



PLANNING & ZONING BOARD MEETING AGENDA TOWN OF LADY LAKE, FLORIDA

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

DATE AND TIME

Monday, September 9, 2024, 5:30 PM

PLACE

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

- A. August 12, 2024 — Planning & Zoning Meeting Minutes
- B. Hammock Oaks Subdivision Phase 2A — Final Plat Plan — Proposing 45 Single Family Lots on 14.17 Acres Zoned PUD within the Hammock Oaks Subdivision, located on the South Side of Highway 466, East of Cherry Lake Road, owned by SK Hammock Oaks, LLC, within the town limits of the Town of Lady Lake, Florida. (Thad Carroll)
- C. Hammock Oaks Subdivision Phase 2D — Final Plat Plan — Proposing 130 Single Family Lots on 41.10 Acres Zoned PUD within the Hammock Oaks Subdivision, Located on the South Side of Highway 466, East of Cherry Lake Road, owned by SK Hammock Oaks, LLC, within the town limits of the Town of Lady Lake, Florida. (Thad Carroll)
- D. Resolution No. 2024-108 – Variance - a Resolution of the Town Commission of the Town of Lady Lake, Florida, Granting A Variance to Allow a Monument Sign to Be Placed Less Than Five Feet from The Property Line in Accordance with the Provisions of Chapter 17, Section 17-3. E). 1). D)., of the Town of

Lady Lake Land Development Regulations, on Property Owned by Lady Lake 121 MP RK6, LLC, a Property Being Approximately 0.50 Acres of Land, located 465 Feet North of the Intersection of La Plaza Parkway and North Highway 27/441, Lying West and Adjacent to La Grande Boulevard, within the Town Limits of The Town of Lady Lake, Florida. (Thad Carroll)

CHAIRPERSON AND MEMBERS' REPORTS

PUBLIC COMMENT

ADJOURN

Notes: (1) This board is advisory. All recommendations are forwarded to the Town Commission. (2) If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or 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). (3) Please be advised that one or more members of any other Town Board or Committee may attend this meeting. (4) This public hearing is being conducted in a handicapped-accessible location. Any person requiring special accommodation at this meeting should contact the Clerk's office at least five calendar days prior to the meeting. To access a Telecommunication Device for Deaf Persons (TDD), please call 352-751-1565.

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

August 12, 2024

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: Chairwoman Dorilyn Furch

PLEDGE OF ALLEGIANCE

ROLL CALL:

Member	Present
Brinson	NO
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

STAFF PRESENT:

Thad Carroll, Growth Management Director; Rebecca Higgins, Senior Planner; Malina Wright, Development Coordinator/Planner; Nancy Wilson, Town Clerk.

Attorney Taylor Tremel was also present as were Mayor Freeman and Commissioner Sage.

NEW BUSINESS

Approval of Minutes

Planning and Zoning meeting minutes – July 8, 2024

Member Saunders made a motion to approve the July 8, 2024, Planning and Zoning Board meeting minutes as presented; Member Galloway seconded the motion. Motion carried 4-0.

Ordinance 2024-17— Rezoning — Bharat Khirbat — An Ordinance Changing the Zoning Designation for Certain Property Being Approximately 0.538 Acres Owned by Bharat Khirbat Located at the Intersection of West Hermosa Street and West Guava Street from Light Commercial (LC) to Heavy Commercial (HC) with in the Town Limits of the Town of Lady Lake, Florida.

Senior Planner Higgins stated that the applicant is Michael Abernathy and the owner is Bharat Khirbat. The property consists of three vacant buildings on just over one-half acre. The property

has frontage on both West Hermosa Street and West Guava Street, is zoned Light Commercial and is mostly surrounded by commercially zoned districts. The owner's request is to change the zoning from Light Commercial to Heavy Commercial, a designation that would accommodate general retail sales and services as well as wholesale services.

Member Galloway made a motion to forward Ordinance 2024-17 to the Town Commission with the recommendation of approval; Member Saunders seconded the motion.

Member	Vote
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 4-0.

Ordinance 2024-14 — Annexation — An Ordinance of The Town Commission of the Town of Lady Lake, Florida; Voluntarily Annexing Twenty Properties Being Approximately 358 Acres Owned by Grand Oaks Holding, LLC; Located East of County Road 25, South of Marion County Road, West of Grays Airport Road, and North of Griffin Avenue; Within Lake County, Florida.

Growth Management Director Carroll stated that he was going to present the applications in an atypical fashion. He would ordinarily present each ordinance individually (Annexation, Large Scale Future Land Use and Rezoning) allowing public comments and taking votes after each presentation. Instead, he was going to present the staff reports for all three, then allow the applicant to give his presentation followed by a presentation from the representative for Stop Grand Oaks. To avoid having the meeting end too late, the discussion would be open for public comment after the three parties have completed their presentations. Regarding public comments, Mr. Carroll asked that comments not be repetitive. He also asked that the audience refrain from booing and clapping.

Mr. Carroll stated that the applicant is Michael Rankin from LPG Urban and Regional Planners, and the property is owned by Grand Oaks Holding, LLC. The location of the 358-acre property is east of County Road 25, south of Marion County Road, west of Grays Airport Road and north of Griffin Avenue. The present use of the property is an equestrian museum and arena also allowing RV special event parking, special events with vendors, a resort facility with amenities and an on-site restaurant. Staff's recommendation is for approval of Ordinance 2024-14 which is based on Mr. Carroll's analysis of Lady Lake's Comprehensive Plan and Land Development Regulations.

The application was received in May 2024 but the applicant asked that the item be tabled until this meeting. Whatever is decided tonight, the ordinances will be transmitted to the commission. If approved at the first hearing, the application will be sent to the State which is required for large scale amendments (over 50 acres). The ordinances are likely to be revisited in October if approved.

The proposed density is 2.5 dwelling units per acre; nearby Water Oak has a density of 3.36 dwelling units per acre. There are also properties in the communities of Carlton Village and Harbor Hills which are further to the east, away from the urban center, with densities of three to four units per acre. By utilizing clustering, the proposed development will retain 50% open space exceeding the town's requirement of 25% for a Planned Unit Development designation. Although 895 homes are being proposed, the developer is retaining areas for equestrian use and trails to keep the feel of a rural community.

The application meets the requirements for consideration of annexation of non-contiguous property. In 2013, Lady Lake executed the ISBA (Interlocal Service Boundary Agreement) agreement with Lake County where contiguous contact with the municipal boundary is not required. The Town will not approve any development or issue a final development order for the annexed area unless central water and wastewater serve the development. The applicant has proposed a connection of municipal potable water and wastewater to the property, with a proposed 7,600 +/- linear foot extension to be paid for by the developer.

VOTE WAS TAKEN AFTER ALL THREE ORDINANCES WERE HEARD, PRESENTATIONS HAD BEEN MADE AND THE PUBLIC HAD BEEN GIVEN THE OPPORTUNITY TO COMMENT.

Member Saunders made a motion to forward Ordinance 2024-14 to the Town Commission with the recommendation of approval; the motion died for lack of a second.

Member Auger stated that he wants to see a better plan.

Member Galloway made a motion to forward Ordinance 2024-14 to the Town Commission with the recommendation of denial; Member Auger seconded.

Member	Vote
Saunders	NO
Galloway	YES
Auger	YES
Furch	YES

Motion carried 3-1 for approval.

A. Ordinance 2024-15 — Large Scale Future Land Use Comprehensive Plan Amendment — An Ordinance amending the Future Land Use designation from Lake County Public Service Facility and Infrastructure and Lake County Rural to Town of Lady Lake Mixed Development District/Traditional Neighborhood District; Limiting the maximum residential density to 2.5 dwelling units per acre and a maximum of 85,000 square feet of commercial development; for property being approximately 358 acres, owned by Grand Oaks Holding, LLC, located East of County Road 25, South of Marion County Road, West of Grays Airport Road, and North of Griffin Avenue; within Lake County Florida.

Growth Management Director Carroll stated that the applicant, location and proposal information is the same as Ordinance 2024-14. Upon future development, the properties must served by the town's water and sewer facilities at their expense. The closest municipal boundary to the subject parcels is approximately 1,320 feet to the east along Griffin Avenue.

The Future Land Use (FLU) designations of adjacent properties are Lake County Rural and Rural Transition allowing one, three or five dwelling units per acre. The proposed Mixed Development District/Traditional Neighborhood Design (MDD-TND) designation with a base residential density limited to 2.5 dwelling units per acre in lieu of the 12 dwelling units per acre the FLU designation provides by right. The proposed policy-specific amendment limits the commercial development to a maximum of 85,000 square feet. Policy specific means that the applicant cannot come back to amend the development without going through the public hearing process.

The demand on the water system for the proposed maximum density of the additional 358 acres, or 895 dwelling units and 85,000 square feet of non-residential uses, is approximately 183,814 GPD. Based upon the proposed uses, there is adequate capacity at the present time. Our Consumptive Use Permit (CUP) provides an allocation of 1.188 million GPD with approximately 333,110 gallons of available capacity. The proposed amendment is expected to generate a total of \$1,254,190.00 in residential water impact fees that will be used to fund capital improvements to the town's water system.

The town operates its own wastewater treatment plant with a capacity of 1.0 million gallons per day. The town currently utilizes approximately 0.520 mgpd, with an additional 0.515 mgpd outstanding flow commitments (subdivisions that have been added to the books though they have not yet been developed). Mr. Carroll stated that if all the other proposed developments were to build out, he is concerned that we may not be adequately prepared to treat the additional wastewater for this development. The applicant added to their Memorandum of Agreement that they will fund a study to determine what the town's demand is projected to be and they will contribute funds to build a new wastewater facility should the need arise, as a result of their development.

Regarding schools, the Lake County School Board calculated that the projected student generation would result in an increase of 149 students: 76 at the elementary level, 36 at the middle school level, and 37 at the high school level. The developer would have to pay \$42,000 per student for proportionate share mitigation totaling \$1,554,000.

Mr. Carroll said transportation is an area of concern among those who have contacted the town. The proposed entire development at project buildout will result in an increase of 7,660 external daily trips, of which 560 occur during the AM peak hour and 778 occur during the PM peak hour. All study segments are projected to operate at adequate levels of service at project buildout. The intersections of CR 25 and Marion County Road, CR 25 and Griffin Avenue and US 27 and Griffin Avenue are projected to operate below the adopted level of service at project buildout. The traffic engineer for the applicant has made recommendations regarding how each of the three intersections may be mitigated to operate at adequate overall levels of service.

Mr. Carroll said that the development will provide activity based recreational activities internally so Parks and Recreation will not be impacted. Similarly, they will have to adhere to St. Johns River Water Management District guidelines, drainage requirements and engineering best management practices. Six potentially occupied gopher tortoise burrows are on the property so the applicant will be required to conduct a survey prior to beginning any construction activities. If the burrows are found to be occupied, they will have to be built around or relocated. The same would be required for sand skinks.

Member Galloway made a motion to forward Ordinance 2024-15 to the Town Commission with the recommendation of denial; Member Auger seconded the motion.

Member	Vote
Saunders	NO
Galloway	YES
Auger	YES
Furch	NO

Motion failed by a tie vote. 2-2.

E. Ordinance 2024-16 — Rezoning — An Ordinance of the Town Commission of the Town of Lady Lake amending the zoning designation for certain properties being approximately 358 acres owned by Grand Oaks Holding, LLC, located East of County Road 25, South of Marion County Road, West of Grays Airport Road, and North of Griffin Avenue; within Lake County, Florida, from Lake County Community Facilities District (CFD) to Town of Lady Lake Mixed-Use Planned Unit Development (PUD).

Growth Management Director Carroll stated that the applicant, location and proposal information is the same as Ordinance 2024-14 and Ordinance 2024-15. The application was filed to rezone the subject property from Lake County Community Facilities District to Lady Lake Mixed Use Planned Unit Development.

The following uses permitted by the town's Land Development Regulations are consistent with Mixed-Use PUD zoning AG-1, RS-3, MH-9, and LC as described in the Town's Land Development Regulations. There will be a maximum of 99 special event parking spaces for self-contained RVs and/or horse trailers plus a maximum of 85,000 square feet of commercial. Special Exception Uses that have been approved include allowing horses, an equestrian arena, stables and events, a restaurant, commercial recreation facilities, religious facilities, and manufactured homes.

The following improvements will be required based upon the progression of the development:

- A right turn lane will be provided at all access driveways. The turn lane design will comply with F.D.O.T. Standards regarding the desirable lengths of tapers and storage.
- A left lane will be provided at all access driveways. The design of the turn lane will comply with F.D.O.T. Standards regarding the desirable lengths of tapers and storage.
- The intersection of CR 25 and Marion County Road shall be evaluated for alternative traffic control.
- All internal streets shall be privately owned and maintained, having a minimum right of way width of thirty feet and a minimum pavement width of twenty-four feet.
- A four-foot sidewalk shall be provided on one side of the privately owned and maintained internal streets within the residential development.

The following analysis and future improvements shall be required based upon the progression of the development:

- The Developer shall pay for a "System Analysis" to be prepared of the Town of Lady Lake's sanitary sewage system to determine flow and capacity over an eight (8) year period based upon current and proposed development projects, including the proposed phasing plan for the Grand Oaks development. Unless the Parties agree otherwise in writing, it is hereby acknowledged and understood that the cost of the System Analysis to be borne by the Developer is estimated to be \$25,000.00, which is acceptable to both parties.
- Based upon the results and conclusions of the foregoing System Analysis, the Developer will pay its proportionate share of any needed expansion to the Town's sanitary

sewage/reuse facilities to serve the Grand Oaks development in accordance with its proposed phasing plan.

- The Grand Oaks development is currently forecast to have an impact of 22,000 gallons per year for a total of 176,000 gallons to include commercial uses for sanitary sewage under its proposed eight-year phasing plan.

A few amenities that would be provided are bocce ball courts, shuffleboard courts, a library, baseball field, billiards room, fitness center and others. There may be a market, some meeting rooms, a solar farm, community garden, veterinarian services and more. The lighting will meet dark sky compliance.

Mr. Carroll completed his third presentation.

Brent Spain, Attorney - Theriaque & Spain Law Firm

Mr. Spain stated that he was present on behalf of the applicant to support the staff analysis and he asked the board members for their approval of the project.

Member Saunders said that since this is a multiphase development, what does the phasing look like.

Greg Beliveau, Project Planner – LPG Urban and Regional Planners

Mr. Beliveau said they are anticipating building 150 units per year over 8 years.

Member Galloway said that the 1.86 student generation multiplier that is being used for this development is too low. That number included many age-restricted developments; age restricted areas should not be included in the multiplier equation. Since so much depends on density, such as traffic, it is important that a realistic density factor be used. Lake County household density is 2.42. Mr. Beliveau said manufactured housing developments tend to have lower household densities. This multiplier was supplied by the school board who said single family homes tend to have higher densities; he did not know how the values are calculated but the School Board can back it up. This development will have a mixture of ages, it is an open market community. The traffic engineer utilized the type of building unit to justify their numbers so trip generation is not based solely on how many people live there.

Member Galloway said that a letter was sent from the Chairman of the Lake County Board of Commissioners to our mayor, Ed Freeman. In that letter, he said that there are no plans to improve Marion County Road or Griffin Road that are two lane roadways. Those roads will be affected by this development.

Alison Yurko, Attorney – representing Kathleen Farner and adjacent residents who are opposed to the development.

Ms. Yurko stated that there is tremendous opposition to this project from both town residents and residents who live in the unincorporated area and she added that by the end of her presentation, the board members will understand why.

Ms. Yurko has practiced in land use as a board-certified city, county and local government lawyer for about 35 years. She is an expert in annexation and has never seen a non-contiguous annexation; it is extremely unusual. She also has a strong background in utilities which is important because utilities are a very significant issue in this matter.

Ms. Yurko showed pictures of the property, describing how majestic and pristine the property is and stated that the setting is very rural. She added that the project began without permits and code enforcement board action was necessary. This project violates Comprehensive Policy Section Objective FLU 1-1; it degrades rather than enhances the rural character of the surrounding area. It is the developers burden to show that they can meet that objective by protecting the neighborhood character and establish that it is not incompatible with the surrounding area. The town is being asked to approve a baseline entitlement of 12 density units per acre. They say they are giving up the entitlements of 9.5 acres but developers never do that, they always come back for more so do not think that the density will remain 2.5 dwelling units per acre. They are essentially asking for 60 times the density of surrounding areas and there is no clear indication of where the non-residential areas will be on the property. Given all the uncertainty, the perimeter buffers are only going to be 25-35 feet.

She outlined how the proposed annexation violates provisions of Florida Statute 171, the development is not reasonably compact and there are three pockets that would be created by the annexation that violate the requirement of contiguity. Only the county has waived their right to contest the annexation because of contiguity but residents of the town retain their right to challenge. The ability of the county to waive the continuity has been conditioned; they have conditionally consented to non-contiguous annexations in the Interlocal Service Boundary Agreement. The town must either be able to show that they are presently serving the site with central water and wastewater, which they are not, or they must have a utility agreement in place concurrent with the annexation. All we have is a commitment by the developer to spend \$25,000 to have a System Analysis performed to look at how water and wastewater will be provided. They are pushing that as a requirement that there would be a developer's agreement prior to any site plan approval. After listening to the audio of the Public Works Director on December 6, 2023, he has already said the town will not have the capacity for wastewater when this project comes on board. A possible shortage may also befall the water supply. The full impacts of the project are unknown, and it is impossible to fully address water and wastewater capacity down the road plus commercial uses are unknown.

In conclusion, Ms. Yurko said the traffic studies are incomplete. Traffic impacts are more significant than what is being outlined. She also mentioned new state legislation for affordable housing called the Live, Local Act. The submitted application reads “the proposed manufactured homes will qualify as affordable housing per state legislation.” The Live, Local Act is a recent statute where the state can preempt the ability of local government to require additional hearings for rezoning or comprehensive plan amendment if a project qualifies which this project would. This could potentially qualify for 100% tax abatement. Once a property is annexed, the town loses control.

Phil Mathius – 1404 Meadow View Way

Mr. Mathius said he lives in the town limits. He complimented the presentation given by Ms. Yurko but said she did not have all the facts. The Public Works Director said there is water running up CR 25 now and if those in the audience do not like what is happening, they should purchase the property.

Growth Management Director Carroll clarified that a water and sewer agreement is not in place and does not need to be until the second and final reading. We have from now until October to develop that agreement. Should this item come back to the commission in October, the Commission would not have the ability to approve the annexation until the utility agreement is in place. Regarding the “establishment by right”, this is a policy specific amendment which means if it is recorded as a policy specific agreement, their right is established at 2.5 dwelling until per acre. Ms. Yurko stated that the developer could come back later and ask for higher density to which Mr. Carroll responded that he is not going to project what they will do at a later date but if it is recorded as a policy specific amendment, they cannot come back seeking a higher density without going through public hearings. Regarding the floor area ratio of 1.0, Ms. Yurko stated that roads and open space make that impossible. Mr. Carroll said it is possible to achieve an FAR of 1.0 by going multi-story, though he does not believe that is going to happen. Regarding future developments, they have agreed, since the application was submitted, to a maximum of 85,000 square feet. Mr. Carroll is confident that the policy specific amendment will hold. As far as the Live Local Act is concerned, that pertains to commercial property. If it was an affordable housing project on commercial property, our development process could be circumvented. The subject property is not zoned commercial. The county has drafted an agreement to not exempt taxes on properties associated with the Live Local Act.

Alison Yurko

Ms. Yurko stated that the Live Local Act is for institutional, commercial or mixed use with 65% of the project being for affordable housing so the project does fall within the parameters of Live Local. If Lake County tried to exempt themselves that would not apply because this is being

annexed into the town and her understanding is that exempting oneself does not apply to the preemption. All that Ms. Yurko believes could be exempt is the tax abatement but only if it can be established that there is a big enough supply of low to moderate income housing to meet the opt out clause. Regarding the utility agreement, the MOU and staff report are very clear that a mitigation agreement will be in place prior to any site plan approval. There is nothing about how the agreement will be required concurrent with the annexation. She does not know how that can happen given the unquantifiable nature of future impacts. Ms. Yurko knows that the 85,000 square foot maximum is stated in the MOU but it is not consistent with what is in the staff report and that concerns her especially when considering the traffic impacts.

Brent Spain

Mr. Spain stated that this is a text specific policy amendment that is routine and happens all the time in Florida; Ms. Yurko knows that. The suggestion that his client is going to come back and do a gotcha is just not true, they are capped at 2.5 units per acre. He said a comprehensive plan is a policy document that sets a maximum for property density, the property owner is not entitled to that maximum of 12 units per acre. Regarding the non-residential square footage, Ms. Yurko alluded to 217,000 square feet - the application was amended to reduce and cap the maximum square footage at 85,000. She also said that annexing non-contiguous property in Florida is not permitted because it creates pockets and enclaves. Mr. Spain quoted from Florida Statutes Chapter 171, Section 201: "The Interlocal Service Boundary Agreement Act may describe the character of land that may be annexed under this part and may provide that the restrictions on the character of land that may be annexed pursuant to part I are not restrictions on land that may be annexed pursuant to this part. As determined in the interlocal service boundary agreement, any character of land may be annexed, including, but not limited to, an annexation of land not contiguous to the boundaries of the annexing municipality, an annexation that creates an enclave, or an annexation where the annexed area is not reasonably compact." A pocket is defined by case law not by statute. Pockets refer to small, isolated areas; none of the areas Ms. Yurko showed in her presentation were small nor isolated, they all open widely to unincorporated property. Mr. Spain then commented on utility services; services need to be available concurrent with development or they need to be provided for in an enforceable development agreement. The roads, sidewalks and utilities within the boundary of the development are the responsibility of the property owner. Also, regarding the Live Local Act, an opinion has been issued that the Act does not apply to planned developments; it is not applicable to the subject property if it is rezoned. In conclusion, Mr. Spain said that their traffic consultant is one of the best in Florida. Saying that the traffic study is flawed cannot be said by Ms. Yurko or himself.

Alison Yurko

In response to Mr. Spain, Ms. Yurko brought up the Interlocal Service Boundary Agreement saying that while the county and town would have the opportunity to waive the requirements of reasonable compactness, they did not do that. Also, the ISBA is clear that while the statute allows the requirement of contiguity to be waived, it must be done the way the ISBA requires meaning that water and wastewater requirements must be available now or a binding utility agreement is necessary concurrent with annexation. There is currently not enough wastewater capacity for this project. Ms. Yurko also refuted Mr. Spain's stances on the Live Local Act and the traffic study.

Keith Farner - Leesburg

Mr. Farner said that builders always try to impress with how much will be collected in impact fees. What happens is the millage rate will be increased. He feels the Board should not vote on this matter without more information brought forth. There could be 450 children in this development. Impact fees far outweigh any benefits of this project.

Kathleen Farner – 41240 Gibraltar Road

Ms. Farner stated that her property is contiguous with one of the pockets and she is strongly opposed to the development. She and others attended a meet and greet put on by the developer where she asked questions yet they never responded to them. Ms. Farner is worried about density and having a road by her fence. Their application has omitted critical information and that is a concern. She is also concerned about density.

Member Saunders said there was a lot of talk about the project at the meeting and he wants to know if the attorney has any comment on what has been said.

Town Attorney Tremel said that it is important when making a decision, that the board members ignore speculation and only focus on what is known and the three ordinances under consideration.

Member Saunders said he has a lot of faith in the work performed by staff and feels he should support them. They have made recommendations based on professional knowledge from the county and state. Being a resident of Lady Lake, he supports staff recommendations.

Chairwoman Furch said they must take the emotion out of it and go by the letter of the law.

Tom Frost - 5650 Marion County Road

Mr. Frost countered what Mr. Carroll said about the Live Local Act. He is a developer and he knows that the Live Local Act does not just apply to commercial property. In a residential development, once 30% of the land has been designated low income, a lot of rules are thrown out the window. He pointed out that the subject property is in a country area and is being

marketed toward families. Public safety is very important and the last thing that Lady Lake wants to be responsible for is installing sidewalks and streetlights on Marion County Road or Griffin Avenue.

Mr. Carroll responded that the two roads mentioned are county roads and any development along those corridors would be the responsibility of the developer. He concurred with Mr. Frost that there are applications of Live Local in residential areas. The point he tried to make is that Live Local allows developers to go into commercial property even though they are not zoned for multi-family development.

James Ricketson – 5605 Strong Point

Mr. Ricketson said he is a Battalion Chief for a local fire department. What the developers are proposing is a trailer park, affordable housing which translates into low income. As a firefighter, he responds every day to low-income trailer parks. The yards are messy, drugs and alcohol are prolific and access to the areas is poor. He does not feel this is what they want their city to become.

Lisa Joseph – 40432 Morning Mist Drive

Ms. Joseph stated that her house is across the street from the Grand Oaks entrance. She moved to the area because of how quiet and beautiful it is. The roads flood now so it is only going to get worse with the added traffic. Florida is losing the beauty that people come here for. Also, more police officers will have to be hired. The town should take a pause in considering this application.

Andre Nana– 2202 Marion County Road

Mr. Nana stated that Greys Airport Road is used as a drug route that connects the Ocala National Forest with Fruitland Park. Currently, policing is provided by the Sheriff's Department. If this project is approved there will be 895 additional houses with associated traffic. The jurisdiction will be shared with Lady Lake who already has difficulty hiring police officers and there will be jurisdictional disputes not to mention a huge added expense to Lady Lake. The town has about 16,000 people and projects have been approved that will increase the population to 25,000. Just because town staff recommends approval, that does not mean that you must approve. There is no legal obligation to approve the project. If the project is approved there will likely be legal consequences.

Jon Arbuthnot - 5119 Marion County Road

Mr. Arbuthnot said he has lived here for 30 years, and he and his neighbors want the area to stay rural. He said the ISBA is an agreement between the county and the town where the people are left out of the process. Prior to the ISBA, notices had to be sent to surrounding property owners

notifying them of what change is being proposed and a decision is made; an ISBA overrides that. The Board should represent the town. If this project is so good, where are all the people speaking in favor of it.

Mr. Carroll added that some jurisdictions have interlocal boundary agreements where if it goes into a county, town or city, the land use or zoning is already pre-prescribed; we do not have that. In Lady Lake, a property is not going to be zoned, annexed or go through the comp change process without first holding public hearings. The town must give an applicant a venue to go through the process to pursue their request to change zoning, etc.

Town Attorney Tremel said there is no requirement for the board to engage the speakers. They are here to give comments.

Bruce Cynamon - 17844 SE 159th Avenue

Mr. Cynamon thinks the stated number of 1.8 occupants per unit is too low. Lower income people usually have more children. People who are buying starter homes tend to be younger and are more likely to have children. Maybe this should be referred to staff for more analysis. There are three intersections that will be negatively impacted by this development if it goes through adding to the already heavy traffic.

Mike Mullen - 401526 Saddle Ridge Lane

Mr. Mullen stated that Florida is growing by leaps and bounds especially over the last few years. This development does not fall in the category of smart or common-sense growth. There is nothing stated in the applications about how the landscape is going to be protected. The 35-foot setback should be at least 200 feet.

Tom Nash – 3546 Griffin Avenue

Mr. Nash said that 90% of the project will be in his front yard. 791 trees will be removed based on the tree study he reviewed. He is a former Public Works Director and arborist so he is well versed on what the developer plans to do with the property. He did not invest in his property and build his house to be in the position he is now in. Further, he does not agree with the traffic study and feels that the impact to the roads will be greater than stated. This project will not be in the best interest of Lady Lake. Staff does not always knock it out of the park. Decisions made regarding this project will change the surrounding neighbors lives forever.

Stephanie Stokes - 39601 French Road

Ms. Stores is a 6th generation Floridian and she wants to maintain the rural farm way of life in this area. Lady Lake is losing her identity. Quality over profit is what should matter.

Sabrina Karim - 606 College Avenue

Ms. Karim keeps her horse at Grand Oaks and rides every day; she cannot afford to purchase land to keep her horse. Low-income people paying lot rent in this area are going to be trapped by the developer holding their mortgage, their insurance and their property in the form of lot rent. It will only get worse as the development ages. The only people who win are the owner and the developer.

Deborah Maurer – 29246 Beauclaire Drive

Ms. Maurer stated that she also keeps her horse at Grand Oaks, it is a very special place. There are other things that can be done with that property. She agrees with the previous speaker who said that low-income people are being taken advantage of with developments like this one because they are at the mercy of those leasing the property and setting their monthly fees.

At the conclusion of public input, Chairwoman asked for motions starting with Ordinance 2024-14.

Member Galloway made a motion to forward Ordinance 2024-16 to the Town Commission with the recommendation of denial; Member Auger seconded the motion.

Member	Vote
Saunders	NO
Galloway	YES
Auger	YES
Furch	NO

Motion failed by a tie vote. 2-2.

CHAIRPERSON AND MEMBERS REPORT

There were no comments.

ADJOURN

The meeting was adjourned at 8:01 p.m.

Nancy Wilson, Town Clerk

Dorilyn Furch, Chairperson



PLANNING & ZONING BOARD MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Hammock Oaks Subdivision Phase 2A — Final Plat Plan — Proposing 45 Single Family Lots on 14.17 Acres Zoned PUD within the Hammock Oaks Subdivision, located on the South Side of Highway 466, East of Cherry Lake Road, owned by SK Hammock Oaks, LLC, within the town limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240909

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Hammock Oaks Phase 2A Subdivision - Final Plat Plan Application to the Town Commission with the Recommendation of Approval.
 2. Motion to forward Hammock Oaks Phase 2A Subdivision - Final Plat Plan Application to the Town Commission with the Recommendation of Denial.
- Staff is in support of Motion Number 1.

SUMMARY

On Monday, July 8, 2024, Aaron Hickman, PSM, of CWH, Inc on behalf of SK Hammock Oaks, LLC, applied for the final plat of Hammock Oaks —Phase 2A Subdivision. The Town Commission approved the preliminary plat of Hammock Oaks on Wednesday, January 4, 2023. The Development Order for Phase 2A was subsequently issued on Thursday, October 5, 2023.

Hammock Oaks Subdivision consists of eleven phases. Phase 2A consists of 45 market rate single family lots on 14.17 acres.

The Final Plat Plan was reviewed to determine compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177. The following items are included in the packet:

- Review of the final plat completed by Town Attorney on August 20, 2024.
- Final Plat Review completed by Town Surveyor dated September 8, 2023.
- Joinder and Consent to Dedication dated July 29, 2024.
- Subdivision Bond dated July 31, 2024.
- Title Examination dated April 22, 2024.
- Revised Final Subdivision Plat Plans submitted on August 15, 2024.

BACKGROUND

The Town Commission approved Ordinance 2021-25 on February 23, 2022, establishing the zoning for the 421-acre parcel as Planned Unit Development (PUD). The Town Commission subsequently approved Ordinance 2022-15 on October 17, 2022, amending the previous entitlements of the Memorandum of Agreement.

The Town Commission approved the preliminary plat of Hammock Oaks on Wednesday, January 4, 2023. The Development Order for Phase 2A was subsequently issued on Thursday, October 5, 2023.

The Sewer & Water Agreement has been executed between Town of Lady Lake and the Property Owner/Developer to allocate adequate capacity for the lots within the Hammock Oaks Subdivision.

COMMENTS

Satisfied/Revised Items:

- Applicant has addressed all outstanding Town Attorney comments.
- Applicant has addressed all outstanding surveyor comments.

PAST ACTIONS

The Technical Review Committee (TRC) members individually reviewed the application, finding the application complete and ready to move forward to the Planning & Zoning Board.

PUBLIC HEARINGS

The Town Commission's first and final reading of the Final Plat is scheduled for Monday, October 7, 2024, at 6:00 p.m.



PLANNING & ZONING BOARD MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Hammock Oaks Subdivision Phase 2D — Final Plat Plan — Proposing 130 Single Family Lots on 41.10 Acres Zoned PUD within the Hammock Oaks Subdivision, Located on the South Side of Highway 466, East of Cherry Lake Road, owned by SK Hammock Oaks, LLC, within the town limits of the Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240909

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Hammock Oaks Phase 2D Subdivision - Final Plat Plan Application to the Town Commission with the Recommendation of Approval.
 2. Motion to forward Hammock Oaks Phase 2D Subdivision - Final Plat Plan Application to the Town Commission with the Recommendation of Denial.
- Staff is in support of Motion Number 1.

SUMMARY

On Monday, July 8, 2024, Aaron Hickman, PSM, of CWH, Inc on behalf of SK Hammock Oaks, LLC, applied for the final plat of Hammock Oaks —Phase 2D Subdivision. The Town Commission approved the preliminary plat for Hammock Oaks on Wednesday, January 4, 2023. The Development Order for Phase 2D was subsequently issued on Thursday, October 5, 2023.

Hammock Oaks Subdivision consists of eleven phases. Phase 2D consists of 130 single family detached lots on 41.10 acres.

The Final Plat Plan was reviewed to determine compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177. The following items are included in the packet:

- Review of the final plat completed by Town Attorney on August 20, 2024.
- Final Plat Review completed by Town Surveyor dated September 8, 2023.
- Joinder and Consent to Dedication dated July 29, 2024.
- Subdivision Bond dated July 31, 2024.
- Title Examination dated April 22, 2024.

- Revised Final Subdivision Plat Plans submitted on August 15, 2024.

BACKGROUND

The Town Commission approved Ordinance 2021-25 on February 23, 2022, establishing the zoning for the 421-acre parcel as Planned Unit Development (PUD). The Town Commission subsequently approved Ordinance 2022-15 on October 17, 2022, amending the previous entitlements of the Memorandum of Agreement.

The Town Commission approved the preliminary plat for Hammock Oaks on Wednesday, January 4, 2023. The Development Order for Phase 2D was subsequently issued on Thursday, October 5, 2023.

The Sewer & Water Agreement has been executed between the Town of Lady Lake and the Property Owner/Developer to allocate adequate capacity for the lots within the Hammock Oaks Subdivision.

COMMENTS

Satisfied/Revised Items:

- Applicant has addressed all outstanding Town Attorney comments.
- Applicant has addressed all outstanding surveyor comments.

PAST ACTIONS

The Technical Review Committee (TRC) members individually reviewed the application, finding the application complete and ready to move forward to the Planning & Zoning Board.

PUBLIC HEARINGS

The Town Commission's first and final reading of the Final Plat is scheduled for Monday, October 7, 2024, at 6:00 p.m.



PLANNING & ZONING BOARD MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution No. 2024-108 – Variance - a Resolution of the Town Commission of the Town of Lady Lake, Florida, Granting A Variance to Allow a Monument Sign to Be Placed Less Than Five Feet from The Property Line in Accordance with the Provisions of Chapter 17, Section 17-3. E). 1). D)., of the Town of Lady Lake Land Development Regulations, on Property Owned by Lady Lake 121 MP RK6, LLC, a Property Being Approximately 0.50 Acres of Land, located 465 Feet North of the Intersection of La Plaza Parkway and North Highway 27/441, Lying West and Adjacent to La Grande Boulevard, within the Town Limits of The Town of Lady Lake, Florida. (Thad Carroll)

AGENDA ITEM ID

20240909

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Resolution 2024-108 to the Town Commission with the Recommendation of Approval.
 2. Motion to forward Resolution 2024-108 to the Town Commission with the Recommendation of Denial.
- Staff recommends approval of Resolution 2024-108.

SUMMARY

On Wednesday, August 21, 2024, a variance application was filed with the Town of Lady Lake, by Lady Lake 121 MP RK6 for property being 0.50 acres, located 465 feet north of the Intersection of La Plaza Parkway and North Highway 27/441, and lying west and adjacent to La Grande Boulevard.

The variance application is pursuant to Chapter 17, Section 17-3. E). 1). D). of the Land Development Regulations (LDRs) which requires monument signs to be set back five feet from the property line. The variance request is to allow the existing monument sign to be constructed 0.1 feet from the easterly property line, and 3.8 feet from the northerly property line.

APPLICANT'S JUSTIFICATION

The applicant has stated that the existing monument sign was installed in 2016, and during

the recent sale of the property, it was discovered to be on the neighboring property to the north. The sign was relocated intact to the correct property in the only landscaped area available and as far away from the right-of-way as possible.

Further, the applicant states that the subject property is situated between LaGrande Boulevard, which provides access to the entrance of the property, and U.S. Highway 27/441. The five-foot setback area is the only location on the property abutting LaGrande Boulevard to situate the monument sign, which is very helpful to patients trying to find the medical office building. The site was developed in 1992, before the implementation of the Town's Land Development Regulations. The sign had to be moved to rectify the non-conformity that it was originally constructed off-premises.

The monument sign has been placed twenty-five inches from the back of the curb, and thirty-one inches from the edge of pavement of La Grande Boulevard. The speed limit on the road is twenty-five miles per hour. Given that there is curbing on the road's edge, and the road has a slow speed limit, the sign should not pose a hazard to vehicles traveling on La Grande Boulevard. Staff concurs with the applicant's statement that other properties along the corridor have obstructions within five feet of the right-of-way as well.

REVIEW CRITERIA

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 four property owners within 150' of the subject property of the proposed variance were mailed on Monday, August 26, 2024. The property was also posted on Monday, August 26, 2024.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2024-108 and found it was ready for consideration by the Planning and Zoning Board.

PUBLIC HEARINGS

The Commission's first and final reading of Resolution 2024-108 is tentatively scheduled for Monday, October 7, 2024, at 6:00 p.m.

1 **DRAFT RESOLUTION 2024-108**
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 MONUMENT SIGN TO BE**
5 **PLACED LESS THAN FIVE FEET FROM THE PROPERTY LINE IN ACCORDANCE**
6 **WITH THE PROVISIONS OF CHAPTER 17, SECTION 17-3. e). 1). D)., OF THE**
7 **TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS, ON PROPERTY**
8 **OWNED BY LADY LAKE 121 MP RK6, LLC, A PROPERTY BEING**
9 **APPROXIMATELY 0.50 ACRES OF LAND, LOCATED 465 FEET NORTH OF THE**
10 **INTERSECTION OF LA PLAZA PARKWAY AND NORTH HIGHWAY 27/441, LYING**
11 **WEST AND ADJACENT TO LA GRANDE BOULEVARD, WITHIN THE TOWN**
12 **LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.**

13 **WHEREAS,** Lady Lake 121 MP RK6, LLC, the property owner of certain real property
14 located in the Town of Lady Lake, Florida, more particularly described in Exhibit "A,"
15 have petitioned for a variance from the provisions of Chapter 17, Section 17-3. e). 1).
16 D); and

17 **WHEREAS,** the applicants have petitioned for a variance from the provisions of
18 Chapter 17-3. e). 1). D). of the Town of Lady Lake Land Development Regulations
19 which requires monument signs to be set back at least five feet from the property
20 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 Chapter 17-3. e). 1). D). of the Town of Lady Lake Land Development Regulations
29 which requires monument signs to be set back at least five feet from the property
30 line. The variance requested is to allow a monument sign to be erected 0.1 feet from
31 the easterly property line, and 3.8 feet from the northerly property line, on
32 approximately 0.50 acres of property located 465 feet north of the intersection of La
33 Plaza Parkway and North Highway 27/441, lying west and adjacent to La Grande
34 Boulevard, within the Town Limits of the Town of Lady Lake, 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