



TOWN COMMISSION MEETING AGENDA TOWN OF LADY LAKE, FLORIDA

All interested persons are cordially invited to attend this public meeting.

DATE AND TIME

Monday, June 3, 2024, 6:00 PM

PLACE

Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake

PROCEDURE

Citizens are encouraged to participate in the Town of Lady Lake meetings. Citizen groups are asked to name a spokesperson. Speakers will be limited to three minutes. Additional time may be granted at the Mayor's discretion. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.

CALL TO ORDER

INVOCATION

Pastor Tony Omerzu – Crossroad Community Church

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA

A. PROCLAMATIONS

1. Proclamation Recognizing June 2024 as Pride Month. (Vice-Mayor Roberts)

B. CONSENT

1. May 20, 2024 – Town Commission Minutes (Carol Osborne)
2. Consideration of Approval to Advertise a Request for Proposal (RFP) for Fire Inspection and Fire Plan Review Services. (Thad Carroll)

C. NEW BUSINESS

1. Discussion of Allowing For-Profit Recreation and Event Businesses the Use of the Town's Park Facilities for Events and Activities. (Mike Burske)

D. TOWN ATTORNEY'S REPORT

1. Ordinance 2024-13 - Second and Final Reading - Amending Ordinance No. 2011-11, Redefining the Boundaries of the Voting Wards of the Town of Lady Lake, Florida (Thad Carroll)
2. Resolution 2024-103 - First and Final Reading - A Resolution of The Town Commission of The Town of Lady Lake, Florida, Granting A Variance to Allow a Freestanding Sign to be Within 100 Feet of Another Freestanding Sign In Accordance With the Provisions of Chapter 17, Section 17-3. E). 1). A)., of the Town of Lady Lake Land Development Regulations, on Property Owned By Benchmark Lady Lake 25 Associates, LLC, a Property Being Approximately 1.69 Acres of Land, Located North of the Intersection of Country Road 25/Teague and North Highway 27/441, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)
3. Resolution 2024-104 - First and Final Reading - A Resolution of the Town Commission of the Town of Lady Lake, Florida, Granting a Variance to Allow a Freestanding Sign Taller Than Eight Feet to be Erected Less Than Ten Feet From the Property Line in Accordance with the Provisions of Chapter 17, Section 17-4. B). 2). A)., of the Town of Lady Lake Land Development Regulations, on Property Owned by Benchmark Lady Lake 25 Associates, LLC, A Property Being Approximately 1.69 Acres Of Land, Located North Of The Intersection of Country Road 25/Teague Trail and North Highway 27/441, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)
4. Resolution No. 2024-105 – First and Final Reading - Variance – Paradise Recreation Center - Historic Tree Removal – Pursuant to Chapter 10, Section 10-5). c).3).A)., of the Land Development Regulations (LDRs) which requires a variance for the removal of historic trees. (Historic trees are classified as a tree with a diameter at breast height (DBH) of 36” or greater). The variance request is to allow for the removal of two viable historic trees located at 1403 Paradise Drive, owned by Village Center Community Development District, within the

Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

TOWN MANAGER'S REPORT

MAYOR AND COMMISSIONER'S REPORT

PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda, and it is open to any concern or comments that the public may have.

ADJOURN

Please contact the Town Clerk's Office with any questions at 352-751-1501. This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring special accommodation or an interpreter for the hearing or visually impaired should contact the Clerk's Office at least two days prior to the meeting. To access a Telecommunication Device for Deaf Persons (TDD), please call 352-751-1565.

If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he/she may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105) One or more members of any other Town Board or Committee may be in attendance at this meeting, but will not be conducting business.

Proclamation

WHEREAS, the Town of Lady Lake cherishes the value and dignity of each person and appreciates the importance of equality and freedom, and everyone is welcome in Lady Lake to live, work and play, and every family deserves a place to call home where they are safe, happy, and supported by friends and neighbors; and

WHEREAS, Lady Lake denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles; and

WHEREAS, our nation was founded on the principal of equal rights for all people, but the fulfillment of this promise has been long in coming for many Americans; and

WHEREAS, while society at large increasingly supports LGBTQ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice; and

WHEREAS, for more than 50 years, June has been celebrated as LGBTQ Pride Month nationwide in honor of the LGBTQ citizens who rose up and fought discriminatory laws at Stonewall; and

WHEREAS, many municipalities and organizations across our nation recognize and celebrate June as LGBTQ+ Pride Month; and

WHEREAS, the Town of Lady Lake strives to be a community where everyone is celebrated for our differences, rather than being limited by what might divide us.

NOW, THEREFORE, I, Treva Roberts, Vice-Mayor of the Town of Lady Lake, Florida, do hereby proclaim the month of **June 2024** as:

“LGBTQ Pride Month”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the Town of Lady Lake to be affixed this 3rd day of June, 2024.

Treva Roberts, Vice-Mayor

Attest: _____
Nancy Wilson, Town Clerk

DRAFT MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

May 20, 2024

The regular meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida, with Mayor Freeman presiding. The meeting convened at 6:00 p.m.

CALL TO ORDER

INVOCATION

Jim Knight – Retired Cowboy Church Pastor

PLEDGE OF ALLEGIANCE

Led by Mayor Freeman

ROLL CALL

Commissioner (Ward)	Present
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Sage (Five)	YES
Freeman (Three)	YES

STAFF PRESENT

Bill Lawrence, Town Manager; Nancy Wilson, Town Clerk; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Police Chief Steve Hunt, Lady Lake Police Department; Deputy Chief Jason Brough, Lady Lake Police Department; Lt. Rob Tempesta, Lady Lake Police Department; Rebecca Higgins, Senior Planner; Tamika DeLee, Human Resources Director; Pam Winegardner, Finance Director; Aly Herman, Library Director; Lori Crain, Senior Code Enforcement Officer; and Carol Osborne, Deputy Town Clerk.

Town Attorney Derek Schroth was also in attendance.

PROCLAMATION

Proclamation declaring May 24, 2024, as Poppy Day in the Town of Lady Lake, Florida (Mayor Freeman)

Mayor Freeman read the proclamation aloud declaring May 24, 2024, as Poppy Day in the Town of Lady Lake, Florida.

A. CONSENT

1. May 6, 2024 – Town Commission Meeting Minutes (Carol Osborne)

2. Consideration of the Sewer and Water Utility Agreement for the Boulevard Oaks Subdivision – Requesting Utilities Capacity Reservation of 161 Water ERUs and 162 Sewer ERUs, for a proposed 160-unit subdivision, located on a 41.23- acre parcel owned by Palm Property Partners – Haymaker LLC, with the zoning entitlement of Planned Unit Development (PUD), located on the east side of County Road 25 (Teague Trail), lying one-quarter mile north of Marion County Road (Thad Carroll/C.T. Eagle)

Public Works Director C.T. Eagle stated that the property owners will be extending and funding the water and sewer line infrastructure from Griffin Ave. to the subject property. He explained that the agreement includes an oversize reimbursement clause meaning that the property owners are being reimbursed for the portion of the lines that the Town requested they install which is beyond what they need for the development. He stated that the property owners can get those credits over a five-year period up to a certain amount. After five years of collecting impact fees, the oversize reimbursement clause expires. He advised that the current water and sewer facilities are sufficient to serve this project, adding that the new water plant and sewer plant will be coming online soon.

Commissioner Roberts made a motion to approve the Consent Agenda as presented; Commissioner Gourlie seconded. Motion carried 5-0.

B. NEW BUSINESS

3. Consideration of Reduction of a lien for Code Enforcement Case Number 23-1524 in the amount of \$176,300.00 for property located at Lake Ella Estates for Repeat Violations of Town of Lady Lake Land Development Regulation Section 13-54, Required Use of Best Management Practices and 13-7(f), Clearing and Grading Standards (Lori Crain)

Senior Code Enforcement Officer Lori Crain presented this agenda item stating that the lien is the result of the accrual of daily fines at Lake Ella Estates. She stated that this case was opened in June 2023 after complaints were received of a breach of the silt fencing that caused the sediment erosion onto adjacent properties. The property and the property owner were previously established as Repeat Offenders by Order of the Special Magistrate in September 2021, in Case 21-8195. She advised that Case 23-1524 is the fourth repeat violation of the State of Florida statutes concerning Best Management Practices and the National Pollutant Discharge Elimination System (NPDES). She advised that the Town of Lady Lake is

required to enforce these statutes and has established identical requirements in its Land Development Regulations Chapter 13, Stormwater Management. She stated that all the violation notices and hearing notices were prepared, mailed, delivered, and posted as required by FL Statute 162. She advised that complete compliance of the property was obtained early January 2024.

Ms. Crain stated that the request for the reduction of lien was first presented at the February 27, 2024, Special Magistrate hearing, yet the case was continued by the Magistrate to allow time for her and the Respondent's attorney to discuss the case. She added that new violations were cited in late January. She stated that the Respondent petitioned to consider the expenses incurred for the construction of a large retaining wall in lieu of paying the entire accrued recorded lien of \$176,300.00. She advised that the construction expenses amounted to approximately \$146,000.00. Town staff agreed with the Respondent's request and presented this recommendation to the Special Magistrate at the May 9, 2024, Special Magistrate hearing. At that hearing, Ms. Crain recommended that the Respondent pay a fine of \$5,000.00, along with the \$150.00 administrative fee. She advised that Special Magistrate Joshua Bills accepted staff's recommendation and signed the Order Reducing Lien.

Ms. Crain advised that it is the Town's policy to reduce liens to 25% of the property's appraised value or \$5000.00, whichever is less. She stated that Town staff, the Respondent and the Special Magistrate acknowledged that the Town Commission renders the final decision on these matters. She stated that it is staff's recommendation to the mayor and commission to reduce the lien to \$5,000.00 and is to be paid in full by 5:00 PM Monday, June 3, 2024, along with the \$150.00 administrative fee.

Commissioner Roberts asked Ms. Crain if she is satisfied with this decision.

Ms. Crain replied affirmatively.

Commissioner Regan asked how Ms. Crain arrived at the amount of \$5,000.00.

Ms. Crain reiterated that it is the Town's policy to reduce liens to 25% of the property value or assess \$5,000.00, whichever is the lesser amount. She stated that this is a multi-million-dollar project, therefore, \$5,000.00 is the lesser amount.

Commissioner Gourlie stated if this is a multi-million-dollar project, why reduce the lien?

Growth Management Director Thad Carroll stated that this is a new subdivision, and the lien applies to the entire subdivision. He stated that the implementation of the fees is not to be punitive; the goal is for properties to come into compliance. He advised that the Respondent has already paid approximately \$75,000.00 in fines for other violations, along with the additional expense of constructing the retaining wall. He stated that enforcing and collecting

this large amount of fines sends the message to developers that the Town will not tolerate polluting the stormwater systems.

Commissioner Gurlie agrees that \$176,000.00 is a large amount, adding that when the fines began to accrue and were not paid, there did not appear to be any urgency on their part to rectify the issue.

Ms. Crain clarified that the Respondent has paid several fines, one of which was approximately \$35,000.00. She stated with this case, the fine was recorded as a lien against the property because the property was not brought into compliance by the specified date.

Commissioner Regan stated that he does not understand why the Respondent did not bring the property into compliance yet continued to pay fines. He asked Ms. Crain how long she has been dealing with this issue.

Ms. Crain stated that the development of the property began in the spring of 2021. She added that the retaining wall was not included in original plans and was constructed at the Respondent's expense, as payment toward the lien rather than paying the lien.

Commissioner Sage asked if the Town held the lien against the Respondent until the wall was constructed to rectify the erosion issue.

Ms. Crain explained that this was a daily accruing fine due to the property not being in compliance by the specified date in the Order of Fine.

Commissioner Sage clarified that Ms. Crain is recommending that the Town forgive this lien.

Ms. Crain replied affirmatively. She added that at her discretion she stopped the lien from accruing in October 2023, because the Respondent was working toward compliance. She stated that when the issue first began, there was a misunderstanding regarding who is responsible to correct the issue, i.e., land development, landowner, contractors, etc.

Commissioner Sage asked at what point was the Respondent scared into complying? Did the lien have to accrue to this amount in order to rectify the issue?

Commissioner Roberts stated that this recommendation is coming from Town staff who are aware of the problems and the issue has been mitigated. She added that the Magistrate also recommends this reduction of lien.

Mayor Freeman asked if the Respondent would remain on Repeat Offender status.

Ms. Crain advised that once a Respondent is established as a Repeat Offender, each violation is a repeat violation, and she can assess a fine to accrue immediately. She stated that this Respondent has nearly stabilized the entire project area where the violations were occurring.

Commissioner Roberts made a motion to approve the reduction of a lien for Code Enforcement Case Number 23-1524 from \$176,300.00 to \$5,000.00 and assess an administrative fee of \$150.00 for property located at Lake Ella Estates for Repeat Violations of Town of Lady Lake Land Development Regulation Section 13-54, Required Use of Best management Practices and 13-7(f), Clearing and Grading Standards for Code Enforcement Case Number 23-1524; Commissioner Sage seconded. Motion carried 3-2. (Gourlie, Regan)

4. Consideration for the Lady Lake Area Chamber of Commerce Partner with Evely Stetler to Host Art in the Park on January 11th and 12th 2025 at Snooky Park (Mike Burske)

This agenda item is postponed.

C. TOWN ATTORNEY'S REPORT

5. Ordinance 2024-12 – (First Reading) An Amendment to the Town Charter extending commissioner terms from 2-years to 4-years and to conduct elections in even-numbered years only. To align the terms of office, if the referendum passes, Wards 1, 3, and 5 would serve three-year terms that would end in 2026 instead of 2025. (Nancy Wilson)

Town Attorney Derek Schroth advised that this agenda item is being tabled due to unclear verbiage in the ordinance. Specifically, ensuring that this ordinance is effective at the time of the election so that the new terms are four years.

6. Ordinance 2024-13 – (First Reading) – Amending Ordinance No. 2011-11, Redefining the Boundaries of the Voting Wards of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Thad Carroll presented this agenda item stating that after each census, he does his best to redefine the town ward boundaries into five equal divisions. He presented maps of the proposed wards, adding that his goal was to supply each ward with approximately 3,200 constituents. He advised that there were not significant changes to the boundaries and that the number per ward does not indicate the number of registered voters, only the number of residents in each ward.

Commissioner Roberts made a motion to approve Ordinance 2024-13; Commissioner Sage seconded.

Commissioner (Ward)	Vote
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Sage (Five)	YES

Commissioner (Ward)	Vote
Freeman (Three)	YES

Motion passed by a 5-0 vote.

TOWN MANAGER’S REPORT

Town Manager Bill Lawrence stated that he attended the Lake County Library Advisory Board meeting where the Lady Lake Library Director Aly Herman presented a video of the proposed library expansion project. He stated that the board voted unanimously to award her with the \$1-million Impact Fee Grant. He stated that she will make this same presentation to the Lake County Board of County Commissioners in August, who will make the final decision as which applicant receives the grant.

Mr. Lawrence stated that Bounce Town Bash is on June 1 at 11AM – 3PM at the Rolling Acres Sports Complex. There will be inflatables and both wet and dry attractions.

Mr. Lawrence reminded the commissioners that there is a closed meeting on Wednesday regarding cybersecurity, followed by a public meeting regarding the library renovation project.

Mr. Lawrence advised that two new police officers will be sworn in on Thursday, May 30 at 1PM. He stated that the commissioners are invited.

MAYOR AND COMMISSIONER’S REPORT

Commissioner Regan stated that a large oak tree split and fell on Avenida Central. He stated that the road was closed early Wednesday morning from Alvarez to Main Street. When he arrived, the Town’s crews were diligently working to clear the area. He received a lot positive feedback from constituents in his ward. He stated that the town is fortunate to have great staff and services, and thanked Public Works Director C.T. Eagle, Streets Supervisor Ted Williams, and the streets crew.

Commissioner Roberts acknowledge Streets Superintendent Ted Williams and the streets crew for responding to a constituent in Ward One who had a concern regarding a tree. She stated that town staff responded quickly.

Mayor Freeman reminded everyone that it is hurricane season and to make a list of necessary supplies and make a plan in the event of a hurricane event.

PUBLIC COMMENTS

Richard Bryce, 308 Del Mar Dr.

Mr. Bryce thanked Senior Code Enforcement Officer Lori Crain for her efforts in responding to complaints of residents removing trees. He stated that he is concerned with the proposed Paradise Recreation Center project where trees will be removed. He stated that there are state laws regarding the preservation of trees. He expressed his concerns regarding residents who are removing trees without a permit or an arborist report.

Lay Brother Steven Gerard Sidlovsky, 1109 W. 8th Street, Lorain, Ohio

Mr. Sidlovsky expressed his support for the Personhood Resolution and asked the commission for their support.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 6:38 p.m.

Carol Osborne, Deputy Town Clerk

Ed Freeman, Mayor



TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Consideration of Approval to Advertise a Request for Proposal (RFP) for Fire Inspection and Fire Plan Review Services. (Thad Carroll)

AGENDA ITEM ID

20240603

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTION

Staff recommend approval to Advertise a Request for Proposal (RFP) for Fire Inspection and Fire Plan Review Services.

In September of 2012, the Town of Lady Lake awarded a contract to NOVA Engineering to provide building inspection and fire inspection services for the Town. As part of the contract, Kerry Barnett was subcontracted to perform the fire inspections and fire plan review. Since that time, the Town has contracted with two other firms, M.T. Causley in 2016, and Charles Abbott Associates, Inc. in 2022, to perform building plan review and building inspections. However, the Town elected to stay with Kerry Barnett Fire Safety Consulting, LLC to perform the fire inspections and fire plan review. The Town was able to retain the services of Mr. Barnett via "piggybacking" on other active contracts that Mr. Barnett had in the State of Florida over the course of the last twelve years. Currently, Mr. Barnett no longer has an active contract to take him beyond this fiscal year with any other jurisdiction in the state; therefore, a Request for Proposal for Fire Inspection and Fire Plan Review Services must be advertised to solicit competitive proposals for these services. Upon closing of the RFP on July 11, 2024, Town staff will convene a committee to review the submitted proposals and subsequently bring forth a recommendation to the Town Commission to award a contract for services to be effective October 1, 2024.

FISCAL IMPACT

To be determined based upon bid response.

SOURCE OF FUNDING

General Fund

FUNDING ACCOUNT

001-2401-524-3410

PAST ACTIONS

None.

Backup material for this agenda item includes:

1. RFP 2024-002 Fire Services



TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Discussion of Allowing For-Profit Recreation and Event Businesses the Use of the Town's Park Facilities for Events and Activities. (Mike Burske)

AGENDA ITEM ID

20240603

DEPARTMENT

Parks & Recreation

SUMMARY

The Town has a history of having partnerships with commercial ventures utilizing our park facilities. Over the years, we have had an outside organization utilize the Log Cabin to host the Farmers Market. This relationship ended when the construction of 27/441 began. The Town took over the event and has turned it around significantly. When we partnered with the Chamber of Commerce for Art in the Park, we had two companies that programmed and staffed the event. A donation was made to the Chamber and no rent or fees were paid to the Town. Both companies did a good job of staffing the event and did most of the work. One of the companies recently approached us through the Chamber of Commerce and asked to utilize Snooky Park to host Art in the Park in very early 2025. The company did a very good job staffing the event. What I am asking this Commission is if the Town wants to pursue relationships with outside ventures such as this one and what type of fee we should be looking at. When it was discussed with the Commission about a year ago, there was not much of an appetite to charge for the use of the park and to keep the deposit low. Does the Town want to open up our park areas for large events such as this one to outside groups? Whatever is decided is what the Parks and Recreation Director will pursue.

Backup material for this agenda item includes:

None



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2024-13 - Second and Final Reading - Amending Ordinance No. 2011-11, Redefining the Boundaries of the Voting Wards of the Town of Lady Lake, Florida (Thad Carroll)

AGENDA ITEM ID

20240603

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTION

Staff recommends approval of Ordinance 2024-13 - Amending Ordinance No. 2011-11, Redefining the Boundaries of the Voting Wards of The Town of Lady Lake, Florida.

On July 6, 2011, the Town Commission of the Town of Lady Lake adopted Ordinance 2011-11, which established new commission ward boundaries for the Town. Following each decennial Census, the municipal boundary of the Town must be divided into fifths, as best possible, to apportion an equal number of residents within each of the five wards. The population of each ward according to the newly constructed map is as follows (based on the 2020 Census):

Ward One	3,247
Ward Two	3,225
Ward Three	3,140
Ward Four	3,094
Ward Five	3,213

A decennial census was conducted in 2020 and data was released regarding the population changes in Lady Lake via Geographic Information Systems (GIS) files. Staff has reviewed the data and has subsequently constructed new ward boundaries by piecing together Census Blocks in a manner which divides the Town equally among the five wards. Staff attempted to bring forth an ordinance last year, based on the same data. However, the Supervisor of Elections Office directed us not to adopt the ordinance until after the 2023 election cycle. The Supervisor of Elections Office has already been provided the necessary

information to create the voter rolls for the 2024 election cycle based upon the boundaries as depicted on Exhibit "A" of Ordinance 2024-13. The Town Commission must adopt Ordinance 2024-13 prior to any early voting to be consistent with the rolls as prepared by the Lake County Supervisor of Elections Office.

PAST ACTIONS

At the May 20, 2024 meeting, the Town Commission voted 5-0 to approve Ordinance 2024-13 upon First Reading.

FISCAL IMPACT

None.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

None.

Backup material for this agenda item includes:

1. Draft ordinance - 2024-13 Ward Amendment - NO MAP
2. Ord. No. 2024-13 - Ward Amendment - MAP ONLY
3. Pages from Ord 2024-13 Redefine Ward Boundaries

1 **DRAFT ORDINANCE 2024-13**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, AMENDING**
4 **ORDINANCE NO. 2011-11, REDEFINING THE BOUNDARIES OF THE VOTING WARDS OF**
5 **THE TOWN OF LADY LAKE, FLORIDA AND PROVIDING AN EFFECTIVE DATE.**

6 **WHEREAS**, Article 10, Section 10.04 of the Charter of the Town of Lady Lake, Florida provides
7 that the Town of Lady Lake shall be divided into five (5) voting wards, each ward with
8 approximately one-fifth (1/5) of the population of the Town of Lady Lake; and

9 **WHEREAS**, Section 10.04 of the Charter of the Town of Lady Lake requires the Town
10 Commission to redesignate the ward boundaries wherever growth or annexation creates an
11 imbalance in the approximate equality of the established wards; and

12 **WHEREAS**, additional increases to the population of the Town of Lady Lake have caused the
13 voting wards of the Town of Lady Lake to become substantially disproportionate; and

14 **NOW THEREFORE**, be it ordained by the Town Commission of the Town of Lady Lake, Florida,
15 that the following amended ward boundaries be adopted boundaries as depicted in the
16 voting ward map attached to this ordinance as Exhibit "A".

17 1. The voting ward boundaries are depicted in the voting ward map attached to this
18 ordinance as Exhibit "A".

19 2. Copies of this ordinance and the map attached hereto as Exhibit "A" shall be available
20 for public inspection in the office of the Town Clerk of the Town of Lady Lake, Florida, Monday
21 through Thursday from 7:30 a.m. to 6:00 p.m.

22 3. Any outparcel which may be subsequently annexed into the town limits will become a
23 part of the ward which contains it. In the event that an annexed area is contiguous with two
24 or more voting wards, as described above, the Town Commission of the Town of Lady Lake
25 shall designate the voting ward in which the electors of the annexed area shall vote. However,
26 nothing contained in this paragraph shall prevent the Town Commission of the Town of Lady
27 Lake from redefining the voting wards of the Town of Lady Lake in the manner set forth in the
28 Town Charter of the Town of Lady Lake.

29 This ordinance shall take effect immediately upon its final adoption by the Town Commission
30 of the Town of Lady Lake.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this
___ day of _____ 2024.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney

Passed on First Reading_____

Passed on Second and Final Reading_____



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution 2024-103 - First and Final Reading - A Resolution of The Town Commission of The Town of Lady Lake, Florida, Granting A Variance to Allow a Freestanding Sign to be Within 100 Feet of Another Freestanding Sign In Accordance With the Provisions of Chapter 17, Section 17-3. E). 1). A)., of the Town of Lady Lake Land Development Regulations, on Property Owned By Benchmark Lady Lake 25 Associates, LLC, a Property Being Approximately 1.69 Acres of Land, Located North of the Intersection of Country Road 25/Teague and North Highway 27/441, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240603

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTION

Staff recommends approval of Resolution 2024-103.

On Monday, April 22, 2024, a variance application was filed with the Town of Lady Lake, by Marty DelleBovi, on behalf of Benchmark Lady Lake 25 Associates, LLC for property located North of the Intersection of County Road 25/Teague Trail and North Highway 27/441. The variance request is pursuant to Chapter 17, Section 17-3. e). 1). A)., of the Land Development Regulations (LDRs) which does not allow freestanding signs to be placed within 100 feet of any other freestanding sign. The variance request is to allow a 20-foot-tall monument sign to be constructed 82 feet from an existing freestanding sign.

BACKGROUND

On January 23, 2019, the Town Commission approved the site plan for Lady Lake Commons and a Development Order was subsequently issued on January 28, 2019. The site plan is for a multi-tenant development proposing 85,600 square-foot retail building with four outparcels. The Development Order for the final outparcel (D) was issued on May 19, 2021. This 1.69 acre outparcel is currently occupied by TD Bank and Eyeglass World. The applicant opted to delay installing the monument sign until the road work was completed on County Road 25/Teague Trail.

JUSTIFICATION STATEMENT

The applicant's justification statement expresses that location of the proposed monument sign will need to be modified based on the location utility easements and existing sanitary line. The applicant believes that the proposed sign located at the corner of the new intersection at

County Road 25/Teague Trail and North Highway 27/441 will help to direct traffic to the south entrance of the development, helping to alleviate some congestion on Fennell Boulevard. 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:

No diminution in value of surrounding properties would be suffered; granting the permit would be of benefit to the public interest; denial of the permit would result in unnecessary hardship to the owner seeking it; the use must not be contrary to the spirit of this Code.

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. 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 five property owners within 150' of the subject property of the proposed variance were mailed on Monday, April 29, 2024. The property was also posted on Monday, April 29, 2024.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2024-103 and found it was ready for consideration by the Planning and Zoning (P&Z) Board.

At the May 13, 2024 meeting, the Planning & Zoning Board voted unanimously to forward Resolution 2024-103 to the Town Commission with the recommendation of approval.

Backup material for this agenda item includes:

1. Res. No. 2024-103 - Lady Lake Commons - Sign Variance - NO MAP
2. Res. No. 2024-103 - Lady Lake Commons - Sign Variance - MAP ONLY
3. Supporting - Benchmark Variance (2)

1 **DRAFT RESOLUTION 2024-103**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE,**
4 **FLORIDA, GRANTING A VARIANCE TO ALLOW A FREESTANDING SIGN TO BE**
5 **WITHIN 100 FEET OF ANOTHER FREESTANDING SIGN IN ACCORDANCE WITH**
6 **THE PROVISIONS OF CHAPTER 17, SECTION 17-3. e). 1). A)., OF THE TOWN**
7 **OF LADY LAKE LAND DEVELOPMENT REGULATIONS, ON PROPERTY OWNED**
8 **BY BENCHMARK LADY LAKE 25 ASSOCIATES, LLC, A PROPERTY BEING**
9 **APPROXIMATELY 1.69 ACRES OF LAND, LOCATED NORTH OF THE**
10 **INTERSECTION OF COUNTRY ROAD 25/TEAGUE TRAIL AND NORTH**
11 **HIGHWAY 27/441, WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE,**
12 **FLORIDA.**

13 **WHEREAS,** Benchmark Lady Lake 25 Associates LLC, the property owner of certain
14 real property located in the Town of Lady Lake, Florida, more particularly described
15 in Exhibit “A,” have petitioned for a variance from the provisions of Chapter 17,
16 Section 17-3, e).1).A).; and

17 **WHEREAS,** the applicants have petitioned for a variance from the provisions of
18 Chapter 17, Section 17-3, e).1).A).of the Town of Lady Lake Land Development
19 Regulations which does not allow freestanding signs to be erected closer than 100
20 feet from any other freestanding sign. The variance requested is to allow a
21 freestanding sign to be placed 82 feet from another freestanding sign.

22 **WHEREAS,** the Town Commission of the Town of Lady Lake held a public hearing to
23 consider the variance request, and having heard evidence and testimony on said
24 request, found it to be consistent with the Lady Lake Comprehensive Plan and
25 requirements for variances set forth in the Land Development Regulations of the
26 Town of Lady Lake.

27 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady
28 Lake, Florida, hereby grants a variance from the provisions of Chapter 17, Section
29 17-3, e).1).A). of the Town of Lady Lake Land Development Regulations which does
30 not allow freestanding signs to be erected closer than 100 feet from any other
31 freestanding sign. The variance requested is to allow a freestanding sign to be
32 placed 82 feet from another freestanding sign on approximately 1.69 acres of
33 property located on the at the north of the intersection of County Road 25/Teague
34 Trail and North Highway 27/441, within the Town limits of the Town of Lady Lake,
35 Florida.

This Resolution shall take effect immediately upon its adoption by the Town
Commission of the Town of Lady Lake.

RESOLVED this ____ day of _____, **2024**, in Lady Lake, Florida, by the Lady Lake
Town Commission.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution 2024-104 - First and Final Reading - A Resolution of the Town Commission of the Town of Lady Lake, Florida, Granting a Variance to Allow a Freestanding Sign Taller Than Eight Feet to be Erected Less Than Ten Feet From the Property Line in Accordance with the Provisions of Chapter 17, Section 17-4. B). 2). A)., of the Town of Lady Lake Land Development Regulations, on Property Owned by Benchmark Lady Lake 25 Associates, LLC, A Property Being Approximately 1.69 Acres Of Land, Located North Of The Intersection of Country Road 25/Teague Trail and North Highway 27/441, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240603

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTION

Staff recommends approval of Resolution 2024-104.

On Monday, April 22, 2024, a variance application was filed with the Town of Lady Lake, by Marty DelleBovi, on behalf of Benchmark Lady Lake 25 Associates, LLC for property located North of the Intersection of County Road 25/Teague Trail and North Highway 27/441. The variance request is pursuant to Chapter 17, Section 17-4. b). 2). A)., of the Land Development Regulations (LDRs) which requires signs taller than eight feet to be set back ten feet from the property line. The variance request is to allow a 20-foot-tall monument sign to be constructed at the property line.

BACKGROUND

On January 23, 2019, the Town Commission approved the site plan for Lady Lake Commons and a Development Order was subsequently issued on January 28, 2019. The site plan is for a multi-tenant development proposing 85,600 square-foot retail building with four outparcels. The Development Order for the final outparcel (D) was issued on May 19, 2021. This 1.69 acre outparcel is currently occupied by TD Bank and Eyeglass World. The applicant opted to delay installing the monument sign until the road work was completed on County Road 25/Teague Trail.

JUSTIFICATION STATEMENT

The applicant's justification statement expresses that location of the proposed monument sign will need to be modified based on the location utility easements and existing sanitary line. The applicant believes that the proposed sign located at the corner of the new intersection at

County Road 25/Teague Trail and North Highway 27/441 will help to direct traffic to the south entrance of the development, helping to alleviate some congestion on Fennell Boulevard.

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:

No diminution in value of surrounding properties would be suffered; granting the permit would be of benefit to the public interest; denial of the permit would result in unnecessary hardship to the owner seeking it; the use must not be contrary to the spirit of this Code.

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. 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 five property owners within 150' of the subject property of the proposed variance were mailed on Monday, April 29, 2024. The property was also posted on Monday, April 29, 2024.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2024-104 and found it was ready for consideration by the Planning and Zoning (P&Z) Board.

On May 13, 2024, the Planning & Zoning Board voted unanimously to forward Resolution 2024-104 to the Town Commission with the recommendation of approval.

Backup material for this agenda item includes:

1. Res. No. 2024-104 - Lady Lake Commons - Sign Variance - NO MAP
2. Res. No. 2024-104 - Lady Lake Commons - Sign Variance - MAP ONLY
3. Supporting - Benchmark Variance

1 **DRAFT RESOLUTION 2024-104**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE,**
4 **FLORIDA, GRANTING A VARIANCE TO ALLOW A FREESTANDING SIGN TALLER**
5 **THAN EIGHT FEET TO BE ERECTED LESS THAN TEN FEET FROM THE**
6 **PROPERTY LINE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 17,**
7 **SECTION 17-4. b). 2). A)., OF THE TOWN OF LADY LAKE LAND DEVELOPMENT**
8 **REGULATIONS, ON PROPERTY OWNED BY BENCHMARK LADY LAKE 25**
9 **ASSOCIATES, LLC, A PROPERTY BEING APPROXIMATELY 1.69 ACRES OF**
10 **LAND, LOCATED NORTH OF THE INTERSECTION OF COUNTRY ROAD**
11 **25/TEAGUE TRAIL AND NORTH HIGHWAY 27/441, WITHIN THE TOWN LIMITS**
12 **OF THE TOWN OF LADY LAKE, FLORIDA.**

13 **WHEREAS,** Benchmark Lady Lake 25 Associates LLC, the property owner of certain
14 real property located in the Town of Lady Lake, Florida, more particularly described
15 in Exhibit "A," have petitioned for a variance from the provisions of Chapter 17,
16 Section 17-4, b).2).A).; and

17 **WHEREAS,** the applicants have petitioned for a variance from the provisions of
18 Chapter 17, Section 17-4, b).2).A).of the Town of Lady Lake Land Development
19 Regulations which requires signs taller than eight feet to be set back at least ten feet
20 from the property line.

21 **WHEREAS,** the Town Commission of the Town of Lady Lake held a public hearing to
22 consider the variance request, and having heard evidence and testimony on said
23 request, found it to be consistent with the Lady Lake Comprehensive Plan and
24 requirements for variances set forth in the Land Development Regulations of the
25 Town of Lady Lake.

26 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady
27 Lake, Florida, hereby grants a variance from the provisions of Chapter 17, Section
28 17-4, b).2).A). of the Town of Lady Lake Land Development Regulations which
29 requires signs taller than eight feet to be set back at least ten feet from the property
30 line. The variance requested is to allow a monument sign to be erected at the
31 property line on approximately 1.69 acres of property located on the at the north of
32 the intersection of County Road 25/Teague Trail and North Highway 27/441, within
33 the Town limits of the Town of Lady Lake, Florida.

1 This Resolution shall take effect immediately upon its adoption by the Town
2 Commission of the Town of Lady Lake.

3
4 **RESOLVED** this ____ day of _____, **2024**, in Lady Lake, Florida, by the Lady Lake
5 Town Commission.

6 Town of Lady Lake, Florida

7 _____
8 Ed Freeman, Mayor

9 Attest:

10 _____
11 Nancy Wilson, Town Clerk

12 Approved as to form:

13 _____
14 Derek Schroth, Town Attorney



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution No. 2024-105 – First and Final Reading - Variance – Paradise Recreation Center - Historic Tree Removal – Pursuant to Chapter 10, Section 10-5). c).3).A., of the Land Development Regulations (LDRs) which requires a variance for the removal of historic trees. (Historic trees are classified as a tree with a diameter at breast height (DBH) of 36” or greater). The variance request is to allow for the removal of two viable historic trees located at 1403 Paradise Drive, owned by Village Center Community Development District, within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240603

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTION

Staff recommends approval of Resolution 2024-105.

The variance application is in accordance with the provisions of Chapter 10, Section 10-5). c).3)., of the Town of Lady Lake Land Development Regulations which requires the submittal of a Historic Tree Removal variance application for any property owner who desires to remove a healthy historic tree located on commercial property.

The variance request is to allow the removal of one historic Laurel Oak tree and one historic Live Oak tree located at the Paradise Recreation Center addressed as 1403 Paradise Drive, owned by Villages Center Community Development District and referenced by Alternate Key 3750047, within the town limits of the Town of Lady Lake, Florida.

A Certified Arborist evaluated all trees 119 trees on the site. The 5.25-acre property contains a total of nine historic trees. Of the nine historic trees, seven are proposed to be preserved and two are proposed to be removed.

On Wednesday, April 24, 2024, a variance application was filed with the Town of Lady Lake by Kenneth Blocker on behalf of The Villages Center Community Development District pursuant to Chapter 10, Section 10-5).c).3).A., of the Land Development Regulations (LDRs) which requires a variance for the removal of viable historic trees. (Historic trees are classified as trees with a diameter at breast height (DBH) of 36” or greater.)

BACKGROUND

The subject property is approximately 5.25 acres of land located in Section 06, Township 18, and Range 24. The property is zoned Mixed Residential Medium Density (MX-8) and the future land use is Lady Lake Manufactured Home-High Density (MH-HD).

On Tuesday, November 14, 2023, a major modification application was submitted for the Paradise Recreation Center site plan. As part of this modification, some of the existing landscaping and trees will need to be removed to accommodate the new building and amenities. Two of the trees proposed to be removed are a 36" Live Oak tree and a 52" Laurel Oak tree.

JUSTIFICATION STATEMENT

The applicant states that the removal of the historic trees is necessary because the trees are located within areas that will cause building foundation and structural column issues during the construction process, potentially hindering the longevity of the structural integrity of the new building. One of the trees is located in the area of the proposed pool and the other is very close to the proposed building foundation.

Per the submitted tree removal plan, the historic trees count for 379 tree caliper inches. Of the 379 tree caliper inches, the applicant proposes to remove 88 tree caliper inches, or 23.22% of the total historic tree inches. The landscaping plan also proposes 148.8% of the required tree caliper inches between the preserved and provided trees.

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 10-5, Section 3 – Review criteria for variances in the Land Development Requirements:

Should the Town Commission approve the applicant's request for tree removal, the applicant shall, at the time of application for tree removal pay to the Town Tree Bank, three thousand six hundred dollars (\$3,600.00) for each thirty-six-inch DBH tree, plus one hundred dollars (\$100.00) for each additional inch over the thirty-six (36) inches. This mitigation fee is to offset the loss of each historic tree. Based on the two historic trees proposed to be removed, the mitigation fee to the Town's Tree Bank would be \$8,800.00.

Developers of all non-residential or multi-family developments, requiring site plan approval are not required to submit an application for clearing and tree permit, but are required to submit a tree survey and landscape plans at the time of site plan submittal so that consideration may be given to the protection of native trees, historic trees, and vegetation.

Notices to inform the surrounding 16 property owners within 150' of the subject property of the proposed variance were mailed on Monday, April 29, 2024. The property was also posted on Monday, April 29, 2024.

BASIS FOR STAFF RECOMMENDATION

Because the applicant is retaining seven of the nine historic trees and the larger of the two trees proposed to be removed is a Laurel Oak, Staff is in support of approval of this variance. Laurel Oak trees tend to decline as they get larger, thus increasing the probability of future removal due to the health of the tree and/or safety concerns. Without the removal of these trees, the applicant would be limited on the development of this site based on the location and critical protection zone of the trees.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2024-105 and found that it was ready for consideration by the Planning and Zoning (P&Z) Board.

On May 13, 2024, the Planning & Zoning Board voted unanimously to forward Resolution 2024-105 to the Town Commission with the recommendation of approval.

Backup material for this agenda item includes:

1. Res. No. 2024-105 - Paradise Rec Center- Historic Tree Removal Variance - NO MAP
2. Res. No. 2024-105 - Paradise Rec Center- Historic Tree Removal Variance - MAP ONLY
3. Supporting - VCCDD Tree Variance

1 **DRAFT RESOLUTION 2024-105**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE,**
4 **FLORIDA, GRANTING A VARIANCE TO AUTHORIZE THE REMOVAL OF TWO**
5 **HISTORIC TREES IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 10,**
6 **SECTION 10-5. c). 3). A)., OF THE TOWN OF LADY LAKE LAND DEVELOPMENT**
7 **REGULATIONS, ON PROPERTY OWNED BY VILLAGES CENTER CDD, BEING**
8 **APPROXIMATLEY 5.27 ACRES OF LAND, ADDRESSED AS 1403 PARADISE**
9 **DRIVE, LOCATED WITHIN ORANGE BLOSSOM GARDENS, WITHIN THE TOWN**
10 **LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.**

11 **WHEREAS,** Villages Center CDD, the property owners of certain real property located
12 in the Town of Lady Lake, Florida, more particularly described in Exhibit “A,” have
13 petitioned for a variance from the provisions of Chapter 10, Section 10-5, c).3).A).;
14 and

15 **WHEREAS,** the applicants are requesting to be allowed to remove two historic trees
16 having a diameter at breast height (DBH) of at least 36 inches; located on a 5.27
17 acres addressed as 1403 Paradise Drive; and

18 **WHEREAS,** the Town Commission of the Town of Lady Lake held a public hearing to
19 consider the variance request, and having heard evidence and testimony on said
20 request, found it to be consistent with the Lady Lake Comprehensive Plan and
21 requirements for variances set forth in the Land Development Regulations of the
22 Town of Lady Lake.

23 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady
24 Lake, Florida, hereby grants a variance from the provisions of Chapter 10, Section
25 10-5, c).3).A)., of the Town of Lady Lake Land Development Regulations which
26 requires a variance for the removal of historic trees, and to allow for the removal of
27 two historic trees located on a 5.27-acre property addressed as 1403 Paradise Drive,
28 located within Orange Blossom Gardens, within the Town limits of the Town of Lady
29 Lake, Florida.

30 This Resolution shall take effect immediately upon its adoption by the Town
31 Commission of the Town of Lady Lake.

RESOLVED this ____ day of _____, **2024**, in Lady Lake, Florida, by the Lady Lake Town Commission.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney