



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, February 10, 2025, 5:30 PM

PLACE

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

- A. Planning and Zoning Board Minutes 01-13-2025
- B. Resolution 2025-101 - Walmart Neighborhood Market - Variance - Fuel Canopy Setback

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.

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

3 **January 13, 2025**

4 The Planning and Zoning Board meeting was held in the Town Hall Commission Chambers at
5 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

6 **CALL TO ORDER:** Chairwoman Dorilyn Furch

7 **PLEDGE OF ALLEGIANCE:** Led by Chairwoman Furch

8 **ROLL CALL:**

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

9 **STAFF PRESENT:**

10 Thad Carroll, Growth Management Director; Rebecca Higgins, Senior Planner; Jackie Schilling,
11 Administrative Assistant in the Clerk's Office; Nancy Wilson, Town Clerk.

12 Attorney Taylor Tremel was also present.

13 **NEW BUSINESS**

14 **A. Approval of Minutes**

15 Planning and Zoning meeting minutes – December 9, 2024

16 **Member Brinson made a motion to approve the December 9, 2024, Planning and Zoning Board**
17 **meeting minutes as presented; Member Galloway seconded the motion. Motion carried**
18 **4-0.**

19 **B. Ordinance 2024-25 - Rezoning — Amending the zoning designation from Lady Lake Planned**
20 **Unit Development (PUD) and Lady Lake Heavy Commercial (HC) to Lady Lake Planned Unit**
21 **Development (PUD) for property owned by Benchmark Development I, LLC, being**
22 **approximately 67.73 acres; located southwesterly of U.S. Highway 27/441, and north of**
23 **Oak Street; referenced by Alternate Key Numbers 3872772, 3872774, 3877865, 3878663,**
24 **1279445, 1770556, 3872777, 3872778, 3878664, 3948082, 3948083, 3948084, within Lake**

County, Florida. (Becky Higgins)

Senior Planner Becky Higgins stated that the first agenda item is for a rezoning and Planned Unit Development (PUD) amendment to property on North US Hwy 27/441. The applicant is Marty DelleBovi and the owner is Benchmark Development. The property size is 67.73 acres and is made up of 12 individual parcels. The 31 acres to the west is already developed and the property owners would like to add 35.93 undeveloped acres (totaling 67.73 acres) under a new PUD entitlement. The Future Land Use is Lady Lake Commercial General Retail Sales and Services and the proposed zoning is PUD from PUD and Heavy Commercial. The present use of the developed portion of the property is a shopping center.

In 2006, the town redesignated the zoning classification for the 35.93 undeveloped acres to PUD. The owners would like to add those acres under a new PUD entitlement. The goal is to include the vacant property with the developed 31 acres making the entire 67.73 acres one PUD.

Zoning designations of adjacent properties include Heavy Commercial, Manufactured Home High-Density, Lake County Agriculture, Lady Lake Planned Commercial, PUD and a Public Facilities District.

Under the current PUD, the owners are permitted all uses allowed in Light Commercial, Commercial Tourist, and Heavy Commercial areas. The prohibited uses are bars, lounges, nightclubs, kennels/boarding, mini storage warehouses, mobile home sales, and motor vehicle/RV/boat storage facilities.

The applicant is proposing to pare down some of the current permitted uses of the new PUD yielding a custom zoning designation. Those permitted uses include: appliance/electronic repair shops, banks, business services, commercial/industrial equipment and supplies, convenience stores with or without fuel options, child care centers, fast food outlets with or without drive thru facilities, financial services, furniture/appliance stores, grocery stores, health/exercise clubs, hotels/motels, kennels, medical offices/clinics, offices, personal services, restaurants, retail home building materials, retail sales and services, shopping centers, and veterinary clinics.

Member Galloway said that in the Memorandum of Agreement (MOA), it reads that deviations in the interior road layouts may be made by the developer with approval from the town development staff or the Town Manager without making a formal amendment to the agreement. He asked how extensive those deviations could be. Growth Management Director Carroll explained that what the developers are stating in the MOA is that they are putting forth the uses of the property, that will not change. However, if they get their site plan prepared and there must be a deviation of the alignment of some of those roads, it may not exactly replicate the

conceptual site plan. Staff will evaluate if the roads are built according to specifications. This will not come back before the board if there are non-substantive deviations.

Mr. Carroll said they are stating the uses but if they get their site plan prepared and there has to be some realignment staff will make the decision. It will not look much different from the plan being presented at this meeting.

Member Galloway made a motion to forward Ordinance 2024-25 to the Town Commission with the recommendation of approval; Member Brinson seconded the motion.

Member	Vote
Brinson	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 4-0.

C. Ordinance 2024-30 — Large Scale Future Land Use Comprehensive Plan Amendment — Sawmill Holdings, LLC — Change the Future Land Use Designation from Lady Lake Commercial Tourist (CT) to Lady Lake Rural Low Density (RLD) for one property being approximately 52.2 acres, owned by Sawmill Holdings, LLC, addressed as 3105 Hartsock Sawmill Road, within the Town Limits of the Town of Lady Lake, Florida. (Becky Higgins)

Senior Planner Higgins stated that this ordinance is for a large-scale future land use amendment. The applicant is Virginia Brown from EcoVest Capital, Inc. on behalf of Sawmill Holdings, LLC. Anything over 50 acres is considered large scale and needs to be reviewed by the state prior to ordinance adoption.

The Future Land Use (FLU) and zoning are Lady Lake Commercial Tourist (CT) and the property is currently vacant. The owners are proposing a change from CT to Lady Lake Rural Low Density (RLD) for the 52.2 acres. RLD is the lowest density in the town's Comprehensive Plan and maximizes open space.

In 2015, the Future Land Use of the property was changed to allow for an RV resort. The project was approved for 185 sites and amenities; this development never came to fruition. In 2018, the property owner recorded a conservation easement and a declaration of restrictions and covenants which is recorded in perpetuity. The town did not know about this change, and it was not reviewed by staff. As part of the conservation easement, only two single family residences can be built within a two-acre portion of the 52.2 acres (without the easement restriction, the RLD designation allows for one dwelling unit per five acres). The current FLU does not allow for

single family residences. The property is unusable for single family units with its current zoning future land use that would include RV parks and hotels/motels, with a density of up to 12 dwelling units per acre for RV parks.

The current FLU of adjacent properties includes Lady Lake Single Family Medium Density, Lake County Urban Low Density, Lake County Urban Medium Density, Lady Lake Commercial General Retail Sales/Services, and Lake County Urban Medium Density.

Utilities are served by well and septic so there will be no impact to town utilities. There will be little to no demand on the public school system and impacts on parks and recreation will be minimal. Transportation impacts will also be minimal, and the project will be required to adhere to St. Johns River Water Management District guidelines. There are several flood zones on the property.

Downzoning is always appreciated by surrounding property owners.

Member Galloway made a motion to forward Ordinance 2024-30 to the Town Commission with the recommendation of approval; Member Brinson seconded the motion.

Member	Vote
Brinson	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 4-0.

D. Ordinance 2024-31— Rezoning — Sawmill Holdings, LLC — An Ordinance Changing The Zoning Designation For Certain Property Being Approximately 52.2 Acres Owned By Sawmill Holdings, LLC Located At The East End Of Hartsock Sawmill Road From Commercial Tourist (CT) To Agriculture Residential (AG-1) Within The Town Limits Of The Town Of Lady Lake, Florida. (Becky Higgins)

Senior Planner Higgins stated that Ordinance 2024-31 proposes to change the zoning designation of the property discussed above – Ordinance 2024-30. The applicant and the background information are the same. The current zoning is Lady Lake Commercial Tourist, and the proposed zoning is Lady Lake Agricultural Residential (AG1); the property is vacant. The request is to rectify a zoning issue with the current zoning and the conservation easement restrictions. AG1 is the lowest density for zoning and allows for one dwelling unit per acre.

Member Brinson made a motion to forward Ordinance 2024-31 to the Town Commission with

1 **the recommendation of approval; Member Auger seconded the motion.**

Member	Vote
Brinson	YES
Galloway	YES
Auger	YES
Furch	YES

2 **Motion carried 4-0.**

3 **E. Ordinance 2024-32 — Small Scale Future Land Use Comprehensive Plan Amendment —T**
4 **Lovell Alpha, LP — Change the Future Land Use Designation from Lady Lake Commercial**
5 **General – Retail Sales and Services (RET) to Lady Lake Multi-Family Low Rise (MF-LR) for**
6 **three properties being 18.5 acres, owned by T Lovell Alpha, LP, addressed as 38624 and**
7 **38700 Rolling Acres Road, within the Town Limits of the Town of Lady Lake, Florida. (Becky**
8 **Higgins)**

9 Senior Planner Higgins stated that the applicant for this Comprehensive Plan Amendment is
10 Craig Brashier, and the owner is T. Lovell Alpha LP. The subject property consists of three
11 parcels, two of which have street addresses on Rolling Acres Road, and a total 18.5 acres. The
12 property is currently vacant except for an abandoned house.

13 In April 2007, the property was annexed into the town limits of Lady Lake, and it was assigned a
14 FLU of RET. At that time, the property owner was approved for 845,850 square feet of
15 commercial space and 369,700 square feet of residential space. They proposed ten buildings of
16 220 units with the first floor being commercial space and second/third floors being residential.
17 The site was never developed. Now, the applicant is looking to remove the commercial
18 component of the approved project and set the maximum number of residential units to 148.
19 This is a downzoning, and the number of units requested has decreased.

20 The existing Future Land Use is Lady Lake Commercial General – Retail Sales and Services. The
21 applicant is proposing a change to Lady Lake Multi-Family Low-Rise which allows for detached
22 single family, attached single family and duplexes. The density cannot exceed twelve units per
23 acre; the applicant is seeking eight units per acre.

24 The FLU of adjacent properties includes Lady Lake Commercial General - Retail Sales/Services,
25 Lady Lake Multi-Family Low Rise, Lake County Urban Low Density, and Lake County Public
26 Service Facility.

27 The proposed maximum demand on potable water would be 37,000 gallons per day which is a
28 reduction of 27,868 gallons per day from the volume currently allowed.

The projected public-school demand would also decrease from 59 students to 39 students and the parks and recreation level of service would not be affected.

The existing FLU nets 7,605 daily trips; the proposed FLU would net 998 total daily trips.

The project would be required to adhere to St. John's River Water Management District guidelines and requirements. There are no flood areas or wetlands on the property per FEMA.

There are possibly 17 gopher tortoises occupied burrows on the property so relocation permitting may be required by the Florida Wildlife Commission.

Pastor Paul Harsh - 432 CR 466 – First Baptist Church of Lady Lake

Dr. Harsh stated that he is in favor of development but cautious about new developments. He added that because of previous conflicts, problems have occurred. He wants to ensure that the programs they have planned for the future are not interfered with by new neighbors who may have an issue with lighting, etc. Because of issues in the past, he would like to get something in writing to ensure his entitlements are not compromised. His goal is to protect the church, its activities, and its permitted uses. The church will always be a good neighbor.

Town Attorney Tremel stated that Mr. Harsh wants assurances that their entitlements and their ability to use their property as designated and permitted now is not going to be impacted.

Craig Brashier, Planning Director – CHW Professional Consultants

Mr. Brashier will pass along Dr. Harsh's contact information to the owners of the subject property so he can discuss his concerns with them directly. Mr. Brashier is confident that with the town's review and development standards, compatibility will not be an issue. They will continue the conversation.

Member Galloway made a motion to forward Ordinance 2024-32 to the Town Commission with the recommendation of approval; Member Brinson seconded the motion.

Member	Vote
Brinson	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 4-0.

F. Ordinance 2024-33 - Rezoning — Amending the Zoning Designation For Properties Owned By T Lovell Alpha, LP, Being Approximately 18.5 Acres Located South Of Lakeview Street

And East Of Rolling Acres Road; Amending The Current Entitlements Of The Planned Unit Development (PUD) Memorandum Of Agreement Within Lake County, Florida. (Becky Higgins)

Senior Planner Higgins stated that Ordinance 2024-33 is a PUD amendment for the same property above – Ordinance 2024-32 – and the summary and background information is the same. The existing zoning designation is PUD with the proposed designation staying the same with amended entitlements. The PUD designation is consistent with properties in the area that are within the town limits. The existing PUD entitlements allow for 845,850 square feet of commercial space and 369,700 square feet of residential use. The maximum building height is 45 feet, and the open space requirement is 20% of the site. The proposed PUD permitted uses would be single family detached units and townhomes with a maximum of 148 units which is eight dwelling units per acre. The maximum building height is 35 feet, and their open space requirement is 25% of the site of which 5% must be activity-based recreation.

Lakeview Steet would be improved 20 feet past the property’s access drive connection and the access drive would be a minimum of 300 feet from Rolling Acres Road. Approximately 25 feet of the western boundary line of the property would be reserved for future right-of-way improvements for Rolling Acres Road.

The plan is to preserve all historic trees on the property of grade 3 or higher.

Member Brinson asked Lakeview Street is paved to a certain point then it is dirt going out to Rolling Acres Road – will the town pave in between where the pavement ends through to Rolling Acres? Growth Management Director Carroll answered that future development would prompt further paving but there are no plans by the town to pave this area.

Member Brinson made a motion to forward Ordinance 2024-33 to the Town Commission with the recommendation of approval; Member Auger seconded the motion.

Member	Vote
Brinson	YES
Galloway	YES
Auger	YES
Furch	YES

Motion carried 4-0.

CHAIRPERSON AND MEMBERS REPORT

There were no comments.

1 **PUBLIC COMMENT**

2 There were no comments.

3 **ADJOURN**

4 The meeting was adjourned at 6:11 p.m.

5

6 _____

7 Nancy Wilson, Town Clerk

8

9

10 _____

11 Dorilyn Furch, Chairperson

12

13



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

AGENDA ITEM TITLE

Resolution 2025-101 - Walmart Neighborhood Market - Variance - Fuel Canopy Setback

AGENDA ITEM ID

20250210

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

1. Motion to forward Resolution 2025-101 to the Town Commission with the Recommendation of Approval.
 2. Motion to forward Resolution 2025-101 to the Town Commission with the Recommendation of Denial.
- Growth Management staff recommends approval of Resolution 2025-101.

On Tuesday, January 21, 2025, a variance application was filed with the Town of Lady Lake, by Conrad Lambert, on behalf of VSI Lady Lake, LLC for property being approximately 19.8 acres, located south of Highway 466 and east of Cherry Lake Road, within the Town Limits of Lady Lake, Florida.

The applicant has requested a variance to the Memorandum of Agreement of Ordinance 2022-15, which requires the buildings to be set back a minimum of 50 feet from the right of way of Highway 466. The variance request is to allow a 14-foot by 47.66-foot portion of the northwest corner of the proposed fuel canopy within the required setback.

APPLICANT'S JUSTIFICATION

Per the applicant, "The County's requested re-design can be met but not without a small encroachment into the fifty-foot setback, a setback that only applies to Hammock Oaks and no other project along County Road 466. Additionally, the re-design is being requested because of the County maintained bike trail which is only located on the southside of the roadway. A further re-design of the site would create significant harm to the Project to address such a small encroachment into the right of way due to changes requested by the County." The full justification statement is included within the packet.

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, January 27, 2025. The property was posted on Tuesday, January 28, 2025, with an additional sign posted on Cherry Lake Road on Wednesday, January 29, 2025 due to road construction.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee reviewed Resolution 2025-101 and found it was ready for consideration by the Planning and Zoning Board.

PUBLIC HEARINGS

The Commission's first and final reading of Resolution 2025-101 is scheduled for Wednesday, February 19, 2025, at 6:00 p.m.

1 **DRAFT RESOLUTION 2025-101**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **A RESOLUTION GRANTING A VARIANCE FROM THE PROVISIONS OF THE**
4 **MEMORANDUM OF AGREEMENT OF ORDINANCE 2022-15, WHICH REQUIRES**
5 **ALL STRUCTURES EXCEPT WALLS OR SIGNAGE TO BE A MINIMUM OF 50**
6 **FEET FROM THE RIGHT OF WAY OF HIGHWAY 466. THE VARIANCE REQUEST**
7 **IS TO ALLOW A 14 FOOT BY 47.66 FOOT PORTION OF THE NORTHWEST**
8 **CORNER OF THE FUEL CANOPY WITHIN THE 50 FOOT SETBACK ON**
9 **PROPERTY OWNED BY VSI LADY LAKE, LLC, LOCATED SOUTH OF HIGHWAY**
10 **466 AND EAST OF CHERRY LAKE ROAD, WITHIN THE TOWN LIMITS OF LADY**
11 **LAKE, FLORIDA.**

12 **WHEREAS**, VSI Lady Lake, LLC is the owner of certain real property located in the Town of
13 Lady Lake, Florida, more particularly described in Exhibit "A"; and

14 **WHEREAS**, the Property Owner petitioned for a variance from the provisions of the
15 Memorandum of Agreement of Ordinance 2022-15, of the Town of Lady Lake Land
16 Development Regulations which requires the front setback to be a minimum of 50 feet from
17 the right of way of Highway 466; and

18 **WHEREAS**, the variance request is to allow a 14 foot by 47.66 foot portion of the northwest
19 corner of the fuel canopy within the 50 foot setback from the right of way of Highway 466,
20 referenced by Exhibit "A", within the town limits of the Town of Lady Lake, Florida; and

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

25 **NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady Lake,
26 Florida, hereby grants a variance from the provisions of the Memorandum of Agreement of
27 Ordinance 2022-15, of the Town of Lady Lake Land Development Regulations which requires
28 a minimum setback of 50 feet from the right of way of Highway 466. The variance approval
29 allows for the encroachment of proposed fuel canopy on property located south of Highway
30 466 and east of Cherry Lake Road, referenced by Exhibit "A", owned by VSI Lady Lake, LLC,
31 within the town limits of the Town of Lady Lake, Florida.

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

RESOLVED this ____ day of _____ **2025**, 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