



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, December 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. Approval of Minutes — November 13, 2024 — Planning & Zoning Meeting
- B. Ordinance 2024-27 — Annexation — Charles Farrell — An ordinance voluntarily annexing two properties totaling 0.87 acres, owned by Charles Farrell, on the West Side of Teague Trail, Approximately 325 Feet South of Oak Street, Addressed as 34925 and 34965 County Road 25, within Lake County Florida. (Becky Higgins)
- C. Ordinance 2024-28 — Small Scale Future Land Use Comprehensive Plan Amendment — Charles Farrell — Change the Future Land Use Designation from Lake County Urban Medium Density to Lady Lake Commercial Professional Services (PS) for two properties being 0.87 acres, owned by Charles Farrell, addressed as 34925 and 34965 County Road 25, within Lake County, Florida. (Becky Higgins)
- D. Ordinance 2024-29 — Rezoning — Charles Farrell — An Ordinance Changing the Zoning Designation for Certain Properties Being Approximately 0.87 Acres Owned Charles Farrell, Located West of Teague Trail and Approximately 325

Feet South of Oak Street from Lake County Community Commercial District (C-2) to Lady Lake Planned Commercial (CP) with in Lake County, Florida.
(Becky Higgins)

- E. Resolution No. 2024-114 – Variance - A Resolution Granting a Variance from the Provisions of the Memorandum of Agreement of Ordinance 2016-43, Which Requires the Front Setback to be a Minimum of Five Feet Within Green Key Villages Phase 3 Replat. The Variance Request is to Allow a Minimum of a Three-Foot Front Setback on Property Owned by Green Key Village, LLC, address as 348 Long Key Way, Within the Town Limits of Lady Lake, Florida.
(Becky Higgins)

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

November 13, 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: Led by Chairwoman Furch

ROLL CALL:

Member	Present
Brinson	YES
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

STAFF PRESENT:

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

Attorney Taylor Tremel was also present.

NEW BUSINESS

A. Approval of Minutes

Planning and Zoning meeting minutes – October 14, 2024

Member Saunders made a motion to approve the October 14, 2024, Planning and Zoning Board meeting minutes as presented; Member Brinson seconded the motion. Motion carried 5-0.

B. Review of Meeting Protocol including the Sunshine Law, Public Records, Ethics and Meeting Procedures. (Taylor Tremel)

Attorney Tremel said he likes to give an annual overview of meeting protocol and the Sunshine Law. The Sunshine Law means business is conducted in an open forum the purpose of which is to provide the public a right of access to governmental proceedings and protect the public from “closed door” decision-making.

The Sunshine Law applies to any gathering of two or more members of an elected or appointed public board when they meet to discuss any matter which could foreseeably come before that board for action. The law also applies to advisory boards and staff committees if they have been given decision making authority.

There are three components to the law that include noticing the meeting, providing a record of the meeting in the form of minutes and conducting the meeting in the open. Reasonable notice of a meeting is necessary, and it requires giving the public reasonable and timely notice so they can decide whether to attend. Noticing a meeting on a Friday for a Monday meeting is considered reasonable. Notice to a subcommittee meeting that was buried within another agenda is considered a violation. A meeting is considered open to the public even if there is not adequate room in the regular meeting location. The public must be allowed to attend meetings and be given reasonable opportunity to be heard. Further, meetings cannot be held at exclusive or inaccessible facilities. Litigation matters can be discussed without the public present but the meeting must be noticed. Minutes of the meeting are required and must be written though an exact transcript is not necessary. Sound recordings of meetings cannot substitute for written minutes. Completion of the minutes must be timely.

There are some tips to avoid Sunshine Law violations such as not replying to “all” in an email, not using surrogates or go-betweens and not polling, which means contacting each member of the board or commission to ascertain the member's vote on a particular matter pending before that board or commission. If you have any questions about the meeting only contact a staff member.

There is no “statutory prohibition” against a council member posting comments on a privately maintained electronic bulletin board or blog. However, members of the board or commission must not engage in an exchange or discussion of matters that foreseeably will come before the board or commission for official action. It is incumbent upon members to avoid any action that could be construed as an attempt to evade the requirements of the law. Posting on a personal facebook page can create problems so avoidance is the best practice.

Penalties for violating the Sunshine Law include fines, nullification of Board or Commission decisions, removal from position and payment of attorney’s fees. Violations can be cured.

Public Records: all materials prepared or received while conducting official business of the town. The Florida Constitution gives every person the right to access government records. Public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Ethics: Public officials must be independent and impartial, and their position must not be used for private gain. If you have to ask yourself if you can accept or do something, you probably should not do it. Public officials also must not use their official positions to secure a special privilege, benefit or exemption for themselves or others. Further, they must not use or disclose information not available to the public for personal gain. Public officials must not conduct business with their own agency. Disclosure is required if a conflict of interest or substantial benefit occurs but there must be substantial benefit to a board member or commissioner to result in violations. Ex-parte communications (communications not on the record) are discouraged but if they are made, they must be disclosed to ensure an open and impartial decision-making process. Distinguish between parties involved and participants at meetings; they are afforded different levels of due process. Parties have a direct interest in outcomes and participants have limited interest.

C. Ordinance 2024-26 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Adopting Corrections, Updates, and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan; Providing for Repeal of all Ordinances and Parts of Ordinances in Conflict Herewith; Providing for Severability; and Providing for an Effective Date. (Thad Carroll)

Growth Management Director Carroll stated that the Town must annually update the Five-Year Schedule of Capital Improvements pursuant to Florida Statutes. Some projects from last year have dropped off the schedule and others have been added. The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service standards are achieved and maintained. Funding sources are identified

Projects include water supply, sewer, solid waste, drainage, parks and recreation, IT, public schools, transportation, and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five-year capital improvement schedules from other entities.

There are no water, sewer, stormwater projects on the schedule and the town facility/library renovation project should be completed in September 2025. There are four Parks & Recreation projects and the Transportation Improvement schedule includes five projects with various funding sources. The Public School Improvement schedule includes additional seats at Villages Elementary School to open in 2025. IT improvement includes the fiber optic WAN project.

Member Galloway made a motion to forward Ordinance 2024-26 to the Town Commission with the recommendation of approval; Member Saunders seconded the motion.

Member	Vote
Brinson	YES
Saunders	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 5-0.

CHAIRPERSON AND MEMBERS REPORT

There were no comments.

PUBLIC COMMENT

There were no comments.

ADJOURN

The meeting was adjourned at 6:12 p.m.

Nancy Wilson, Town Clerk

Dorilyn Furch, Chairperson



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

AGENDA ITEM TITLE

Ordinance 2024-27 — Annexation — Charles Farrell — An ordinance voluntarily annexing two properties totaling 0.87 acres, owned by Charles Farrell, on the West Side of Teague Trail, Approximately 325 Feet South of Oak Street, Addressed as 34925 and 34965 County Road 25, within Lake County Florida. (Becky Higgins)

AGENDA ITEM ID

20241209

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Ordinance 2024-27 to the Town Commission with the recommendation of approval.
 2. Motion to forward Ordinance 2024-27 to the Town Commission with the recommendation of denial.
- Staff recommends approval of Ordinance 2024-27.

On Tuesday, November 19, 2024, an application was filed with the Town of Lady Lake by Charles Farrell to annex two properties located west of Teague Trail approximately 325 feet south of Oak Street, addressed as 39425 and 39465 County Road 25, and referenced by Alternate Keys 1279313 and 1279569. The application requests the annexation of approximately 0.87 acres from unincorporated Lake County into the Town of Lady Lake. The subject property lies in Section 17, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal descriptions and location maps were included with the submitted application. Upon future development or failure of existing well and septic, whichever comes first, the properties will be required to connect to the Town's Water and Sewer. The subject properties are contiguous with the existing municipal boundary. The annexation application has been reviewed by the Technical Review Committee and determined to be complete. The application meets the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for a recommendation by the Planning and Zoning Board. Notices to inform the surrounding eight property owners within 150 feet of the properties were mailed on Monday, November 25, 2024. The property was also posted on Monday, November 25, 2024.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2024-27 was ready for consideration of a recommendation by the Planning and Zoning Board.

PUBLIC HEARINGS

The first reading of Ordinance 2024-27 before the Town Commission is scheduled for Monday, January 6, 2025, at 6 p.m. The second and final reading is scheduled for Wednesday, January 22, 2025, at 6 p.m.

DRAFT ORDINANCE 2024-27
TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; VOLUNTARILY ANNEXING TWO PROPERTIES BEING APPROXIMATELY 0.87 ACRES OWNED BY CHARLES FARRELL; LOCATED ON THE WEST SIDE OF TEAGUE TRAIL APPROXIMATELY 300 FEET SOUTH OF OAK STREET; ADDRESSED AS 39425 COUNTY ROAD 25 AND 39465 COUNTY ROAD 25; WITHIN LAKE COUNTY, FLORIDA; PROVIDING FOR REDEFINITION OF THE LAND BOUNDARIES OF THE TOWN OF LADY LAKE; PROVIDING FOR FILING OF THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN ACCORDANCE WITH LAW.

Be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida, as follows:

SECTION 1

Pursuant to and under the authority of the provisions of Florida Statute 171.205 and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida, and the Town of Lady Lake, Florida, the Town of Lady Lake does hereby annex property being approximately 0.87 acres in the unincorporated area of Lake County, Florida; existing as contiguous parcels to the Town, more particularly described in Exhibit "A".

SECTION 2

Upon final passage and adoption of this Ordinance, a copy hereof shall be filed with the Clerk of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida, and a copy shall also be filed with the Department of State of the State of Florida.

SECTION 3

Should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 4

That all property, real and personal, within said annexed property described herein, as provided by this Ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the said Town of Lady Lake, Florida, and the said rezoned property shall be liable proportionately, for all of the present outstanding

and existing, as well as future indebtedness to the Town of Lady Lake, Florida, and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now and hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the Town of Lady Lake, Florida at the time of the passage and approval of said laws and ordinances.

SECTION 5

This Ordinance shall become effective upon its adoption.

SECTION 6

In accordance with the provisions of Section 171.062, Florida Statutes, the property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and County zoning regulations until the Town adopts a Comprehensive Plan Amendment to include this annexed parcel on the Future Land Use Map Series of the Town's Comprehensive Plan.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this 22nd day of **January 2025**.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney



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

AGENDA ITEM TITLE

Ordinance 2024-28 — Small Scale Future Land Use Comprehensive Plan Amendment — Charles Farrell — Change the Future Land Use Designation from Lake County Urban Medium Density to Lady Lake Commercial Professional Services (PS) for two properties being 0.87 acres, owned by Charles Farrell, addressed as 34925 and 34965 County Road 25, within Lake County, Florida. (Becky Higgins)

AGENDA ITEM ID

20241209

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Ordinance 2024-28 to the Town Commission with the recommendation of approval.
2. Motion to forward Ordinance 2024-28 to the Town Commission with the recommendation of denial.

Staff recommends approval of Ordinance 2024-28.

FLU AMENDMENT PLANNING ANALYSIS

Applicant/ Property Owner Charles Farrell

Addresses 34925 County Road 25 and 34965 County Road 25

Parcel Number 17-18-24-0004-000-02800 and 17-18-24-0004-000-02700

On Tuesday, November 19, 2024, an application was filed with the Town of Lady Lake by Charles Farrell to amend the Future Land Use designation of 0.87 acres from Lake County Urban Medium Density to Lady Lake Commercial Professional Services. The subject properties consist of two parcels located on the west side of Teague Trail, approximately 325 feet south of Oak Street, identified by Alternate Key Numbers 1279313 and 1279569.

The subject properties are located in Section 17, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal description and a location map were included with the submitted application.

FUTURE LAND USE

EXISTING FLU.

Lake County Urban Medium Density - Allows a maximum density of seven dwelling units per acre and the conversion of existing residential units into residential professional office uses. PROPOSED FLU.

Lady Lake Commercial Professional Services – Limited to professional services where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. Redevelopment or construction of new structures must be consistent with intensity and architectural character of the surrounding neighborhood. This land use category is established to implement policies for managing transitional areas between neighborhoods and commercial and/or industrial areas. The density is not allowed to exceed four (4) units per acre or twelve (12) units per acre when central sewer is available. The floor area ratio (FAR) shall be limited to a maximum of 0.50 for the Commercial Professional Services category.

ADJACENT PROPERTY CHARACTERISTICS

Future Land Use Designations of Adjacent Properties

North	Lake County Urban Medium
East	Lady Lake Commercial General – Retail Sales and Services
South	Lady Lake Commercial General – Retail Sales and Services
West	Lake County Urban Medium

ENVIRONMENTAL

Currently, both properties have single family residences and are being utilized as such. Because the site is less than ten acres, an environmental assessment is not required. Any environmental impacts will be reviewed at the time of site plan submittal.

ADJACENT PROPERTIES

The property abutting the northern boundary is an existing single-family residence. To the east is County Road 25 right-of-way and the RaceTrac convenience store with fuel operations. To the south, the abutting property is a small strip center and zoned Lady Lake Heavy Commercial.

IMPACT ON TOWN SERVICES

Potable Water: The subject parcels have single family residences and are being utilized as such. The properties will be required to connect to water at the time of development or failure of the existing wells, whichever should come first. Should the applicant wish to change the use, the impacts to water facilities will be reviewed at the time of the site plan submittal.

Sewer: The subject parcels have single family residences and are being utilized as such. The properties will be required to connect to sewer at the time of development or failure of the existing septic system, whichever should come first. Should the applicant wish to change the use, the impacts to sewer facilities will be reviewed at the time of the site plan submittal.

Transportation: Because the applicant does not intend to change the current uses at this time, there will be no changes to the current trips. Should the applicant wish to change the use, the impacts to transportation will be reviewed at the time of the site plan submittal.

Stormwater: Project will be required to adhere to St. Johns River Water Management District (SJRWMD) guidelines, drainage, and engineering best management practices.

Flood: The subject property does not contain any Special Flood Hazard Areas nor wetlands as per FEMA FIRM Map 12060C0170E effective 12/18/12.

Staff mailed notices to inform the surrounding eight property owners within 150 feet of the

property proposed by the Small-Scale Future Land Use Comprehensive Plan Amendment request on Monday, November 25, 2024. The property was also posted on Monday, November 25, 2024.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2024-28 was ready for consideration of a recommendation by the Planning and Zoning Board.

PUBLIC HEARINGS

The Local Planning Agency is scheduled to consider Ordinance 2024-28 on Monday, January 6, 2025, at 5:30 p.m.

The first reading of Ordinance 2024-28 before the Town Commission is scheduled for Monday, January 6, 2025, at 6 p.m. The second and final reading is scheduled for Wednesday, January 22, 2025, at 6 p.m.

1 **DRAFT ORDINANCE 2024-28**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN THE TOWN OF LADY**
4 **LAKE, FLORIDA; AMENDING THE TOWN OF LADY LAKE ORDINANCE 81-1-(83), WHICH**
5 **ESTABLISHED THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR A**
6 **SMALL-SCALE FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY;**
7 **AND PROVIDING AN EFFECTIVE DATE.**

8 Be it ordained by the Town of Lady Lake, Town Commission:

9 **SECTION 1: Legislative Finding, Purpose, and Intent.**

10 A. .On February 2, 1981, the Town Commission of the Town of Lady Lake adopted a
11 Comprehensive Plan pursuant to Florida Statue 163.3184, known as the “Local Government
12 Comprehensive Planning Act” (“Act”), which sets forth the procedures and requirements for a
13 local government in the State of Florida to adopt a Comprehensive Plan and amendments (to
14 a Comprehensive Plan).

15 B. .The Town Commission adopted the Lady Lake Comprehensive Plan by Ordinance 81-1-
16 (83), and amended said Ordinance by Ordinance 91-21, approved December 2, 1991, and
17 Ordinance 94-16, approved on October 12, 1994.

18 C. .The Town’s Local Planning Agency reviewed a proposed amendment to the Future Land
19 Use Map Series of the Town of Lady Lake Comprehensive Plan on January 6, 2025 and
20 recommended to the Town Commission that said amendment be adopted by the Town
21 Commission.

22 D. .The Town Commission has held public hearings on the proposed amendment to the
23 Future Land Use Map Series of the Comprehensive Plan and received comments from the
24 general public and the Local Planning Agency.

25 E. .The Town of Lady Lake has complied with the requirements of the Act for amending the
26 Comprehensive Plan.

27 **SECTION 2: Authority.**

28 This ordinance is adopted in compliance with and pursuant to the Local Government
29 Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 —
30 163.3243, Florida Statutes, as amended.

SECTION 3: Small Scale Amendment to the Future Land Use Element Map Series.

The Comprehensive Plan, as amended, is hereby further amended by amending the Future Land Use Element Map Series with the small-scale amendment as indicated below:

Applicant or Owner: Charles Farrell

General Location: 39425 County Road 25 — Property located on Teague Trail, approximately 400 feet south of Oak Street

Size: 0.693 Acres

General Location: — 39465 County Road 25 — Property located on Teague Trail, approximately 325 feet south of Oak Street

Size: 0.177 Acres

Future Land Use: Change from Lake County Urban Medium Density to Town of Lady Lake Commercial Professional Services (PS).

Graphic representation of this Small-Scale Future Land Use Element Map Amendment is shown in the attached “Exhibit A”.

SECTION 4: Severability.

The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5: Effective Date.

This ordinance shall become effective as provided in Chapter 163, Florida Statutes.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this **22nd**
day of **January 2025**.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney



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

AGENDA ITEM TITLE

Ordinance 2024-29 — Rezoning — Charles Farrell — An Ordinance Changing the Zoning Designation for Certain Properties Being Approximately 0.87 Acres Owned Charles Farrell, Located West of Teague Trail and Approximately 325 Feet South of Oak Street from Lake County Community Commercial District (C-2) to Lady Lake Planned Commercial (CP) with in Lake County, Florida. (Becky Higgins)

AGENDA ITEM ID

20241209

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Ordinance 2024-29 to the Town Commission with the recommendation of approval.
2. Motion to forward Ordinance 2024-29 to the Town Commission with the recommendation of denial.

Staff recommends approval of Ordinance 2024-29.

On Tuesday, November 19, 2024, an application was filed with the Town of Lady Lake by Charles Farrell to amend the zoning classification for 0.87 acres. The application was filed requesting to rezone the subject properties from Lake County Community Commercial District (C-2) to Lady Lake Planned Commercial (CP).

The proposed memorandum of agreement is included with Ordinance 2024-29.

The property shall connect to the Town of Lady Lake's potable water and central sewer systems, if available, at the time of redevelopment or failure of existing well and/or septic, whichever comes first. All costs associated with design permitting, engineering, materials, construction, and inspections shall be the sole cost of the developer.

The developer shall comply with all Lady Lake and Lake County access management requirements at the time of redevelopment.

The subject property is located in Section 17, Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal description and a location map included with the

application.

Zoning Designation of Adjacent Properties

North	Lake County Community Commercial District (C-2)
East	Teague Trail ROW/ Lady Lake Heavy Commercial
South	Lady Lake Heavy Commercial
West	Lake County Community Commercial District (C-2)

The existing zoning designation is Lake County Community Commercial District (C-2) The proposed zoning designation is Lady Lake Planned Commercial. The CP designation is consistent with adjacent properties.

PROPOSAL

The proposed rezoning consists of two properties totaling approximately 0.87 acres of land. As part of the memorandum of agreement, the owner proposed the following:

1. Permitted Uses:
 - a) Single Family Detached Dwelling Units
 - b) Two Family (Duplex) Dwelling Units
 - c) Business Offices.
 - d) Offices.
 - e) Financial Services.
 - f) Professional Services (excluding laundry and dry cleaning)
2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as “permitted uses” shall be expressly prohibited.
3. Design Standards.
 - a) The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty percent (80%).
 - b) The maximum floor area ratio shall be limited to .5.
 - c) Maximum building height is forty-five feet (45’).
 - d) Setback requirements shall be:
 - 1) Front Yard Setback: Roadway - twenty (20) feet minimum
 - 2) Rear Yard Setback: fifteen (10) feet minimum
 - 3) Side Yard Setback When Adjoining:
 - a) Another lot - fifteen (10) feet minimum
 - b) Local roadway - twenty (20) feet minimum
4. Parking and Accessibility. Upon redevelopment, parking requirements shall be as required pursuant to Chapter 7 of the Town’s Land Development Regulations for the specific use. All regular parking spaces shall be ten by twenty (10 x 20) feet in size. Florida Accessible parking spaces shall be twelve by twenty (12x20) feet in size with 5 feet wide minimum accessible access aisle.
5. Landscaping. Upon redevelopment, landscaping requirements shall be Landscape Buffers Class A around the perimeter of the subject property line as delineated in Chapter 10, Landscaping section of the Land Development Regulations. The owner shall maintain all landscaping in good order pursuant to all Town codes and shall maintain all fences in good order as determined by the Town. Maintaining all fences in good order includes, but is not limited to, keeping fences clean with no mildew, repairing or replacing any breaks and

ensuring fences are not stained, rusted or otherwise unsightly.

The rezoning application has been reviewed and determined to be complete, satisfying the necessary criteria as required for rezoning. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for transmittal to the Planning and Zoning Board. Staff mailed notices to inform the surrounding eight property owners within 150 feet of the property on Monday, November 25, 2024. The properties were posted on Monday, November 25, 2024.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2024-29 was ready for transmittal to the Planning and Zoning Board.

PUBLIC HEARINGS

The first reading of Ordinance 2024-29 before the Town Commission is scheduled for Monday, January 6, 2025, at 6 p.m. The second and final reading is scheduled for Wednesday, January 22, 2025, at 6 p.m.

1 **DRAFT ORDINANCE 2024-29**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **AN ORDINANCE AMENDING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTIES**
4 **BEING APPROXIMATELY 0.87 ACRES OWNED BY CHARLES FARRELL, LOCATED ON THE**
5 **WEST SIDE OF TEAGUE TRAIL, APPROXIMATELY 300 FEET SOUTH OF OAK STREET;**
6 **ADDRESSED AS 39425 COUNTY ROAD 25 AND 39465 COUNTY ROAD 25 IN LAKE**
7 **COUNTY, FLORIDA; REZONING SUBJECT PROPERTY FROM LAKE COUNTY COMMUNITY**
8 **COMMERCIAL DISTRICT (C-2) TO TOWN OF LADY LAKE PLANNED COMMERCIAL (CP);**
9 **PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.**

10 WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan
11 (Ordinance 91-21) pursuant to the requirements of Chapter 163, Part H, Florida Statutes and
12 Chapter 9J-5, Florida Administrative Code; and

13 WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that
14 the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter
15 163, Part 2, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

16 WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development
17 Regulations (LDRs) of the Town of Lady Lake, Florida, and Official Zoning Map in accordance
18 with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part 2,
19 Florida Statutes; and

20 WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a
21 proposed amendment to the Official Zoning Map and determined that said amendment as
22 proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the
23 requirements of the Town of Lady Lake Land Development Regulations.

24 THEREFORE, BE IT ORDAINED, and enacted by the Town Commission of the Town of Lady Lake,
25 in Lake County, Florida:

26 **SECTION 1: Petition**

27 Based upon the petition of certain landowners of property, which is located in Lady Lake,
28 Florida, and described in Exhibit "A" hereto, a request has been made that the property be
29 zoned "Planned Commercial" (CP), entitled to the uses set forth in the Memorandum of
30 Agreement attached as Exhibit "B" to be developed in substantial accordance with the
31 Conceptual Plan, attached hereto as Exhibit "C".

32 Said petition has been approved by the Town Commission of the Town of Lady Lake in
33 accordance with the Town of Lady Lake Comprehensive Plan, the Land Development

Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake, and the Florida Statutes. The property described in Exhibit “A” hereto is hereby zoned “Planned Commercial” (CP).

SECTION 2: Severability

The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3: Effective Date

This ordinance shall become effective immediately upon its passage by the Town Commission, except as limited by the provisions of Section 171.06, Florida Statutes, as said provisions pertain to newly annexed property and the final adoption of a Comprehensive Plan Amendment by the Town Commission.

PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake, Florida, this 22nd day of January 2025.

TOWN OF LADY LAKE

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney



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

AGENDA ITEM TITLE

Resolution No. 2024-114 – Variance - A Resolution Granting a Variance from the Provisions of the Memorandum of Agreement of Ordinance 2016-43, Which Requires the Front Setback to be a Minimum of Five Feet Within Green Key Villages Phase 3 Replat. The Variance Request is to Allow a Minimum of a Three-Foot Front Setback on Property Owned by Green Key Village, LLC, address as 348 Long Key Way, Within the Town Limits of Lady Lake, Florida. (Becky Higgins)

AGENDA ITEM ID

20241209

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Resolution 2024-114 to the Town Commission with the Recommendation of Approval.
 2. Motion to forward Resolution 2024-114 to the Town Commission with the Recommendation of Denial.
- Staff recommends approval of Resolution 2024-114.

On Thursday, November 7, 2024, a variance application was filed with the Town of Lady Lake, by Greg Thomas, on behalf of Green Key Village, LLC for property being approximately 0.115 acres, addressed as 348 Long Key Way, within the Town Limits of Lady Lake, Florida.

The applicant has requested a variance to the Memorandum of Agreement of Ordinance 2016-43, which requires the front setback to be a minimum of five feet within Green Key Villages Phase 3 Replat. The variance request is to allow a minimum of a three-foot front setback to allow for the newly constructed single-family residence.

APPLICANT'S JUSTIFICATION

Per the applicant, the home was built according to the plans submitted to the building department, however, when the final survey was conducted, the front covered porch is located three feet from the property line instead of the required five feet. The applicant has provided two additional surveys for adjacent homes showing the steps and raised landings are also within the setback. There are no utilities located along the front of the property.

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 thirteen property owners within 150' of the subject property of the proposed variance were mailed on Monday, November 25, 2024. The property was also posted on Monday, November 25, 2024.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2024-114 and found it was ready for consideration by the Planning and Zoning Board.

PUBLIC HEARINGS

The Commission's first and final reading of Resolution 2024-114 is scheduled for Monday, December 16, 2024, at 6:00 p.m.

1 **DRAFT RESOLUTION 2024-114**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF THE**
4 **MEMORANDUM OF AGREEMENT OF ORDINANCE 2016-43, WHICH REQUIRES THE**
5 **FRONT SETBACK TO BE A MINIMUM OF 5 FEET WITHIN GREEN KEY VILLAGE PHASE 3**
6 **REPLAT. THE VARIANCE REQUEST IS TO ALLOW A MINIMUM OF A 3 FOOT FRONT**
7 **SETBACK ON PROPERTY OWNED BY GREEN KEY VILLAGE, LLC, LOCATED AT 348 LONG**
8 **KEY WAY, WITHIN THE TOWN LIMITS OF LADY LAKE, FLORIDA.**

9 **WHEREAS**, Green Key Village, LLC is the owner of certain real property located in the Town of
10 Lady Lake, Florida, more particularly described in Exhibit “A”; and

11 **WHEREAS**, the Property Owner petitioned for a variance from the provisions of the
12 Memorandum of Agreement of Ordinance 2016-43, of the Town of Lady Lake Land
13 Development Regulations which requires the front setback to be a minimum of 5 feet within
14 Green Key Village Phase 3 Replat; and

15 **WHEREAS**, the variance request is to allow the rear setback to be 3 feet from the property line
16 to allow for the encroachment of a newly constructed single-family residence at property
17 addressed as 348 Long Key Way, referenced by Alternate Key Number 3918665, within the
18 town limits of the Town of Lady Lake, Florida; and

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

23 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady Lake,
24 Florida, hereby grants a variance from the provisions of the Memorandum of Agreement of
25 Ordinance 2016-43, of the Town of Lady Lake Land Development Regulations which requires
26 the front setback to be a minimum of 5 feet within Green Key Village Phase 3 Replat. The
27 after-the fact variance approval allows for the encroachment of an existing single-family
28 residence to remain at property addressed as 348 Long Key Way, referenced by Alternate Key
29 Number 3918665, owned by Green Key Village Phase 3 Replat, within the town limits of the
30 Town of Lady Lake, Florida.

31 This Resolution shall take effect immediately upon its adoption by the Town Commission of
32 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