. Member Saunders seconded. Motion carried 5-0.

Member Vincent said he was willing to be the Vice Chairman and he was supported to serve in that role.

Chairman Regan made a motion to appoint Member Vincent as Vice Chairman on the Planning and Zoning Board; Member Furch seconded. Motion carried 5-0.

A. NEW BUSINESS

1. Approval of Minutes

Member Vincent made a motion to approve the January 9, 2023, Planning and Zoning Board meeting minutes as presented; Member Saunders seconded the motion. The motion carried by a 5-0 vote.

2. Resolution 2023-101 — Variance — Hammock Oaks Subdivision — A Resolution of the Town Commission of the Town of Lady Lake, Florida, Granting a Variance to Authorize the Removal of 29 Historic Trees in Accordance with the Provisions of Chapter 10, Section 10-5. c). 3). A)., of the Town of Lady Lake Land Development Regulations, on Property Owned by SK Hammock Oaks, LLC, Located Within the Hammock Oaks Subdivision Phases 1 through 6 (Alternate Key Numbers 1770670, 1770661, 1771498, 1770653, 1279810, 1770700, 1279801, 3325451, 1279763, 1279780, and 1279828), Within the Town Limits of the Town of Lady Lake, Florida.

Growth Management Director summarized the variance request. He stated that on November 9, 2022 a certified arborist completed an arborist report on the subject properties which evaluated all historic trees proposed to be removed and scored them from 1-6, with 1 being the worst score and 6 being the best. The entire 378-acre project contains a total of 184 trees with a diameter at breast height at or above 36". Of the 184 historic trees, it was determined that 74 of those trees will need to be removed based upon the design of the approved preliminary plat. Of the 74 trees required to be removed, only 29 trees were deemed to be viable by the Certified Arborist with a score of 3 or higher.

On Monday, January 16, 2023, a variance application was filed with the Town of Lady Lake which is required per the Town's Land Development Regulations for the removal of historic trees.

The subject property encompasses approximately 378 acres of land and is zoned Lady Lake Planned Unit Development. The future land use is Mixed Development District/ Traditional Neighborhood District.

The application proposes to retain 110 historic trees, roughly 60% of the total historic count, with a total of 5,093 caliper inches saved. The 29 viable historic trees to be removed will be in the areas of the proposed roadways, stormwater management facilities, and other required infrastructure. The application notes that the project layout was designed to retain as many historic trees as possible by incorporating them into open space and amenity areas.

Member Galloway asked what is the difference between Phase 1 and Phase A?

John Curtis – Developer - Kolter Land

Mr. Curtis said that Phase 1 was broken down into three subphases: Phases A, B and C so as the property is developed and while working with the Town staff, the number of lots is not too voluminous. It was done to make it more manageable to review and present information.

Member Vincent asked about four trees, graded three and four, that were marked for removal. The first tree was numbered 805 in section 1A. It looks like it is not interfering with anything.

Mr. Curtis said that 805 is part of the commercial component of their development and is not being addressed at this time. They will be working with a commercial developer to save that tree. It was a tree that met the qualifications for removal but that does not mean it will be removed.

Member Vincent then asked about tree 808 to which Mr. Curtis responded that they are working to adjust the boundaries of the retention pond to save the tree. However, it must be shown on the plan because the pond impacts the footprint of the tree canopy.

Member Vincent said he knows that the pond is needed but there is no water retention volume, and he would like the berms to be moved back. Mr. Curtis added that during the site design, their plan is to try saving as many trees as possible.

Member Vincent asked about tree 809 that is close to the rear boundary line of a lot. Mr. Curtis said that any tree that would be impacted by the footprint of a home, even if it is just a foot into the canopy, is shown to be mitigated.

The last tree Member Vincent asked about was 827. It is another one that is affected by a berm. Mr. Curtis said if they can field modify, such as moving a berm, they will save any tree they can.

Member Vincent said the wetland buffer pond should be fenced. Mr. Curtis said that they will comply with the Code. Growth Management Director Carroll said that a slope is required by St. Johns River Water Management District (SJRWMD) and if the water is deep enough fencing will be required. The ponds are designed to be dry but they mitigate some of the runoff so it does not directly impact the wetland area. Ponds should not hold water for longer than 72 hours.

Member Galloway commented on trees that look to be on individual lots. He assumed that those trees are marked because they would impede building the house itself. Mr. Curtis responded that anytime a potential lot line falls within the canopy of a tree, it means it has to be mitigated. It does not necessarily mean that the tree will come down during construction, it just means the builder has to take into account that it could potentially be damaged or removed as part of construction so it has to be accounted for.

In conclusion, Mr. Carroll said that if the variance is approved, they are approving the worst-case scenario which is the removal of 29 trees.

Member Vincent made a motion to forward Resolution 2023-101 to the Town Commission with the recommendation of approval; Member Furch seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Galloway	Yes
Vincent	Yes
Regan	Yes

3. Lake Ella Estates Phase 1 — Final Plat Plan — Proposing a 80 Non Age-Restricted Single-Family Residential Lots Zoned RS-6 within Lake Ella Estates Subdivision, Located on the North Side of Lake Ella Road Approximately Three-Fourths Mile East of Rolling Acres Road, Addressed as 1295 Boone Boulevard, Referenced as Alternate Key Numbers 1283159 & 3462858, owned by ROIB SFR Lake Ella, LLC, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Carroll said that on December 14, 2022, the final plat of Lake Ella Estates—Phase 1 Subdivision was applied for. The Town Commission approved the preliminary plat of Lake Ella Estates—Phase 1 and a Development Order was issued on February 3, 2021.

Lake Ella Estates is a 232 lot non-age restricted single-family residence subdivision located on a total of 66.75 acres. The project has been divided into three phases. The first phase will consist of 80 lots located in the southern portion of the subdivision, abutting Lake Ella Road.

The Final Plat Plan was reviewed to determine compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177.

The Town Commission approved Ordinance 2005-25 on October 6, 2005, establishing the zoning for the 66.75-acre parcel as Residential Single Family Medium Density (RS-6).

The Lake Ella Estates—Phase 3 Subdivision Preliminary Plat Plan received approval by the Town Commission and the Development Order was issued on February 3, 2021. An agreement for sewer and water was executed between the owner and the Town and adequate capacity has been allocated.

Member Vincent commented that he appreciates the 50-foot-wide streets that will accommodate traffic and parked cars.

Member Furch made a motion to forward Lake Ella Estates Phase 1 Final Plat Plan to the Town Commission with the recommendation of approval; Member Saunders seconded the motion. The motion passed by the following roll call vote:

Member	Present
Furch	Yes
Saunders	Yes
Galloway	Yes
Vincent	Yes
Regan	Yes

CHAIRPERSON and MEMBERS' REPORT

Growth Management Director Carroll said that he hopes to have all five members attend the next meeting so they can have a presentation on the Sunshine Law.

PUBLIC COMMENT

No public comments

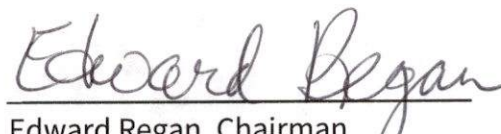
ADJOURN

The meeting adjourned at 6:02 p.m.

Respectfully submitted,



Nancy Wilson, Town Clerk



Edward Regan, Chairman