

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

June 13, 2022

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.

A. CALL TO ORDER

Chairman Sigurdson

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL:

Member	Present
Furch	Yes
Saunders	No
Pressley	Yes
Regan	Yes
Sigurdson	Yes

STAFF PRESENT:

Wendy Then, Senior Planner; Becky Higgins, Development Coordinator; William Lawrence, Town Manager and Nancy Wilson, Town Clerk

Attorney Sasha Garcia and Commissioner Freeman were also present

D. NEW BUSINESS

1. Approval of Minutes

Member Pressley made a motion to approve the May 9, 2022, Planning and Zoning Board meeting minutes as presented; Member Regan seconded the motion. The motion passed by a vote of 4 to 0.

2. Ordinance 2022-04 — Annexation — Smith-Anderson — An Ordinance Voluntarily Annexing Three Vacant Parcels Being Approximately 24.75 Acres, owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust, property being approximately a mile south of the intersection of Rolling Acres Road and Highway 466, and just over 5/6 of a mile north of the intersection of Rolling Acres Road and Lake Ella Road,

southeast corner of Sunshower Lane and Rolling Acres Road, Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County Florida. (Wendy Then)

Senior Planner Then gave an overview of the project. She said that the application was filed by Chuck Hiott from Halff Associates on behalf of the property owners who want to annex property. The property consists of three vacant parcels located approximately a mile south of the of the intersection of Rolling Acres Road and Highway 466 and about 5/6 of a mile north of the intersection of Rolling Acres Road and Lake Ella Road at the southeast corner of Sunshower Lane and Rolling Acres Road. If approved, 24.75 acres from Lake County would be annexed into Lady Lake.

Chairman Sigurdson asked if the property is a tree farm; he wanted to know who owns the trees.

Chuck Hiott – Halff Associates Inc. – owner’s agent

Mr. Hiott answered that the current property has planted pines that will be harvested; they convey with the property. They will keep as many of the remaining oak trees as possible.

Member Furch made a motion to forward Ordinance 2022-04 to the Town Commission with the recommendation of approval; Member Pressley seconded the motion. The motion passed by the following roll call vote:

Member	Vote
Furch	Yes
Pressley	Yes
Regan	Yes
Sigurdson	Yes

3. Ordinance 2022-05 — Small Scale Future Land Use Comprehensive Plan Amendment — Smith-Anderson — Change the future land use designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density for property owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust; being approximately 24.75 acres; Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County, Florida.

Senior Planner Then said this follows the previous request for annexation. This is a request to change the future land use designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density referred to as a Small-Scale Future Land Use Comprehensive Plan Amendment. The property totals 24.75 acres and the proposed Future Land Use designation allows residential development at a maximum density of six dwelling units per

acre. Multi-family, industrial or commercial uses will not be permitted though a mixed-use PUD will be allowed. The applicant stated in his application that the proposal of a mix of single-family residences and townhomes is a much-needed housing option in the area that would make it more affordable for families.

Adjacent properties include the Lake County Transfer Station that provides limited recycling and waste disposal services.

Ms. Then continued her summary of the application by explaining the impact on Town services and traffic, school seat requirements, and environmental considerations. She added that the proposed development will consist of 49 single family detached and 80 townhome/single family attached dwellings.

Member Regan asked where the utilities sit at this time.

Chuck Hiott – Halff Associates, Inc. – applicant's agent

Mr. Hiott answered that the utilities are across the street from the property so they will run lines under Rolling Acres Road. The sewer lines are on the same side of the road. In response to another question posed by Member Regan, Mr. Hiott answered that for the common areas of irrigation the water will be drawn from a local well. Individual owners would have to get their own wells for irrigation. If reuse lines become available, they would be charged with potable water and Lady Lake would exclude the sewage rate from billing.

Mr. Hiott said they will not be able to use the existing well. Lady Lake will have to determine if potable water can be used for irrigation.

Chairman Sigurdson commented that it is amazing that Lady Lake can supply water and sewer to the degree that they have, taking into consideration all the growth that has taken place over the years.

Ed Freeman – 120 Evergreen Lane

Mr. Freeman asked if there is any documentation regarding runoff from the retired landfill that is across the street from the property. Down the line, we do not want the town to get sued because of toxic waste running onto the developed property.

Ms. Then said that with a Future Land Use map amendment application, the town is concerned with some environmental areas. They look at soil type, types of vegetation and endangered species. At this stage of the process, they just need to provide an environmental tier two plan that reports on trees and threatened species on the property. More in-depth information is not required until the correct zoning designations are determined. Ms. Then said she cannot say if there is a concern about contamination on the property. The applicant will have to do their due

diligence by performing soil boring, etc. The landfill has been in operation for at least 20 years. The town's responsibility is limited to reviewing the environmental report to ensure it satisfies all requirements of the application.

In response to a question asked by Mr. Freeman, Ms. Then answered that all that was being approved that evening was zoning entitlements. The applicant will have to come back with a preliminary plat plan, improvement and construction plans and a final plat plan for the project.

Chuck Hiott – Halff Associates – owner's agent

Mr. Hiott said they have performed a phase one study for contamination that they will make available to the Commission.

Karen Tyla - 1407 Anderson Lane

Ms. Tyla said the people in the audience all have property behind the property being discussed. She said access to their property is on the 15-foot public right-of-way. She is concerned that access to their road will be impeded and that the added consumption of the aquifer by the development will dry up their wells. Ms. Tyla said the property is 24.75 acres and part of that is low and she is concerned that during heavy rains, their road will flood.

Ms. Then responded that the applicant would have to improve the road to the property line.

Chuck Hiott added that the right-of-way is 15 feet wide on the south side. As part of their development, they would be giving right-of-way to the town. A 50-foot access public right-of-way would go to the rear of the property. The current 15 feet would become 50 feet until it passes the entrance and then it would go back to 15 feet. To further satisfy Ms. Tyla's concern, Mr. Hiott said there will be a retention area to handle runoff.

Ricky Adams - 1421 Anderson Lane

Mr. Adams asked about the existing road and the high amount of extra traffic that will be added by the development. He asked if Rolling Acres Road is going to be widened. Ms. Then responded that she does not believe the county has any plans for Rolling Acres Road but they have said that anything south of 466 they are trying to make safer by installing paved shoulders.

Member Regan made a motion to forward Ordinance 2022-05 to the Town Commission with the recommendation of approval; Member Pressley seconded the motion. The motion passed by the following roll call vote:

Member	Vote
Furch	Yes
Pressley	Yes
Regan	Yes
Sigurdson	Yes

4.Ordinance 2022-06 — Rezoning — Smith-Anderson — Change the zoning designation from Lake County Agriculture (A) to Lady Lake Residential Planned Unit Development (PUD) for property owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust; being approximately 24.75 acres; Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County, Florida. (Wendy Then)

Ms. Then said this is the last of the three ordinances related to the 24.75-acre parcel. The request is to change the zoning designation from Lake County Agricultural to Lady Lake Residential Planned Unit Development. She projected maps of the area to show the layout of the PUD plan. The proposed development will consist of 49 single family detached and 80 townhome/single family attached dwellings. The single family detached units will have a front setback with a 25-foot minimum; rear setback with a 10-foot minimum and a side yard setback with a 5-foot minimum. The single family attached units will have a front setback with a 25-foot minimum; a primary rear yard setback with a 10-foot minimum; an accessory rear yard setback with a 5-foot minimum and a side setback with a 0-foot minimum. Minimum lot size for the detached units is 6,000 square feet and for the attached units the minimum lot size is 2,400 square feet.

Chairman Sigurdson asked for contour maps for future reviews.

Member Pressley made a motion to forward Ordinance 2022-06 to the Town Commission with the recommendation of approval; Member Regan seconded the motion. The motion passed by the following roll call vote:

Member	Vote
Furch	Yes
Pressley	Yes
Regan	Yes
Sigurdson	Yes

5. Ordinance 2022-07 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Amending Chapter 7, Site Development Plan Regulations; Adding Section 13, Entitled Limitation of Hours of Construction (Wendy Then)

Senior Planner Then stated that a couple months ago, Growth Management Director Carroll received a complaint from a resident regarding the hours that construction companies were permitted to work. The Commission directed him to research what other municipalities are doing about construction noise and then draft an ordinance. The draft language reads that no person should engage in construction, drilling, repair, alteration, or site demolition work between the hours of 8:00 pm and 7:00 am in residential areas. There are some exceptions. Also, a provision was made for the delivery and installation of concrete or materials associated with slab installation as long as adjacent property owners are given 48-hour notice.

Member Regan clarified that this will only apply to construction activity in residential areas.

Member Furch asked about enforcement. Ms. Then said there are different nuisances as towns grow and she described a few of them. Typically, the sheriffs' departments hand out tickets; they have established maximum decibel levels. In Lady Lake, the Code Enforcement Officer would be notified of any violations with the police department serving as backup. Those details have yet to be determined.

Ricky Adams – 1421 Anderson Lane

Mr. Adams said that construction is something that goes on for a set period, usually less than a year. He feels construction should be allowed during sunup to sundown hours. Restricting hours because somebody wants to sleep longer would affect his livelihood. He does not like the idea of having an ordinance that will be on the books forever.

Ms. Then responded to Mr. Adams saying some developments are built in phases and those projects last for years. She also pointed out the exceptions to the limitation of hours, but he said having to give 48 hours' notice for certain activities is too restrictive. He also thinks preventing people from working could cause the town problems.

Ms. Then said the Commission will decide on the final language for the ordinance.

Member Pressley made a motion to forward Ordinance 2022-07 to the Town Commission with the recommendation of approval; Member Regan seconded the motion. The motion passed by the following roll call vote:

Member	Vote
Furch	Yes
Pressley	Yes
Regan	Yes
Sigurdson	Yes

6. Resolution No. 2022-106 – Variance – Siddhi Riddhi, LLC - Pursuant to Chapter 5, Section 5-4. f).1).C.), of the Land Development Regulations (LDRs) which requires that the maximum customary accessory structure square footage within the MX-5 zoning district does not exceed 35 percent of the principal structure. The variance request is to allow a total of 1,500 square feet or 134 percent of the principal structure to be allowed the construction of a 30-foot by 50-foot garage on property addressed as 209 Oak Hill Road, referenced by Alternate Key 1121078, within the Town of Lady Lake. (Wendy Then)

Senior Planner, Wendy Then, summarized the history of the property and explained the town's variance regulations. The request is for a motor home garage to be permitted behind the existing house. The accessory structure would total 1,500 square feet (30 feet by 50 feet) which is 134 percent of the principal structure. All other town codes and regulations would be met. Chairman Sigurdson asked for clarification of where the accessory structure would be placed on the property. Ms. Then responded that it would be behind the house and would not be seen from the road.

Member Furch made a motion to forward Resolution 2022-106 to the Town Commission with the recommendation of approval; Member Pressley seconded the motion. The motion passed by the following roll call vote:

Member	Vote
Furch	Yes
Pressley	Yes
Regan	Yes
Sigurdson	Yes

E. CHAIRPERSON and MEMBERS' REPORT

No reports

F. PUBLIC COMMENT

No public comments

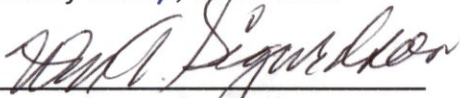
G. ADJOURN

With nothing further to discuss, the meeting adjourned at 6:49 p.m.

Respectfully submitted,



Nancy Wilson, Town Clerk



William Sigurdson, Chairperson