REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE:	**Monday, March 17, 2014**
TIME:	**6:00 p.m.**
PLACE:	**Town Hall Commission Chambers** **409 Fennell Blvd., Lady Lake, Florida**

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA*

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURAL: *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. PLEDGE OF ALLEGIANCE: Mayor Ruth Kussard

D. INVOCATION[1]: Dr. Paul Harsh, First Baptist Church of Lady Lake

E. ROLL CALL

F. PUBLIC COMMENTS[2]

G. CONSENT[3]:

1. Minutes – March 3, 2014 – Regular Commission Meeting
2. Budget Amendments to Establish CDBG Drainage Budget in FY 2014, and Utilize Excess Reserve Funds in Utilities to Purchase Bypass Pump (Jeannine Michaud)
3. 2014 Concurrency Management Report (Thad Carroll)

H. OLD BUSINESS:

I. NEW BUSINESS:

4. Abatement Order Recommendation – Case No. 12-3773 – 201 Morningside Avenue – Violation of the Town of Lady Lake Code of Ordinances Ch. 7-46 – Unlawful Storage of Junk and Debris, and Ch. 7-67 – High Grass (Cindy Diemer)

5. Consideration of Approval of the Amended and Updated Section 4.10 of the Workers Compensation Policy (Tia O'Neal)

6. Consideration of Town Hall Lobby Window and Door Modification Project (C.T. Eagle)

J. TOWN ATTORNEY'S REPORT:

7. Ordinance No. 2014-03 – Second/Final Reading – Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Sq. Ft. of Commercial Entitlements (Thad Carroll)

8. Resolution No. 2014-102 – First/Final Reading – Plaza Professional Center – Variance Request to Authorize the Removal of a 38" Historic Live Oak Tree to Accommodate a New Office Building on the Last Remaining Parcel at the Plaza Professional Center – Located at 302 La Grande Blvd. (Thad Carroll)

9. Resolution No. 2014-103 – First/Final Reading – Orange Blossom Hills Country Club Expansion – Parking Space Size Reduction Variance to Allow 9.5'x17' as the Minimum Regular Parking Space Size Throughout the Orange Blossom Hills Country Club – Located at 1542 Water Tower Circle (Thad Carroll)

K. TOWN MANAGER'S REPORT:

10. Consideration of Appointment to the Planning & Zoning Board (Kris Kollgaard)

L. MAYOR/COMMISSIONER'S REPORT:

M. PUBLIC COMMENTS[4]

N. ADJOURN

***Back up for agenda items is available on the Town's website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk's Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he 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)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

NS/Word/Town Clerk/Agendas - Commission Meeting – 03-17-2014

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[1] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

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

[3] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

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

G-1

MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
March 3, 2014

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

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURAL: *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. PLEDGE OF ALLEGIANCE: Mayor Ruth Kussard

D. INVOCATION[i]**:** Reverend Daniel Burgess, Lady Lake Wesleyan Methodist Church

E. ROLL CALL: Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Chief Chris McKinstry, Police Department; John Pearl, I.T. Director; Jeannine Michaud, Finance Director; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS[ii]

Mayor Kussard asked if anyone in the audience would like to speak on any item. There were no comments.

G: PRESENTATION:

1. Presentation of Check to the Town of Lady Lake by the Kiwanis Club of Lady Lake (Cleve Tinsley/Mike Burske)

Mike Burske, Parks and Recreation Director, reported that at a recent fundraiser, he ran into Mr. Tinsely and others of the Kiwanis Club and talked to them about funding for the annual Easter Egg Hunt, and they offered to assist.

Cleve Tinsley of the Kiwanis Club of Lady Lake thanked the Commission for having them and explained that the Kiwanis Club is a global organization of volunteers dedicated to changing the world; one community and one child at a time. He stated the children in Lady Lake constitute the local

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Kiwanis Club's priority. He presented a check in the amount of $1,300.00 to the Town to assist with the annual Easter Egg Hunt, which essentially covers the total overall costs. Mr. Burske, Town Manager Kris Kollgaard, and Mayor Kussard thanked Mr. Tinsley and the Kiwanis Club of Lady Lake for their generous donation on behalf of the Commissioners and the Town.

H. PROCLAMATION:

2. Proclaiming the Month of March 2014 as Irish American Heritage Month (Mayor Kussard/Pat Kennedy of the Villages Hibernians)

Mayor Ruth Kussard proclaimed the month of March 2013 as Irish American Heritage Month. She introduced Commissioner Hannan to read the proclamation, explaining that he is proud of his Irish heritage and is both an Irish and American citizen. Commissioner Hannan presented the proclamation to Pat Kennedy of the Villages Hibernians.

I. CONSENT[iii]:

3. Minutes – February 19, 2014 – Special Commission Meeting

Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved Consent Item #I-3 by a vote of 5 to 0.

J. OLD BUSINESS:

4. Consideration of Purchasing 5.73 +/- Acres Known as the Wildflower Property (Kris Kollgaard)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Town Clerk's office. She stated that as directed, the Town Attorney submitted the counter offer to the Wildflower Development Corporation to purchase the 5.73 +/- acres for $164,500, with closing to be within 45 days. The Town will pay all closing costs, except the taxes due for 2013 and the pro-rata share of taxes for 2014 through the date of the closing. Ms. Kollgaard reported that Mr. Farnsworth from the Wildflower Development Corporation accepted the offer and the contract is attached for the Commission's consideration. She stated the Town would want to have a Phase 1 Environmental Site Assessment (attached proposal from Universal Engineering Sciences for $1,800), and closing costs and title insurance will be approximately $1,500, and if a survey is needed, it will be approximately $2,500. She stated Mr. Farnsworth does have a survey and the Town can utilize that one provided it is an original. Ms. Kollgaard stated the funds are available for this purchase in the Reserves or they can be taken out of Parks and Recreation impact fees; however, she asked that the Commission keep in mind if Parks and Recreation Impact fees are utilized for this purchase, the property is restricted to Parks/Recreation use only.

Commissioner Hannan asked for a consensus on where to take the money from, stating he prefers to take it out of Reserves.

Commissioner Richards stated that it makes sense to take it out of Parks and Recreation, as that was the original idea for the property. He stated that if the Town later decided not to use a portion of it, he believed the Town would be able to reimburse the Parks and Recreation Impact Fee fund from general funds.

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Commissioner Holden stated he would prefer to take it out of Reserves at the outset. Commissioner Vincent agreed, as did Mayor Kussard, stating the Town would not be restricting the use of the property for parks.

Ms. Kollgaard stated she would check with the auditor to see if the Town could reimburse the Parks and Recreation Impact Fee fund at a later date as suggested by Commissioner Richards, in case this comes up again.

Mayor Kussard confirmed that there was a consensus of 4 to 1 to fund the purchase of the property out of Reserves versus the Parks and Recreation Impact Fee fund.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the Contract to Purchase the 5.73 +/- acres Known as the Wildflower Property (AK#1698693) in the Amount of $164,500.00 Plus Closing Costs, by a vote of 5 to 0.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved Utilizing Universal Engineering Sciences for the Phase 1 Environmental Site Assessment in the Amount of $1,800.00, by a vote of 5 to 0.

5. Consideration of Approval for the Town Manager to Execute an Affidavit to Allow WRYP ILF, LLC to transfer the property of Lexington Park – Phase II prior to Connection to Town Utilities (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that on November 4, 2013, a Sewer, Water, and Reuse Agreement was executed between the Town of Lady Lake and WRYP ILF LLC for capacity reservation of ten Sanitary Sewer ERUs, ten Potable Water ERUs, and five Reuse Water ERUs. Mr. Carroll stated that at this time, it is the desire of ownership to transfer the property to a new owner; however, in accordance with Section 6 of the Agreement, the Alienability Restriction, the property is prohibited from being transferred prior to the connection to the Town's Utilities, unless express written consent of the Town of Lady Lake is obtained. He stated that Charles Carver, attorney in representation of WRYP ILF LLC and Lexington Park Phase II, has prepared an Affidavit for signature by the Town Manager to consent to the Developer's selling and transferring of the property. Mr. Carroll stated that as per Section 6 of the agreement, the developer is afforded this option to transfer prior to connection with express written consent by the Town, and given that the agreement was approved by the body of the Town Commission, this consent must be approved by the Town Commission as well. If approved, the property will be able to be transferred, consistent with the desire of the developer at this time; however, the capacity reservations would still be in place for the subsequent owner. The Town has already collected the $48,170.00 of impact fees as required by the agreement.

Mr. Carroll stated that Barry Mansfield is present to answer any questions.

Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the Consideration for the Town Manager to Execute an Affidavit to Allow WRYP ILF, LLC to transfer the property of Lexington Park – Phase II prior to Connection to Town Utilities, by a vote of 5 to 0.

K. NEW BUSINESS:

6. Consideration to Accept and Sign the Local Agency Program Agreement from FDOT District 5 for the Design of Phase II of the Rolling Acres Sidewalk Project Funded through the Safe Routes to School Grant (Mike Burske)

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the Town of Lady Lake was awarded a total of $274,085.00 for Phase II of the Rolling Acres Sidewalk Project. At this time, F.D.O.T. has appropriated $36,000.00 for the design of the project. Mr. Burske asked that the Commissioners note that the figure of $31,484.00 on the Notice to Proceed and the $36,000.00 on the LAP Agreement are different as F.D.O.T. District 5 raised the design funds to $36,000.00. He stated the Town will have to submit a Request for Qualifications for a design firm and form a committee of Town employees. Mr. Burske stated that if the negotiated fee comes in at higher than $36,000.00, the Town may have to fund the balance if F.D.O.T. District 5 decides against funding the difference.

Mr. Burske stated that this agenda item is tied in with the resolution under item L-11.

Commissioner Richards commented that he believed that District 5 would approve an increase in funding if it became necessary and had merit.

Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved to Accept and Sign the Local Agency Program Agreement from FDOT District 5 for the Design of Phase II of the Rolling Acres Sidewalk Project Funded through the Safe Routes to School Grant, by a vote of 5 to 0.

Commissioner Hannan asked Mr. Burske if he had any idea when the portion of the sidewalk project on Griffin Road would start up again, as it has been held up by the County in permitting.

Mr. Burske replied that he met with the parties involved and they have ironed out their differences, and it should start up again within ten days.

7. Consideration of Approval to Begin the Engineering for the Minor Field Fence Project (Mike Burske)

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the Commission appropriated $40,000.00 for a new fence at the Guava Street baseball fields in the 2013-2014 budget. He stated he received a quote from Neel-Schaffer Engineering as staff would like to build the new fence to a more professional specification. The fence will be similar to the Hicks Field Fence, but will have a couple of changes to meet the Little League's safety regulations. Mr. Burske stated the cost of the engineering is $1,200.00. He stated the design used on Hicks Field has eliminated a lot, if not most, of the issues with foul balls. The fence has also been complimented by visiting teams who were impressed by the design and appearance. Mr. Burske stated the biggest difference in the two designs will be where the pitching practice area is at the Minor Field; the fence will be elevated to meet new safety requirements.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the Beginning of the Engineering for the Minor Field Fence Project and to Award it to Neel Schaffer Engineering, by a vote of 5 to 0.

8. Consideration of an Interlocal Agreement between the Town of Lady Lake and the Lake~Sumter Metropolitan Planning Organization Relating to the Town of Lady Lake Pavement Management Program (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the Lake~Sumter Metropolitan Organization (MPO) has procured

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an engineering consultant to assist its member localities with Pavement Management Programs. Mr. Eagle stated the Town's current PMP software and information is hosted in-house, and by joining efforts with the MPO, the Town will be a part of a more regional pavement management and maintenance effort. He stated that combining resources with others could lead to cost savings and larger regional projects, while saving Town funds in software licensing and database information update expenses. Mr. Eagle reported that this is a budgeted item, and the agreement has been reviewed and approved by our Town Attorney. He stated that the MPO Governing Board met and approved this agreement on February 26, 2014.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the Interlocal Agreement between the Town of Lady Lake and the Lake~Sumter Metropolitan Planning Organization Relating to the Town of Lady Lake Pavement Management Program, by a vote of 5 to 0.

9. Consideration of Hilltop Subdivision Preliminary Plat – A 94 Unit Single-Family Residential Subdivision on 44.43 +/-Acres – Located on Griffin Avenue Approximately 5,650 Ft. East of the Intersection at County Road 25 (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that applicant Milton Jennings, President of Hilltop Manors, Inc., has submitted plans for Preliminary Plat Approval of a subdivision which proposes the construction of 94 single-family residential units on approximately 44.43 acres of vacant property. The property is located on Griffin Avenue approximately 5,650 feet east of the intersection at County Road 25 (Alternate Key Numbers 1238277, 1770483, and 1238111). The Preliminary Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs). Mr. Carroll stated that all of the following reviews were included in the packet:

1. Preliminary Plat Plan Review completed by Public Works dated 12/6/2013 and 01/29/2014 (Satisfied).
2. Fire Review No. 3 for the Preliminary Plat completed by Kerry Barnett dated 01/31/2014 (Satisfied)
3. Review No. 3 for Preliminary Plat completed by Neel-Schaffer Engineering, dated 01/30/2014. (Satisfied)
4. Lake County Public Works Review completed by Ross Pluta dated 12/5/2013 (Satisfied).
5. Lake County School District-School Concurrency Review by Dawn McDonald dated 12/5/2013 (Satisfied).
6. Lake Sumter MPO Traffic Analysis review dated 12/4/2013 (Satisfied).
7. Lady Lake Building Official comments dated January 29, 2014 (Satisfied).

The property Future Land Use designation is Single Family Medium Density (SF-MD). The Zoning designation is Planned Unit Development (PUD) governed by the Memorandum of Agreement adopted under Ordinance No. 2013-02, establishing Residential Single Family up to six dwelling units per acre. Mr. Carroll noted that under the original ordinance, the applicant was allowed a maximum of 141 units, but this evening's proposal is for 94 units.

Mr. Carroll reviewed the preliminary plat drawings. He stated that the Preliminary Plan meets the design requirements of the Town of Lady Lake Land Development Regulations, Chapter 8 – Subdivision and Plats, and adheres to the requirements of the Comprehensive Plan of the Town of Lady Lake. The preliminary plat plans, consisting of five sheets, are drawn on 24"x36" pages and have been certified by Donald A. Griffey, Professional Engineer of Griffey Engineering for Jennings Construction Services Corporation.

Mr. Carroll noted that comments on this application are as follows:

1) The Hilltop subdivision proposes not to connect to Town's Sewer, Water, and Reuse; therefore, Utility Plans will be submitted in the subsequent Improvement Plan application.

2) In accordance with the provisions of Chapter 8, Section 8-6).e).1, the applicant shall submit copies of all jurisdictional agency approved permits and/or Exemption Letters (when applicable), including:

   - Lake County Right-of-Way Utilization Permit
   - DEP Water Well Permits
   - St. John's River Water Management District ER Permit
   - Florida Fish & Wildlife Permit to relocate Gopher tortoises off-site
   - Drafts of protective covenants

3) The applicant will be required to submit the Covenants and Articles of Home Owner's Association for the subdivision.

4) In accordance with the provisions of Chapter 8, Section 8-5).f).1), the Hilltop Subdivision will be providing 6.9 percent for activity-based recreation areas (of the required 25 percent Open Space). The breakdown for Active Recreation Area is as follows:

   a. Pool/Cabana 4,704 S.F.
   b. Dog Park/Tot-Lot 9,000 S.F.
   c. Exercise Path 26,407 S.F.

Mr. Carroll noted that Preliminary Plat Approval does not permit the construction of any improvements. Improvement Plans have to be approved and all permits from other agencies with jurisdiction must be completed before a development order may be issued. He stated that grading, water retention and diversion of any water as a result of grading will be addressed during the improvement plans process. Lastly, a final subdivision plat application must be approved by the Town Commission before building permits can be submitted for individual homes.

Photos of the property and its location were shown.

Mr. Carroll reported that the application was received on August 22, 2013. He stated that the Technical Review Committee reviewed this plat application at their regular meeting on Tuesday, February 4, 2014, and the committee recommended that this preliminary plat was complete and ready for transmittal to the Planning and Zoning Board by a vote of 5-0. On February 10, 2014, the Planning and Zoning Board reviewed the preliminary plat application at their regular meeting, recommending approval to forward to the Town Commission by a vote of 3-0.

Mr. Carroll stated that Don Griffey and Michael Orem are present if there are any questions.

Commissioner Hannan commented that the homeowners will most likely be able to have golf carts, and he expressed his concern that there be proper signage so that golf carts did not leave the development onto Griffin Road, unless they are street legal.

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Mr. Carroll stated they would have to comply with the low speed vehicle laws, and the Town normally adopts an ordinance or resolution to designate a community as a golf cart community.

Mr. Griffey stated the development will allow golf carts, but limit them to be internal in the development, and there will be proper signage. He stated there will be a pool and a cabana that will be accessible by golf cart.

Commissioner Holden stated he is concerned about the lack of a left turn lane for westbound traffic, although he noted that there is a right turn lane for eastbound requested by the County.

Mr. Griffey stated that is all the County is requiring as a result of the traffic study that was completed. He stated that due to the nature of the site, and the fact that the entrance/exit is on the top of a hill, they will have a single entrance/exit instead of a double one.

Commissioner Holden stated it would be cheaper to add the left turn lane now during construction rather than in the future, and he is concerned about safety.

Commissioner Richards commented that road impact fees will pay for improvements if there is more development out that way in the future.

Commissioner Holden asked if the parks and recreation areas would be on the right side of the entrance road.

Mr. Griffey replied that they will be on both sides; a dog park and tot lot will be on the right side with a cabana and pool on the left side.

Commissioner Vincent stated that the dog park is shown as being less than 50 feet from the back door of a Water Oak resident, whereas it is more than 200 feet from a Hilltop resident's lot. He stated that it is too close to Water Oak and is unacceptable where it is located now. He asked that it be moved further away from Water Oak and closer to the entrance road; at least an equal distance from both Water Oak lots and Hilltop residents' lots.

Michael Orem, representing the developer, stated the dog park idea came about from visiting other Central Florida developments, and is a place for residents to allow their dogs to run loose in a well-sodded and fenced area. He stated they will not be running around at all hours of the night or running loose without their owners.

Commissioner Hannan stated he concurred with Commissioner Vincent in that there is a lot of space closer to the entrance road that could be utilized, and that the dog park is currently very close to Water Oak residents where Commissioner Vincent lives.

Mr. Orem stated that they were trying to save a lot of the existing trees in the area closer to the entrance road for a park. He stated that he will convey the Commissioners' concerns to the owner regarding the dog park.

Commissioner Vincent asked for clarification regarding a proposed three foot wall along the eastside of the development near Water Oak that was discussed at the February 10, 2014 Planning and Zoning meeting.

Mr. Griffey stated they discussed a retaining wall.

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Commissioner Vincent expressed concern about the grading and water drainage into Water Oaks from the development.

Mr. Griffey explained that the grading plan for these lots will have every lot draining internal to the development's retention ponds, which will eliminate the current problem Water Oak is experiencing with the westerly run-off from the Hilltop property. He stated that along with the grading, a retaining wall will be installed on the western boundary and it will be shown on the improvement plan, and will act somewhat as a buffer wall. He explained that extensive grading will be done to pull down the hill in the center of the property and the dirt will be spread around to the low side perimeter to allow it to drain internally.

Commissioner Vincent asked where the two wells on the property would be located. He stated that Water Oak has three wells that will be within 3,000 feet of Hilltop's wells.

Mr. Griffey replied that they would be alongside the northern roadway toward the cabana and that it is the maintenance road to the well site. He stated that they will be submitting for a consumptive use permit for the two six inch wells this week, along with the environmental resource permit, and will be turning in the construction plans to the Town if this preliminary plat is approved.

Commissioner Holden asked how many gallons per resident the developer is requesting to draw on the St. John's consumptive use permit.

Mr. Griffey stated that they typically go for the standard ERU, which is 325 gallons per day, although another group takes care of that.

Commissioner Holden asked if the developer will be forming a state chartered homeowners association once they are well underway with the construction of the homes, and as such, will be maintaining their own parks.

Mr. Griffey replied that there will be a homeowners association and draft documents have been submitted to the Town, and they understand they will maintain their own parks.

Commissioner Hannan clarified that the developer will have the homeowners association for a certain period until the homeowners actually take over once it is close to build out. He also clarified that Commissioner Vincent's use of the word "we" did not include the other Commissioners.

Mr. Griffey stated the homeowners will take over the association once they own the majority of the lots.

Mr. Carroll explained that this will come back to the Commissioners for Final Plat where they can review the HOA documents and any adjustments of the location of the parks, and the engineer and attorney will review it. He stated that this process is to move the project forward to the next step where there may be modifications at that time.

Commissioner Vincent stated he was using "we" to include the Water Oak homeowners. He also asked if the roads in the development will be maintained by the developer.

Mr. Carroll stated that the plat states that the streets will go to the Town of Lady Lake, but will have to comply with Town's design standards, and they will be inspected by Public Works to be sure they are constructed to the Town's desire before they are dedicated to the Town.

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Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the Hilltop Subdivision Preliminary Plat – A 94 Unit Single-Family Residential Subdivision on 44.43 +/-Acres – Located on Griffin Avenue Approximately 5,650 Ft. East of the Intersection at County Road 25, by a vote of 4 to 1 (Vincent).

10. Consideration of Continuing the Contract with Makholm Law Group for the Purpose of Conducting Legal Review of Police Procedure (Chris McKinstry)

Police Chief Chris McKinstry gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that during the January 6, 2014 Commission meeting, approval was given to enter into an agreement with the Makholm Law Group to review new police procedures for legal sufficiency. Chief McKinstry stated this service is not covered under the Town's existing policy with PRM. He stated that the Commission imposed an initial financial limit not to exceed $3,000.00 without requiring re-approval, and that initial expenditure has now been exhausted. Chief McKinstry stated the total expense for review of all police procedures is not anticipated to exceed $8,000.00 total, and approval to spend an additional $5,000.00 is requested to complete this task.

Commissioner Richards asked why the original estimated cost of $3,000.00 for this review was so far off.

Town Manager Kris Kollgaard explained that the staff initially thought that much of this was covered under the Town's existing contract with PRM, but once PRM looked at it, they advised that the review of police procedures was separate.

Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved Continuing the Contract with Makholm Law Group for the Purpose of Conducting Legal Review of Police Procedure, by a vote of 5 to 0.

L. TOWN ATTORNEY'S REPORT:

11. Resolution No. 2014-106 – First/Final Reading – In Support of the Safe Routes to School Project (Mike Burske)

Derek Schroth, Town Attorney, read the ordinance by title only.

Commissioner Richards commented that this resolution is part of the boilerplate for Phase II of the FDOT District 5 Sidewalk Construction Project.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved Resolution No. 2014-106 – First/Final Reading – In Support of the Safe Routes to School Project, by the following roll call vote:

HOLDEN	*YES*
VINCENT	*YES*
HANNAN	*YES*
RICHARDS	*YES*
KUSSARD	*YES*

12. Ordinance No. 2014-03 – First Reading – Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development

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Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Sq. Ft. of Commercial Entitlements (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact development order. The DRI Development Order must be amended to add 94 ALF beds since Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 sq. ft. of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

Mr. Carroll reviewed the map which showed the proposed location; the ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial (TCC) area inside of Avenida Central and U.S. Highway 27/441. He stated that while the entitlement for the use will permit this use to be placed anywhere within the TCC, it is anticipated that the development will be built on the vacant property on the corner of Avenida Central and Alvarez Avenue. The campus will consist, more specifically, of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and the Zoning Designation of the property already permits the use of Assisted Living Facilities.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the attached transportation analysis provided by Kimley-Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 sq. ft. of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips,

and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's (DEO) determination letter with the application.

Mr. Carroll reported that the application was received on January 2, 2014. He stated that notices to inform the surrounding property owners (14) within 150' of the subject property of the proposed amendment were mailed by certified mail return receipt on January 28, 2014, and eight inquiries have been received by staff. Mr. Carroll stated that most of the questions focused on site plan issues, which are premature. The property was posted on Tuesday, January 28, 2014. Town Attorney Derek Schroth reviewed and approved Ordinance No. 2014-03 to form on January 31, 2014.

Mr. Carroll reported that the Technical Review Committee reviewed the application for Ordinance No. 2014-03 at its regular meeting on Tuesday, February 4, 2014, recommending approval to forward to the Planning and Zoning Board with a 5-0 vote. At the February 10, 2014 meeting, the Planning and Zoning Board voted 3-0 to forward Ordinance No. 2014-03 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2014-03 for second and final reading on Monday, March 17, 2014.

Mr. Carroll stated that Martin Dzuro and Darrin Taylor are present to answer any questions.

Commissioner Hannan stated he read a couple of letters that came in and understands their concern, but noted that if this zoning is not changed, it will remain commercial and there could be many businesses that could be worse than the proposed ALF. He stated he hoped the residents understood that.

Commissioner Richards stated that he looked for this property and finally found it behind the Winn-Dixie. He also agreed that an ALF would probably be better than commercial in this area.

Commissioner Holden asked the total acreage for this parcel, and was told it is 2.54 acres. He stated he has no problems with this project.

Mayor Kussard stated she understands the concerns of the residents of Vista Sonoma wanting to know what will be going in so close by. She explained that this is just the first phase in the process to amend the development of regional impact to remove 7,550 sq. ft. of commercial entitlements and add entitlements for a 94 bed assisted living facility. Mayor Kussard stated that many of the questions asked at the Planning and Zoning meeting pertained to the site plan which will be coming up at a later date. She invited the public to comment on this, but asked everyone to stay on the present subject, which is to amend the DRI to allow the ALF.

- Mr. Irwin King introduced himself as the President of the Vista Sonoma Homeowners Association, and stated their concern is that they do not know what it will be or what it will look like. He asked when in the process they would find out this information and when they would have an opportunity to comment on it.

Mayor Kussard replied they would find out this information at site plan.

Mr. Carroll reported that he received emails from Mr. King, and he has requested that he be emailed regarding any application information for projects occurring around his development. He stated that staff could certainly forward him an email him once the application is received to keep him informed.

Commissioner Richards commented that the proposed development would meet the Lady Lake commercial design standards, which mirrors The Villages commercial standards, so it should be tasteful and look similar to other buildings in the Square.

DRAFT

Mr. Carroll confirmed that, and stated any waivers to the design standards that may be sought will have to come before the Commission for approval.

- Matthew Luck of 1005 Avenida Sonoma stated that they must have some idea of how they will build the 94 bed facility, how many square feet it will have, and how many floors it will have.

Mayor Kussard explained all of that information would be provided at the site plan stage, and that this is just the first phase of the process. She stated the Commission is only considering approval of the amendment from the commercial entitlement to the assisted living facility entitlement at this meeting.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved Ordinance No. 2014-03 – First Reading – Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Sq. Ft. of Commercial Entitlements, by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

M. TOWN MANAGER'S REPORT:

Town Manager Kris Kollgaard reported that the Lake-Sumter MPO and Lake County are currently drafting a plan regarding bus stops and shelters. They would like to work with the Town on a 50/50 matching plan on the best shelters and stops in the area.

Ms. Kollgaard stated she was doing some research and came across some interesting facts in the old minute books. She stated that when there was a vote held in 1925 regarding incorporation of the town, there were only 50 voters, and 42 were present at the library to vote. Of those 42, five chose not to vote and the voting results were 33 in favor of incorporation and five against. Ms. Kollgaard also reported that the Mayor presided over court trials at that time. She read an excerpt: *"The Mayor or Acting Mayor of said town shall be allowed the sum of $2.50 for conducting a trial, docketing, and keeping the docket of each trial, swearing of the witnesses, and all other things and matters performed by said official."*

Commissioner Hannan stated he loved the factoids and hoped Ms. Kollgaard provided more at each meeting.

Ms. Kollgaard commented that the town still has an ordinance in effect on properly tying up a horse.

N. MAYOR/COMMISSIONER'S REPORT:

Commissioner Hannan gave kudos to the Mayor for throwing out the first ball at the Little League opening ceremonies. He stated it was well covered on The Villages News.

Commissioner Hannan also brought up that dozens of trees have either been cut down or hat-racked in Lady Lake and The Villages in the last few years, some without permits, or without permission from The Villages deed compliance board which is the Architectural Review Board (ARC), of which he is a

DRAFT

member. He stated that the Town's Code Enforcement is reactive and responds to complaints, but would like to see the Town be more proactive by hiring another part-time or contracted person to go out and give notices to those offenders. He asked the other Commissioners for their thoughts on this.

Ms. Kollgaard asked if he was looking for a weekend person to be hired, and Commissioner Hannan replied that he was not, but would like someone to work during the week.

Mayor Kussard clarified that they would be going after the residents, not the tree trimmers.

Ms. Kollgaard suggested that more education might be the key, such as sending out the booklet that the Town currently has. She stated that there is such a large area that even another part-time person would not make much of a dent in the violations.

Commissioner Hannan stated that any dent would be worth it, and suggested hiring or contracting someone for a trial period of three to six months to give out citations.

Commissioner Richards agreed that it is a problem and that he has informed the tree trimmers that soliciting is not allowed. He suggested trying to change the law to make the tree trimmers responsible.

Town Attorney Derek Schroth stated the earlier discussions on this subject were regarding the licensing of the tree trimmers and the fact that many of them travel from other areas to work in this area, and this was found to be overly burdensome and too much regulation, constitutionally. He stated that they would be unable to go after and fine those who do not have their business located here because they are not in the Town's jurisdiction, but suggested that a fine structure could be imposed on local businesses.

Commissioner Hannan stated that homeowners are being conned and have come before the Board saying that the tree trimmers say what was done is allowed.

Commissioner Richards stated that it would be nice if they could be found guilty of committing fraud if they are saying something that is not true or something they are not knowledgeable about and getting the homeowners fined as a result. He suggested talking about this more at a workshop, but stated he is not in favor of adding a position at this time. He also suggested talking to the local arborists and getting their suggestions on what the Town should do.

Ms. Kollgaard stated that the Town's only recourse at this time is the homeowner.

Mr. Schroth stated the Town could require permitting for partial tree removal, but there would be difficulty in drafting the description, and it would be up to the Code Enforcement officer and/or permitting official to decide if it meets the guidance provided, which is sometimes not clear or is a matter of opinion.

Commissioner Richards stated he would like to see something done, as the Town's citizens are set upon.

Commissioner Holden agreed the Commission should move forward with it.

Mayor Kussard stated that homeowners need education on what they can and cannot do, and sometimes just follow their neighbor's lead. She stated an article in the paper may be helpful in explaining what is needed.

Ms. Kollgaard stated that staff will do some research and bring back ideas.

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Commissioner Vincent suggested putting notices in the water bills that are sent out.

Ms. Kollgaard stated it is a good idea, but Lady Lake does not service The Villages.

Commissioner Richards suggested asking the POA to put something in their paper. He also informed the Mayor that she was doing a great job as Mayor, and that he had seen the pictures where she had been at Harbor Chase. He commented that she was "the lady in Lady Lake".

O. PUBLIC COMMENTS[iv]

- Dan Bard of Mira Mesa stated he would be happy to put announcements regarding the tree trimming on the bulletin boards in The Villages. He stated he would forward them to Janet Tutt if Ms. Kollgaard could email something to him. Mr. Bard stated he would also give the announcement to the POA and to the Village Voice.

The Town Manager and Commissioners thanked Mr. Bard for his assistance in this matter.

- Kathy Neasham, General Manager of Water Oak, voiced her agreement with Commissioner Vincent that the dog park proposed at the Hilltop Subdivision should be moved further away from the Water Oak residents.

- Eddie Qualls of 706 E. Norman Street in Lady Lake introduced himself as the Vice President of the Homeowners Association in Water Oak. He also expressed his concern about the location of the dog park in Hilltop, and asked if they would consider repositioning the dog park further from the homes in Water Oak.

P. ADJOURN

There being no further discussion, the meeting was adjourned at 7:18 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

[i] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

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

[iii] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

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

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G-2

TOWN COMMISSION AGENDA ITEM

REQUESTED REGULAR COMMISSION MEETING DATE Mar 17, 2014

SUBJECT: Budget Amendment to establish CDBG Drainage budget in FY2014; and to utilize excess Reserve Funds in Utilities to purchase By Pass Pump

DEPARTMENT: Finance Department

RECOMMENDED MOTION: Staff recommends approval of BT14-010 to establish CDBG Grant Drainage Improvement budget for $750,000 in FY2014 and BT14-012 to increase Sewer equipment to Purchase By Pass Pump from Utility Reserves for $47,000.

SUMMARY: Amendment BT14-010 appropriates a FY2014 budget for the CDBG grant. This amendment will increase the expense line item for Small Cities Grant Expense funded by CDBG Grant revenue. Commission approved the award of the construction contract at the February 19, 2014 Commission meeting.

In the FY 2014 budget, we identified potential purchases from the reserves. The By Pass Pump was one of the items identified in the Utility Fund. Current pumps cannot be used for the high pressure lift stations. At the end of FY2013, there is $2,109,382 in Utility Unrestricted Reserves.

FISCAL IMPACT: GF $750,000
Utility $47,000

[ ] Personal Budget
[ ] Operating Budget
[X] Other Capital Outlay 001-4102-541-6121
401-3503-535-6410

ATTACHMENTS: [ ] Ordinance [ ] Resolution [X] Budget Resolution

[X] Other (Budget Transaction FT14-010 & BT14-012)

[ ] Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD JRM **Submitted** 3/5/2014 **Date**

FINANCE DEPARTMENT JRM **Approved as to Budget Requirements** **Date** 3/5/2014

TOWN MANAGER **Approved Agenda Item for: Date** 3-17-14

COMMISSION ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

Reviewed by: 3-05-14

TOWN OF LADY LAKE
BUDGET TRANSACTION FORM FY2014

TO: Town Manager **DATE:** 2/26/2014

FROM: Finance **TRANS NO :** BT 14-010

FUND	ACCOUNT	DEPT	ACCT DESCRIPTION	INCREASE	(DECREASE)
REV					
001	0000-331-9200	REV	FEDERAL GRANT - CDBG	$750,000	
EXP					
001	4102-541-6121	PW-R&S	CDBG ENG	$41,000	
001	4102-541-6121	PW-R&S	CDBG ADMIN	$60,000	
001	4102-541-6121	PW-R&S	CDBG CONSTRUCTION	$649,000	
				$750,000	

JUSTIFICATION: ESTABLISH FY2014 BUDGET FOR ENGINEERING, ADMIN, AND CONSTRUCTION FOR CDBG GRANT DRAINAGE IMPROVEMENTS TO SKYLINE DRIVE AREA

Required Authorization/Approval

◉ **Town Commission Action Required**
From Fund Balance
Transfer of Budget Between Funds
Transfer of Budget Between Departments - Anything
Within Department - Capital
Increasing total revenue and expenditure bottom-line budget

TOWN COMMISSION ACTION:
☐ Approved
☐ Disapproved **DATE:** _____
Agenda Item #

○ **Town Manager**
Transfer of Budget Within Department
- Operating & Personal Services

○ **Department Heads**
Transfer of Budget Within Operating
- Not Capital or Personal Services
- With Town Manager Approval

Jeannine Michaud 2/25/2014
Department Head Signature and Date

Town Manager Signature and Date

Finance Dept. Action:
☒ **Amendatory Required**
☐ Disapproved
☐ Approved
Finance Director **Date**

DATA ENTRY ACTION:
Accounting Period: _____
Posted by: _____
Data Entry Date: _____

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

eCDBG

LINE ITEM EXPENDITURES (BY CONTRACT)

Report Date : 2/26/2014
Report Time : 12:16:42 PM

Contract : 13DB-OI-06-45-02-N 36
Recipient : Town of Lady Lake

Closeout Status : Open
Contract Period : 3/26/2013 - 3/25/2015

% Drawn Down : 1.55%

Activity	DEO Code	Record #	Budget	Disbursed	Balance	% Left	Planned Accomp.	Planned Other Funds	Planned Beneficiaries
Administration	21A	11424	$60,000.00	$9,630.00	$50,370.00	83.95%	0	$0.00	0
Engineering for Drainage	03I	11423	$40,180.00	$2,000.00	$38,180.00	95.02%	0	$0.00	0
Engineering for Water/Sewer	03J	11423	$820.00	$0.00	$820.00	100.00%	0	$0.00	0
Flood & Drainage	03I	11423	$639,000.00	$0.00	$639,000.00	100.00%	3800	$0.00	213
Sewer Lines - Replacement	03J	11423	$10,000.00	$0.00	$10,000.00	100.00%	1	$0.00	414
Totals			**$750,000.00**	**$11,630.00**	**$738,370.00**	98.45%		**$0.00**	

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Consideration of Department of Economic Opportunity (DEO) Community Development Block Grant (CDBG) – Approval to Award Project for Construction pending final DEO Approval

DEPARTMENT: Public Works

STAFF RECOMMENDED MOTION: Approve to Award CDBG Project for Construction pending final DEO Approval.

SUMMARY: On September 19, 2012, the Town authorized Fred Fox Enterprises to submit a CDBG application in the Neighborhood Revitalization (NR) category to make drainage improvements to portions of the Skyline Drive area. The complete application was submitted to the DEO on October 1, 2012, and subsequently approved/awarded to the Town. DEO cleared the project for bidding on November 5, 2013.

On January 14, 2014, five (5) bids were received in response to the Town's Advertisement for Bids on the CDBG 13 NR Skyline Drive Drainage Improvements project. The Town's Engineer has reviewed the bids, contacted the low-bidder's references, and has found B.R.W. Contracting, Inc. to be low bidder for this project. The base bid work includes construction of the drainage improvements with reinforced concrete pipe and concrete sidewalks through the project limits. The Town's approval should be contingent upon approval by the Department of Economic Opportunity (DEO), as well as receipt of proper bonds and insurance certificates by the contractor. The Town's approval is required first to move the process to the next steps.

The attached documents have been reviewed and approved by the Town Engineer and Town Attorney.

FISCAL IMPACT: $ 631,082.00
(Construction to be paid from grant)

[ ] **Capital Budget**
[ ] **Operating**
[X] **Other** - Grant Funds

ATTACHMENTS: [ ] **Ordinance** [ ] **Resolution** [ ] **Budget Resolution** [ ] **Other**
[X] **Support Documents** -*Engineer's Recommendation of Award Letter, bid documents.*

DEPARTMENT HEAD **Submitted** **Date** 02/04/2014

FINANCE DEPARTMENT JRM **Approved as to Budget Requirements** **Date** 2/6/2014

TOWN MANAGER **Approved Agenda Item for:** 2/19/14 **Date** 2/10/14

COMMISSION ACTION:

[✓] **Approved as Recommended** VIN/HAN 5-0 [ ] **Disapproved** [ ] **Tabled Indefinitely**

[ ] **Continued to Date Certain** [ ] **Approved with Modification**

cc: C.T. – P.W.
FIN.

TOWN OF LADY LAKE
BUDGET TRANSACTION FORM FY2014

TO: Town Manager **DATE:** 3/5/2014

FROM: Finance **TRANS NO :** BT14-012

FUND	ACCOUNT	DEPT	ACCT DESCRIPTION	INCREASE	(DECREASE)
REV					
401	0000-389-9000	Util	Transfer from FB - Reserves	$47,000	
EXP					
401	3503-535-6410	Sewer	Sewer Equipment	$47,000	

JUSTIFICATION: Purchase by-pass pump to be used on 7 high pressure lift stations. Cannot by pass with any current pumps.

Identified as potential purchase from reserves in FY2014 budget.

Required Authorization/Approval

◉ **Town Commission Action Required**
From Fund Balance
Transfer of Budget Between Funds
Transfer of Budget Between Departments - Anything
Within Department - Capital
Increasing total revenue and expenditure bottom-line budget

TOWN COMMISSION ACTION:
☐ Approved
☐ Disapproved **DATE:** _____
Agenda Item #

○ **Town Manager**
Transfer of Budget Within Department
- Operating & Personal Services

○ **Department Heads**
Transfer of Budget Within Operating
- Not Capital or Personal Services
- With Town Manager Approval

Jeannine Michaud 3/5/2014
Department Head Signature and Date

Town Manager Signature and Date

Finance Dept. Action:
☐ **Amendatory Required**
☐ Disapproved
☐ Approved **Finance Director Date**

DATA ENTRY ACTION:
Accounting Period: _____
Posted by: _____
Data Entry Date: _____

PURCHASE REQUISITION
Town of Lady Lake

RECEIVED MAR 0 4 2014

Vendor No: _____

Vendor Name: Thompson Pump
1496 Herbert Street
Port Orange Fl 32129
Tel 386-767-7310 Fax 386-761-0362

Deliver to: V.T

Product Description (Include Item #) GSA See Att	QTY	Unit Cost (After Discount(s)	Account Number to Charge GSA under Sch 84	Total Amount
4" Emergency By-Pass Pump	1	$39,190.30	↓ GS-07F-0149V ↓	$39,190.30
Control Panel	1	$3,259.00		$3259.00
Pot Lite Package	1	$259.00	401-3503-535-64-10	$259.00
Battery Charger	1	$412.00		$412.00
Hose Racks	1	$775.00	↑ GS-07F-0149V ↑	$775.00
Non-GSA See Att 4" x 20 ft Suction Hose	1	$196.70	↓ Non GSA ↓	$196.70
4 x 14ft Suction Hose	2	$134.71		$269.42
4 x 20" Flange Flange 150 PSI	2	$410.00	401-3503-535-64-10	$820.00
4" Female Camlock	1	$38.00		$38.00
4" Male X 90 Female Camlock	1	$155.00		$155.00
Additional 2 Yr Warranty	2	$600.00	↑ Non GSA ↑	$1200.00

Budget Approved Item

Total Requisition $46,484.42

Purpose: SEE Att Quote With GSA Contract 47,000 Reserve

Requested by: [signature] Date: 2-24-14

Department Head: [signature] Date: 2/25/14

Purchasing Mgr.: [signature] Date: 3/3/14

Finance Dept.: _____ Date: _____

Town Manager: [signature] Date: 3/3/14

Entered by: _____
Date: _____
P.O. No: _____

TOWN OF LADY LAKE
PROPOSED FY2014 BUDGET
EXPENDITURES BY OBJECT
SEWER UTILITY

Operating Expenditures

Total		Account Number & Description	Quanity	Amount	Sub-Total
50	**4700**	**Printing & Binding**			**50**
		Business Cards			
200	**4910**	**Other Current Charges**			
		DEP Storage Tank Permit Lift Station 1 $25	1	25	25
		DEP Storage Tank Permit Lift Station 4 $25	4	25	100
		DEP Storage Tank - WWTP 3@ $25 = $75	3	25	75
39,055	**4960**	**Amort. Sewer Cap Agreement**			**39,055**
		Amortization of Sewer Capacity At Villages Plant			
		Original Purchase			
		- 50,000 Gallon Add'l Purchase 2/04			
		- 100,000 Gallon Add'l Purchase 6/04			
250	**5100**	**Office Supplies**			**250**
24,000	**5210**	**General Operating**			**24,000**
		Sodium Hypochlorite			
8,000	**5260**	**Gas & Diesel Expense**			**8,000**
		Fuel For Vehicles			
		Diesel For Generators			
1,084	**5270**	**Uniform Expense**			
		Uniform Service - 2 Employees	12	52	624
		Safety Shoes For 2 Employees	2	150	300
		Jackets for 2 Employees	2	80	160
500	**5410**	**Bks, Pub, Subs, Membrshps**			**500**
		Collection & Distribution Books			
1,050	**5500**	**Training**			
		Continuing Education Units For Operators			
		Registration For Classes			200
		MOT Workzone Safety Certification	2	175	350
		Confined Space Training	2	250	500
361,160	**Operating Expenditures**				

Capital Outlay

Total		Account Number & Description	Quanity	Amount	Sub-Total
115,000	**6410**	**Equipment**			-
		Alarm System Adds UPS to Lift Stations			3,600
		Bio-Solid Dewatering Box - Cost Savings Sludge Hauling (SEWER IMPACT FEES)			80,000
		SCADA Integration to Upgrade Water Plants (SEWER IMPACT FEES)			31,400
		Emergency Bypass Pump - Trailer Mounted $47,000 (RESERVE)			
115,000	**Total Capital Outlay**				

FY2014
CAPITAL IMPROVEMENTS AND EQUIPMENT

UTILITY FUND - RESERVE

DESCRIPTION	DEPT	CATEGORY: Imp. Other Than Bldg	CATEGORY: Equipment	CATEGORY: Vehicle	FUNDING SOURCE
Install Radio Read Meters - Replace Manual Meteres	Water		160,000		Retained Earnings
Emergency Bypass Pump - Trailer Mounted	Sewer		47,000		Retained Earnings
Total		**$ -**	**$ 207,000**	**$ -**	**$ 207,000**

Current Budget FY2013	2,853,551
50% FY2013 Expenses In Reserves	1,426,776
FY2012 GF Audited Ending Fund Balance	1,829,470
FY2013 GF Ending Fund Balance	402,695

G-3

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: **2014 Concurrency Management Report**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDATION:

2014 Concurrency Report is strictly informational and is provided to the Town Commission in accordance with the requirements of the Land Development Regulations, Chapter 4, Section 2, (d) 4 and Chapter 4, Section 6.

SUMMARY:

Concurrency is a finding that the public facilities and services necessary to support a proposed development are available, or will be made available, concurrent with the impacts of the development. No final development order shall be granted for a proposed development until there is a finding that all public facilities and services included in the Concurrency Chapter of the Land Development Regulations have sufficient capacity at or above their adopted level of service to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted level of service will be in place concurrent with the impacts of the development, as defined in the Land Development Regulations, Chapter 4, Section 2, (d) 4.

The Levels of Service (LOS) for the requisite concurrency items include sanitary sewer, solid waste, drainage, and potable water. Pursuant to legislative action via the enactment of HB7207 in 2011, state mandated concurrency for Transportation, Parks and Recreation, and Schools has been removed, but remain optional for local governments. The Town of Lady Lake has elected to continue the implementation of concurrency for these facilities.

The attached report is presented under the requirements of Chapter 4, Section 2, (d) 4 and Chapter 4, Section 6 of the Land Development Regulations stating that Town staff shall be responsible for annually reporting the status of all public facilities capacities covered under the Concurrency Management System to the Town Commission and the general public. This report is for the period March 1, 2013 through February 28, 2014.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution

[X] Other – Informational Report

3-10-14

DEPARTMENT HEAD	Submitted 3/10/14	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER KK	Approved Agenda Item for: 3-17-14	Date 3-10-14

COMMISSION ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

2014 CONCURRENCY REPORT

To: Lady Lake Town Commission

From: Department of Growth Management

Date: March 17, 2014

This report is for the period of March 1, 2013 through February 28, 2014. In accordance with Chapter 163, Part II, Florida Statutes, and the Florida Administrative Code, jurisdictional entities are required to establish and adopt Levels of Service (LOS) for public facilities. It is the intent of the Legislature that public facilities and services needed to support development shall be available concurrent with the impacts of such development in accordance with s. 163.3180 F.S. The Levels of Service (LOS) for the requisite concurrency items include sanitary sewer, solid waste, drainage, and potable water. Pursuant to legislative action via the enactment of HB7207 in 2011, state mandated concurrency for Transportation, Parks and Recreation, and Schools has been removed, but remain optional for local governments; the Town of Lady Lake has retained concurrency for those items.

LAND DEVELOPMENT REGULATIONS CHAPTER 4, SECTION 3: ADOPTED LEVEL OF SERVICE STANDARDS

The adopted level of service standards for those public facilities for which concurrency is required shall be as established in the Town's Comprehensive Plan and as follows:

a) Roads/Traffic Circulation

Functional Classification	Level of Service
Principal Arterial	D
Minor Arterial	D
Major Collector	D
Minor Collector	D
Local	D

b) Sanitary Sewer (Town of Lady Lake municipal system)

One hundred (100) gallons per day, per resident.*

c) Solid Waste

Four (4) pounds per capita, per day.*

d) Stormwater Drainage

Compliance with Chapter 40C-42 and Chapter 40C-4, F.A.C. and Chapter 17-25, F.A.C.

e) Potable Water

One hundred (100) gallons per day, per resident for residential land uses.*

Eight hundred fifty (850) gallons per commercial acre for commercial land uses.*

* Adjustments to these estimates may be made based on special information supplied by the applicant.

f) Recreation Facilities

Four (4) acres per one thousand (1,000) residents.

g) Schools

The interlocal agreement states that, "The LOS standard to be used by the County and the School Board to implement school concurrency shall be as follows[1]:

(1) Elementary: 100% of permanent FISH capacity. If core dining capacity is available in excess of FISH capacity, the school capacity shall be increased up to 125% of FISH capacity by adding seats located in temporary student stations so long as the total capacity does not exceed core dining capacity.

(2) Middle: 100% of permanent FISH capacity. If core dining capacity is available in excess of FISH capacity, the school capacity shall be increased up to 125% of FISH capacity by adding seats located in temporary student stations so long as the total capacity does not exceed core dining capacity.

(3) High: 100% of permanent FISH capacity. If core dining capacity is available in excess of FISH capacity, the school capacity shall be increased up to 125% of FISH capacity by adding seats located in temporary student stations so long as the total capacity does not exceed core dining capacity."

[1] Source: 2013-2017 Lake County Schools Five Year Facilities Master Plan

Level of Service Summary

Transportation:

Nearly all roadway segments within the Town of Lady Lake are operating at a Level "C" as analyzed by the peak hour directional volumes. Two Segments of Rolling Acres Road exceed LOS Standards (Level of Service F). The segments of Rolling Acres Road from Highway 27/441 to Oak Street, and also from Oak Street to Hwy 466 are both operating beyond their capacity. (see attached table) Town Staff has been coordinating with FDOT and Lake County/MPO to ensure that these segments are prioritized for future improvements. The following descriptions regarding LOS have been provided below (see attached segment analysis)[2].

- LOS A: Highest LOS which describes primarily free-flow traffic operations at average travel speeds. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Stopped delay at intersections is minimal.

- LOS B: Represents reasonably unimpeded traffic flow operations at average travel speeds. The ability to maneuver within the traffic stream is only slightly restricted and stopped delays are not bothersome. Drivers are not generally subjected to appreciable tensions.

- LOS C: Represents stable traffic flow operations. However, ability to maneuver and change lanes may be more restricted than in LOS B, and longer queues and/or adverse signal coordination may contribute to lower average travel speeds. Motorists will experience an appreciable tension while driving.

- LOS D: Borders on a range in which small increases in traffic flow may cause substantial increase in approach delay and, hence, decrease in speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes, or some combination of these.

- LOS E: Represents traffic flow characterized by significant delays and lower operating speeds. Such operations are caused by some combination of adverse progression, high signal density, extensive queuing at critical intersections, and inappropriate signal timing. For planning purposes, this LOS equals lane capacity.

- LOS F: Represents traffic flow characterized by extremely low speeds. Intersection congestion is likely at critical signalized locations, with resulting high approach delays. Adverse signal progression is frequently a contributor to this condition.

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[2] Lake-Sumter County Transportation Management System Report – January 28, 2014.

Sanitary Sewer/Reuse:

The adopted LOS is 100 gallons per day, per resident. The Town has 250,000 gallons per day of "reserved" wastewater treatment capacity at Villages Center Community Development District (VCCDD). The Town operates a 638,000 gallon per day wastewater treatment plant and various which provides wastewater treatment capacity in addition to the reserve capacity with the VCCDD. The average daily "flow" produced by the Town was approximately 230,916 gallons per day during the last year[3]. The average daily flow of Reuse was 181,500 gallons a day.

Solid Waste:

The adopted LOS is 4.0 lbs./capita, per day. The Town of Lady Lake contracts with Waste Management, Inc. for collection and disposal of solid waste. Refuse is presently taken to the Lake County Incinerator which has more than sufficient capacity for solid waste generated by Lady Lake.

Potable Water:

The adopted LOS is 100 gallons per day, per resident, and 850 gallons per commercial acre. The Town has a capacity of 2.3580 million gallons a day for the three (3) municipal wells. Individual permitting by Department of Environmental Protect is as follows: Well #1 = 1,038,000 gal./day, Well #2 = 240,000 gal./day, and Well #3 = 1,080,000 gal./day. The amount permitted by SJRWMD is 1.188 million gal./day. The average daily demand (March 1, 2013 – Feb. 28, 2014) was 639,471 gallons per day[4]. Therefore, last year the Town utilized 53.83% of total capacity allotted by the Consumptive Use Permit (1,188,000 gpd allowed by CUP).

Recreation:

The 2030 Comprehensive Plan identifies three types of parks in the Lady Lake recreational system: Special use facilities; Community Parks; and, Regional Parks (Objective REC 1-2). The Parks, Recreation and Open Space Element provides for a comprehensive system of public and private sites for recreation. The Town provides community and special use facilities, totaling 54.9 acres of parks and recreation land. There are also 411.5 acres of privately owned recreational sites inside the town limits.

Between public and private recreation, there are 466.4 acres of land in Lady Lake identified as recreational. Policy Rec. 1-1.4 requires that new development provide recreational space, or money in lieu of sites, for the four (4) acres per 1,000 residents; the application of this policy has been successful in providing recreational sites within private residential developments. There is no shortfall of recreational acreage or facilities based on the combination of public and private recreation. The ratio of park space required by the Town is presently 55.64 acres (13,947 / 1000

[3] Source: Town of Lady Lake Public Works – March 7, 2014
[4] Source: Town of Lady Lake Public Works – March 5, 2014

= 13.947) 13.947 multiplied by the four (4) acre per 1,000 residents requirement yields 55.788 acres. As indicated above, the Town has 466.4 acres of park space.

Drainage:

All Developments must comply with St. Johns River Water Management District permitting procedures. At the time of site plan submission, compliance must be demonstrated with applicable SJRWMD criteria. The Town of Lady Lake has also formally adopted Impervious Surface Coverage Ratios (ISR) for individual properties. At the time of permit application, the ISR ratios are reviewed for compliance with adopted code.

The Town's facilities are concurrent with the impacts of development and there are no apparent deficiencies that will affect the approval of development orders.

Schools[5]:

The Villages Elementary is currently operating under its core student capacity, meeting concurrency standards. Both Carver Middle School and Leesburg High School that serve Lady Lake's students have sufficient capacity to absorb more students at this time.

School Name	Student Enrollment	Core Capacity	Current % Core Utilized
Villages Elementary	**780**	**904**	**86%**
Carver Middle	**823**	**1,158**	**71%**
Leesburg High	**1,572**	**1,982**	**79%**

[5] Source: 2013-2014 Lake County Schools Student Demographics as of January 10, 2014

AVERAGE MONTHLY WATER FLOW 2009-2013

The average monthly flow from each well

H:\Water\Water Flow Reports\2014 Water Flow Reports\[2014-02 Water Gallons Per Day 2009-2014.xls]Sheet2

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2009	Well #1	374,645	381,357	441,097	404,433	344,129	308,067	150,742	87,645	52,867	125,097	91,733	81,097	236,909
	Well #2	43,323	45,750	47,548	43,833	50,645	158,567	79,581	46,710	85,967	31,806	26,633	26,710	57,256
	Well #3	228,226	232,679	246,774	239,700	216,065	84,500	350,806	434,355	459,133	452,161	469,267	422,645	319,693
Total	Gal/Day	646,194	659,786	735,419	687,966	610,839	551,134	581,129	568,710	597,967	609,064	587,633	530,452	**613,858**
	CUP	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**	**1,177,000**
**Difference*		***-530,806***	***-517,214***	***-441,581***	***-489,034***	***-566,161***	***-625,866***	***-595,871***	***-608,290***	***-579,033***	***-567,936***	***-589,367***	***-646,548***	***-563,142***

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2010	Well #1	112,742	205,571	210,452	186,567	177,290	195,433	216,355	203,258	206,267	218,194	228,333	212,323	197,732
	Well #2	30,355	46,786	30,677	32,567	39,161	47,067	66,323	73,032	69,133	74,129	66,733	70,419	53,865
	Well #3	427,097	289,357	358,387	404,633	471,968	439,167	354,645	314,484	342,000	370,387	368,733	350,710	374,297
Total	Gal/Day	570,194	541,714	599,516	623,767	688,419	681,667	637,323	590,774	617,400	662,710	663,799	633,452	**625,895**
	CUP	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**	**1,255,000**
**Difference*		***-684,806***	***-713,286***	***-655,484***	***-631,233***	***-566,581***	***-573,333***	***-617,677***	***-664,226***	***-637,600***	***-592,290***	***-591,201***	***-621,548***	***-629,105***

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2011	Well #1	186,129	168,643	173,000	214,967	169,290	166,067	171,032	160,871	169,600	170,710	177,867	181,355	175,794
	Well #2	78,903	89,571	78,645	58,867	82,871	98,367	101,484	89,774	95,233	89,742	90,833	87,516	86,817
	Well #3	339,935	361,393	452,290	447,400	566,194	519,700	431,903	438,258	433,800	390,742	369,100	383,323	427,837
Total	Gal/Day	604,967	619,607	703,935	721,234	818,355	784,134	704,419	688,903	698,633	651,194	637,800	652,194	**690,448**
	CUP	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**	**1,224,000**
**Difference*		***-619,033***	***-604,393***	***-520,065***	***-502,766***	***-405,645***	***-439,866***	***-519,581***	***-535,097***	***-525,367***	***-572,806***	***-586,200***	***-571,806***	***-533,552***

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2012	Well #1	171,194	172,517	178,968	183,833	199,355	177,133	187,419	184,645	185,500	188,097	192,233	180,677	183,464
	Well #2	87,258	86,759	85,516	73,000	77,935	66,300	49,871	59,290	70,467	73,258	70,200	68,677	72,378
	Well #3	425,161	452,000	456,129	514,033	525,032	418,667	472,097	440,226	406,667	433,645	460,267	388,640	449,380
Total	Gal/Day	683,613	711,276	720,613	770,866	802,322	662,100	709,387	684,161	662,634	695,000	722,700	637,994	**705,222**
	CUP	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**
**Difference*		***-504,387***	***-476,724***	***-467,387***	***-417,134***	***-385,678***	***-525,900***	***-478,613***	***-503,839***	***-525,366***	***-493,000***	***-465,300***	***-550,006***	***-482,778***

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2013	Well #1	177,355	179,357	185,742	188,033	187,645	172,733	168,000	166,742	99,733	173,806	168,400	177,032	170,382
	Well #2	67,226	72,679	75,419	71,167	67,355	62,167	63,194	61,387	105,033	95,226	100,567	84,742	77,180
	Well #3	422,355	419,214	415,548	429,367	418,290	389,500	362,548	360,097	422,700	402,065	377,533	363,387	398,550
Total	Gal/Day	666,936	671,250	676,709	688,567	673,290	624,400	593,742	588,226	627,466	671,097	646,500	625,161	**646,112**
	CUP	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**	**1,188,000**
**Difference*		***-521,064***	***-516,750***	***-511,291***	***-499,433***	***-514,710***	***-563,600***	***-594,258***	***-599,774***	***-560,534***	***-516,903***	***-541,500***	***-562,839***	***-541,888***

Month/yr.		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL AVE.
2014	Well #1	167,806	166,714											167,260
	Well #2	81,419	82,929											82,174
	Well #3	372,516	387,107											379,812
Total	Gal/Day	621,741	636,750	0	0	0	0	0	0	0	0	0	0	**629,246**

									PEAK HOUR DIRECTION CAPACITIES				
ROAD NAME	FROM	TO	LANES	AREA TYPE	MAINTAINING AGENCY	FUNCTIONAL CLASSIFICATION	FDOT LOS STANDARD	LOS CAPACITY	A	B	C	D	E
ARLINGTON AVENUE	W LADY LAKE BOULEVARD	SOUTH TERMINI	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
C.R. 25	GRIFFIN AVENUE	US 27 / US 441	2	U	COUNTY	ARTERIAL	D	750	0	0	370	750	800
C.R. 466	ROLLING ACRES ROAD	US 27	4	U	COUNTY	ARTERIAL	D	2,000	0	0	1,910	2,000	2,000
C.R. 466 / LAKE GRIFFIN ROAD	US 27/ US 441	GRAYS AIRPORT ROAD	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
GRIFFIN AVENUE	US 27 / US 411	CR 25	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
GRIFFIN AVENUE	CR 25	UNCLE DONALDS LANE	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
GRIFFIN VIEW DRIVE	US 27	GRAYS AIRPORT ROAD	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
W LADY LAKE BOULEVARD	WEST TERMINI	US 27/US441	2	U	TOWN OF LADY LAKE	COLLECTOR	D	572	0	0	540	572	572
E LADY LAKE BOULEVARD	US 27/US441	BERCHFIELD ROAD	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
McLENDON STREET	CLAY AVENUE	US 27/US441	2	U	TOWN OF LADY LAKE	COLLECTOR	D	572	0	0	540	572	572
ROLLING ACRES ROAD	US 27 / US 441	OAK STREET	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
ROLLING ACRES ROAD	OAK STREET	CR 466	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
SHAY BOULEVARD	TARRSON BOULEVARD	GRIFFIN AVENUE	2	U	COUNTY	COLLECTOR	D	572	0	0	540	572	572
US 27/US441	SUMTER COUNTY LINE	GRIFFIN AVENUE	6	U	STATE	ARTERIAL	D	3,020	0	0	2,940	3,020	3,020
US 27/US441	GRIFFIN AVENUE	ALT US 441 / ALT US 27	4	U	STATE	ARTERIAL	D	2,000	0	0	1,910	2,000	2,000
US 27/US441	ALT US 441 / ALT US 27	CR 466	4	U	STATE	ARTERIAL	D	2,000	0	0	1,910	2,000	2,000
US 27/US441	CR 466	LAKE ELLA ROAD	4	U	STATE	ARTERIAL	D	2,000	0	0	1,910	2,000	2,000

2013 LEVEL OF SERVICE

ROAD NAME	AADT	PM PEAK HOUR TOTAL	PEAK HOUR / PEAK DIRECTION	EB/NB	RESERVED	TOTAL	V/C RATIO	LOS	WB/SB	RESERVED	TOTAL	V/C RATIO	LOS
ARLINGTON AVENUE	1,264	122	70	52	0	52	0.09	C	70	0	70	0.12	C
C.R. 25	7,765	647	376	376	36	412	0.55	D	271	67	338	0.45	C
C.R. 466	13,059	1,136	620	620	103	723	0.36	C	516	174	690	0.35	C
C.R. 466 / LAKE GRIFFIN ROAD	2,869	253	157	157	8	165	0.29	C	96	4	100	0.17	C
GRIFFIN AVENUE	8,588	708	446	262	4	266	0.47	C	446	4	450	0.79	C
GRIFFIN AVENUE	2,336	181	107	107	0	107	0.19	C	74	1	75	0.13	C
GRIFFIN VIEW DRIVE	4,228	362	236	236	1	237	0.41	C	126	1	127	0.22	C
W LADY LAKE BOULEVARD	2,039	177	96	81	0	81	0.14	C	96	0	96	0.17	C
E LADY LAKE BOULEVARD	619	48	29	29	0	29	0.05	C	19	0	19	0.03	C
McLENDON STREET	448	33	18	18	0	18	0.03	C	15	0	15	0.03	C
ROLLING ACRES ROAD	16,031	1,436	778	778	38	816	1.43	F	658	33	691	1.21	F
ROLLING ACRES ROAD	15,683	1,429	788	641	39	680	1.19	F	788	45	833	1.46	F
SHAY BOULEVARD	3,279	298	157	141	0	141	0.25	C	157	0	157	0.27	C
US 27/US441	29,480	2,487	1,283	1,204	110	1,314	0.44	C	1,283	115	1,398	0.46	C
US 27/US441	24,219	1,816	987	829	265	1,094	0.55	C	987	214	1,201	0.6	C
US 27/US441	24,219	1,816	987	829	288	1,117	0.56	C	987	221	1,208	0.6	C
US 27/US441	30,717	2,545	1,295	1,295	165	1,460	0.73	C	1,250	237	1,487	0.74	C

Lake County Schools

2013-2014 Student Enrollment - As of January 10, 2014

Cost Center	School Name	PK	KG	01	02	03	04	05	06	07	08	09	10	11	12	Grand Total
0031	Beverly Shores ES	58	129	111	103	115	92	95								703
0041	Clermont Elementary	31	83	83	84	99	85	97								562
0061	Eustis Elementary	2	102	98	80	100	75	87								544
0067	Sawgrass Bay ES	46	189	198	185	194	203	193								1,208
0068	Grassy Lake ES	14	149	144	158	173	177	190								1,005
0069	Sorrento ES	33	127	112	119	121	110	117								739
0071	Eustis Heights ES	37	98	99	91	107	88	82								602
0080	East Ridge Middle								396	354	395					1,145
0081	Eustis High School											348	331	288	292	1,259
0101	Fruitland Park ES	1	101	115	99	128	108	104								656
0113	Cecil Gray Middle								322	348	334					1,004
0119	Villages ES	21	126	134	133	132	117	117								780
0141	Seminole Springs ES	27	88	95	101	83	106	102								602
0149	Round Lake Charter School	61	155	151	140	128	133	139								907
0161	Leesburg High											462	413	350	347	1,572
0181	Mount Dora High											299	278	255	228	1,060
0211	Tavares High											351	307	282	262	1,202
0213	Tavares Middle								332	356	314					1,002
0231	Umatilla High											241	216	197	165	819
0241	Treadway ES	28	138	157	163	142	151	141								920
0251	Oak Park Middle								196	183	172					551
0261	Minneola Charter ES	37	189	159	170	157	187	150								1,049
0271	Astatula ES	28	83	99	118	100	89	99								616
0281	Lost Lake ES	31	150	137	164	163	189	170								1,004
0291	Leesburg ES	1	142	136	141	135	134	134								823
0351	Carver Middle								272	298	253					823
0382	Groveland ES	33	140	119	143	128	108	142								813
0401	Clermont Middle								243	252	246					741
0411	Mount Dora Middle								247	277	230					754
0421	Rimes Early Learning	100	52	34	29											215
0481	Windy Hill Middle								416	421	426					1,263
0521	Triangle ES	30	116	130	119	106	108	97								706
0533	Lake Hills School	8	2	7	8	19	21	6	13	12	11	24	11	15	28	185
0536	Lake Academy -Eustis			1	1	7	2	1	10	14	18	19	8	3	3	87
0541	Mascotte Charter School	36	125	162	145	114	104	117								803
0551	Tavares ES	55	143	138	118	135	139	132								860
0561	Umatilla ES	33	110	104	98	108	100	103								656
0571	Umatilla Middle								174	196	205					575

Lake County Schools

2013-2014 Student Enrollment - As of January 10, 2014

Cost Center	School Name	PK	KG	01	02	03	04	05	06	07	08	09	10	11	12	Grand Total
0591	Pine Ridge ES	34	152	114	152	141	156	139								888
0597	Cypress Ridge ES	7	90	108	90	107	88	105								595
0631	Spring Creek Charter School K-5	21	74	68	67	75	98	87								490
0632	Spring Creek Charter School 6,7, & 8								45	33	37					115
0697	Eustis Middle								343	328	353					1,024
0701	South Lake High											441	382	366	373	1,562
0801	East Ridge High											579	535	474	500	2,088
0901	Lake Minneola High											508	545	489	361	1,903
7004	Lake County Virtual Franchise								13	17	11	16	21	14	24	116
7023	Lake County Virtual Full-Time		6	10	5	4	9	9	6	5	3		1		1	59
9004	Exceptional Education -Homebound	2	6	4	3	1	2	1	1			2			3	25
9010	Lake Academy -Leesburg		1	1	4	5	2	1	10	11	13	13	5	3	3	72
9013	ACER Jail School											1	1			2
9018	Alee Academy Charter School											46	50	38	44	178
9019	Milestones Community Charter School K-5		18	14	23	20	15	18								108
9020	Humanities and Fine Arts Charter School		28	26	26	24	15	11								130
9021	ACER Night/Alee Academy Charter School											24	27	31	24	106
9022	Alternative Discipline Program at East Ridge High											1	4	4	4	13
9024	Milestones Community Charter School 6-8								41	33	27					101
9028	Altoona Charter ES School		43	48	42	39	34	37								243
9031	Imagine Schools at South Lake Charter K-5		121	106	150	109	104	123								713
9032	Imagine Schools at South Lake Charter 6-8								97	119	88					304
	Grand Total	815	3,276	3,222	3,272	3,219	3,149	3,146	3,177	3,257	3,136	3,375	3,135	2,809	2,662	41,650

I-4

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: MARCH 17, 2014

SUBJECT: **Abatement Order recommendation CE 12-3773 201 Morningside Avenue – Town of Lady Lake Code of Ordinances Ch 7-46 - unlawful storage of junk and debris and Ch. 7-67– high grass.**

DEPARTMENT: **Growth Management/Code Enforcement**

STAFF RECOMMENDED MOTIONS:

1. **Approve abatement reduction to an amount totaling $5,000 (25% of assessed value is $5,210; assessed value of property is $20,843)**

2. **Approve the attached, recommended Abatement Order from the Town of Lady Lake's Special Magistrate for Code Enforcement, dated February 25, 2014 in the amount of $800.**

** The Town Commission reserves the right to approve, deny, or modify the recommended amount of the Abatement Order.*

SUMMARY

This case was heard by the Special Magistrate on October 30, 2012 for the violations of Ch. 7-46, unlawful storage of junk and debris and Ch., 7-67 high grass. The Order of Enforcement required compliance in thirty (30) days or a fine of $250.00 per day plus an $87 administrative fee. The property was not determined to be in full compliance until February 4, 2014. The accrual of the lien is now $107,087, inclusive of the administrative fee.

The property has been in serious decline. The property owner had her daughter living at the property and now would like to be placed on the agenda so that she can trade the property for a desperately needed vehicle.

The lien was recorded on 12/4/2012. Book 4247 Pages 1447-1449.

The Special Magistrate heard the testimony of the property owners and the mitigating circumstances and recommended the lien be reduced to $800.00 from $107,087 including the administrative fee.

The property is assessed by the Lake County Property Appraiser at $20,843 of which $8,600 is just land value.

FISCAL IMPACT: $ TBD

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance** **[ ] Resolution** **[ ] Budget Resolution**

[X] Other – Abatement Reduction

[ ] Support Documents/Contracts Available for Review in Manager's Office

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DEPARTMENT HEAD	**Submitted** 3/10/14	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 3/17/14	**Date** 3/10/14

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

TOWN OF LADY LAKE
SPECIAL MAGISTRATE
ABATEMENT ORDER - RECOMMENDATION

Date: **February 25, 2014**

Property Owner: **Pamela J. Turner**

Violation Address: **201 Morningside Avenue**

Case: **CE 12-3773**

Case Summary: This case was heard by the Special Magistrate on October 30, 2012 for the violations of Ch. 7-46, unlawful storage of junk and debris and Ch., 7-67 high grass. The Order of Enforcement required compliance in thirty (30) days or a fine of $250.00 per day plus an $87 administrative fee. The property was not determined to be in full compliance until February 4, 2014. The lien has accrued to $107,087, including the administrative fee.

The property owner had her daughter living at the property. The property has been vacated, code violations confirmed corrected and the property owner would like to be placed on the agenda to seek a lien reduction.

The lien was recorded at Lake County on 12-4-2012 BK 4247 Pgs 1447-1449.

It is the Recommended Order of the Special Magistrate that the accrued lien for the above detailed case, which totals $ 107,087 be reduced or abated to $ 50,700, which would be due and payable in ~~30~~ 60 days following the action of the Town Commission.

DONE AND ORDERED, this 25 day of Feb, 2014

Julia Wolfe
Assistant to Town Clerk

Valerie C. Fuchs, Esquire
Special Magistrate

COMMISSION ACTION: Date: _____

( ) Approved as recommended ( ) Approved with modifications
( ) Disapproved

_____

_____

ACTION TAKEN in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida this _____ day of _____, 2014.

_____
HONORABLE Ruth Kussard, MAYOR
Town of Lady Lake, Florida

ATTEST:

_____
Nancy Slaton
Deputy Town Clerk

_____
Derek Schroth
Town Attorney

PROPERTY RECORD CARD

General Information

Alternate Key:	2560169	**Parcel:**	28-18-24-040000C01800
Owner Name:	TURNER PAMELA J	**Millage:**	00LL (Lady Lake) : 17.6629
Owner Address:	201 MORNINGSIDE AVE LADY LAKE, FL 32159	**Property Location:**	201 MORNINGSIDE AVE LADY LAKE FL 32159
Legal Description:	LADY LAKE, SKYLINE HILLS RESUB PT BLK G LOT 18 BLK C PB 23 | PG 20 | ORB 3738 PG 411 ORGB 3834 PG 210 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	OWNER LAND MH SUB (0200)	0	0		1	LT	$0.00	$8,600.00

Residential Building(s)

Building 001

Residential	Mobile Home	Building Value: $12,268.00

Summary

Year Built: 1980	Total Living Area: 1056	Central A/C: No	Attached Garage: No
Bedrooms: 2	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0

Section(s)

Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Wood (001)	1	1056	N	0%	0%	

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
1063 / 1352	4/1/1990	QC	U	I	$0.00
1066 / 601	7/1/1990	QC	U	I	$0.00
1444 / 1280	6/1/1996	WD	U	I	$8,200.00
1577 / 1605	1/20/1998	WD	U	I	$0.00
1771 / 402	11/12/1999	QC	U	I	$8,000.00
3738 / 411	2/24/2009	QC	U	I	$100.00
3834 / 210	2/24/2009	QC	U	I	$100.00
NO** / DATA	3/1/1986	AD	U	V	$1.00

Value

Estimated Tax Calculation

(Assumes qualifying residential property. No additional exemptions included.)

Total Just Value:		$20,868.00
Save Our Homes Benefit:	-	$25.00
Assessed Value:	=	$20,843.00
Other Exemptions:	-	$0.00
Total Homestead:	-	$20,843.00
Total Taxable Value:	=	$0.00
Millage Rate: ?	x	0.0176629
Base Ad-Valorem Tax:	=	$0.00
Non-Exempt School Levies:	+	$0.00
Estimated Ad-Valorem Tax:	=	$0.00

What could my ad-valorem taxes be like over time?
How can the assessment of my homestead property increase even when there has been a reduction in my fair market value?

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

Truth In Millage (TRIM) Notice

- Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments

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TOWN OF LADY LAKE
CASE # 12- 3773
201 MORNINGSIDE AVE SEPT 12-12
PHOTOS BY D. HOOS
CODE ENFORCEMENT OFFICER

TOWN OF LADY LAKE
CASE # 12- 3773
201 MORNINGSIDE AVE AUG 22-12
PHOTOS BY D. HOOS
CODE ENFORCEMENT OFFICER

AR 2560169

COMMUNITY DEVELOPMENT-TOWN OF LADY LAKE
409 FENNELL BOULEVARD
LADY LAKE FL 32159

5m

SPECIAL MAGISTRATE HEARING
FOR THE TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA

CASE NO. 12-00003773

TOWN OF LADY LAKE

Vs

TURNER PAMELA J
201 MORNINGSIDE AVE
LADY LAKE, FL 32159

INSTRUMENT #2012127201
OR BK 4247 PG 1447 - 1449 (3 PGS)
DATE: 12/4/2012 4:00:24 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES $27.00

Location: **201 MORNINGSIDE AVE**

ORDER OF ENFORCEMENT

This case having come before the **SPECIAL MAGISTRATE** of the Town of Lady Lake on **October 30, 2012** on a violation hearing, and the **SPECIAL MAGISTRATE** having heard testimony of the respective parties present and the evidence presented, the following **ORDER OF ENFORCEMENT** is hereby entered:

I. FINDINGS OF FACT

A. That the violation was properly served with the Notice of Violations/Notice of Hearings, as required by law.
B. That the real property upon which the violation is occurring is described **201 MORNINGSIDE AVE.**
C. That the alleged violator has violated the **Town of Lady Lake, Code of Ordinances Ch 7-46 Unlawful storage of junk and debris; 7-67 High grass and junk and debris**
D. **LEGAL: 2560169** LADY LAKE SKYLINE HILLS RESUB PT BLK G LOT 18 BLK C PB 23 PG 20 ORB 3738 PG 411 ORB 3834 PG 210

II. CONCLUSIONS OF LAW

A. That the violator identified above did violate **Town of Lady Lake, Code of Ordinances Ch 7-46 Unlawful storage of junk and debris; 7-67 High grass and junk and debris**

B. That this ORDER OF ENFORCEMENT is hereby warranted.

III CORRECTIVE ACTION AND IMPOSITION OF FINE

I, Nancy Slaton, Deputy Town Clerk of the Town of Lady Lake, certify that this is a true and accurate copy of an Order of Enforcement for Turner, Pamela J., regarding 201 Morningside Ave., Lady Lake, Florida 32159.

Nancy Slaton 12-03-12
Nancy Slaton, Deputy Town Clerk

Pursuant to the stipulation at the hearing, the violator shall:

A. Remove or hide from view junk, abandoned vehicle, bathtub, garbage, trash, and other household items. Mow and maintain vegetation below 10 inches in height.

B. In 30 days or a fine of $250.00 per day will begin to accrue.

C. Fine to be recorded as a lien.

D. An Administrative Fee of $87.00 will be imposed for costs associated with this case to be paid within ten (10) days of the hearing date.

E. Violator shall contact Code Enforcement at 352-751-1562 to confirm compliance

F. Violator has a right to request a hearing on the fine imposition, by written request to the Town of Lady Lake, within twenty (20) days of the commencement of the fine. When requested, such hearing will be heard by the Special Magistrate.

IV. CERTIFICATION

DONE AND ORDERED at Town of Lady Lake, Lake County, Florida, this October 30, 2012.

BY: _____
Valerie C Fuchs, Esquire
Special Magistrate

You may appeal this order within thirty (30) days to the Circuit Court, Tavares, Florida, (Florida Statutes 162.11).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing order was delivered to the property owner/violator via certified mail and first class mail on the 30 of OCT, 2012.

BY: _____
Donald Hoos
Code Enforcement Officer
352-751-1562

AFFIDAVIT OF NON-COMPLIANCE

Date: December 3, 2012

Location: 201 Morningside Ave

Case 12-3773

Violation: Lady Lake Code of Ordinances Ch 7-46- unlawful storage tires, and other household items in yard; Ch 7-67- junk and trash visible from the street.

The property owner has not paid the $87.00 administrative fee.

Donald Hoos
Code Enforcement Officer

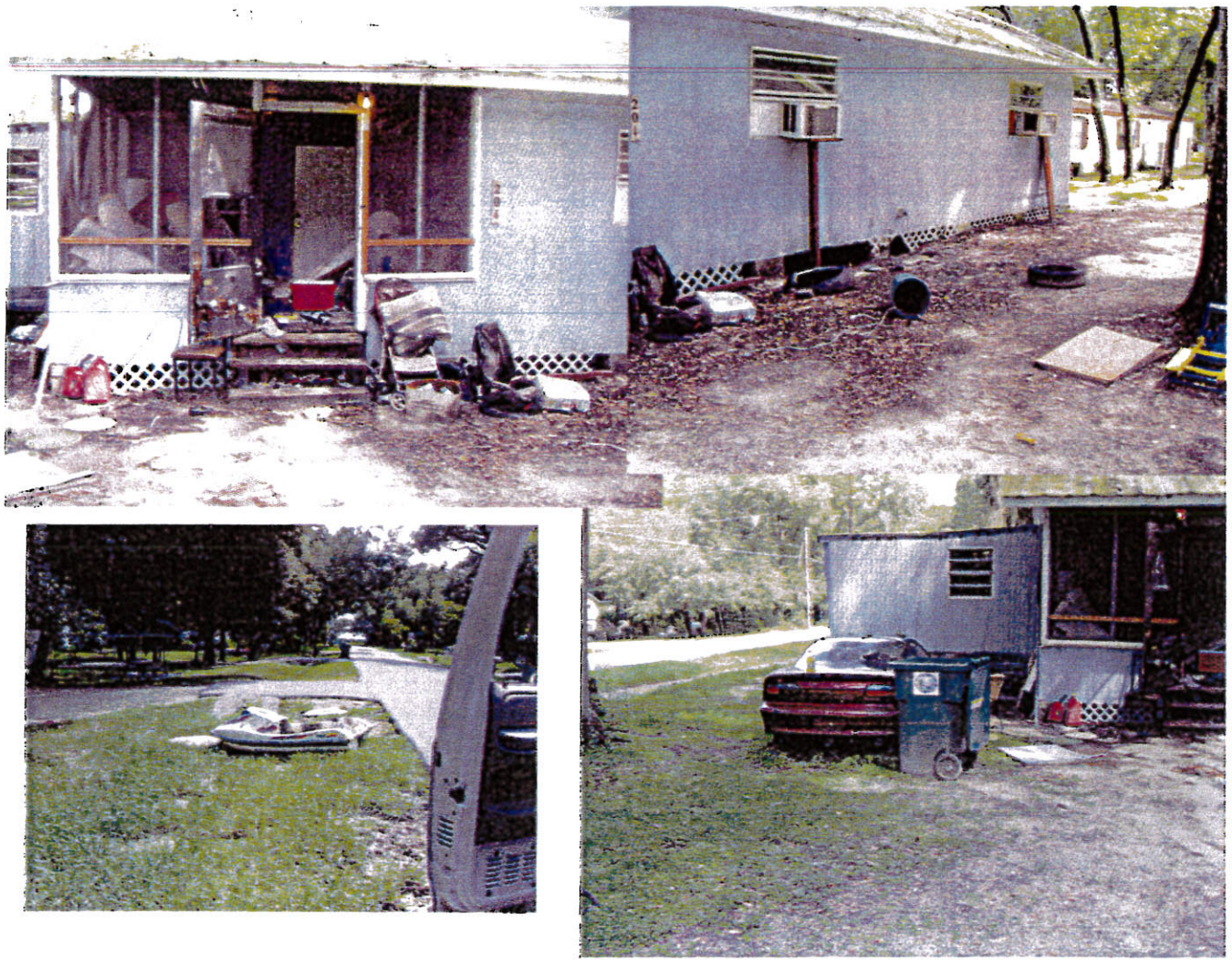
STATE OF FLORIDA
COUNTY OF LAKE
TOWN OF LADY LAKE

The foregoing instrument was acknowledged before me this 3rd day of December 2012 by Donald Hoos Code Enforcement Officer of the Town of Lady Lake who is personally known to me and who did not take and oath

Signature

Print Name, and title
Wendy Then, Town Planner
Commission Expires
EE045176

Notary Public State of Florida
Wendy Then
My Commission EE045176
Expires 12/20/2014



TOWN OF LADY LAKE
CASE # 12- 3773
201 MORNINGSIDE AVE AUG 22-12
PHOTOS BY D. HOOS
CODE ENFORCEMENT OFFICER

AR 2500169

TOWN OF LADY LAKE
CASE # 12- 3773
201 MORNINGSIDE AVE SEPT 12-12
PHOTOS BY D. HOOS
CODE ENFORCEMENT OFFICER

TOWN OF LADY LAKE
CASE # 12-3773
201 MORNINGSIDE AVE FEB 25-14
PHOTOS BY D. HOOS
CODE ENFORCEMENT OFFICER

REGULAR MEETING
OF THE SPECIAL MAGISTRATE
TOWN OF LADY LAKE, FLORIDA

February 25, 2014

The regular meeting of the Special Magistrate was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 10:30 a.m.

TOWN STAFF PRESENT: Cindy Diemer, Senior Code Enforcement Officer; Donald Hoos, Code Enforcement Officer; and Julia Wolfe, Staff Assistant to the Town Clerk

Also Present:

CALL TO ORDER: Valerie Fuchs, Special Magistrate, called the meeting to order at 10:30 a.m.

Approval of January 28, 2014 Minutes

Special Magistrate Valerie Fuchs accepted the January 28, 2014 meeting minutes into the record as presented.

PLEDGE OF ALLEGIANCE: All present stood to recite the Pledge of Allegiance.

Explanation of Procedure

Special Magistrate Valerie Fuchs explained to the public that this is a quasi-judicial hearing, which means that she has not seen or heard any evidence or testimony from staff or outside parties, other than cases that have been continued from a public meeting, as this would be a violation of ex-parte rules. She stated that if any pictures or other evidence are presented this morning, the interested party will be able to review it in order to accept or refute it and be able to present their own evidence and testimony prior to the Special Magistrate making her ruling.

The Special Magistrate also explained that Code Enforcement staff would present their case and testimony, then the owner or interested party will be able to present their testimony or evidence. After that, staff will have the opportunity to rebut or refute any evidence that is presented. The Special Magistrate will then ask any questions that she deems appropriate and relevant during the testimony of each party before making her ruling. The order will be entered and the interested party will receive a copy of the order whether it is dismissed, or time granted in order to come into compliance, and whether a fine or lien will be imposed.

SWEARING IN: Special Magistrate Valerie Fuchs requested that anyone present who planned to speak at today's meeting stand and be sworn in.

Special Magistrate Valerie Fuchs asked staff if there are any changes to today's agenda.

Senior Code Enforcement Officer Cindy Diemer reported that one case on this morning's agenda has come into compliance prior to the meeting: Item #3, Case No. 13-4471.

OLD BUSINESS:

Mr. Hoos stated this property is in violation of the Town of Lady Lake's Code of Ordinances Chapter 20-78 for abandoned property registration for 2014 which has not been paid. He stated an initial inspection was done on January 27, 2014, and it was determined the lis pendens was filed by the plaintiff's attorney. Mr. Hoos reported the water has been shut off for this property since September of 2013 and the property is vacant.

Mr. Hoos stated a Notice of Hearing was mailed via certified and first class mail to Bank of America in care of the plaintiff's attorney on January 27, 2014, and the certified mail receipt was returned signed by Tony Jones on January 30, 2014. The property was posted January 28, 2014.

The Special Magistrate asked if Roberto and Barbara Elias were also sent notices, and if the property was properly posted.

Mr. Hoos replied affirmatively to both questions.

The Special Magistrate asked if there was anyone present to speak on this case. There was no one.

Special Magistrate Valerie Fuchs stated that based on the testimony and evidence presented on Case No. 14,4669, she did find that the owner was in violation of the Town of Lady Lake Code of Ordinances Chapter 20-78 for abandoned property not being registered as required. The owner has 10 days to come into compliance for the 2014 violation and pay the fee of $150. This order will be recorded as a lien if not paid. In addition, an administrative fee of $87 is imposed to be paid within ten days of this date.

The violator shall contact Code Enforcement to confirm compliance. The violator has a right to request a hearing on the fine imposition by written request to the Town of Lady Lake within twenty (20) days of the commencement of the fine. When requested, such a hearing will be heard by the Special Magistrate. The property owner will get a copy of this order.

ABATEMENT HEARING

8. Case No. 12-3773 – 201 Morningside Avenue – Pamela J. Turner – Town of Lady Lake Code of Ordinances Ch. 7-46 – Unlawful Storage of Junk and Debris, and Ch. 7-67 – High Grass

Senior Code Enforcement Officer Cindy Diemer presented the background on this case. She stated this case was heard by the Special Magistrate on October 30, 2012 for the violations of Chapter 7-46 for unlawful storage of junk and debris, and Chapter 7-67 for high grass. She stated the Order of Enforcement required compliance within 30 days or a fine of $250.00 per day, plus an $87.00 administrative fee would be assessed. She stated the property was not determined to be in full compliance until February 4, 2014. Ms. Diemer stated the lien has accrued to $107,087, including the administrative fee. She stated the property owner's daughter was living at the property, and it has since been vacated. Ms. Diemer stated the code violations have been confirmed to be corrected and the property owner would like to seek a lien reduction.

The Special Magistrate asked how long it took to come into compliance after the 30 days, and if an effort was being made, or did it just sit there. She asked staff if they had a picture to refresh her memory.

Ms. Diemer replied there was no compliance for almost two years while the daughter lived there. She stated the property has been in compliance since February 4, 2014.

Code Enforcement Officer Donald Hoos confirmed for the record that he spoke with the property owner and she asked him to go by the property, and everything is in compliance.

The Special Magistrate asked staff if they had any photos of the compliance. Staff did not have photos with them at the hearing, but have them as evidence of compliance.

Ms. Pamela Turner, property owner, introduced herself.

The Special Magistrate asked if anyone currently resided at the property, if the utilities were shut off, and if it was boarded and locked up.

Ms. Turner replied the property is vacant and the utilities are shut off. She stated she had someone that is supposed to be buying it, but depending on the outcome of today's meeting, she may not be able to sell.

The Special Magistrate asked how long it had been since her daughter vacated the property and if she had to go through the eviction process. She asked if Ms. Turner had any concerns regarding her daughter coming back to the property.

Ms. Turner replied her daughter has been gone since February 4th, and has no intention of returning. She stated she did not go through the eviction process and that she let her daughter and five children move-in because they had nowhere else to go, and they have done nothing but cause her problems. She stated she does not even have a reliable vehicle, so she made them get out and she is supposed to be trading the trailer for a vehicle. She stated her brother went ahead and signed the vehicle over to her and then she found out about this.

The Special Magistrate asked Ms. Turner if she was aware of the code violations on the property.

Ms. Turner replied that she was not, and stated her daughter was getting the notices and not telling her about it, until the lien was put on the property in 2012. She stated she called Code Enforcement and they explained the situation and told her the case was going before the Special Magistrate.

The Special Magistrate asked if she or her daughter attended the hearing.

Ms. Turner replied that she did not because she did not know what it was, and her daughter said everything was taken care of. She stated she realized the lien was still on the property when she went to sell.

The Special Magistrate asked who did the actual clean-up of the property.

Ms. Turner replied she made her daughter clean up the property. She stated her daughter was in the process of getting another home, and in order for her to get her vehicle, everything had to be out of the house.

The Special Magistrate stated the Town Commission has the final say but usually factors in her recommendation. She stated she makes her decision based on all the evidence provided, and it

appears that the daughter was not providing her with the notices. She stated the property has been in compliance for 10 days, but she is concerned the daughter may come back.

Ms. Turner replied that her brother installed new locks, and her brother is supposed to be buying the property in exchange for a vehicle he gave her.

The Special Magistrate asked staff for their recommendation on the abatement amount.

Ms. Diemer stated she can understand the lien is not justifiable; it is a very old trailer and she does not have the assessed value. She stated the fact that the property is cleaned up now is a benefit to the community, and it was good that Ms. Turner was able to trade for something she needed. Ms. Diemer recommended abating the amount to $1,000.00.

The Special Magistrate asked Ms. Turner how much time she would need to pay off the $1,000.00, because the recommendation from staff is to reduce the $100,000 lien down to a $1,000.00 to cover the Town's expenses.

Ms. Turner replied she would like 60 days.

The Special Magistrate asked if staff or anyone else present would like to speak on this case. She stated the circumstances of this case do not warrant a reduction down to $500.00, but she understands that there is a hardship and in light of the facts and evidence of this case, and staff's recommendation, she is recommending reducing the lien down to $800.00, to be paid within 60 days of the Town Commission's decision. She advised Ms. Turner that she should attend the Town Commission meeting in case they have questions. She warned that if the property falls into disrepair again, it would be a repeat offense, and the fine could be as high as $500.00 per day.

Special Magistrate Valerie Fuchs stated that she recommends abatement of this case's lien amount down to $800.00. The abatement amount is to be paid within 60 days of the Town Commission's decision. She stated that although this is her recommendation, the case still has to go before the Town Commission at their regular meeting on March 17, 2014 at 6:00 p.m. The property owner will get a copy of the order.

ADJOURN

With no other business to discuss, the meeting was adjourned at 11:10 a.m.

Julia Wolfe	Valerie Fuchs
Staff Assistant to Town Clerk	Special Magistrate

Transcribed by Julia Wolfe, Staff Assistant to Town Clerk

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TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: Town of Lady Lake Human Resource Policy –*Section 4.10 Workers' Compensation*

DEPARTMENT: Human Resources

STAFF RECOMMENDED MOTION: Consideration of approval of the amended and updated section 4.10 Workers Compensation Policy.

SUMMARY: Upon recommendation of Council, Town staff has reviewed Policy 4.10 (Workers' Compensation) of the Town's current Human Resource Manual. The most notable changes are sections "F" and "G" of the draft policy. Section "F" requires employees to return to work in any position the Town deems them qualified for with substantiated certifications from workers' compensation physicians. Failure to report for a light duty position would result in termination. Further, section "G" allows the Town to run FMLA and workers' compensation concurrently. The Town has not run FMLA and workers' compensation concurrently as the current policy does not give us the ability to do so. This is common industry practice and has been recommended not only by Council but also PRM. The draft policy has been reviewed by Attorney Mark Van Valkenburgh.

FISCAL IMPACT: 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution

[X] Other-Current Policy 4.10-Workers' Compensation

[X] Other – Draft Policy 4.10-Workers' Compensation

DEPARTMENT HEAD	Submitted	Date 03/04/2014
HR	Approved as to Form	Date 03/04/2014
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER	Approved Agenda Item for: 3-17-14	Date 3-5-14

Reviewed

COMMISSION ACTION:

[ ] Approved as Recommended [ ] Disapproved [ ] Tabled Indefinitely

[ ] Continued to Date Certain [ ] Approved with Modification

4.10 WORKERS' COMPENSATION

Any regular, full-time employee of the Town who is required to be off work due to an on-the-job injury may receive injury pay from the Town provided the Town Manager has authorized such compensation as follows:

A. The disability resulted from an injury or an illness sustained directly in the performance of the employee's work, as provided in the State Workers' Compensation Act.

B. If incapacitated for his regular position, the employee may be given other duties for the period of recuperation. Unwillingness to accept such an assignment could make the employee ineligible for continued benefits.

C. A physician selected by the Town may be used to determine the physical ability of the employee to continue working or to return to work.

D. The first seven (7) calendar days of the disability, the employee will be paid at their normal rate of pay and with no charge to medical leave benefits.

E. After the first seven (7) calendar days the employee will receive a check from our Workers' Compensation Carrier in an amount equal to 66 2/3 percent of their average weekly earnings. (Based on their earnings thirteen weeks prior to the accident.)

   (1) If the employee desires, medical leave credits can be used to make up the difference of 33 1/3 percent of the amount they would normally take home.

   (2) The amount of medical leave credits needed will vary with each employee.

F. If an employee loses fourteen (14) calendar days or more, then Workers' Compensation will pay for the first seven (7) days of disability, which will be turned over to the Town.

G. When medical leave credits are exhausted annual leave may be used with written permission from the employees.

H. When all medical and annual leave benefits are exhausted the employee shall receive only the Workers' Compensation check. An employee who is off work due to an on-the-job injury shall earn medical and annual leave benefits the same as if on the job. However, in order for an employee to be eligible to use or be paid for leave credits earned while out due to an on-the-job injury, he/she must have returned to work for a minimum of thirty (30) calendar days. Exception:

CURRENT POLICY

When needed still on Worker's Compensation leave credits earned while out due to an on-the-job injury, leave credits may be used as earned.

I. That the employee was not in violation of any laws, statutes, ordinances, safety rules and regulations and instructions by supervisors affecting the cause of the accident.

J. At any time during the period of disability, any case may, upon request, and with sufficient documentation, be reviewed by our Workers' Compensation Carrier and a physician, who shall recommend to the Town whether the employee should be retained, reduced to a lower classification or separated. Any employee so affected shall have the right to appeal.

K. Should an employee be released by his physician for "light duty", return to work shall depend on work being available and restrictions placed by the doctor on the light duty authorization.

L. Written medical release must be presented to the Town Human Resources Department prior to returning to work from a lost time on-the-job injury.

CURRENT POLICY

WORKERS' COMPENSATION
Section 4.10

The Town has Workers' Compensation Insurance for all employees injured on the job.

A. Payment of Workers' Compensation to all employees, who are disabled because of an injury arising out of and in the course of performing their duties with the Town, will be governed by the Florida State Workers' Compensation Law.

B. An employee who is disabled as a result of a workplace injury and is unable to work for more than seven (7) days due to a job-related injury or illness, as certified by a physician acceptable to the Town, generally, will receive their regular pay for the first (7) days of bona fide absence, less any benefits received under the Workers' Compensation Law. After seven (7) days of bona fide absence, full-time employees may use accrued leave time to supplement workers' compensation to the extent that the employee's total compensation from all sources, including but not limited to workers' compensation, does not exceed their straight-time net weekly earning or salary, whichever applies. In addition the employee must not be in violation of any laws, statutes, ordinances, safety rules and regulations and instructions by supervisors affecting the cause of the accident.

C. When all accrued leave benefits are exhausted the employee shall receive only payment made by the Town's Workers' Compensation carrier. An employee who is off work due to an on-the-job injury shall earn medical and annual leave benefits the same as if on the job until such time as such benefit time accrued up until the time the employee's leave commenced have been exhausted. However, in order for an employee to be eligible to use or be paid for leave credits which were earned while out due to an on-the-job injury, he/she must have returned to work for a minimum of thirty (30) calendar days.

D. If an employee loses fourteen (14) calendar days or more, then Workers' Compensation, generally, will pay for the first seven (7) days of disability, if that occurs, the employee must reimburse the Town for any amounts paid by the Town for that time period. A written medical release must be presented to the Human Resource Department prior to return to work from a lost time on-the-job injury.

E. In the event an employee fails to advise the attending physicians of preexisting conditions or other injuries reported under workers' compensation, whether injuries were sustained while employed by the Town or sustained prior to employment with the Town, such failure will be treated like any other act of deceit, dishonesty or fraud and the employee shall be subject to disciplinary action up to and including immediate termination. Employees must only see physicians covered by the worker's compensation carrier.

F. The Town has a return to duty program and light duty assignments are made at the discretion of the Town, however, employees will be required by the Town to

DRAFT

work in any position for which the Town deems them qualified with or without reasonable accommodation at the rate of pay determined by the Town. Refusal of an employee to work when assigned to do so under this Section shall subject the employee to termination.

G. The Town will run FMLA leave and Worker's Compensation leave concurrently.

H. Employees who sustain injuries while on the job must report the injury to their supervisor immediately. Failure to do so may potentially jeopardize treatment or compensation. Employees injured on the job will be required to undergo a drug screening prior to returning to work and a positive test may affect the employee's entitlement to benefits.

I. Any employee who knowingly refuses to use a safety appliance or observe a safety rule may lose 25% of his or her compensation benefits in the case of a claim. Section 440.09(5) of the State of Florida's Worker's Compensation Laws reads: "If injury is caused by the knowing refusal of the employee to use a safety appliance or observe a safety rule required by statute or lawfully adopted by the division, and brought prior to the accident to the employee's knowledge, or if injury is caused by the knowing refusal of the employee to use a safety appliance provided by the employer, the compensation as provided in this chapter shall be reduced 25%". This reduction in compensation benefits will also apply to anyone who does not wear safety apparel such as issued shoes, hats, goggles, etc., or neglects to follow a safety rule.

DRAFT 03-17-14

City/Town	Does your City/Town Run FMLA Concurrently with Workers' Compensation?
Avon Park	Yes
Belleview	Yes
Charlotte County	Yes
Clermont	Yes
Dunedin	Yes
Eustis	Yes
Hendry	Yes
Keys Energy	Yes
Marion County	Yes
Mt. Dora	Yes
Oakland Park	Yes
Pinellas County	Yes
Port Saint Lucie	Yes
St. Cloud	Yes
Tavares	No
Temple Terrace	No
Treasure Island	Yes
VCDD	Yes
Venice	Yes
Vero Beach	Yes
Village of Royal Palm Beach	Yes
West Palm Beach	Yes

I-6

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17th, 2014

SUBJECT: Consideration of Town Hall Lobby Window and Door Modification Project.

DEPARTMENT: Public Works – Facilities Maintenance

STAFF RECOMMENDED MOTION: Approve the use of contingency funds for Facilities Maintenance Staff to perform the proposed Town Hall Lobby Modifications.

SUMMARY: In a combined effort with Customer Service, Growth Management, and Building Departments, staff is proposing the addition of a customer service window in the lobby for the GM/Building Department. This will allow for the removal of the small enclosed customer service area for the GM/Building Department. The existing code lock will be moved to the lobby access door to provide secured public access to the area. An additional staff door will be added in the main corridor area to provide more efficient secured access to the other departments. A counter will also be installed at the new window location for customers to utilize. The existing Utilities Customer Service counter will be extended to allow for extra room for customers to utilize for writing. The proposed project will be performed in-house by Facilities Maintenance Staff after normal operating hours as to not disrupt daily operations. The cost estimate and conceptual drawing are attached to this document. Upon approval, staff will request the transfer of the required funds from contingency funds to the budgetary departmental line items to cover the additional costs for this project.

FISCAL IMPACT: Est. $5,100.00
Available Contingency Funds = $110,102.00

[ ] Capital Budget
[ ] Operating
[X] Other- Contingency Funds

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution
[X] Other – *Cost Estimate and Conceptual Drawing of Town Hall Lobby*
[ ] Support Documents

DEPARTMENT HEAD	**Submitted**	**Date:** 3/05/2014
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT JKM	**Approved as to Budget Requirements**	**Date** 3/6/14
TOWN MANAGER KK	**Approved Agenda Item for:** 3-17-14	**Date**

COMMISSION ACTION:
[ ] Approved as Recommended **[ ] Disapproved** **[ ] Tabled Indefinitely**

[ ] Continued to Date Certain **[ ] Approved with Modification**

C.T. Eagle

From: C.T. Eagle
Sent: Tuesday, February 18, 2014 3:11 PM
To: Kris Kollgaard
Cc: Ted Williams
Subject: Town Hall Lobby Window and Door Renovation Project
Attachments: Town Hall Lobby Windows Project 11-2013.pdf

Kris,

As discussed, our Facilities Maintenance Staff has come up with an estimate for the Lobby changes on the attached drawing. It is as follows:

Materials	$300
Misc. Parts	$400
Windows(2)	$1100
Countertops(2)	$1200
Total Materials Cost	$3,000
Labor(2 Staff)*	$2100

Est. Total Project Cost =$5,100

*After hours & weekend work –OT Rates @ estimated 50hrs labor

-Labor would be charged to PW-Facilities Maintenance account
-Materials would be purchased locally by staff

Please let me know if you have any questions or concerns.

Thanks,

C. T. Eagle, Sr
Town of Lady Lake
Public Works Director
136 Skyline Dr.
Lady Lake, Fl 32159

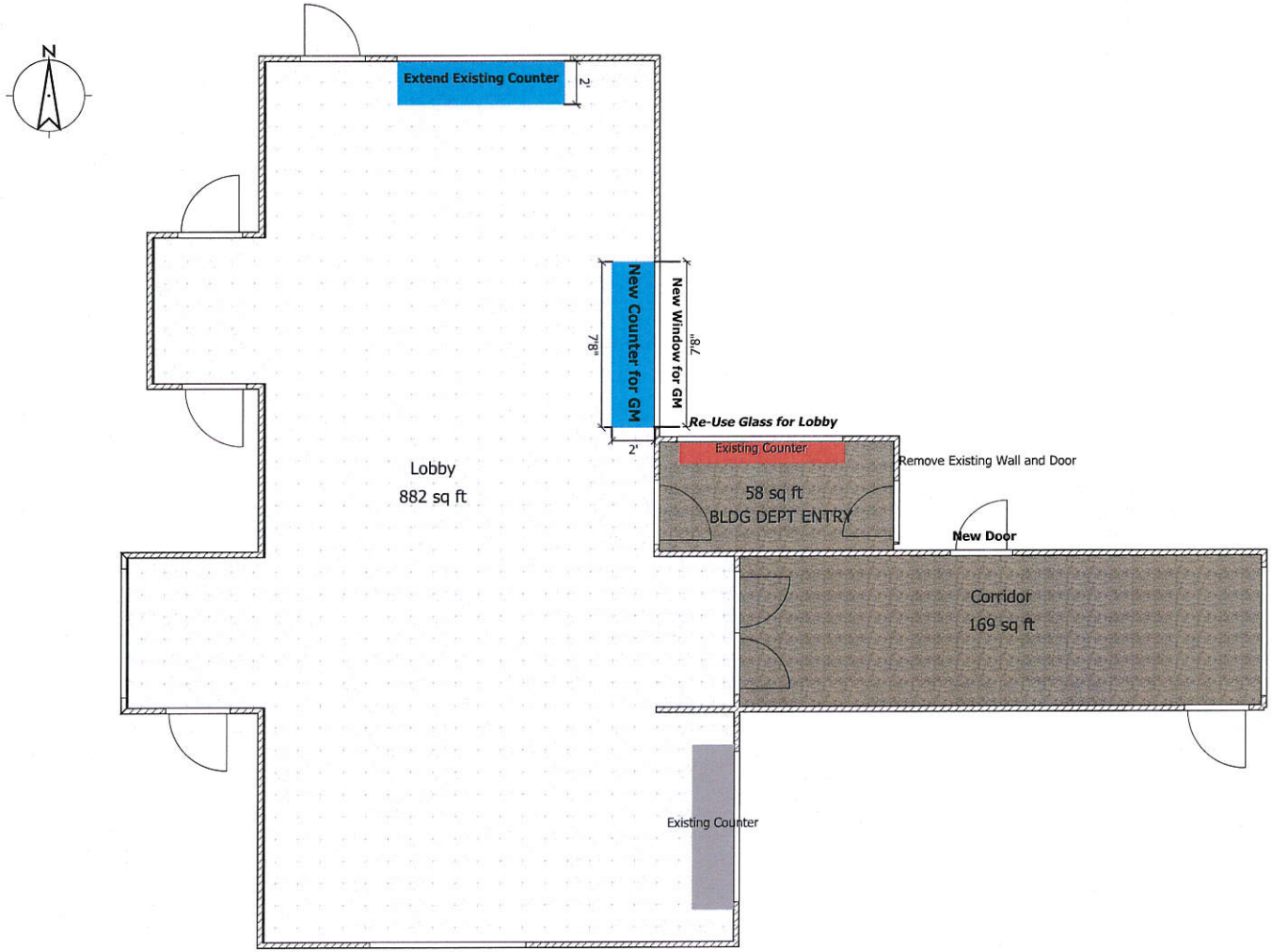
Phone: 352-751-1526
Fax: 352-751-1595

cteagle@ladylakepw.org

ATTENTION: The new operating hours for the Public Works Department are Monday- Thursday, 7:00AM - 6:00PM. Offices will be closed on Friday's.

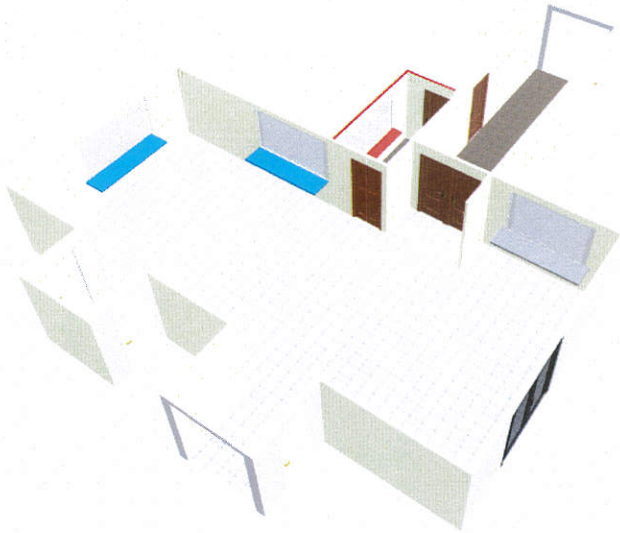
Please note: Under Florida law (Fla.Stat. 668.6076 - effect. 07-01-06), e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Town Hall Lobby Window Project



Public Works Department Nov 20, 2013

Town Hall Lobby Window Project



Public Works Department Nov 20, 2013

J-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: MARCH 17, 2014 – SECOND/FINAL READING

SUBJECT: **Ordinance No. 2014-03 - Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Square Feet of Commercial Entitlements**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2014-03, providing for an amendment to the Development Order for the Tri-County Villages Development of Regional Impact to add entitlements for a 94 bed Assisted Living Facility, and removal of 7,550 square feet of commercial entitlements.

SUMMARY

Applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact development order. The DRI Development Order must be amended to add 94 ALF beds since the Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 SF of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

The ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial (TCC) area inside of Avenida Central and U.S. Highway 27/441. While the entitlement for the use will permit this use to be placed anywhere within the TCC, it is anticipated that the development will be built on the vacant property on the corner of Avenida Central and Alvarez Avenue, a property of approximately 2.54 acres. The campus will consist, more specifically, of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake

Comprehensive Plan and the Zoning Designation of the property already permit the use of Assisted Living Facilities.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the attached transportation analysis provided by Kimley-Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 SF of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's (DEO) determination letter with the application.

Notices to inform the surrounding property owners (14) within 150' of the subject property of the proposed amendment were mailed by certified mail return receipt on January 28, 2014. The property was also posted on Tuesday, January 28, 2014. Town Attorney, Derek Schroth reviewed and approved Ordinance 2014-03 to form on January 31, 2014.

Past Actions:

The **Technical Review Committee** reviewed the application for Ordinance 2014-03 at its regular meeting on Tuesday, February 4, 2014, recommending approval to forward to the Planning and Zoning Board with a 5-0 vote.

At the February 10, 2014 meeting, the **Planning and Zoning Board** voted 3-0 to forward Ordinance 2014-03 to the Town Commission with the recommendation of approval.

At First Reading before the **Town Commission** on Monday, March 3, 2014, Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission voted 5-0 to approve Ordinance No. 2014-03.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[X] Ordinance** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

3-10-14

DEPARTMENT HEAD **Submitted** 3/10/14 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** **Date**

3-17-14 3-10-14

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

ORDINANCE NO. 2014-03

AN ORDINANCE OF THE TOWN COMMISSION OF LADY LAKE, FLORIDA, ADOPTING AN EIGHTH AMENDMENT TO THE AMENDED DEVELOPMENT ORDER FOR THE TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT LAKE COUNTY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

WHEREAS, on January 18, 1988, a DRI known as Orange Blossom Gardens-South (OBGS) was approved by the Town of Lady Lake in Ordinance 88-1. A substantial deviation to the OBG-South DRI was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12. A second substantial deviation was approved as the Orange Blossom Gardens-West (OBGW) DRI on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI Development Order was amended on August 14, 1990 and again on February 16, 1993. On September 20, 1994 and October 12, 1994, Sumter County and Lady Lake respectively approved a substantial deviation to the OBGS and OBGW DRI development orders, combining them and referring to the development collectively as the Tri-County Villages DRI. A first revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 29, 1996. On August 3, 1998, a first revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 98-13. A second revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 15, 1998. On May 15, 2000, a third revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission. A fourth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 12, 2001. A fifth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on May 15, 2002. A sixth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on April 22, 2003. On October 18, 1999, a second revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 99-37. On May 8, 2000, a third revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 2000-20. A fourth revision to the Lady Lake Tri-County Villages development order was approved on

May 15, 2003 by Town of Lady Lake Ordinance 2003-07. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. On August 2, 2004, a fifth revision to the Lady Lake Tri-County Villages development order was approved on August 2, 2004 by Town of Lady Lake Ordinance 2004-6. An eighth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 26, 2004. A sixth revision to the Lady Lake Tri-County Villages development order was approved on March 17, 2005 by Town of Lady Lake Ordinance 2005-7. A ninth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 11, 2005. A tenth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on February 10, 2009; and a seventh revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on February 23, 2009. An eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012.

WHEREAS, on January 2, 2014, The Villages of Lake-Sumter, Inc. submitted its e2 application pursuant to 380.06 (19)(e)(2.)k., Florida Statutes (F.S.), to the Town of Lady Lake to amend the Tri-County Villages Development of Regional Impact (DRI) Amended Development Order, (the ADO); and

WHEREAS, the Town of Lady Lake (Lady Lake), as governing body of the local government having jurisdiction, is authorized and empowered to consider DRIs; and

WHEREAS, Lady Lake has reviewed the e2 application, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, Lady Lake has conducted an advertised public hearing on _____, 2014 for the purpose of receiving public comment.

NOW, THEREFORE BE IT RESOLVED BY THE LADY LAKE TOWN COMMISSION, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED

THIS ____ DAY OF _____ 2014, THAT THE TRI-COUNTY VILLAGES OF LAKE DRI IS HEREBY APPROVED, EFFECTIVE AS SPECIFIED HEREIN, BASED UPON AND SUBJECT TO THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS/RESTRICTIONS:

SECTION 1. Findings of Fact. Based on the documentation and testimony received at the public hearing, the Commission hereby finds as fact as follows:

1. The Tri-County Villages DRI is a mixed-use retirement community Development of Regional Impact located in northwestern Lake County/Lady Lake and in northeastern Sumter County.
2. On January 2, 2014, the Developer submitted an e2 application to a previously approved DRI pursuant to Section 380.06 (19)(e)(2)k., F.S. to amend the DRI in Lady Lake as follows:
   - To add Assisted Living Facility as a permitted use in areas designated as Town Center Commercial on the Map H.
   - Amend Map H-1 to add 94 ALF beds and reduce commercial by 7,550 SF (see **EXHIBIT 1**);
3. The changes proposed in the e2 application meet the criteria in s.380.06(19)(e)2.k. because the amendment results in no increase in external peak hour trips and does not reduce open space or conserved lands in the Tri-County Villages Development of Regional Impact (DRI).
4. This amendment is not a substantial deviation to the DRI pursuant to s.380.06(19)(e)2.k.
3. A duly noticed public hearing was conducted on the e2 application by The Town of Lady Lake on _____, 2014 and all interested parties and members of the public were similarly afforded the opportunity to participate.

SECTION 2. Conclusions of Law. Based on the findings of fact adopted above, Lady Lake hereby adopts the following conclusions of law:

1. The Town of Lady Lake is the governing body having jurisdiction over the review and approval of the e2 application, pursuant to Chapter 380, F.S., and is

authorized and empowered to issue this eighth amendment to the Tri-County Villages DRI ADO.

2. The property does not lie within an Area of Critical State Concern as designated pursuant to Chapter 380.05, F.S.

3. The proposed development is consistent with the applicable local comprehensive plan and is consistent with the applicable local land development regulations.

4. The proposed development is consistent with the East Central Florida Strategic Regional Policy Plan.

6. The provisions of this amendment to the ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.

7. The impacts of this development, as conditioned by this Eighth Amendment to the ADO, are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the Town of Lady Lake do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.

8. To the extent that the application for development approval (ADA), NOPC or e2 application, or any other document is inconsistent with the terms and conditions of this amendment to the ADO, this amendment to the ADO shall prevail.

SECTION 3. General Conditions. The Town of Lady Lake, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the proposed changes contained in the NOPC and subsequent addendum submittals and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this amendment to the ADO:

1. Revisions to Development Order

   a. Revised Master Development Plan A revised DRI Phase Allocation Table (Map H-1) (revised January, 2014) and Phasing Chart is hereby adopted for the Tri-County Villages DRI and a copy is attached and incorporated herein as **EXHIBIT 1**.

   b. Add ALF as permitted use. Amend Map H-1 to add ALF as a permitted use in the Town Center Commercial land use category (see **EXHIBIT 1**).

c. Amend Development Entitlements. Amend Map H-1 by adding 94 ALF beds and reducing commercial entitlements by 7,550 square feet (see **EXHIBIT 1**).

d. Final Order. That this amendment to the ADO shall constitute the final order of the Town of Lady Lake in response to the DRI e2 application filed by the Developer.

e. Definitions. That the definitions found in Chapter 380, F.S. (2013) shall apply to this amendment to the ADO.

f. Assignability: Persons Bound. That this amendment to the ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest.

g. Severability. That in the event any portion or section of this amendment to the ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this amendment to the ADO, which shall remain in full force and effect.

h. Recordation of Notice of Adoption. That within sixty (60) days of the issuance of this amendment to the ADO, The Villages of Lake-Sumter, Inc. shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Lake County in accordance with Section 380.06 (15), F.S., and shall provide a copy of the recorded Notice to the Town of Lady Lake, Sumter County, the ECFRPC, the WRPC and the DEO.

i. Restriction on Downzoning, Density Reduction or Intensity Reduction. That the Town of Lady Lake agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this amendment to the ADO, unless the Town of Lady Lake can demonstrate that substantial changes in the conditions underlying the approval of the amendment to the ADO have occurred, or that the amendment to the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly

established by the Town of Lady Lake to be essential to the public health, safety or welfare.

j. Impact Fees. That approval of this amendment to the ADO shall not exempt any portion or unit of the Tri-County Villages of Lake development from any future impact fees imposed by the Town of Lady Lake. Developer credit for applicable improvements paid for by it pursuant to the requirements of this amendment to the ADO shall be given as provided for by Section 380.06(16), F.S.

k. Effective Date. That upon adoption, this Amendment to the ADO shall be transmitted to the ECFRPC, the DEO and the Developer and shall become effective upon rendering of this Development Order by the Town of Lady Lake.

l. Transmittal of Amendment. That certified copies of this amendment to the ADO shall be transmitted immediately by certified mail to ECFRPC, DEO and the Developer, by the Town of Lady Lake.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this _____day of_____, **2014**.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

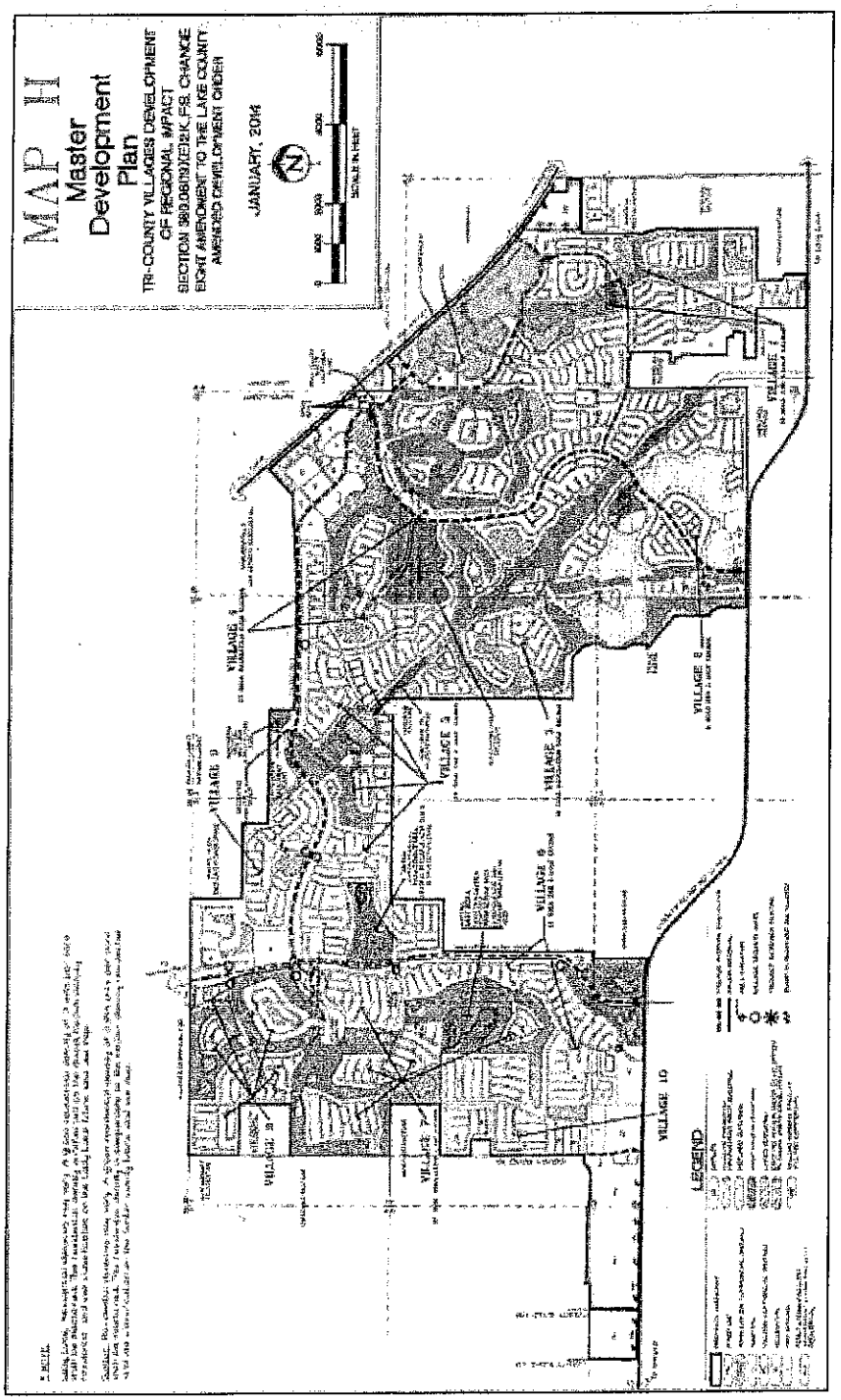
ATTACHMENTS

EXHIBIT 1 Master Development Plan, Map H-1 (Revised January, 2014)

EXHIBIT 2 Legal Description of the Tri-County Villages DRI Lake County

EXHIBIT 1

MASTER DEVELOPMENT PLAN,
MAP H-1
(REVISED JANUARY, 2014)



MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2.K.,F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

JANUARY, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (LSD SOUTH/LAKE CO.)			THE VILLAGES OF SUMTER (LSD WEST/SUMTER CO.)			TOTALS		
	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

PHASING SCHEDULE

LAND USE	EXISTING PRE 1998	1 [illegible]	2 [illegible]	3 [illegible]	4 [illegible]	5 [illegible]	TOTALS
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

EXHIBIT 2

VILLAGES DRI'S LEGAL DESCRIPTIONS

TRI-COUNTY VILLAGES
DEVELOPMENT OF REGIONAL IMPACT
LOCATED IN THE TOWN OF LADY LAKE AND
LAKE AND SUMTER COUNTIES

A TRACT OF LAND IN SECTIONS 6, 7 AND 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27 WITH THE WEST LINE OF THE SW 1/4 OF SECTION 6; THENCE ALONG SAID WEST LINE RUN S00°09'15"E TO A POINT THAT IS N00°09'15"W, 306.67 FEET OF THE SOUTHWEST CORNER OF SECTION 6; SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°44'22"E, 525.81 FEET; THENCE N48°21'06"E, 234.80 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF OPAL DRIVE IN ORANGE BLOSSOM HILLS, SOUTH, UNIT NO.9, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37K, PUBLIC RECORDS OF LAKE COUNTY,FLORIDA; THENCE SOUTH ALONG SAID NORTHERLY PROJECTION AND ALONG SAID RIGHT-OF-WAY LINE OF OPAL DRIVE TO THE NORTHWEST CORNER OF LOT 60,BLOCK 53, ORANGE BLOSSOM HILLS, SOUTH, UNIT 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37H, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE EAST TO THE NORTHEAST CORNER OF SAID LOT 60;THENCE SOUTH TO THE SOUTHEAST CORNER OF LOT 39 OF AFORESAID BLOCK 53; ALSO BEING THE INTERSECTION OF WITH THE NORTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE; THENCE SOUTHWESTERLY ACROSS SAID DAKOTA AVENUE TO THE NORTHEAST CORNEROF BLOCK 45, ORANGE BLOSSOM HILLS, SOUTH, UNIT 5,ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37G, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE SOUTH TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 IN SECTION 18; THENCE AGAIN CONTINUE SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF GOVERNMENT LOT 7 IN SECTION 18; THENCE WEST TO THE SOUTHWEST CORNER OF AFORESAID N1/2 OF GOVERNMENT LOT 7; THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 7, RUN S00°24'25"E, 663.70 FEET TO THE NORTH LINE OF THE S1/4 OF GOVERNMENT LOT 7;. THENCE S66°37'14"E, 161.77 FEET; THENCE S00°23'19"E, 559.03 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 80.00 FEET WIDE); THENCE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE EAST LINE OF GOVERNMENT LOT 6 IN SECTION 18; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE S89°41'00"W, 726.2 FEET, MORE OR LESS, TO THE EAST LINE OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 707, PAGE 359, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCEALONG AFORESAID EAST LINE

RUN N00°23'52"W, 1288.10 FEET, MORE OR LESS, TO THE SOUTH LINE OF ORANGE BLOSSOM HILLS, SOUTH, UNIT NO.2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37D, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG AFORESAID SOUTH LINE OF UNIT NO.2 RUN WEST TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 14, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. I, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37C, PUBLIC RECORDS LAKE COUNTY, FLORIDA; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 6; SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ALABAMA AVENUE; THENCE CONTINUE NORTH ACROSS SAID ALABAMA AVENUE TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 13 OF AFOREMENTIONED UNIT NO.1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF SAID LOT 6, THENCE EAST TO THE SOUTHWEST CORNER OF LOT 41, BLOCK 13 OF SAID UNIT NO.1; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 41; SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ARIZONA AVENUE; THENCE CONTINUE NORTH ACROSS SAID ARIZONA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 12 OF SAID UNIT NO.1;THENCE EAST TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 12 OF SAID UNIT NO. I; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 36, BLOCK 12 OF SAID UNIT NO.1; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 36; SAID POINT ALSO LYING ON THE SOUTHRIGHT-OF-WAY LINE OF ARKANSAS AVENUE; THENCE WEST TO THE NORTHWEST CORNER OF LOT 35, SAID BLOCK 12; THENCE NORTH ACROSS SAID ARKANSAS AVENUE TO THE SOUTHWEST CORNER OF LOT 12, BLOCK 11 OF AFOREMENTIONED UNIT NO.1; SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY LINE OF SAID ARKANSAS AVENUE; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 24, BLOCK11; SAID POINT ALSO LYING ON THE EAST RIGHT-OF-WAY LINE OF DIANA DRIVE; THENCE CONTINUE WEST ACROSS DIANA DRIVE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 4 OF SAID UNIT NO. 1; THENCE NORTH TO THE NORTHWEST CORNEROF LOT 67 OF SAID BLOCK4; SAID POINT ALSO LYING ONTHE SOUTH RIGHT-OF-WAY LINE OF CALIFORNIA AVENUE; THEN CONTINUE NORTH ACROSS SAID CALIFORNIA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 5 OF SAID UNIT NO.1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 67 SAID BLOCK 5; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF CAROLINA AVENUE; THENCE CONTINUE NORTH ACROSS SAID CAROLINA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 6 OF SAID UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 67 OF SAID BLOCK 6; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF COLORADO AVENUE; THENCE NORTHEASTERLY ACROSS SAID COLORADO AVENUE TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 7 OF SAID UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 68 OF SAID BLOCK 7; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF DELAWARE AVENUE; THENCE CONTINUE NORTH ACROSS SAID DELAWARE AVENUE TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 26 IN ORANGE BLOSSOM HILLS, SOUTH, UNIT NO.3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37E, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-

WAY LINE OF SAID DELAWARE AVENUE; THENCE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 26 OF SAID UNIT NO.3; THENCE NORTH TO THE SOUTHEAST CORNER OF LOT 64 OF SAID BLOCK 26; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 60 OF SAID BLOCK 26; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 60; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE; THENCE CONTINUE NORTH ACROSS DAKOTA AVENUE TO THE SOUTHWEST CORNER OF LOT 11, BLOCK 27 OF SAID UNIT NO.3; SAID POINT ALSO LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DAKOTA AVENUE; THENCE EAST TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 27; SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF DIANA DRIVE; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY OF DIANA DRIVE TO THE SOUTHEAST CORNER OF LOT 70, BLOCK 30 OF SAID UNIT NO.3; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 64 OF SAID BLOCK 30; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 64; SAID POINT BEING ON THE SOUTH RIGHT-OF WAY LINE OF ILLINOIS AVENUE; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAXON DRIVE; SAID POINT ALSO BEING ON THE WEST LINE OF THE NW 1/4 OF SECTION 18; THENCE ALONG SAID WEST LINE AND ALONG THE WEST LINE OF SECTION 7 AND 6 RUN NORTH TO THE POINT OF BEGINNING.

AND THAT PORTION OF TRACT "A" OF OAK MEADOWS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING SOUTH OF TRACT "6", THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;

AND TRACT "6", THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;

AND THAT PORTION OF THE NORTH 3/4 OF GOVERNMENT LOT 8, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF U.S. HIGHWAY 441/27, LESS RIGHT OF WAY FOR ROLLING ACRES ROAD AND LESS THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF GOVERNMENT LOT 8, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A 4 INCH X 4 INCH CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF LOT 14, OAK MEADOWS AS RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF ROLLING ACRES ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 1677, PAGE 549, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 00°13'28"E. ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 356.19 FEET; THENCE N 14°05'30" W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 23.18 FEET TO A 5/8 INCH IRON ROD, LB 4475,

FOR A POINT OF BEGINNING; THENCE N 89°46'46" W, A DISTANCE OF 297.17 FEET TO A 5/8 INCH IRON ROD, LB 4475; THENCE N 00°13'14" E A DISTANCE OF 485.24 FEET TO A 3 INCH ROUND CONCRETE MONUMENT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 & 441 AS DESCRIBED IN OFFICIAL RECORDS BOOK 68, PAGE 619, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE S 58°17'18" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 314.30 FEET TO A 5/8 INCH IRON ROD, LB 4475, BEING A POINT ON A CURVE CONCAVE SOUTHWESTERLY,HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING OF S 29°04'03"E. AND A CHORD DISTANCE OF 24.41 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°26'30" AND A DISTANCE OF 25.50 FEET TO A 5/8 INCH IRON ROD, LB 4475 MARKING THE POINT OF TANGENCY, SAID POINT LYING ON SAID WEST RIGHT OF WAY LINE OF ROLLING ACRES ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: S 00°13'28" W. A DISTANCE OF 232.21 FEET TO A 5/8 INCH IRON ROD, LB 4475; THENCE S 14°05'30" E. A DISTANCE OF 69.72 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

LOTS 7 THROUGH 9, BLOCK 82, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 8 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37J, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND LESS LOTS 1 THROUGH 9, BLOCK 11, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO.1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37G, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND A TRACT OF LAND IN SECTIONS 1,2,3,4,9,8,10,11,12,13,14,15,16, AND 17 TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS;

BEGIN AT THE SOUTHWEST CORNER OF THE S1/2 OF THE SE1/4 OF SECTION 9; FROM SAID POINT OF BEGINNING RUN NORTH TO THE NORTHWEST CORNER OF AFORESAID S1/2 OF SE 1/4; THENCE EAST TO THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SE1/4 OF SECTION 9; THENCE NORTH TO THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 9; THENCE WEST TO THE SOUTHWEST CORNER OF THE N1/2 OF THE NE1/4; THENCE NORTH TO THE SOUTHEAST CORNER OF THE E1/2 OFTHE SW1/4 OF SECTION 4; THENCE WEST TO THE SOUTHWEST CORNER OF SAID E1/2 OF SW1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID E 1/2 OF SW 1/4;THENCE EAST TO THE NORTHEAST CORNER OF SAID E 1/2 OF SW1/4; THENCE NORTHTO THE SOUTHEAST CORNER OF SAID NE1/4 OF THE NW 1/4 OF SECTION 4; THENCEWEST TO THE SOUTHWEST CORNER OF SAID NE1/4 OF NW 1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID NE 1/4 OF NW1/4; THENCE EAST ALONG THE NORTH LINE OF SECTION 4 TO THE NORTHWEST CORNER OF SECTION 3; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SECTION 3 TO THE NORTHEAST CORNER OF THE NW1/4 OF SECTION 3; THENCE SOUTH TO THE NORTHWEST CORNER OF THE S 1/2 OF THE NE 1/4 OF SECTION 3;

THENCE EAST TO THE NORTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 3; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID NE 1/4 OF SE 1/4 OF NE 1/4 THENCE EAST TO THE NORTHWEST CORNER OF THE S 1/2 OF THE S 1/2 OF THE NW 1/4 OF SECTION 2; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID S1/2 OF S1/2 OF NW1/4 TO A POINT THAT IS 330 FEET WEST OF THE EAST LINE OF THE NW 1/4 OF SECTION 2; THENCE PARALLEL WITH SAID EAST LINE RUN SOUTH TO THE EAST-WEST MID-SECTION LINE OF SECTION 2; THENCE ALONG SAID MID-SECTION LINE RUN EAST TO THE NORTHWEST CORNER OF THE N 1/2 OF THE SW 1/4 OF SECTION 1; THENCE CONTINUEEAST TO THE NORTHEAST CORNER OF SAID N 1/2 OF SW 1/4; THENCE NORTHEASTERLY TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441/27 (BEING 200 FEET WIDE) WITH THE EAST BOUNDARY OF THE W1/2 OF THE NE 1/4 OF SAID SECTION 1; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN SOUTHEASTERLY TO THE EAST LINE OF SECTION 1;THENCE ALONG SAID EAST LINE AND ALONG THE EAST LINE OF SECTION 12 AND 13 RUN SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF SE1/4 OF SECTION 13;THENCE WEST TO THE SOUTHEAST CORNER OF THE N 1/2 OF THE SW 1/4 OF SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID N 1/2 OF SW 1/4 RUN WEST TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100.00 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE CONTINUE WEST TO THE EASTLINE OF THE SE1/4 OF SECTION 14; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 RUN N89°45'11"W, 256.48 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 475, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY OF AFOREMENTIONED PROPERTY WITH THE FOLLOWING (5) COURSES: N00°29'26"E, 690.11 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHWESTERLY 170.86 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 55°56'21" AND A CHORD BEARING AND DISTANCE OF N27°28'45"W, 164.15 FEET TO THE POINT OF TANGENCY; THENCE N55°26'55"W, 176.96 FEET; THENCE N00°29'26"E, 925.00 FEET; THENCE N49°49'19"W, 1092.25 FEET TO A POINT ON THE WEST LINE OF THE SE1/4 OF THE NE1/4 OF SECTION 14; SAID POINT BEING S00°21'41"E, 24.96 FEET OF THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 14;THENCE N00°21'41"W ALONG AFORESAID WEST LINE 24.96 FEET TO THE SOUTHWESTCORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 14; THENCE ALONG THE WEST LINE OF SAID NE 1/4 OF NE1/4 RUN N00°23'21"E, 1093.86 FEET; THENCE N45°13'10"E, 163.12FEET; THENCE N00°23'21"E, 252.92 FEET; THENCE N21°04'15"W, 190.48 FEET; THENCE N41°28'52"W, 274.41 FEET THENCE N 52°14'07"W, 157.86 FEET; THENCE N 89°37'47"W, 1059.81 FEET TO THE NORTH-SOUTH MID-SECTION LINE OF SECTION 11; THENCE ALONG SAID MID-SECTION LINE RUN NORTH TO THE SOUTHEAST CORNER OF THE W 1/2 OF SECTION 2; SAID POINT BEING N89°41'35"E, 2646.82 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 2; THENCE ALONG THE EAST LINE OF THE W1/2 OF SECTION 2 RUN N00°04'27"W, 109.72 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA POWER CORPORATION TRANSMISSION LINE EASEMENTS;THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN N44°26'OO"W,622.28 FEET; THENCE

S00°04'35"E, 506.40 FEET TO A POINT THAT IS 50.00 FEET NORTHOF THE SOUTH LINE OF THE SWI/4 OF SECTION 2; THENCE PARALLEL WITH SAID SOUTH LINE RUN S89°41'35"W TO THE WEST LINE OF THE SW 1/4 OF SECTION 2; SAID POINT ALSO BEING ON THE EAST LINE OF THE SE1/4 OF SECTION 3; THENCE PARALLEL WITH AND 50.00 FEET NORTH OF SOUTH LINE OF THE SEI/4 OF SECTION 3 RUN WEST TO THE WEST LINE OF SAID SE1/4; THENCE SOUTH TO THE SOUTHWEST CORNER'OF SAID SE1/4; THENCE CONTINUE SOUTHTOTHE SOUTHEAST CORNER OF THE N1/2 OF THE NW1/4 OF SECTION 10; THENCE ALONG THE SOUTH LINE OF SAID N1/2 0F NW1/4 RUN WEST TO THE NORTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF SECTION 10; THENCE SOUTH TO THE NORTHEAST CORNER OF THE W1/2 OF THE SW1/4 OF SECTION 10; THENCE SOUTH TO THE SOUTHEAST CORNEROF SAID W1/2 OF SW1/4; SAID POINT ALSO BEING ON THE NORTH LINE OF THE NW1/4 OF SECTION 15;THENCE ALONG SAID NORTH LINE RUN WEST 185.91 FEET, MORE OR LESS, TO A 4 INCH CONCRETE MONUMENT; SAID MONUMENT BEING N89°59'15E, 1142.39 FEET OF THE NORTHWEST CORNER OF SECTION 15; FROM SAID CONCRETE MONUMENT RUN SOUTH 1334.50 FEET TO THE SOUTH LINE OF THE N 1/2 OF THE NW1/4 OF SECTION 15;THENCE S89°53'52"W ALONG SAID SOUTH LINE 363.01 FEET TO A POINT ON THE ARC OF A CURVE IN THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100-FEET WIDE); SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUSOF 1959.86 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 208.17 FEET; SAID ARC HAVING A CENTRAL ANGLE OF 06°05'09", A TANGENT DISTANCE OF 104.18 FEET, A CHORD BEARING OF N86°26'53"W AND A CHORD DISTANCE OF 208.07 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N89°29'27"W ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST LINE OF THE NE1/4 OF SECTION 16; THENCE CONTINUE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF THE NE1/4 OF SECTION 16; THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

AND THE NE 1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 23 EAST,SUMTER COUNTY, FLORIDA, AND THE E1/2 OF THE SW1/4, THE NW1/4 OF THE SE 1/4,AND THE SW 1/4 OF THE NE1/4 AND SE 1/4 OF NW 1/4, LESS BEGIN AT SW CORNER OF SE 1/4 OF NW 1/4, NORTH 525 FEET, EAST 415 FEET, SOUTH 525 FEET, WEST 415 FEET TO POINT OF BEGINNING OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA. LESS RIGHT-OF-WAY FOR COUNTY ROAD 466 AND COUNTY ROAD 101.

AND THAT PORTION OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 LESS ONE ACRE IN THE NORTHWEST CORNER THEREOF AND LESS RIGHT-OF-WAY FOR C.R. 101 AND LESS THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N89°24'25"W, ALONG THE SOUTH

LINE THEREOF, 1,325.87 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE N00°22'59"E, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 30.00 FEET; THENCE S89°24'25"E, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 871.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLEOF 55°27'39", AN ARC DISTANCE OF 164.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 230.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH, A CENTRAL ANGLE OF 55°12'55", AN ARC DISTANCE OF 221.65 FEET; THENCE S89°39'10"E, 125.00 FEET TO THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE S00°20'50"W, 203.75 FEET TO THE POINT OF BEGINNING.

AND COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16. TOWNSHJP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; THENCE S00°33'29"W, ALONG THE EAST LINE THEREOF A DISTANCE OF 594.277 FEET TO THE SOUTH LINE OF THE NORTH 594.277 FEET OF THE, SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S89°24'25"E, ALONG THE EASTERLY EXTENSION OF THE SAID SOUTH LINE ADISTANCE OF 16.11 FEET TO THE WEST RIGHT-OF-WAY OF COUNTY ROAD 101 AS SHOWN ONTHE PLAT OF VILLAGES OF SUMTER UNIT NO. 67 AS RECORDED IN PLAT BOOK 5, PAGES 49 THROUGH 49C, INCLUSIVE, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N13°40'21"W, 37.40 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST AND HAVING A RADIUS OF 1,040.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°38'33", AN ARC DISTANCE OF 29.81 FEET TO A POINT ON THE EAST LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S00°33'29"W, ALONG SAID EAST LINE A DISTANCE OF 65.24 FEET TO THE POINT OF BEGINNING.

AND THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF WAY FOR COUNTY ROAD 101.

AND THE SOUTH 106.60 FEET OF THE EAST 3/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8.

AND THAT PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 17, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF-WAY FOR COUNTY ROAD 103.

AND THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17, LYING NORTH OF COUNTY ROAD 466; LESS ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE INTERSECTIONOF THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 17

AND THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 466; THENCE ALONG SAID RIGHT-OF-WAY N89°23'30"W, 153.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N89°23'30"W, 0.34 FEET; N89°22'50"W, 1170.69 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE N00°24'31 "E ALONG SAID WEST LINE A DISTANCE OF 17.87 FEET; THENCE DEPARTING SAID WEST LINE S89°22'50"E, 366.79 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTH AND HAVING ARADIUS OF 9,050.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'13", AN ARC DISTANCE OF 403.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTH AND HAVING ARADIUS OF 8,950.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'53", AN ARC DISTANCE OF 400.63 FEET TO A POINT ON THE SAID NORTHERLY RIGHT-OF-WAY AND THE POINT OF BEGINNING;

AND LESS RIGHT-OF-WAY FOR COUNTY ROAD 103;

AND LESS RIGHT-OF WAY FOR COUNTY ROAD 105;

AND LESS AND EXCEPT HICKORY HILL HAMMOCK, A SUBDIVISION RECORDED IN PLAT BOOK 4, PAGES 77 AND 77-A, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.

CARLTON FIELDS JORDEN BURT

ATTORNEYS AT LAW

215 S. Monroe Street | Suite 500
Tallahassee, Florida 32301-1866
P.O. Drawer 190 | Tallahassee, Florida 32302-0190
850.224.1585 | fax 850.222.0398
www.CFJBLaw.com

Atlanta
Hartford
Miami
New York
Orlando
St. Petersburg
Tallahassee
Tampa
Washington, DC
West Palm Beach

Darrin Taylor
850.425.3398 direct
dtaylor@carltonfields.com

January 6, 2014

Thad Carroll, Director
Growth Management Department
Town of Lady Lake
409 Fennell Boulevard
Lady Lake, Florida 32159

Re: Section 380.06(19)(e)2. Amendment to The Tri- County Villages of Lake DRI

Dear Mr. Carroll:

The Villages is requesting a minor amendment to the Tri-County Villages of Lake DRI development order to add 94 Assisted Living Facility Beds (ALF) to the DRI and simultaneously remove 7,550 square feet of commercial. The change is traffic-neutral because no new external automobile trips will be generated than is currently approved in the DRI. Included in the e2 application is a supporting traffic analysis from Kimley Horn.

This amendment meets the criteria for a minor change based on a determination by the Department of Economic Opportunity (DEO) pursuant to s.380.06(19)(e)2.k. The Department's determination letter is attached as **Exhibit A** to the application.

Since this amendment is an (e)2. change, then no NOPC review is required. Enclosed is our application requesting an amendment to the development order which includes the proposed development order language. Please place this request on the January 21st TRC agenda and the February 10th Planning and Zoning Board agenda. We also request that the Town Commission acts on the recommendation of the Planning and Zoning Board at the March 3rd meeting for first reading and March 17th for final approval.

Thank you for your cooperation and assistance. If there are any questions, please call me.

Sincerely,

Darrin Taylor, AICP
Government Consultant

DFT/bno
Attachment

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority, personally appeared Martin L. Dzuro, who being by me first duly sworn on oath, deposes and says:

(1) That he/she is the fee-simple owner of the property legally described on page one of this application. See Exhibit 2.

(2) That he/she desires approval for:

8th Amendment to the Amended Development Order for Tri-County Villages DRI (Lake)

(3) That he/she has appointed Darrin Taylor/Carlton Fields PA to act as agent in his/her behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his/her stead.

Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 4th day of February, 2014, by Martin L. Dzuro, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public Vicki C. Varnon

VICKI C. VARNON
Notary Public
State of Florida
My Commission Expires 9/22/2015
Commission No. EE 125038

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority, personally appeared Darrin F. Taylor, who being by me first duly sworn on oath, deposes and says:

(1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for:

Tri-County Villages - Lake e2 Change

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 3rd day of February, 2014, by Darrin F. Taylor, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public

BARBARA O'NEAL
Notary Public - State of Florida
My Comm. Expires Aug 7, 2017
Commission # FF 026123
Bonded Through National Notary Assn.

January 27, 2014

RE: Ordinance 2014-03 Amendment to Tri-County Villages of Lake DRI

Dear Property Owner:

This is to notify you that Darrin Taylor, on behalf of property owner, the Villages Operating Company, has submitted an application proposing a minor amendment to the Tri-County Villages of Lake Development of Regional Impact Development Order to add a 94 Bed Assisted Living Facility (ALF) to the DRI. As part of this request, 7,550 square feet of retail commercial entitlements will be removed so that the requested change will be traffic-neutral. No additional external automobile trips will be generated than is currently approved in the DRI.

Public hearing dates for the Ordinance are scheduled for the following dates:

PLANNING AND ZONING BOARD - Monday, February 10, 2014, at 6:00 p.m.
COMMISSION MEETING (1st Reading) - Monday, March 3, 2014, at 6:00 p.m.
COMMISSION MEETING (2nd Reading) - Monday, March 17, 2014, at 6:00 p.m.

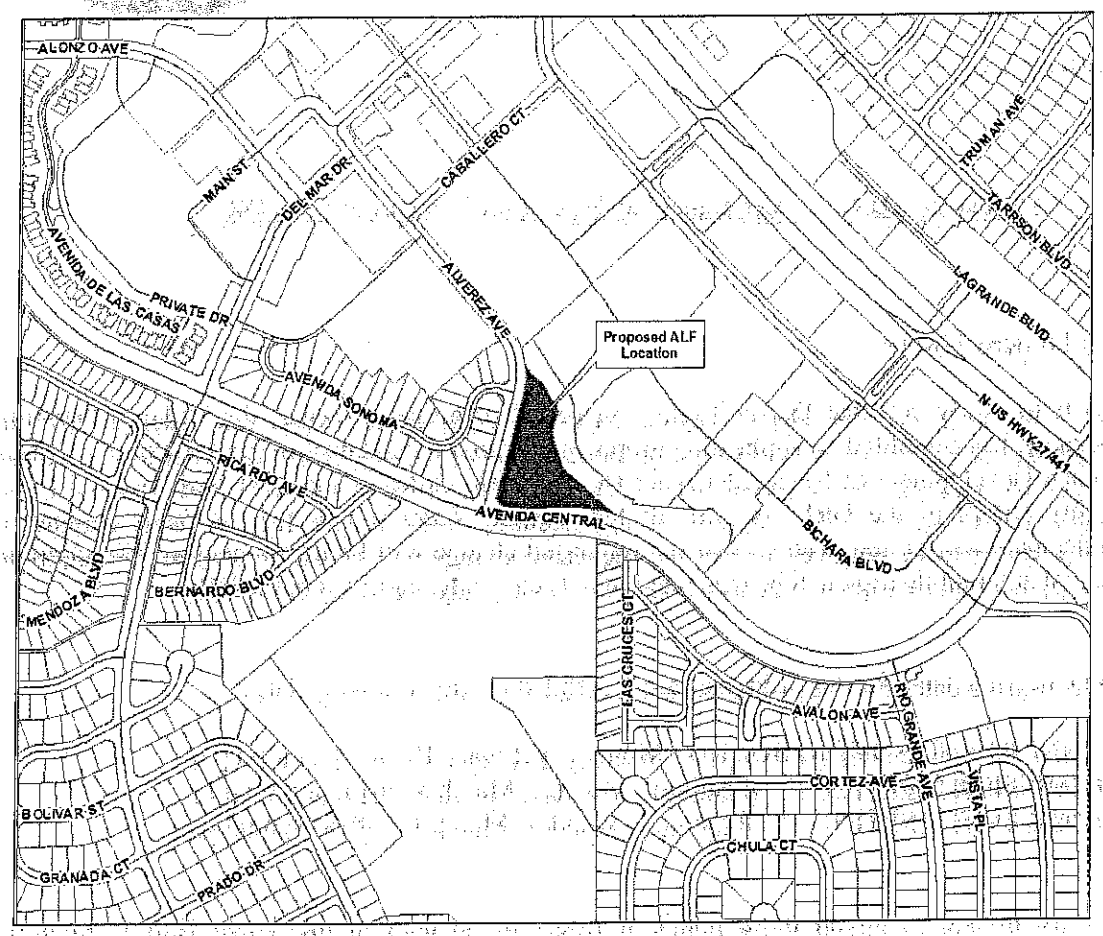
You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

All persons wishing to cross-examine any party at the public hearings are required to file a Notice to Appear with the Town Clerk at least five (5) days prior to said public hearing in order to be heard at the time and place aforesaid. However, if a person only wishes to speak or testify, and not cross-examine a party, the Notice of Appearance form does not need to be filled out. Any person wishing to appeal a decision of this public body should ensure himself that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call Town Planner Wendy Then at (352) 751-1582 or via email at **WThen@ladylake.org**

Sincerely,

Thad Carroll, AICP
Growth Management Director

Map of Proposed ALF Facility Location – Ordinance 2014-03



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: MARCH 3, 2014 – FIRST READING

SUBJECT: **Ordinance No. 2014-03 - Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Square Feet of Commercial Entitlements**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2014-03, providing for an amendment to the Development Order for the Tri-County Villages Development of Regional Impact to add entitlements for a 94 bed Assisted Living Facility, and removal of 7,550 square feet of commercial entitlements.

SUMMARY

Applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact development order. The DRI Development Order must be amended to add 94 ALF beds since the Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 SF of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

The ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial (TCC) area inside of Avenida Central and U.S. Highway 27/441. While the entitlement for the use will permit this use to be placed anywhere within the TCC, it is anticipated that the development will be built on the vacant property on the corner of Avenida Central and Alvarez Avenue. The campus will consist, more specifically, of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and the Zoning Designation of the property already permit the use of Assisted Living Facilities.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the attached transportation analysis provided by Kimley-Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 SF of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's (DEO) determination letter with the application.

Notices to inform the surrounding property owners (14) within 150' of the subject property of the proposed amendment were mailed by certified mail return receipt on January 28, 2014. The property was also posted on Tuesday, January 28, 2014. Town Attorney, Derek Schroth reviewed and approved Ordinance 2014-03 to form on January 31, 2014.

Past Actions:

The **Technical Review Committee** reviewed the application for Ordinance 2014-03 at its regular meeting on Tuesday, February 4, 2014, recommending approval to forward to the Planning and Zoning Board with a 5-0 vote.

At the February 10, 2014 meeting, the **Planning and Zoning Board** voted 3-0 to forward Ordinance 2014-03 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2014-03 for second and final reading on Monday, March 17, 2014.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [X] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

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DEPARTMENT HEAD	**Submitted** 2/24/14	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 3/3/14	**Date** 2/24/14

2-24-14
JW 2/20/14

BOARD ACTION: [✓] Approved as Recommended RIC/HAN 5-0 **[ ] Disapproved**

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

CC: THAD - G.M.

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: February 10, 2014

SUBJECT: **Ordinance No. 2014-03 - Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Square Feet of Commercial Entitlements**

DEPARTMENT: **Growth Management**

RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance 2014-03 to the Town Commission with the Recommendation of Approval.**

2. **Motion to forward Ordinance 2014-03 to the Town Commission with the Recommendation of Denial.**

Staff is in support of Motion Number 1.

SUMMARY

Applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake DRI development order. The DRI Development Order must be amended to add 94 ALF beds since the Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 SF of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

The ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial area inside of Avenida Central and U.S. Highway 27/441. The campus will consist, more specifically, of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and Zoning Designation of the property already permit the use of Assisted Living Facilities.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council

(WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the attached transportation analysis provided by Kimley-Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 SF of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's determination letter with the application.

Past Actions:

The **Technical Review Committee** reviewed the application for Ordinance 2014-03 at its regular meeting on Tuesday, February 4, 2014, recommending approval to forward to the Planning and Zoning Board with a 5-0 vote.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2014-03 at first reading on Monday, March 3, 2014. Second and final reading is tentatively scheduled for Monday, March 17, 2014.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [X] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other -

[ ] Support Documents/Contracts Available for Review in Manager's Office

(W) 2-5-14

DEPARTMENT HEAD		Submitted 2/5/14	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for:	Date 2/10/2014

BOARD ACTION: [✓] Approved as Recommended MONTELEONE/MACKENZIE 3-0 [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: G.M.

Upon a motion by Member Monteleone, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Hilltop Subdivision Preliminary Plat to the Town Commission for consideration by a vote of 3-0.

4. Ordinance No. 2014-03 – Minor Amendment to The Tri-County Villages Development of Regional Impact, Adopting an Eighth Amendment to the Amended Development Order to Add a 94 Bed Assisted Living Facility to the DRI and Remove 7,550 Sq. Ft. of Commercial Entitlements (Wendy Then)

Wendy Then, Town Planner, gave a brief summary of the agenda item (on file in the Town Clerk's office). She stated the applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake Development of Regional Impact (DRI) development order. The DRI Development Order must be amended to add 94 ALF beds since the Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 sq. ft. of commercial entitlements currently entitled on this site to ensure there is no increase in impacts from the change.

Ms. Then stated the ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial area at Avenida Central and U.S. Highway 27/441. She stated the campus will consist more specifically of approximately 94 ALF beds, containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and Zoning Designation of the property already permit the use of Assisted Living Facilities.

Photos of the property, maps and the postings were shown on the overhead viewer.

In accordance with Florida Statute 380.06(19) (e) 2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided under separate cover to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC), and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19) (e) 2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 sq. ft. of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the attached transportation analysis provided by Kimley-Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 sq. ft. of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the

DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Ms. Then reported the amendment summary and findings are as follows:

- On January 2, 2014, the Developer submitted an e2 application to a previously approved DRI pursuant to Section 380.06 (19)(e)(2)k., F.S. to amend the DRI to add:
  - Assisted Living Facility as a permitted use in areas designated as Town Center Commercial
  - Amend Map H-1 to add 94 ALF beds and reduce commercial by 7,550 sq. ft.
  - The changes proposed in the e2 application meet the criteria in s.380.06(19)(e)2.k. because the amendment results in no increase in external peak hour trips and does not reduce open space or conserved lands.
  - This amendment is not a substantial deviation to the DRI pursuant to s.380.06(19)(e)2.k.
  - The Town of Lady Lake is the governing body having jurisdiction over the review and approval of the e2 application, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this eighth amendment to the Tri-County Villages DRI ADO.
- The proposed development is consistent with the applicable local comprehensive plan and is consistent with the applicable local land development regulations.
- The impacts of this development are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the Town do not constitute a substantial deviation to the original DRI Development Order.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's determination letter with the application.

Ms. Then stated that the application was received on January 2, 2014 and the 14 adjacent property owners were notified by certified mail. Of those, five inquiries were received; three in person and two e-mails, with one opposing the amendment and one general inquiry.

Ms. Then reported the Technical Review Committee (TRC) voted 5-0 to transmit Ordinance No. 2014-03 to the Planning and Zoning Board for their recommendation at the February 4, 2014 meeting. The Town Commission is tentatively scheduled to hear Ordinance No. 2014-03 for first reading at their regular meeting on Monday, March 3, 2014 at 6 p.m., and for second/final reading at the regular meeting to be held on Monday, March 17, 2014 at 6 p.m.

Ms. Then stated the applicant was present to answer any questions.

Vice Chairperson/Member Sigurdson commented he did not know where the property was located in the packet, and was glad Ms. Then showed the photos. He stated it is an irregular shaped parcel.

Mr. Sigurdson asked if there was anyone in the audience who wished to speak on this matter.

Ms. Barbara Vogeley of 1052 Avenida Sonoma introduced herself and stated she was at a loss as to how this has all taken place. She stated she has lived here for nine years and this is the first she has heard of a 94 bed Assisted Living Unit. She asked when all of this was planned and stated she was very concerned there will be sirens coming and going to an Assisted Living Facility. Ms. Vogeley stated they live in Vista Sonoma which is a very quiet area and she would like to keep it that way. She stated if they could have another community like where they live she thinks it would be a better solution than an Assisted Living Facility.

Mr. Irwin King, President of the Vista Sonoma Property Owners Association, introduced himself.

Vice Chairperson/Member Sigurdson asked if the location of Vista Sonoma could be shown on the map.

Ms. Then showed where the development was located on the map.

Mr. King stated it was across the street from the proposed site. He stated their concern was there has been little information as to what is proposed, except for a couple of letters. He stated a major concern is where the access would be located and he suspects it would not be accessed from Avenida Central.

Thad Carroll, Growth Management Director, replied to the previous questions regarding how this came about by stating this is the first step in the process as the applicant is coming to the Board to seek that entitlement as part of the DRI. He stated the applicant is essentially taking 7,500 sq. ft. of commercial off the table and exchanging it based on the criteria of the statute on two elements to add 94 beds in exchange. Mr. Carroll stated the access route will be shown at the site plan phase and staff cannot require an applicant to show all the plans at this stage. He stated the use has to be established, and at the site plan phase, staff will determine where the driveways are to be placed and the actual physical aspect of the site. He stated Darrin Taylor, representative for the applicant, may want to elaborate a little more.

Mr. King asked if the building would be single or two-story, how many parking spaces, and what kind of traffic the facility will generate. He stated he assumed they will have to bring food in because there are trucks that make a lot of noise now in back of Publix. He stated those are the questions that bother the residents. Mr. King stated they have 46 units at Avenida Sonoma and it is very quiet and they take a lot of pride in that area, and they would like some more information before action is taken.

Vice Chairperson/Member Sigurdson thanked Mr. King for letting the Board know where he lives because he was not aware it was a residential area. He stated he assumed it was an extra hotel or something in The Villages.

DRAFT

Mr. King stated originally it was, and it concerns him now that they are considered within the commercial district; however the by-laws of the commercial district say there will not be any residential property there. He stated he can assure the Board it is residential property.

Mr. Darrin Taylor with Carlton Fields and Jorden Burt Attorney at Law, representing The Villages, introduced himself. He stated they are at step one of a process, because under the Town of Lady Lake Comprehensive Plan, they already have the ability to have Assisted Living Facility in place. He stated because it is a large project in The Villages, under State Law, another level of review called the DRI review is required. He stated the DRI review is more specific than the overall Comprehensive Plan, but it is not specific as to plats, site plan, or where the access points are, etc. He stated the map in front of them is where they are at in the level of planning. Mr. Taylor stated under the overall Master Plan in Town Center Commercial, they originally envisioned a number of different uses to create a mixed use feel like they have now in The Villages, but Assisted Living was not one of the uses. He stated they would like to have the ability to have an Assisted Living Facility within the Town Center Commercial in place.

Mr. Taylor stated assuming the Town Commission recommends approval, the next step would be the actual site plan review. He stated it is considered a minor change under State Law if what you are proposing is not impacting environmental areas, conservation land, or increasing traffic. He stated typically at this level, the Florida Department of Transportation, State Land Planning Agency, and other agencies would provide comments on the change, but because this is considered a minor change, none of those agencies are providing comments. Mr. Taylor stated they are requesting a recommendation of whether Assisted Living is appropriate in Town Center Commercial, because all of Town Center Commercial is approved for commercial. He stated their traffic analysis looked at the equivalent of 94 Assisted Living Facility beds and the equivalent amount was 7,550 ft. of commercial. Therefore, they are reducing the amount of commercial they can build in order to add the Assisted Living Facility. He stated all the questions that are being asked are very appropriate at the site plan level.

Member McKenzie asked if the area is currently being used for vendor parking when they have functions at the Square.

Mr. Marty Dzuro introduced himself as representing The Villages. He stated it is sometime used for vendor parking and as a staging area for the 5K and 10K racing. He stated the property is slated for commercial development and has been vacant.

Member McKenzie asked how they will accommodate these people if they use that area. He stated parking is nil when you have a major function down there, and if the vendors move to the parking lot, that will take away parking for people attending the function.

Mr. Dzuro replied they would move them to the outer limits of the parking lot depending on the size of the event. He stated they have tracked parking in that area and these statistics are reported to the Town every time they do a plan. He stated the biggest complaint he has heard over the years is that there is not enough parking if it is not 100 ft. away from Town Center. He stated they have done a series of historical pictures even at large events, and the parking on the outskirts is always vacant.

Mr. Dzuro stated an Assisted Living Facility company is interested in the parcel, but unless they can add ALF to the DRI, they will not proceed with any plans. He stated they will still have to sign a deal with them and then the ALF will have to turn in plans as the next step. He stated they will have to go through the Town's process through staff, the Planning and Zoning Board, and the Town Commission, as well as the three member Villages Development Review Committee, which looks at building height, designs, and traffic flow. He stated The Villages will require more landscaping than the Town does.

Member Monteleone asked for clarification because Mr. Dzuro stated they would like to have it available for an Assisted Living Facility, but it may not be.

Mr. Dzuro replied anything could happen as they may not make a deal with the Assisted Living Facility, and if that happens, they would probably reach out to another company. He stated it just gives them the ability to have an ALF in that area.

Vice Chairperson/Member Sigurdson asked what would be the situation if they were unable to find anybody to build that type of facility.

Mr. Dzuro replied they have commercial square feet left over that they have not developed yet, and would build some type of commercial establishment if they could not make a deal with the Assisted Living Facility.

Vice Chairperson/Member Sigurdson stated if this goes through the approval process, then it is still available for another facility.

Mr. Dzuro replied that they could get the entitlement to build and it may never get built, although the company they are talking with is very interested and he does not foresee a problem.

Vice Chairperson/Member Sigurdson asked how this little section of property is different from the rest of The Villages.

Mr. Dzuro replied Map H is the Master Plan, and in 1988 they did the Tri-County Villages of Lady Lake from the Lake-Sumter County line east. He stated when you have a DRI and you buy property adjacent to it and want to develop it, they make you incorporate that into the DRI. Mr. Dzuro stated the maps show the Tr-County Villages of Lady Lake and Tri-County Villages of Sumter, and they each have individual development orders. He stated when they go into the DRI and make any change, it has to show up on the maps, and this particular area is in Lady Lake's jurisdiction.

Member McKenzie stated no one answered the question regarding ambulances and sirens. He stated he lives in The Village of Del Mar and has been there for 20 years, and the ambulances and fire trucks very rarely have their sirens on when they come through, although they have their lights on. He stated he is not sure whether that is an agreement they made with The Villages or a Fire Department policy. Mr. McKenzie stated he does not always agree with everything The Villages does, but stated everything they do is usually top notch and in-line with everything else.

DRAFT

Vice Chairperson/Member Sigurdson explained that the Board's process is to basically see whether the proposal is in accordance with what can be done. He explained the Board is merely advisory and makes recommendations, and the Town Commission has the final say.

Mr. Paul Yander of 1041 Avenida Sonoma introduced himself and stated he has some concerns about sufficient parking within the commercial zone. He stated the Church on the Square is being developed into a Performing Arts Center or something like that, and it will be adding a tremendous amount of cars, and he hopes the developer will consider that when using this particular parcel of land. He also stated there is a wall behind the existing lot which leads to the Publix and Belk's and he suggested that the developer who buys or leases the land consider using that area since it is already being used for truck deliveries. He stated their food deliveries could be delivered in the back of the facility, and that will keep some of the traffic off of Alvarez Avenue and Avenida Central, which would help in the noise area. Mr. Yander stated they only have one entrance off of Alvarez Avenue, and he hopes there will be turn lanes involved because getting out of the entrance and exit are already very difficult.

Mr. Yander stated he assumes some of the Assisted Living people will be moving around outside of the facility and suggested some sort of sidewalk system be put in place. He stated most of the residents have lived there for nine years, and when the developer changed it from a lifestyle program to rental units, no one wanted to recognize that they have residents living in the commercial area. He stated they love the facilities they have; the houses are townhouse type villas, and they are all happy to be there, but the developer shows them very little concern.

Mr. Jetson McCleary of 1032 Avenida Sonoma stated he just talked with the President of the Board and he was on the Board for five and a half years prior to this year. He stated he is the owner and operator of an Assisted Living in New York State and a consultant to the people who brought out two of his properties in Chicago, and he knows how a presentation should be put together. He stated he would like to request copies of what staff has on their computer before their Board meeting this Thursday afternoon, because he would like to share the information with his neighbors.

Mr. McCleary stated over the last 30 years, he has faced putting up properties and administrating them, and he still has his administrative license. He stated his point is they have one entrance and exit that is on a curve, and the other is exit only. He stated when the emergency vehicles come, they are faced with driving through the gate or just parking the truck. He stated it was amazing that was allowed to happen. Mr. McCleary stated he would like to volunteer to act as a liaison if possible and if the Board wants him to do it. He stated he has been on both the operating side and now he is on the owner's side, plus he lives in the area in questioned. He stated he would like to see both sides be able to co-exist.

Mr. McCleary stated when he brought his property about nine years ago, there was a separate unit that is now a part of Freedom Pointe; it was about an 80 bed facility, plus about 20 or so beds for their memory care. He stated some of the residents need to be educated, because Assisted Living is not a nursing home; it is non-nursing services and there are activities of daily living. Mr. McCleary stated they can also offer respite care in the State of Florida, which could mean for a weekend, or up to two or three weeks. Mr. McCleary stated he knows what the Laws are in New York State and assumes Florida follows along.

Vice Chairperson/Member Sigurdson asked if there were any other comments from the audience, and as there were no further comments, asked for a motion.

Upon a motion by Member Monteleone, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal of Ordinance No. 2014-03 to the Town Commission for consideration of approval by a vote of 3-0.

CHAIRPERSON/MEMBERS' REPORT:

There were no comments or reports.

ADJOURN:

With nothing further to discuss, the meeting was adjourned at 6:54 p.m.

Julia Wolfe, Staff Assistant to Town Clerk

John Gauder, Chairperson

Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk

DRAFT

TECHNICAL REVIEW COMMITTEE
COMMENTS AND RECOMMENDATIONS
Meeting of February 4, 2014

TO:	**Technical Review Committee**
FROM:	**Thad Carroll, Growth Management Director**
SUBJECT:	**Ordinance 2014-03 Minor Amendment to the Tri-County Villages of Lake DRI Development Order**
DATE:	**Thursday, January 30, 2014**

SUMMARY

Applicant, Villages of Lake-Sumter, Inc., has submitted an application for a minor amendment to the Tri-County Villages of Lake DRI development order. The DRI Development Order must be amended to add 94 ALF beds since the Assisted Living Facility is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 SF of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

The ALF campus is to be located in the Spanish Springs area, within the Town Center Commercial area inside of Avenida Central and U.S. Highway 27/441. The campus will consist, more specifically, of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities. The proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category. The Town of Lady Lake Comprehensive Plan and Zoning Designation of the property already permit the use of Assisted Living Facilities.

In accordance with Florida Statute 380.06(19)(e)2, a local government can approve the amendment based on their local approval process. However, courtesy copies of the proposed amendment have been provided, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

Traffic: The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic; this is demonstrated in the

attached transportation analysis provided by Kimley Horn. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 SF of commercial is needed.

Open Space: The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Other Impacts: This amendment will have no impact to the Town's Water and Sewer Utilities, as these Town services are not provided to the Villages properties. In addition, no impacts to schools, parks and recreation, or library services will occur as a result of approval of the proposed amendment.

Based upon the evaluation of the justification as provided above, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips, and 2) the amendment does not reduce any approved open space or conservation areas in the DRI. The applicant has provided the Department's determination letter with the application.

PUBLIC HEARINGS

The **Planning and Zoning Board** is tentatively scheduled to consider Ordinance 2014-03 at their regular meeting on Monday, February 10, 2014.

The **Town Commission** is scheduled to consider Ordinance 2014-03 at first reading on Monday, March 3, 2014. Second and final reading is tentatively scheduled for Monday, March 17, 2014.

PROPERTY RECORD CARD

General Information

Alternate Key:	3853058	**Parcel:**	06-18-24-300000000T08
Owner Name:	VILLAGES OPERATING COMPANY	**Millage:**	FVCD (Lady Lake) : 17.3407
Owner Address:	1020 LAKE SUMTER LNDG THE VILLAGES, FL 32162	**Property Location:**	LADY LAKE FL 32159

Legal Description:

LADY LAKE, THE VILLAGE CENTER SUB FROM S'LY COR OF LOT T RUN|
N 42-58-53 W 52.09 FT ALONG THE N'LY & NE'LY R/W OF AVENIDA |
CENTRAL TO THE POINT OF CURVATURE OF A CURVE CONCAVE SW'LY &|
HAVING A RADIUS OF 650 FT, THENCE NW'LY ALONG THE ARC OF |
SAID CURVE THRU A CENTRAL ANGLE OF 30-33-06 A DIST OF 346.60|
FT FOR POB, CONT W'LY ALONG SAID CURVE THRU A CENTRAL ANGLE |
OF 20-56-54 A DIST OF 237.65 FT TO THE POINT OF REVERSE |
CURVATURE OF A CURVE CONCAVE N'LY & HAVING A RADIUS OF 700 |
FT, THENCE W'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL |
ANGLE OF 14-52-23 A DIST OF 181.71 FT TO THE POINT OF |
COMPOUND CURVATURE OF A CURVE CONCAVE NE'LY & HAVING A |
RADIUS OF 25 FT, THENCE ALONG THE SE'LY R/W LINE OF ALVEREZ |
AVE & CONTINUING ALONG THE BOUNDARY OF SAID TRACT T RUN |
NW'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF |
94-42-59 A DIST OF 41.33 FT, THENCE N 15-06-29 E 383.62 FT |
TO THE POINT OF CURVATURE OF A CURVE CONCAVE W'LY & HAVING A|
RADIUS OF 280.50 FT, THENCE N'LY ALONG THE ARC OF SAID CURVE|
THRU A CENTRAL ANGLE OF 20-50-05 A DIST OF 102 FT, THENCE |
RUN S 33-39-11 E 33.41 FT, S 51-56-10 E 58.55 FT, S 29-25-35|
E 48.58 FT, S 39-45-16 E 47.73 FT, S 07-16-10 E 32.21 FT TO |
A POINT ON THE ARC OF A CURVE CONCAVE E'LY, HAVING A RADIUS |
OF 122 FT & A CHORD BEARING & DIST OF S 07-22-11 W 104.31 |
FT, THENCE S'LY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL |
ANGLE OF 50-37-02 A DIST OF 107.78 FT, THENCE S 17-56-20 E |
81.20 FT TO THE POINT OF CURVATURE OF A CURVE

CONCAVE NE'LY,|
HAVING A RADIUS OF 52 FT, THENCE SE'LY ALONG THE ARC OF SAID|
CURVE THRU A CENTRAL ANGLE OF 30-0-33 A DIST OF 27.24 FT, |
THENCE S 47-56-53 E 225.49 FT TO THE POINT OF CURVATURE OF A|
CURVE CONCAVE NE'LY & HAVING A RADIUS OF 52 FT, THENCE SE'LY|
ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 14-13-53|
A DIST OF 12.92 FT TO THE POB, BEING PART OF LOT T PB 33 PGS|
92-97 |
ORB 3171 PG 1171 |

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	VACANT COMMERCIAL (1000)	0	0		92826.45	SF	$0.00	$102,109.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
3171 / 1171	5/1/2006	WD	M	V	$1.00

Value

Total Just Value:		$102,109.00
Assessed Value:	=	$102,109.00
Total Exempt Value:	-	$0.00
Total Taxable Value:	=	$102,109.00
Millage Rate: ?	x	0.0173407
Base Ad-Valorem Tax:	=	$1,770.64
Non-Exempt School Levies:	+	$0.00
Estimated Ad-Valorem Tax:	=	$1,770.64

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

Truth In Millage (TRIM) Notice

- Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments

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Thad Carroll

From: gtango@aol.com
Sent: Thursday, January 30, 2014 3:48 PM
To: Wendy Then
Subject: Ordinance 2014-03 Amendment to Tri-County Villages of Lake DRI

Thad Carroll: I have lived here for over for 22 yrs. I would like to register our disapproval to such a service being placed in this particular area. It should be declined in the best interests of residents in this immediate area. The noise level from the commercial area would be very disturbing for residents in that location. It seems that people that need assisted living also needed a quite pleasant area to overcome some of their difficulties, emotionally as well as physical problems they may already be dealing with. We realize there is high demand for this service in the area, but there are other areas more suitable for this kind of business.

I hope you will see to it that this matter be given very careful consideration. This area is already too public accessible for this kind of living quarters for seniors, i.e., traffic, public accessibility as well as above mentioned concerns.

Thank you for the opportunity to express our concerns as longtime residents.

Dale & Geraldine Bitango
832 Las Cruces Ct
Lady Lake, FL 32159
753-0063

Thad Carroll

From: IRWIN KING [parkings@embarqmail.com]
Sent: Wednesday, February 19, 2014 12:01 PM
To: Wendy Then
Cc: Tom; Carol Yander; patrickbsweeney ; lokestu ; Wendy Thrower
Subject: comments re: proposed ALF

Good afternoon Wendy: I appreciate your offer to forward the following concerns expressed by residents of Vista Sonoma Villas.

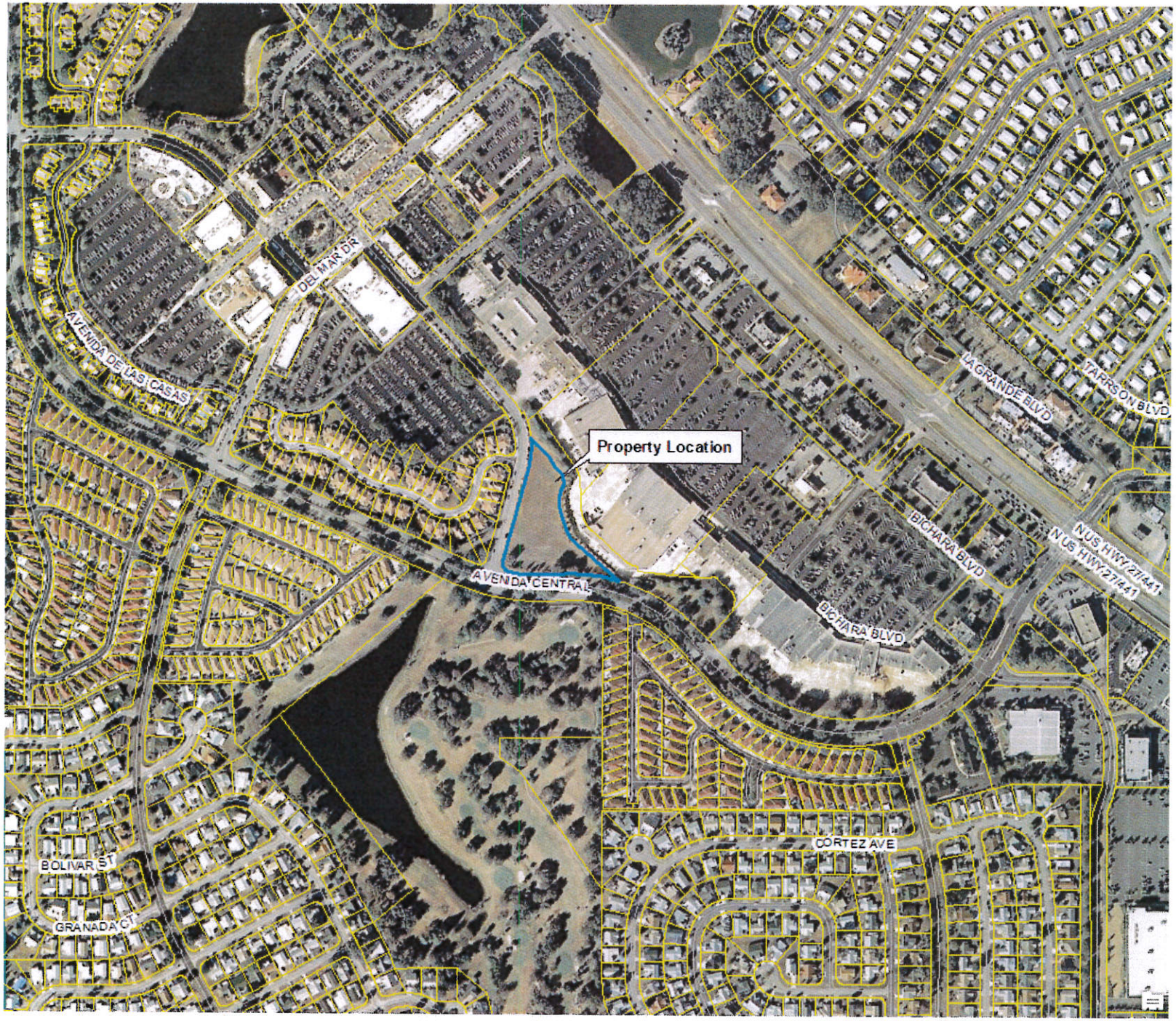
We appreciate the opportunity to be involved early on in the development of the ALF proposed for Alvarez Avenue in the Spanish Springs neighborhood of Lady Lake. As you are aware, the entrance to Vista Sonoma is directly opposite the proposed development. It is the only entrance to Avenida Sonoma. Our residents are concerned about the potential for substantially increased vehicular traffic on Alvarez and the possibility for accidents because there is a very poor line of sight for vehicles exiting Avenida Sonoma. There are "hidden driveway" signs that were erected by the Town of Lady Lake. We are anxious to learn about the traffic pattern entering and exiting the proposed ALF for residents of the facility as well as employees and service vehicles. It should be noted that service vehicles, including large trucks, sometimes have a difficult time exiting the large parking lot that services the rear of the stores in La Plaza Grande.

We understand that detailed information at this stage of the planning process can be quite limited. It is quite likely that The Villages has already taken these concerns into consideration because they tend to do things right. However, our Property Owners Association would be remiss if we didn't bring these issues before the Board during the decision making period.

Thank you for your consideration of these concerns.

Irwin King, President
Vista Sonoma Property Owners Association

ORDINANCE 2014-03 – MINOR AMENDMENT TO THE TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT



MAP H

Master Development Plan

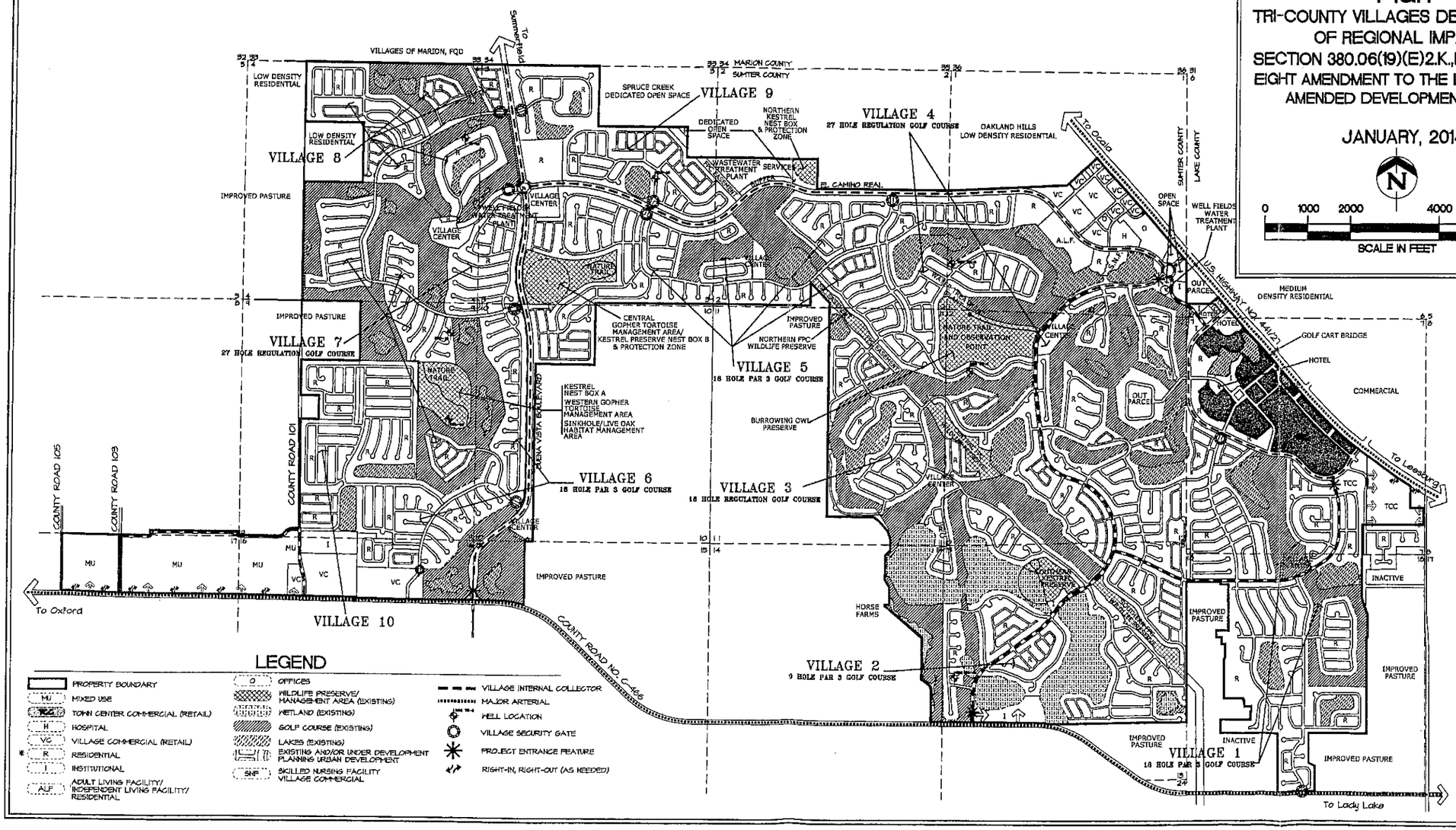
TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SECTION 380.06(19)(E)2.K.,F.S. CHANGE EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

JANUARY, 2014

* NOTE:

Lady Lake: Residential densities may vary. A gross residential density of 3 units per acre shall be maintained. This residential density is reflected as the mixed, medium density residential land use classification on the Lady Lake future land use map.

Sumter: Residential densities may vary. A gross residential density of 3.354 Units per acre shall be maintained. This residential density is comparable to the medium density residential land use classification on the Sumter County future land use map.



MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT
OF REGIONAL IMPACT SECTION
380.06(19)(E)2.K.,F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

JANUARY, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.)			TOTALS		
	ACRES	UNITS/S.F	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	410.6	2,060		2,343.0	11,719		2,753.6	13,779	
ALF/ILF (BEDS)				15.5		249	15.5		249
COMMERCIAL									
TOWN CENTER	151.4	1,121,450					151.4	1,121,450	
ASSISTED LIVING FACILITY (BEDS)			94						94
VILLAGE				252.4	1,562,300		252.4	1,562,300	
WELLNESS CENTER (V.C.)				2.1	32,000		2.1	32,000	
NEIGHBORHOOD									
SNF (BEDS) (V.C.)				3.7		76	3.7		76
TOTAL COMMERCIAL	151.4	1,121,450		258.2	1,594,300		409.6	2,715,750	
OFFICE (GENERAL)				6.0	59,000		6.0	59,000	
MEDICAL CENTER									
HOSPITAL				6.6			6.6		
BEDS						350			350
MEDICAL OFFICES (OFFICES)				14.4	120,000		14.4	120,000	
HOTEL	8.9			11.0			19.9		
ROOMS			333			300			633
ATTRACTION/RECREATION									
THEATRE	4.5	23,549					4.5	23,549	
SCREENS			8						8
SEATS			1,235						1,235
INSTITUTIONAL	8.7			32.6			41.3		
GOLF COURSE	60.0	1		706.0	6.5		766.0	7.5	
CLUB HOUSES (VILLAGE CENTER)	5.0	1		41.4	7		46.4	8	
SERVICES				5.4			5.4		
WILDLIFE PRESERVES/MGMT. AREA				192.9			192.9		
POWERLINE R.O.W.				13.0			13.0		
WETLANDS				148.0			148.0		
LAKES	30.0			183.0			213.0		
ROADS	40.0			123.2			163.2		
LANDSCAPE FEATURES				8.0			8.0		
WASTEWATER TREATMENT PLANT / PERCOLATION PONDS				15.0			15.0		
WATER TREATMENT PLANT				3.2			3.2		
WELLFIELDS				1.4			1.4		
BUFFER				3.6			3.6		
OPEN SPACE				2.6			2.6		
TOTAL ACREAGES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	TOTALS
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,400	438	147			2,060
COMMERCIAL (RETAIL/SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	168,000	634,567	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	
HOTEL (ROOMS)		48		80	205		333
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921		11,719
ALF (BEDS)					249		249
COMMERCIAL							
VILLAGE (S.F.)			218,000	159,300	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)							
SNF (BEDS) (V.C.)					76		76
HOTEL (ROOMS)					100	200	300
OFFICE (GENERAL)					59,000		59,000
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000				32,000
HOSPITAL (BEDS)				60	200	90	350
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)				32.6			32.6
GOLF COURSE (ACRES)		186	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,237	6,303	4,243	921		13,779
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	793,867	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

The Villages

REQUEST FOR SECTION 380.06(19)(e)2.k., F.S. CHANGE FOR THE TRI-COUNTY VILLAGES (LAKE) DRI

(8th Amendment to the Amended Development Order)

Prepared for:

THE VILLAGES OF LAKE-SUMTER, INC.
1020 LAKE SUMTER LANDING
THE VILLAGES, FLORIDA 32162

Prepared by:

CARLTON FIELDS, P.A.
215 SOUTH MONROE, SUITE 500
TALLAHASSEE, FLORIDA 32302

JANUARY, 2014

REQUEST FOR SECTION 380.06(19)(E)2.K., F.S. CHANGE FOR THE TRI-COUNTY VILLAGES (LAKE) DRI

1. I, Darrin Taylor, the undersigned authorized representative of The Villages of Lake-Sumter, Inc., hereby gives notice of a proposed change to an approved Development of Regional Impact (DRI) in accordance with Section 380.06(19)(e)2.k., F.S. In support, I submit the following information concerning the Tri-County Villages DRI, which information is true and correct to the best of my knowledge. As supported in this application, this change meets the criteria of Section 380.06(19)(e)2.k., F.S., thereby no NOPC review is required. A copy of paragraph (e)2.k. is attached along with the Department of Economic Opportunity's (DEO) interpretation as **Exhibit A**. The local government can approve the amendment based on their local approval process. However, we are providing courtesy copies of the proposed amendment, under separate cover, to the East Central Florida Regional Planning Council (ECFRPC), Withlacoochee Regional Planning Council (WRPC) and the Florida Department of Economic Opportunity (DEO). The statute does require that a copy of the adopted amendment be submitted to the ECFRPC, WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

January 2, 2014
(Date)

(Signature)

2. **Applicant (name, address, phone).**

The Villages of Lake Sumter, Inc.
c/o Martin L. Dzuro, Vice President
1045 Lake Sumter Landing
The Villages, Florida 32162
(352) 753-6262

3. **Authorized Agent (name, address, phone).**

Darrin Taylor, AICP
Carlton Fields, P.A.
215 South Monroe, Suite 500
P.O. Drawer 190
Tallahassee, Florida 32302
(850) 224-1585
dtaylor@carltonfields.com

4. **Location (City, County, Township/Range/Section) of approved DRI and proposed change.**

Town of Lady Lake, Lake County, Township 18 South, Range 24 East, Sections 6, 7 and 18.

5. **Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.**

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate.

The Villages is proposing the construction of an Assisted Living Facility (ALF) campus in the Spanish Springs area. The campus is to be located within the Town Center Commercial (TCC) area of the Tri-County Villages Development of Regional Impact in Lady Lake, Lake County inside of Avenida Central and US Highway 441/27. **Exhibit C** identifies this TCC area. The campus will consist of approximately 94 ALF beds containing ALF and Memory Care beds with accessory uses such as a dining room, a cafeteria and other amenities.

The DRI Development Order (DRI DO) must be amended to add 94 ALF beds since ALF is currently not permitted in the DRI. The Villages proposes a reduction of 7,550 SF of commercial currently entitled on this site to ensure there is no increase in impacts from the change.

Exhibit C is an updated Map H and development approvals table (Map H-1) reflecting the additional 94 ALF beds and decrease in 7,550 square feet of commercial.

The TCC area is designated on the proposed Map H (see **Exhibit C**) and the proposed ALF campus is compatible with the surrounding area. The Town Center Commercial category in the DRI is being amended to permit the ALF use by amending the Phase Allocation table to identify ALF as a permitted use in the Town Center Commercial category (see **Exhibit C**). The Town of Lady Lake Comprehensive Plan and Zoning Districts already permit the ALF use.

Change in 2012 DRI Law

In the 2012 legislative session, a new criterion was added to the list of what constitutes an (e)2. change. **Exhibit A** is a copy of Section 380.06(19)(e)2., the portion of the statute addressing (e)2. changes. Section 380.06(19)(e)2.k. was added which states if an amendment results in no increase in external vehicle trips and no decrease in open space or conservation areas then the change is not a substantial deviation. The statute already provided an exemption from NOPC review for (e)2. changes. Correspondence with DEO on reducing confusion on when the new (e)2.k. criterion applies is also attached.

This amendment meets the new criterion in (e)2.k. The addition of 94 ALF beds while decreasing 7,550 square feet of commercial results in no increase in projected external vehicle traffic. This is demonstrated in the attached transportation analysis provided by Kimley Horn and is included as **Exhibit E**. The analysis determines that according to the 9th edition of the ITE Trip Generation Manual, the 94 ALF beds would generate 28 pm peak hour trips and 284 trips per day. To ensure the project is trip-neutral, meaning no additional external trips are generated, the traffic analysis concludes that a reduction of 7,550 SF of commercial is needed.

The amendment would also not reduce conservation lands or open space in the DRI. All of the subject property is designated as Town Center Commercial on the DRI Master Plan and none of the subject property is classified as Open Space or Conservation within the DRI. There are lands designated as Open Space and Conservation within the DRI but those lands are not impacted by this change.

Thus, this amendment meets the criteria in s.380.06(19)(e)2.k. because the amendment 1) does not generate an increase in external vehicle trips and 2) the amendment does not reduce any approved open space or conservation areas in the DRI.

6. **List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?**

Tri-County Villages is a mixed-use retirement community located in northwestern Lake County/Town of Lady Lake and in northeastern Sumter County. It was formerly referred to as Orange Blossom Gardens and consists of four components.

A. A portion of the property lying north and east of U.S. 27/441 was vested from Development of Regional Impact (DRI) review pursuant to a binding letter of vested rights dated November 29, 1973.

B. On January 18, 1988, the second portion of the development was approved as a DRI known as Orange Blossom Gardens-South (OBGS) by the Town of Lady Lake in Ordinance 88-1.

C. The third portion of the development was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12 for development as a substantial deviation to the original OBG-South DRI. This ordinance recognized the addition of a large development called Orange Blossom Gardens-West (OBGW) in Sumter County adjacent to OBGS. The OBGW DRI was approved on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI DO subsequently received minor amendments on August 14, 1990, and again on February 16, 1993.

D. The fourth component of the Orange Blossom Gardens development was approved on September 20, 1994 by the Sumter County Commission and October 12, 1994, by the Town of Lady Lake. This component added significant land area and development to the OBGW and OBGS DRIs and consolidated the entire development into a single entity called the Tri-County Villages under the new corporate name of Villages of Lake-Sumter, Inc.

A complete history of The Tri-County Villages DOs and amendments in Lady Lake and Sumter County is provided below:

<u>Lady Lake Ordinance 88-1</u>

This ordinance, approved on January 18, 1988 by the Town Council, authorized the original DRI DO for OBGS. The DO authorized 1,375 single-family residential units, 225 multi-family units and 500,000 s.f. of commercial space on 595.17 acres.

<u>Lady Lake Ordinance 90-12</u>

The Town Council approved this ordinance on May 7, 1990. The ordinance was passed to recognize the authorization of additional development of Orange Blossom Gardens in Sumter County. The DRI-sized addition to the development in Sumter County was treated as a substantial deviation from the OBGS DO. However, the new development in

Sumter County was named Orange Blossom Gardens-West. No additional development was authorized in the Town of Lady Lake. See Sumter resolution dated May 29, 1990 below for development authorized for OBGW.

Sumter County Resolution dated 05/29/90

This resolution authorized the OBGW substantial deviation to the OBGS DO. The DO authorized 200,000 s.f. gross leasable area (GLA) of community commercial space, 3,425 single family residential units and 2,725 multi-family units or any combination of these residential types, not exceeding 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre if conventionally constructed housing is employed. If any manufactured housing is utilized, a deviation of 10% from the maximum caps on 3,425 single family units and 2,725 multi-family units is allowed providing the total does not exceed 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre is maintained.

Sumter County Resolution dated 08/14/90

This amendment to the May 29, 1990 Sumter County DO provided clarification to Section III, H.3.b. (Page 9) of the resolution regarding hurricane preparedness. The amendment required the Developer to submit an emergency preparedness plan meeting the mitigation requirements of Rule 9J-2.0265 F.A.C. prior to the issuance of the 146th building permit or occupancy permit for mobile homes. The annual status report of the Developer shall show the cumulative and annual number of building permits and occupancy permits issued for mobile homes.

Sumter County Resolution dated 02/16/93

This amendment to the May 29, 1990 Sumter County DO amended the requirement that no building permit would be approved for any residential structure unless the structure had direct access via a Sumter County road to the North-South Collector road connecting CR-466 with US-441/27. The amendment provided an exception for a rectory for the St. Timothy's Catholic Church.

Sumter County Resolution dated 09/20/94

This amendment to the May 29, 1990 Sumter County DO consolidated all of the development in Sumter County approved for OBGW under the May 29, 1990 resolution and its amendments plus additional development and land area. The consolidated DO provided for 12,400 conventionally constructed single family dwelling units on 2,097.3 acres; 20 acres of institutional space, on which the Developer may construct local government and community facilities and up to 200,000 square feet of churches; up to 1,200 ACLF units; 910,000 square feet of Gross Floor Area (GFA) of neighborhood, community or general retail structures on 103 acres; 120,000 square feet GFA of office space on 12 acres; 720 acres of golf courses; and 738 acres of related roads, recreation and conservation areas, on a total project area of 3,697 acres, where residential density shall not exceed 3.354 dwelling units per gross acre.

Lady Lake Ordinance 94-17

This amendment to Ordinance 90-12 provided approval for additions to the OBGS or Lady Lake portion of the development and consolidated the total development in Lady Lake. The DO approved total development in the Town of Lady Lake to be 2,048 single

family attached or detached dwelling units on 393 acres; 1,250,000 s.f. of Gross Floor Area of neighborhood, community, or general retail structures on 160 acres; 60 acres of golf courses, and 75 acres of related roads, recreation and conservation areas for a total project area of 688 acres, where residential density shall not exceed 3 dwelling units per gross acre.

Memorandum of Correction to Ordinance 94-17

A Memorandum Of Correction was filed by the Town Manager of Lady Lake correcting three "scrivener's errors" to Ordinance 94-17.

Sumter County Resolution dated 10/29/96

This amendment to the September 20, 1994 resolution of Sumter County implemented the following changes: Reconfigured golf courses for Villages 4 and 5 to eliminate 9 Holes and eliminate 9 holes from Village 9; provided for filling wetland areas 12A and 12B in Village 4; realigned a road (El Camino Real) along the northern boundary of the project and added a roundabout (traffic circle) as an entrance feature; relocated residential land from Village 4 to Village 2 commercial area and relocated commercial development in Village 2 to east side of El Camino Real; created new lakes in Village 4; relocated water wellfields from Florida Power Corporation ROW easement to areas adjacent to the Gopher Tortoise Preserve and the Central Gopher Tortoise Management Area/Kestrel Preserve; added 43± acres to the northeast side of the DRI along US 441/27 and classified the area as Village Commercial on the Master Development Plan; corrected a scrivener's error in the alignment of the acreage totals with the corresponding land uses in The Tri-County Villages DO Land Use Allocations (Revised 4/6/94) table (Exhibit B) and correctly reflected the new land use totals in the revised Land Use Allocation Table (June 1996).

Lady Lake Ordinance 98-13 dated 8/3/98

This amendment designated an existing 48 unit hotel in the Village Town Center commercial area as a separate DRI land use and converted 100 units of residential sufficient to accommodate the 48 hotel units without increasing total traffic. The amendment added 47 townhouse hotel rental units to the Village Town Center commercial area and converted 35 units of residential and 8,000 s.f. of retail commercial sufficient to accommodate the 47 hotel units without increasing total traffic. The amendment also designated an existing 8 screen movie theater in the Village Town Center commercial area as a separate DRI land use and converted 32,000 s.f. of retail commercial sufficient to accommodate the 8 screen, 1,235 seat theater without increasing total traffic.

Sumter County Resolution dated 9/15/98

This resolution made minor changes in land use locations and acreage amounts and designated a Medical Center complex on Map H consisting of a possible 90 bed hospital, a wellness center and medical office; converted 39,700 s.f. (figure rounded) of the currently approved 850,000 s.f. of Village Commercial in Sumter County into a proposed 90 bed hospital; reduced the development plan by 410 residential units and 26,000 s.f. of Village Commercial to accommodate additional traffic resulting from conversion of general Office to Medical Office and to correct December 1993 traffic generation analysis which used 90,000 s.f. of Office instead of 120,000 s.f.

Lady Lake Ordinance No. 99-37 dated 10/18/99

This Ordinance amended the DO to provide for the following changes:

Land use changes as reflected in the Land Use Allocation Table and Phasing Chart and Map H (revised August 1999) for the Sumter County Tri-County Villages area; transfer 47 existing townhouse villa hotel units allocated in the Village Town Center commercial area to the La Hacienda hotel location to increase the hotel allocation in this location to 95 units; add 33 new hotel units to the La Hacienda hotel location thereby raising the total hotel allocation in this location to 128 hotel units and decreasing the land area for the hotel land use by 6.3 acres to construct 80 new hotel units; add 147 townhouse residential units to the Village Town Center commercial area and increase residential acreage by 20.1 acres; convert 27,000 s.f. of retail commercial sufficient to accommodate the additional 33 hotel units and 147 residential units and decrease Town Center commercial acreage by 13.8 acres.

Lady Lake Ordinance 2000-20

This ordinance added the Sumter County Commercial Area known as "Spanish Plaines" to Map H-1 so that it will depict the entire Town Center area. It reclassified three areas to Institutional land use to reflect church use. These areas include 4.0 acres for Church On The Square (Lady Lake), 3.4 acres for St. George Episcopal Church (Lady Lake), and 1.3 acres for St. Timothy's Catholic Church (Lady Lake). The ordinance reduced Town Center Commercial (Lady Lake) by 4.0 acres, 3.4 acres and 1.3 acres, a total of 8.7 acres. It added provisions to the DO strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 5/15/00

This resolution added a commercial area known as "Spanish Plaines" to Map H-1; redesignated 10.8 acres of Institutional land use to Village Center Commercial; reclassified 2.8 acres from Village Commercial to Institutional land use for St. Timothy's Catholic Church; reclassified 2.8 acres of Open Space to Institutional land use; reclassified .78 acres of Open Space to Well/Water Treatment Plant land use; reconfigured the medical center area of 3.9 acres of Village Commercial (retail), 7.5 acres of Office and 9.2 acres of Hospital to 14 acres of Office and 6.6 acres of Hospital without changing the overall gross floor area of Village Commercial, Offices or the number of Hospital beds; redesignated .9 acres of Village Center Commercial to Residential without changing the number of residential units; redesignated .6 acres of roads as Wellfields/Water Treatment Plant, and; added a condition strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 9/12/01

This resolution made the following changes in land use locations, acreage amounts and entitlements to the Sumter County portion of the DRI:

Converted 14.8 acres of Residential land in Village 2 located adjacent to CR 466 to Institutional use for the construction of two churches; converted 19 acres of Neighborhood Commercial located in Village 9 at the intersection of Buena Vista Boulevard and El Camino Real to Residential Use; Increased the number of hospital beds from 90 to 350; revised the residential and golf course phasing of the DRI to reflect much

higher absorption rates for residential housing and associated golf course construction than originally programmed; reduced the acreage for golf courses was by 2.8 acres and residential acreage was increased by 2.8 acres; deleted 60,000 s.f. of Neighborhood Commercial in Sumter County to accommodate additional traffic resulting from the increase of 260 hospital beds.

Sumter County Resolution dated 5/14/02

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add 232.5 acres to the existing DRI but not increase existing entitlements;

B. Add 184.8 acres of Residential land to the development plan;

C. Add a net of 5.9 acres of Village Commercial land to the development plan and convert 23.4 acres of Village Commercial to Residential to accommodate Nursing Home beds and/or Adult Congregate Living Facilities;

D. Add 15 acres of Institutional land to accommodate church construction;

E. Increase Lakes/Retention land use by 15 acres;

F. Add 11.7 acres of Roadways; and

G. Provide for an additional access point to the regional roadway network via C.R. 101.

Sumter County Resolution dated 4/22/2003

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add a 4.1 acre parcel to the existing DRI while simultaneously converting approximately 2.1 acres to the right-of-way for a relocation of CR 101, which yields a net increase in commercial land of approximately 2.0 acres but not increase existing entitlements;

B. Revise the Master Development Plan (Map H) to show the relocation of the intersection of CR 101 with CR 466 at the southwestern corner of the development and show new property;

C. Revise the legal description of The Tri-County Villages DRI.

Lady Lake Ordinance 2003-07

This Ordinance amended the DO to provide for the following changes:

A. Add a 1.07 acre parcel located in the northwest quadrant of the US 27/441/Avenida Central intersection to the DRI to be designated on the Master Development Plan as Village Center Commercial without increasing any entitlements.

B Convert a 2.1 acre parcel located directly adjacent to the 1.07 acre (in A. above) from commercial to an 80 room hotel site by simultaneously reducing 25,000

square feet of currently approved commercial floor area to offset any external traffic impacts.

C. Change the Annual Report due date from February 15 to May 1 beginning with the 2003 report.

Sumter County Resolution dated 3/16/2004

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add 157.5 acres to the existing DRI.

B. Increase entitlement by 95,000 square feet of retail/service use and 59,000 square feet of office use.

Lady Lake Ordinance 2004-6

This Ordinance amended the DO to provide for the following changes:

A. Add a 29.88 acre parcel to the DRI to be designated as Town Center Commercial without increasing entitlements.

B. Provide a list of land uses specifically allowed in the 29.88 acre parcel.

C. Incorporate a change from Residential to Town Center Commercial use (without changing entitlements) for a 2.54 acre parcel in the Town Center Commercial Area.

Sumter County Resolution dated October 26, 2004

This Resolution created an amended and restated DO for the substantial deviation that provided for an increase of 715,000 square feet of retail/service floor area and the addition of 300 hotel rooms to be located in the southwestern part of the DRI in the "Leatherman-Smith Tract" (now known as "Buffalo Ridge").

Lady Lake Ordinance 2005-7

This Ordinance amended the DO to provide for the following changes:

A. Convert 29,000 square feet of Town Center Commercial floor area to 125 hotel rooms.

B. Convert 1.4 acres from Town Center Commercial to Hotel.

C. Update the Tri-County Villages Map H, H-1 and H-2.

There has been no change of local government jurisdiction since the last approval or DO was issued.

Sumter County Resolution dated February 10, 2009

This Resolution amended the DO for the Sumter portion of the Tri-County Villages DRI as follows:

1. Updated Map H-1 Land Use Allocation and Phasing Tables to reflect the conversion of 24 approved, but unbuilt dwelling units to 16 skilled nursing facility beds and 14 approved, but unbuilt, dwelling units to 9 independent living

units (all Assisted Living Facilities) pursuant to the land use conversion table contained within the DO.

2. Affordable Housing – Included requirement for a one-time payment of $419,916 to the County for use in the County's affordable housing program to fully mitigate for the affordable housing conditions within the DO.

3. Transportation – Included the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation, executed on January 27, 2009. This agreement provides for the cumulative mitigation of transportation impacts through buildout. The transportation projects within the agreement include:

    a. Adding 2 new lanes to US 301 from south of Oxford to the north end of the CSX railroad overpass in Wildwood

    b. Intersection/operational improvements to US 301 and Florida Turnpike, CR 466 and US 301, US 301 and SR 44, and Morse Boulevard and CR 466

    c. Commitment to commence construction of a partial interchange at CR 468 and the Florida Turnpike by December 1, 2014

4. Modeling and Monitoring – Removed transportation monitoring and modeling requirements from the DO. This was the result of the full mitigation of The Villages transportation impacts through buildout from the transportation improvements contained within the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation. However, it does include a payment of $15,000 per year from the Villages of Lake-Sumter Inc. from 2010 to 2014 to the County to support the County's traffic count and monitoring program. In addition, the requirement to address the annual monitoring and modeling report is removed from the DO due to the elimination of the transportation monitoring and modeling requirement.

5. Buildout and Expiration Date – The DO clarifies the buildout date as December 31, 2014 and expiration date of the DO as December 31, 2019. This maintains consistency between the four Developments of Regional Impact and one Florida Quality Development that comprises The Villages.

A similar amendment was adopted by the Town of Lake Lady Lake on February 23, 2009 for the Lake County portion of the Tri-County Villages DRI.

<u>Lake County Ordinance 2009-1 dated February 23, 2009</u>

This Ordinance amended the DO to provide for the following changes:

1. Establish December 31, 2014 as the buildout date.

2. Establish December 31, 2019 as the expiration date.

3. Establish the Developer's cumulative transportation mitigation for significant state and regional roadways

4. Establish full transportation mitigation on local roadways.

5. Recognize that the Developer has now fully mitigated for the cumulative impacts of its development on Affordable Housing.
6. Update the Master Development Plan (Maps H and H-1) to account for changes made by use of the Land Use Conversion Matrix and Amendments made by Sumter County.
7. Clarify that the requirements for Annual Reports cease upon reaching buildout.

Permit Extension Requested by Villages of Lake Sumter pursuant to Section 54(19)(c)2. Chapter 2011-139, Laws of Florida dated August 2, 2011

This Notice pursuant to Section 54(19)(c)2. Chapter 2011-139, Laws of Florida extended Phase, Buildout and Expiration dates for Tri-County Villages DRI.

The extended dates are:

Phase V	December 31, 2018
Buildout	December 31, 2018
Expiration	December 31, 2023

Sumter County Resolution dated December 11, 2012

This Resolution amended the DO for the Sumter portion of Tri-County Villages DRI by amending solid waste provisions subsection 3 of Section III.H of the Amended DO by adding "Notwithstanding the expiration of the Developer Order, this provision shall continue until December 31, 2043.

7. **Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.**

No change in dates proposed.

8. **Will the proposed change require an amendment to the local government comprehensive plan?**

No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15) F.S., and 9J-2.025, F.A.C.:

9. **An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.**

A revised Master Plan Map H-1 is included.

10. **Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.**

Language changes related to this proposed DO amendment are found in the proposed resolution adopting this eighth amendment to the original Lake County Development Order for The Tri-County Villages DRI attached as **EXHIBIT D**.

This amendment does not add or delete any land to The Tri-County Villages DRI or make any other changes.

EXHIBITS

EXHIBIT A	COPY OF SECTION 380.06(19)(e)2.k., F.S. AND LETTER OF INTERPRETATION FROM DEO
EXHIBIT B	CURRENT MASTER DEVELOPMENT PLAN (MAP H) AND LAND USE AND PHASING TABLES (MAP H-1)
EXHIBIT C	PROPOSED MASTER DEVELOPMENT PLAN (MAP H) SHOWING TOWN CENTER COMMERCIAL AREA AND LAND USE AND PHASING TABLES (MAP H-1)
EXHIBIT D	PROPOSED AMENDMENT TO THE TRI-COUNTY VILLAGES DEVELOPMENT ORDER LAKE COUNTY
EXHIBIT E	TRAFFIC ANALYSIS FROM KIMLEY HORN

EXHIBIT A

COPY OF SECTION 380.06(19)(e)2.k., F.S. AND
LETTER OF INTERPRETATION FROM DEO

EXHIBIT A

COPY OF FLORIDA STATUTES CH. 380.06(E)(2)K.

(2). The following changes, individually or cumulatively with any previous changes, are not substantial deviations:
a. Changes in the name of the project, developer, owner, or monitoring official.
b. Changes to a setback which do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.
c. Changes to minimum lot sizes.
d. Changes in the configuration of internal roads which do not affect external access points.
e. Changes to the building design or orientation which stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.
f. Changes to increase the acreage in the development, if no development is proposed on the acreage to be added.
g. Changes to eliminate an approved land use, if there are no additional regional impacts.
h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, if these changes do not create additional regional impacts.
i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.
j. Changes that modify boundaries and configuration of areas described in subparagraph (b)11. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur before the time that a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.
k. Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by sub-subparagraph j.
l. Any other change that the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-k. and that does not create the likelihood of any additional regional impact.

This subsection does not require the filing of a notice of proposed change but requires an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant to s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., sub-subparagraph k., or sub-subparagraph l. and if the agency believes that the change creates a reasonable likelihood of new or additional regional impacts.

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Hunting F. Deutsch
EXECUTIVE DIRECTOR

May 16, 2012

Mr. Darrin F. Taylor
Certified Planner/Government Consultant
Carlton Fields, Tallahassee Office
215 S. Monroe Street, Suite 500
Tallahassee, Florida 32301-1866

Dear Darrin:

I am writing in response to your letter of April 24, 2012 (copy attached), regarding the interpretation of House Bill 979 as it relates to a new provision included at sub-subparagraph 380.06(19)(e)2.k, F.S. This provision is an addition to the list of changes that are not substantial deviations and states that changes which do not increase external peak hour trips and do not reduce open space/conserved areas are not substantial deviations. We agree with the interpretations contained in your letter with the following clarifications:

1. On page 2, under item 2, we believe the fourth sentence should be revised to read as follows:

After adoption the local government must render the development order to DEO who may appeal if the amendment involves sub-subparagraphs g, h, j, k, or l and if the agency believes the change creates a reasonable likelihood of new or additional regional impacts ~~it meets the criteria in the statute~~.

It is unclear what "if it meets the criteria in the statute" means, and I have therefore quoted the portions of the statute that apply.

2. Also on page 2, item 2, we would rewrite the part of the paragraph that deals with the Florida Quality Development program as follows:

If the project is a Florida Quality Development (FQD), the developer must file the proposed changes (not a NOPC) with the local government, the DEO, and the RPC. The Department and the local government, in consultation with the regional planning council, determine whether the change is substantial. ~~The RPC is not required to review the change~~. As long as the DEO and local government agree that the changes meet the (e)2 criteria, then no further regional review is required. The local government must in a public hearing make a recommendation for

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the DEO to issue the development order amendment ~~and then render the development order to DEO~~. The DEO issues the development order.

3. On page 3, item 3, you state that "development order amendments that do not result in an increase in external peak hour trips (as determined by the local government) ...." While it is true the local government makes the initial determination regarding whether there is an increase in peak hour trips, the Department is not bound by that determination and will conduct its own review.

If you have any questions, please contact Mike McDaniel at 717-8499 or James Stansbury at 717-8512.

Sincerely,

Tom Beck

J. Thomas Beck, Director
Division of Community Development

JTB/mm

Attachment: April 24, 2012 Letter

CARLTON FIELDS

ATTORNEYS AT LAW
215 S. Monroe Street, Suite 500
Tallahassee, Florida 32301-1866
P.O. Drawer 190 | Tallahassee, Florida 32302-0190
850.224.1585 | fax 850.222.0398

Atlanta
Miami
Orlando
St. Petersburg
Tallahassee
Tampa
West Palm Beach

Darrin Taylor
(850)425-3398
dtaylor@carltonfields.com

April 24, 2012

J.Thomas Beck, Director
Division of Community Development
Florida Department of Economic Opportunity
The Caldwell Building
107 East Madison Street
Tallahassee, Florida 32399

Re: Interplay between HB 979 and s.380.06(19)(b) and substantial deviation presumptions

Dear Tom:

This week Nancy Linnan, Linda Shelley and I met with Mike McDaniel, David Jordan and James Stansbury to discuss how the Department will interpret the new DRI law approved in the 2012 Legislative Session, specifically s.380.06(19)(e)2.k. This provision exempts from the Notice of Proposed Change (NOPC) requirements development order amendments that result in no increase in peak hour trips or decrease in open space or preserved lands. It reads as follows:

> k. *Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by subparagraph j.*

As with all legislative changes, as the dust begins to settle from the Session and planners and land use attorneys begin to compare and contrast the new and existing law, it is important for DRI practitioners and local governments to understand how the Department interprets the new (e)2.k. language as it relates to the existing provisions in s.380.06(19)(b) - (e) and (i). The meeting with your team was to help us understand your Department's interpretation.

Our position is the new law provides clear direction that if the amendment results in no numerical increase in external peak hour trips (as defined by the local government) and

no decrease in open space or conservation lands, it is deemed to be an (e)2. change and no NOPC review is required. Thus, this provision trumps certain provisions in (19)(b) and (c) that relate to changes in development amounts if the proposed development order amendment does not result in an increase in peak hour trips or a decrease in open space or preserved areas in the project.

At the meeting your staff generally agreed with our recommended approach. It was also agreed, however, that provisions related to non-numerical considerations such as additions of new land within a DRI (s.380.06(19)(e)3.) and development order extensions (s.380.06(19)(c)) were not eligible to be deemed an (e)2. change pursuant to (e)(2)k. The Department could determine, on a case-by-case basis after looking at all the facts, that the addition of new land within a DRI is an (e)2. change pursuant to s.380.06(19)(e)2.l.

We agreed at the meeting to submit our position in writing in order to receive a written determination from the Department and that is the purpose of this letter. As always, the local government retains the ultimate authority to approve or deny the project even if the amendment is deemed to be an (e)2. change.

Below is a comprehensive review of the options available for amending development orders and our position on how s. 380.06(19) should be interpreted in light of the new law change.

1. **Amendments that qualify under (19)(e)1.**

Development order amendments that are less than any of the numerical criteria identified in (19)(b)1. – 10., and do not exceed any other criterion or are a development order extension of less than 5 years, do not require a determination of whether the change is a substantial deviation and do not require a public hearing under s. 380.06. No NOPC is required and only the local approval process is applied. The DO amendment must be sent to the DEO and the Regional Planning Council (RPC) and serves as notice of the amendment to the development order.

2. **Amendments that qualify under (19)(e)2.**

Development order amendments that are identified in (19)(e)a. – j. (copy attached) are not substantial deviations pursuant to s. 380.06(19). These changes are considered to have no regional impacts and no NOPC review is required. The developer must file an application with the local government in accordance with local procedures including notice to the applicant and the public. After adoption the local government must render the development order to DEO who may appeal if it meets the criteria in the statute. If the project is a Florida Quality Development (FQD), the developer must file the proposed change (not a NOPC) with the local government, the DEO and the RPC. The RPC is not required to review the change. As long as the DEO and local government

agree that the changes meet the (e)2. criteria, then no further regional review is required. The local government must in a public hearing make a recommendation for the DEO to issue the development order amendment and then render the development order to DEO. The DEO issues the development order.

3. Amendments that qualify under (19)(e)2.k.

Development order amendments that do not result in an increase in external peak hour trips (as determined by the local government) and do not reduce open space and conservation areas within the project (except as authorized in j.) are deemed to be an (e)2. change. The change can result in additional external non-peak trips and generate additional peak hour trips as long as the trips are all retained on-site. The local government must follow the approval process identified in #2 above (including no NOPC review) and the DEO retains appeal authority if it believes the amendment will generate additional regional impacts.

The following changes identified in (19)(b) and (c) qualify as an (e)2.k. change as long as the effect of the change meets the criteria stated above:

A. Attraction/Recreation – 15% or greater increase in number of parking spaces or 500 or more spaces, or a 15% or greater increase in the number of spectators or 1,500 or more spectators, whichever is greater ((19)(b)1.)

B. Airport – 25% or greater increase in lengthening of an existing runway, a new runway, a new terminal facility or a 25% or greater increase in the number of gates for an existing terminal if at least three gates are added, whichever is greater ((19)(b)2.)

C. Office - 15% or greater increase in land area or gross floor area or 100,000 or more SF whichever is greater ((19)(b)3.)

D. Residential – 10% or greater increase in dwelling units or 55 or more units whichever is greater ((19)(b)4.)

E. Affordable Housing – 50% or greater increase in dwelling units or 200 or more units provided that 15% or more of the units are dedicated to affordable housing ((19)(b)5.)

F. Commercial – 10% or greater increase in square feet of gross floor area, 60,000 or more square feet of gross floor area or 425 or more parking spaces, whichever is greater ((19)(b)6.)

G. RV Parks – 10% or greater increase in vehicle spaces or 110 or more spaces, whichever is greater ((19)(b)7.)

H. Multi-Use – 110% or greater increase in the sum of each land use ((19)(b)9.)

I. New Land Use – Addition of new land use not previously reviewed for 15% or more of land area ((19)(e)5.a.)

J. Simultaneous increases and decreases – A proposed change consisting of simultaneous increases and decreases of at least two of the uses for a DRI which was originally approved with 3 or more uses and residential ((19)(e)5.b.)

K. Affordable Housing – An increase in affordable housing units within a DRI shall not constitute a substantial deviation and shall not be subject to DRI review for additional impacts as long as the total number of new affordable residential units does not exceed 200% of the substantial deviation threshold. ((19)(i))

4. Amendments that do not qualify under (e)1. or (e)2.

The following changes do not qualify under #1 - #3 above. These changes require the developer to either file a NOPC or seek a determination from the Department that the change will not result in additional regional impacts pursuant to s.380.06(19)(e)2.l.:

A. Decrease in Open Space – Decrease in the area set aside for open space of 5% or 20 acres, whichever is less. ((19)(b)8.)

B. External Vehicle Trips – A cumulative increase of 15% in external vehicle trips for the project. ((19)(b)10.)

C. Changes to Preservation Areas – Any change resulting in development of an area specifically set aside for preservation, except those that qualify under the criteria of (e)(2)j. ((19)(b)11.)

D. Changes as a result of requirements from DEP or Water Management District – Changes to an approved development order resulting from requirements imposed by the DEP or the Water Management District. These changes are presumed not to create a substantial deviation and may meet the criteria of (e)(2)l. ((19)(d))

E. Time extensions of 5 Years or More – Extensions to development order approval dates that are for five years or more do not qualify under (e)(2)k. Extensions of less than five years do not require the filing of a NOPC pursuant to s.380.06(19)(e)1., F.S. ((19)(c))

F. Addition of land not previously reviewed within the DRI – Additions of land within the DRI not previously reviewed are presumed to create a substantial

deviation. The amendment could receive a determination from the Department that the change would not result in additional regional impacts pursuant to (e)2.I. ((19)(e)3.)

G. Recalculation of Proportionate Share Calculation – Developers may request a recalculation of the proportionate share calculation and mitigation plan as a result of the new proportionate share formula. The local government is under no obligation to renegotiate the proportionate share calculation. The change, if agreed upon, is presumed not to create a substantial deviation and the change in the proportionate share calculation shall not be considered an additional regional impact. ((19)(e)6.)

Please review our interpretation and let us know if you agree with our position on s.380.06(19) and the new law change. If you have any questions you can call me at (850) 425 – 3398.

Sincerely,

CARLTON FIELDS, P.A.

Darrin F. Taylor

Cc: Linda Shelley
Nancy Linnan
David Jordan
Mike McDaniel
James Stansbury

List of s.380.06(19)(e)2. Changes

(e)2. The following changes, individually or cumulatively with any previous changes, are not substantial deviations:

a. Changes in the name of the project, developer, owner, or monitoring official.

b. Changes to a setback that do not affect noise buffers, environmental protection or mitigation areas, or archaeological or historical resources.

c. Changes to minimum lot sizes.

d. Changes in the configuration of internal roads that do not affect external access points.

e. Changes to the building design or orientation that stay approximately within the approved area designated for such building and parking lot, and which do not affect historical buildings designated as significant by the Division of Historical Resources of the Department of State.

f. Changes to increase the acreage in the development, provided that no development is proposed on the acreage to be added.

g. Changes to eliminate an approved land use, provided that there are no additional regional impacts.

h. Changes required to conform to permits approved by any federal, state, or regional permitting agency, provided that these changes do not create additional regional impacts.

i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use.

j. Changes that modify boundaries and configuration of areas described in subparagraph (b)11. due to science-based refinement of such areas by survey, by habitat evaluation, by other recognized assessment methodology, or by an environmental assessment. In order for changes to qualify under this sub-subparagraph, the survey, habitat evaluation, or assessment must occur prior to the time a conservation easement protecting such lands is recorded and must not result in any net decrease in the total acreage of the lands specifically set aside for permanent preservation in the final development order.

k. Any other change which the state land planning agency, in consultation with the regional planning council, agrees in writing is similar in nature, impact, or character to the changes enumerated in sub-subparagraphs a.-j. and which does not create the likelihood of any additional regional impact.

EXHIBIT B

CURRENT MASTER DEVELOPMENT PLAN (MAP H)

AND

LAND USE AND PHASING TABLES (MAP H-1)

MAP H
Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SUMTER COUNTY TENTH AMENDMENT AND LAKE COUNTY SEVENTH AMENDMENT TO THE SECOND AMENDED DEVELOPMENT ORDERS
FEBRUARY, 2009

0 1000 2000 4000 6000
SCALE IN FEET

* NOTE:

Lady Lake: Residential densities may vary. A gross residential density of 5 units per acre shall be maintained. This residential density is reflected as the mixed, medium density residential land use classification on the Lady Lake future land use map.

Sumter: Residential densities may vary. A gross residential density of 3.554 units per acre shall be maintained. This residential density is comparable to the medium density residential land use classification on the Sumter County future land use map.

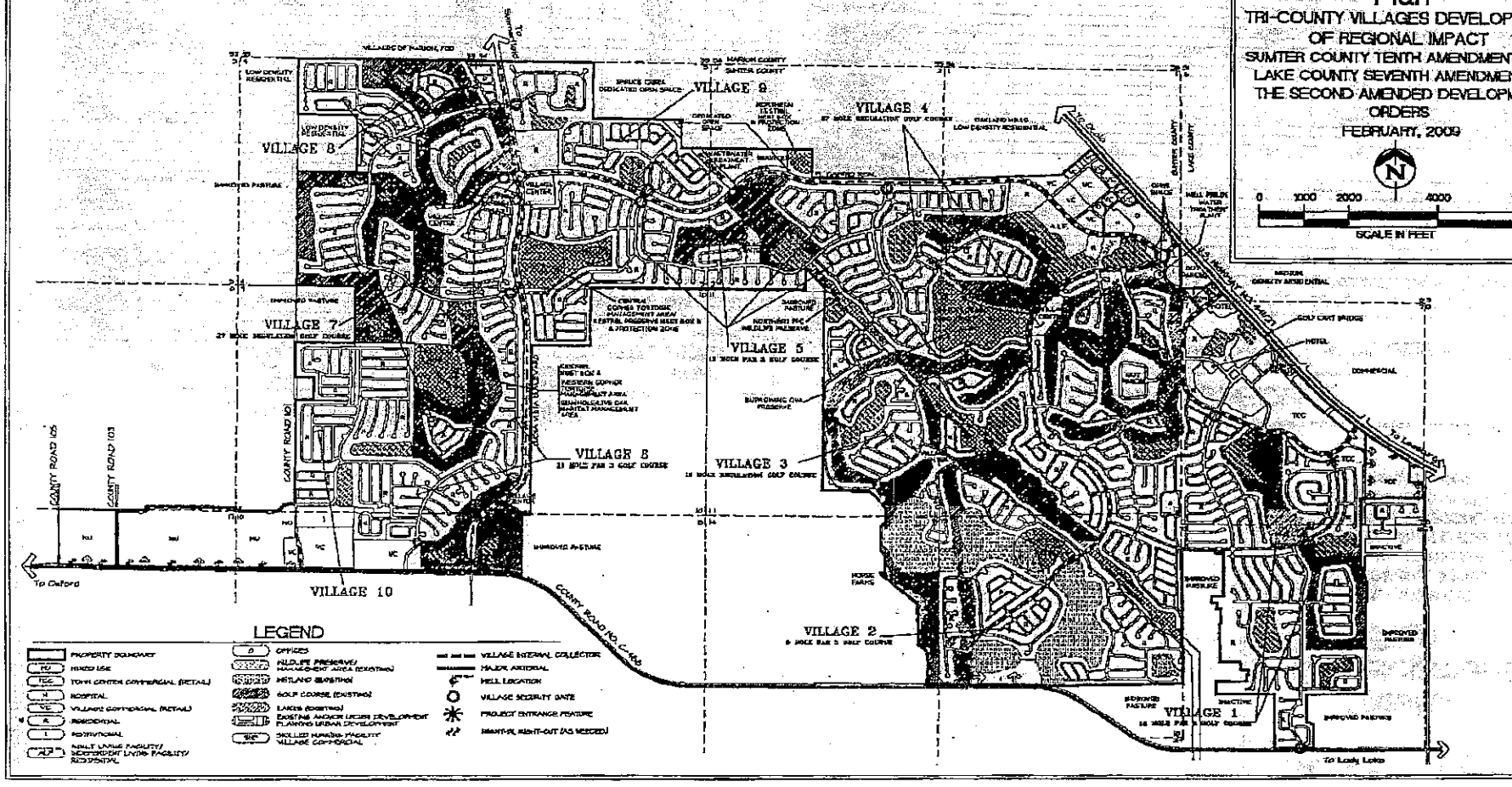

EXHIBIT B

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SUMTER COUNTY TENTH AMENDMENT AND LAKE COUNTY SEVENTH AMENDMENT TO THE SECOND AMENDED DEVELOPMENT ORDERS
FEBRUARY, 2009

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.) ACRES	UNITS/S.F.	OTHER	THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.) ACRES	UNITS/S.F.	OTHER	TOTALS ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	410.6	2,060		2,343.0	11,719		2,753.6	13,779	
ALF/LF (BEDS)				15.5		249	15.5		249
COMMERCIAL									
TOWN CENTER	151.4	1,129,000					151.4	1,129,000	
VILLAGE				252.4	1,562,300		252.4	1,562,300	
WELLNESS CENTER (V.C.)				2.1	32,000		2.1	32,000	
NEIGHBORHOOD									
SNF (BEDS) (V.C.)				3.7		76	3.7		76
TOTAL COMMERCIAL	151.4	1,129,000		258.2	1,594,300		409.6	2,723,300	
OFFICE (GENERAL)				6.0	59,000		6.0	59,000	
MEDICAL CENTER									
HOSPITAL				6.6			6.6		
BEDS						350			350
MEDICAL OFFICES (OFFICES)				14.4	120,000		14.4	120,000	
HOTEL	8.9			11.0			19.9		
ROOMS			555			300			855
ATTRACTION/RECREATION									
THEATRE	4.5	23,549					4.5	23,549	
SCREENS			8						8
SEATS			1,255						1,255
INSTITUTIONAL	8.7			32.6			41.3		
GOLF COURSE	60.0	1		706.0	6.5		766.0	7.5	
CLUB HOUSES (VILLAGE CENTER)	5.0	1		41.4	7		46.4	8	
SERVICES				5.4			5.4		
WILD TIE PRESERVE/BAKOLIT AREA				192.9			192.9		
POWERLINE R.O.W.				13.0			13.0		
WETLANDS				148.0			148.0		
LAKES	30.0			183.0			213.0		
ROADS	40.0			123.2			163.2		
LANDSCAPE FEATURES				8.0			8.0		
WASTEWATER TREATMENT PLANT / PERCOLATION PONDS				15.0			15.0		
WATER TREATMENT PLANT				3.2			3.2		
WELLFIELDS				1.4			1.4		
BUFFER				3.6			3.6		
OPEN SPACE				2.6			2.6		
TOTAL ACREAGES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE-1990	1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	TOTALS
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,450	438	147			2,060
COMMERCIAL (RETAIL SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	184,000	624,567	35,547	50,000	1,129,000
HOTEL (ROOMS)		48		60	205		313
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921		11,719
ALF (BEDS)					249		249
COMMERCIAL							
VILLAGE (S.F.)			218,000	159,300	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)							
SNF (BEDS) (V.C.)					76		76
HOTEL (ROOMS)					100	200	300
OFFICE (GENERAL)					59,000		59,000
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000				32,000
HOSPITAL (BEDS)				60	200	90	350
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)				32.6			32.6
GOLF COURSE (ACRES)		189	495	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,237	6,303	4,243	921		13,779
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	783,867	620,547	650,000	2,713,300
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

EXHIBIT C

PROPOSED MASTER DEVELOPMENT PLAN (MAP H) SHOWING
TOWN CENTER COMMERCIAL AREA AND
LAND USE AND PHASING TABLES (MAP H-1)

MAP H

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SECTION 380.06(19)(E)2.K.,F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

JANUARY, 2014

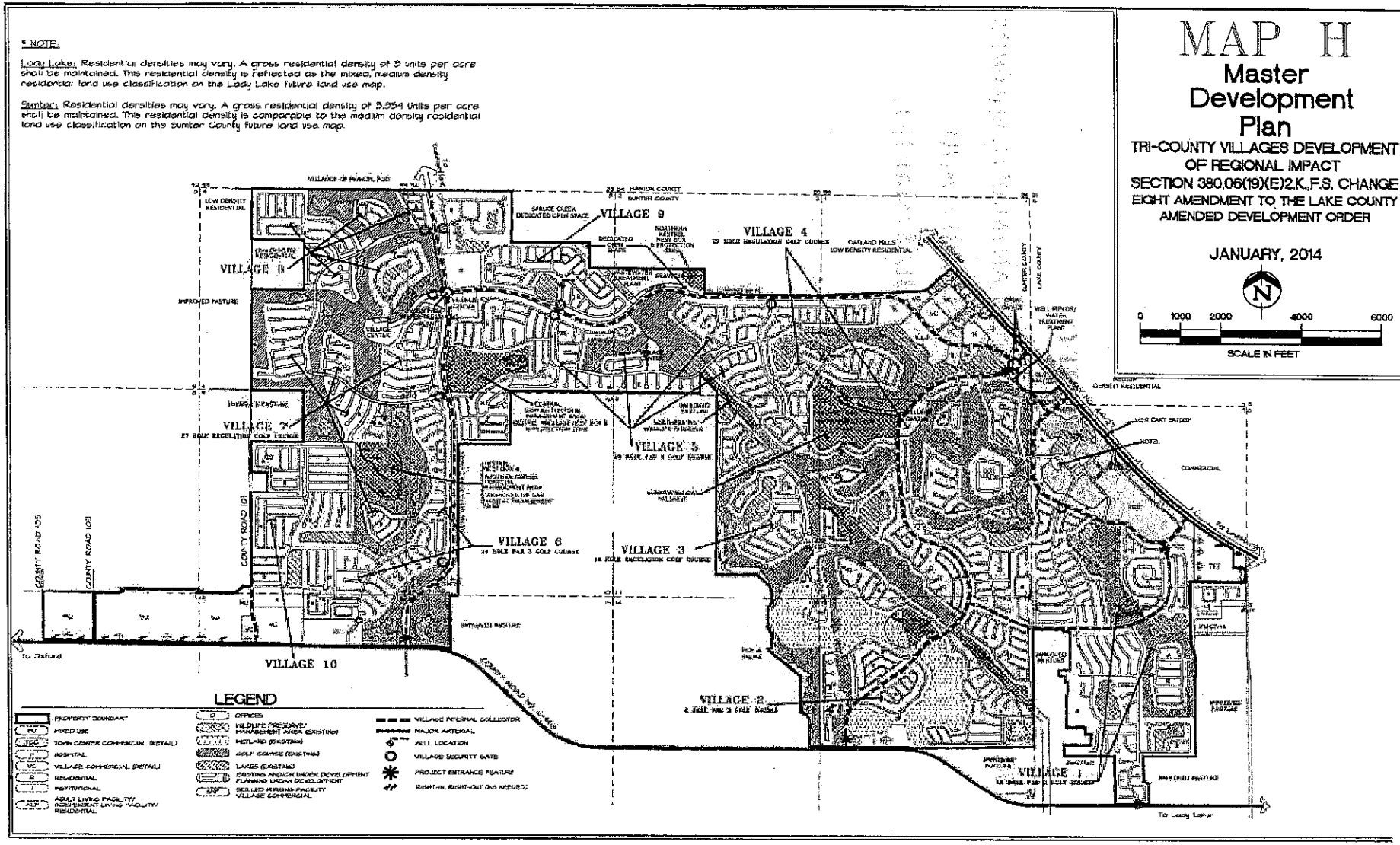

EXHIBIT C

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2.K.,F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

JANUARY, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.)			TOTALS		
	ACRES	UNITS/S.F	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	410.6	2,060		2,343.0	11,719		2,753.6	13,779	
ALF/ILF (BEDS)				15.5		248	15.5		248
COMMERCIAL									
TOWN CENTER	151.4	1,121,450					151.4	1,121,450	
ASSISTED LIVING FACILITY (BEDS)			94						94
VILLAGE				252.4	1,562,300		252.4	1,562,300	
WELLNESS CENTER (V.C.)				2.1	32,000		2.1	32,000	
NEIGHBORHOOD									
SNF (BEDS) (V.C.)				3.7		76	3.7		76
TOTAL COMMERCIAL	151.4	1,121,450		258.2	1,594,300		409.6	2,715,750	
OFFICE (GENERAL)				6.0	59,000		6.0	59,000	
MEDICAL CENTER									
HOSPITAL				6.6			6.6		
BEDS						350			350
MEDICAL OFFICES (OFFICES)				14.4	120,000		14.4	120,000	
HOTEL	8.9			11.0			19.9		
ROOMS			333			300			633
ATTRACTION/RECREATION									
THEATRE	4.5	23,549					4.5	23,549	
SCREENS			8						8
SEATS			1,235						1,235
INSTITUTIONAL	8.7			32.6			41.3		
GOLF COURSE	60.0	1		706.0	6.5		766.0	7.5	
CLUB HOUSES (VILLAGE CENTER)	5.0	1		41.4	7		46.4	8	
SERVICES				5.4			5.4		
WILDLIFE PRESERVES/MGMT. AREA				192.9			192.9		
POWERLINE R.O.W.				13.0			13.0		
WETLANDS				148.0			148.0		
LAKES	30.0			183.0			213.0		
ROADS	40.0			123.2			163.2		
LANDSCAPE FEATURES				9.0			9.0		
WASTEWATER TREATMENT PLANT / PERCOLATION PONDS				15.0			15.0		
WATER TREATMENT PLANT				3.2			3.2		
WELLFIELDS				1.4			1.4		
BUFFER				3.6			3.6		
OPEN SPACE				2.6			2.6		
TOTAL ACREAGES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	TOTALS
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,400	438	147			2,060
COMMERCIAL (RETAIL/SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	188,000	634,567	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	
HOTEL (ROOMS)		48		80	205		333
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		637	5,665	4,096	921		11,719
ALF (BEDS)					249		249
COMMERCIAL							
VILLAGE (S.F.)			216,000	159,300	565,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)					76		76
SNF (BEDS) (V.C.)					100	200	300
HOTEL (ROOMS)					59,000		59,000
OFFICE (GENERAL)							
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000				32,000
HOSPITAL (BEDS)				50	200	90	350
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)				32.6			32.6
GOLF COURSE (ACRES)		186	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,237	6,303	4,243	921		13,779
TOTAL COMMERCIAL (S.F.)	140,886	100,000	416,000	793,867	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

EXHIBIT C

EXHIBIT D

PROPOSED AMENDMENT TO THE TRI-COUNTY VILLAGES DEVELOPMENT ORDER-LAKE COUNTY

EXHIBIT D

ORDINANCE NO. 2014-___

AN ORDINANCE OF THE TOWN COMMISSION OF LADY LAKE, FLORIDA, ADOPTING AN EIGHTH AMENDMENT TO THE AMENDED DEVELOPMENT ORDER FOR THE TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT LAKE COUNTY; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

WHEREAS, on January 18, 1988, a DRI known as Orange Blossom Gardens-South (OBGS) was approved by the Town of Lady Lake in Ordinance 88-1. A substantial deviation to the OBG-South DRI was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12. A second substantial deviation was approved as the Orange Blossom Gardens-West (OBGW) DRI on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI Development Order was amended on August 14, 1990 and again on February 16, 1993. On September 20, 1994 and October 12, 1994 Sumter County and Lady Lake respectively approved a substantial deviation to the OBGS and OBGW DRI development orders, combining them and referring to the development collectively as the Tri-County Villages DRI. A first revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 29, 1996. On August 3, 1998 a first revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 98-13. A second revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 15, 1998. On May 15, 2000 a third revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission. A fourth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on September 12, 2001. A fifth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on May 15, 2002. A sixth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on April 22, 2003. On October 18, 1999 a second revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 99-37. On May 8, 2000 a third revision to the Lady Lake Tri-County Villages development order was approved by Town of Lady Lake Ordinance 2000-20.

A fourth revision to the Lady Lake Tri-County Villages development order was approved on May 15, 2003 by Town of Lady Lake Ordinance 2003-07. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. A seventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on March 16, 2004. On August 2, 2004 a fifth revision to the Lady Lake Tri-County Villages development order was approved on August 2, 2004 by Town of Lady Lake Ordinance 2004-6. An eighth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 26, 2004. A sixth revision to the Lady Lake Tri-County Villages development order was approved on March 17, 2005 by Town of Lady Lake Ordinance 2005-7. A ninth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on October 11, 2005. A tenth revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on February 10, 2009; and a seventh revision to the Lady Lake Tri-County Villages development order was approved by the Lady Lake Town Commission on February 23, 2009. An eleventh revision to the Sumter Tri-County Villages development order was approved by the Sumter County Commission on December 11, 2012.

WHEREAS, on January 2, 2014, The Villages of Lake-Sumter, Inc. submitted its e2 application pursuant to 380.06 (19)(e)(2.)k., Florida Statutes (F.S.), to the Town of Lady Lake to amend the Tri-County Villages Development of Regional Impact (DRI) Amended Development Order, (the ADO); and

WHEREAS, the Town of Lady Lake (Lady Lake), as governing body of the local government having jurisdiction, is authorized and empowered to consider DRIs; and

WHEREAS, Lady Lake has reviewed the e2 application, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, Lady Lake has conducted an advertised public hearing on _____, 2014 for the purpose of receiving public comment.

NOW, THEREFORE BE IT RESOLVED BY THE LADY LAKE TOWN COMMISSION, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS ____ DAY OF _____ 2014, THAT THE TRI-COUNTY VILLAGES OF LAKE DRI IS HEREBY APPROVED, EFFECTIVE AS SPECIFIED HEREIN, BASED UPON AND SUBJECT TO THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW AND CONDITIONS/RESTRICTIONS:

SECTION 1. Findings of Fact. Based on the documentation and testimony received at the public hearing, the Board hereby finds as fact as follows:

1. The Tri-County Villages DRI is a mixed-use retirement community Development of Regional Impact located in northwestern Lake County/Lady Lake and in northeastern Sumter County.
2. On January 2, 2014, the Developer submitted an e2 application to a previously approved DRI pursuant to Section 380.06 (19)(e)(2)k., F.S. to amend the DRI in Lady Lake as follows:
   - To add Assisted Living Facility as a permitted use in areas designated as Town Center Commercial on the Map H.
   - Amend Map H-1 to add 94 ALF beds and reduce commercial by 7,550 SF (see **EXHIBIT 1**);
3. The changes proposed in the e2 application meet the criteria in s.380.06(19)(e)2.k. because the amendment results in no increase in external peak hour trips and does not reduce open space or conserved lands in the Tri-County Villages Development of Regional Impact (DRI).
4. This amendment is not a substantial deviation to the DRI pursuant to s.380.06(19)(e)2.k.

3. A duly noticed public hearing was conducted on the e2 application by The Town of Lady Lake on _____, 2014 and all interested parties and members of the public were similarly afforded the opportunity to participate.

SECTION 2. Conclusions of Law. Based on the findings of fact adopted above, Lady Lake hereby adopts the following conclusions of law:

1. The Town of Lady Lake is the governing body having jurisdiction over the review and approval of the e2 application, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this eighth amendment to the Tri-County Villages DRI ADO.
2. The property does not lie within an Area of Critical State Concern as designated pursuant to Chapter 380.05, F.S.
3. The proposed development is consistent with the applicable local comprehensive plan and is consistent with the applicable local land development regulations.
4. The proposed development is consistent with the East Central Florida Strategic Regional Policy Plan.
6. The provisions of this amendment to the ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.
7. The impacts of this development, as conditioned by this Eighth Amendment to the ADO, are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the Town of Lady Lake do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.
8. To the extent that the application for development approval (ADA), NOPC or e2 application, or any other document is inconsistent with the terms and conditions of this amendment to the ADO, this amendment to the ADO shall prevail.

SECTION 3. General Conditions. The Town of Lady Lake, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the proposed changes contained in the NOPC and subsequent addendum submittals and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this amendment to the ADO:

1. Revisions to Development Order
   a. Revised Master Development Plan A revised DRI Phase Allocation Table (Map H-1) (revised January, 2014) and Phasing Chart is hereby adopted for the Tri-County Villages DRI and a copy is attached and incorporated herein as **EXHIBIT 1**.

b. Add ALF as permitted use. Amend Map H-1 to add ALF as a permitted use in the Town Center Commercial land use category (see **EXHIBIT 1**).

c. Amend Development Entitlements. Amend Map H-1 by adding 94 ALF beds and reducing commercial entitlements by 7,550 square feet (see **EXHIBIT 1**).

d. Final Order. That this amendment to the ADO shall constitute the final order of the Town of Lady Lake in response to the DRI e2 application filed by the Developer.

e. Definitions. That the definitions found in Chapter 380, F.S. (2003) shall apply to this amendment to the ADO.

f. Assignability: Persons Bound. That this amendment to the ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest.

g. Severability. That in the event any portion or section of this amendment to the ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this amendment to the ADO, which shall remain in full force and effect.

h. Recordation of Notice of Adoption. That within sixty (60) days of the issuance of this amendment to the ADO, The Villages of Lake-Sumter, Inc. shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Lake County in accordance with Section 380.06 (15), F.S., and shall provide a copy of the recorded Notice to the Town of Lady Lake, Sumter County, the ECFRPC, the WRPC and the DEO.

i. Restriction on Downzoning, Density Reduction or Intensity Reduction. That the Town of Lady Lake agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this amendment to the ADO, unless the Town of Lady Lake can demonstrate that substantial changes in the conditions underlying the approval of the amendment to the ADO have occurred, or

that the amendment to the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the Town of Lady Lake to be essential to the public health, safety or welfare.

j. Impact Fees. That approval of this amendment to the ADO shall not exempt any portion or unit of the Tri-County Villages of Lake development from any future impact fees imposed by the Town of Lady Lake. Developer credit for applicable improvements paid for by it pursuant to the requirements of this amendment to the ADO shall be given as provided for by Section 380.06(16), F.S.

k. Effective Date. That upon adoption, this Amendment to the ADO shall be transmitted to the ECFRPC, the DEO and the Developer and shall become effective upon rendering of this Development Order by the Town of Lady Lake.

l. Transmittal of Amendment. That certified copies of this amendment to the ADO shall be transmitted immediately by certified mail to ECFRPC, DEO and the Developer, by the Town of Lady Lake.

PASSED AND ORDAINED, by the Town Commission for the Town of Lady Lake, Florida this _____ day of _____ 2014.

TOWN OF LADY LAKE, FLORIDA

_____
MAYOR

_____
By: TOWN CLERK

Approved as to form:

_____
DEREK SCHROTH
Town Attorney

ATTACHMENTS

EXHIBIT 1 Revised Phase Allocation Table and Phasing Chart (H-1) (Revised January, 2014)

EXHIBIT 2 Legal Description of the Tri-County Villages DRI Lake County

EXHIBIT 1

MASTER DEVELOPMENT PLAN,
MAP H-1
(REVISED JANUARY, 2014)

MAP H

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT
SECTION 380.06(19)(E)2.K.,F.S. CHANGE
EIGHT AMENDMENT TO THE LAKE COUNTY
AMENDED DEVELOPMENT ORDER

JANUARY, 2014

0 1000 2000 4000 6000
SCALE IN FEET

* NOTE:

Lady Lake: Residential densities may vary. A gross residential density of 3 units per acre shall be maintained. This residential density is reflected as the mixed, medium density residential land use classification on the Lady Lake future land use map.

Sumter: Residential densities may vary. A gross residential density of 3.354 Units per acre shall be maintained. This residential density is comparable to the medium density residential land use classification on the Sumter County future land use map.

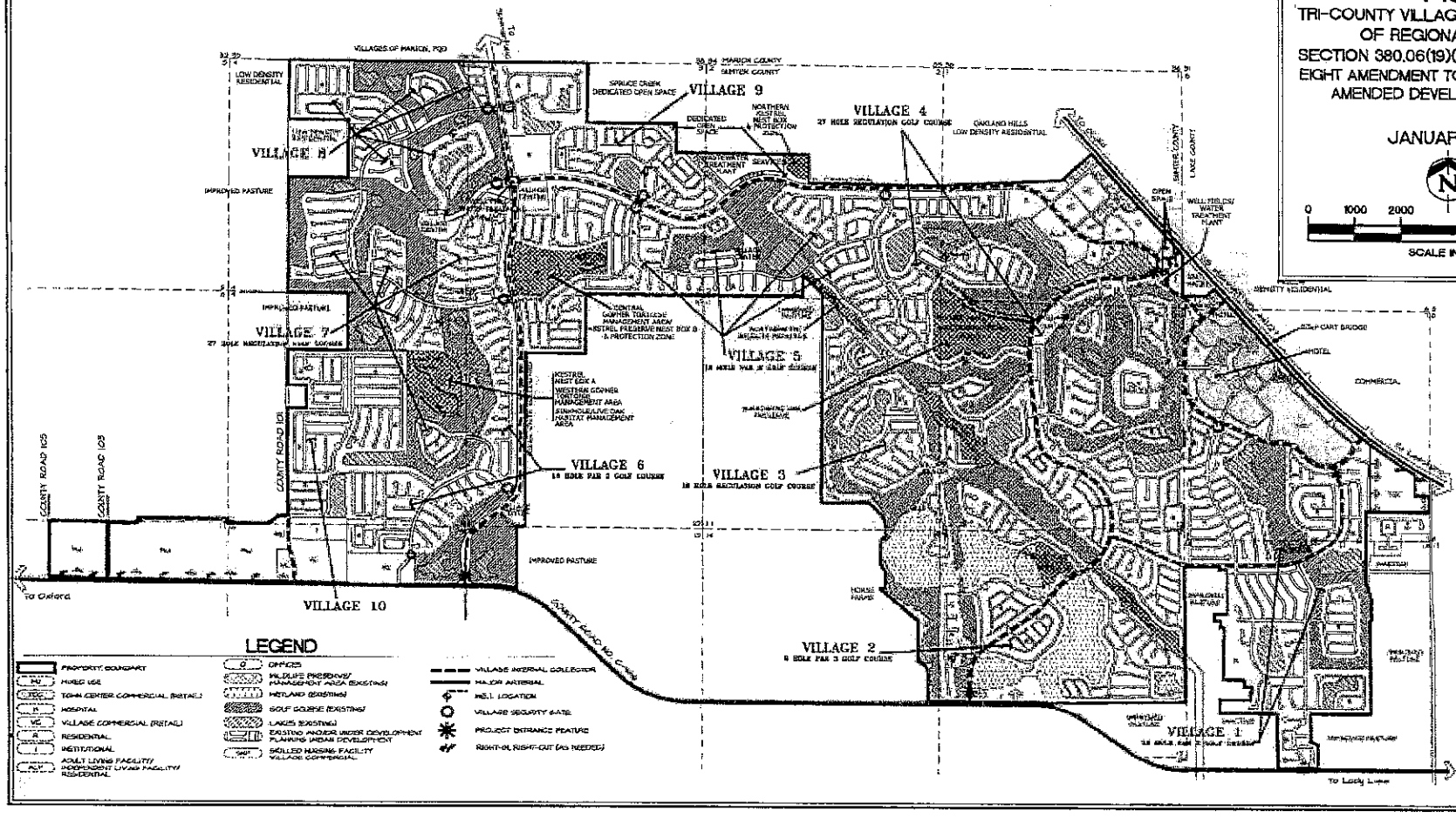

EXHIBIT 1

MAP H-1

Master Development Plan

TRI-COUNTY VILLAGES DEVELOPMENT OF REGIONAL IMPACT SECTION 380.06(19)(E)2.K.F.S. CHANGE EIGHT AMENDMENT TO THE LAKE COUNTY AMENDED DEVELOPMENT ORDER

JANUARY, 2014

LAND USE ALLOCATIONS

LAND USE	THE VILLAGES OF LAKE (OBG SOUTH/LAKE CO.)			THE VILLAGES OF SUMTER (OBG WEST/SUMTER CO.)			TOTALS		
	ACRES	UNITS/S.F	OTHER	ACRES	UNITS/S.F.	OTHER	ACRES	UNITS/S.F.	OTHER
RESIDENTIAL	410.6	2,060		2,343.0	11,719		2,753.6	13,779	
ALF/ILF (BEDS)				15.5		249	15.5		249
COMMERCIAL									
TOWN CENTER	151.4	1,121,450					151.4	1,121,450	
ASSISTED LIVING FACILITY (BEDS)			94						94
VILLAGE				252.4	1,562,300		252.4	1,562,300	
WELLNESS CENTER (V.C.)				2.1	32,000		2.1	32,000	
NEIGHBORHOOD									
SNF (BEDS) (V.C.)				3.7		76	3.7		76
TOTAL COMMERCIAL	151.4	1,121,450		258.2	1,594,300		409.6	2,715,750	
OFFICE (GENERAL)				6.0	59,000		6.0	59,000	
MEDICAL CENTER									
HOSPITAL									
BEDS				6.6			6.6		
MEDICAL OFFICES (OFFICES)						350			350
				14.4	120,000		14.4	120,000	
HOTEL	8.9			11.0			19.9		
ROOMS			333			300			633
ATTRACTION/RECREATION									
THEATRE	4.5	23,549					4.5	23,549	
SCREENS			8						8
SEATS			1,235						1,235
INSTITUTIONAL	8.7			32.6			41.3		
GOLF COURSE	80.0	1		706.5	6.5		766.0	7.5	
CLUB HOUSES (VILLAGE CENTER)	5.0	1		41.4	7		46.4	8	
SERVICES				5.4			5.4		
WILDLIFE PRESERVES/MGMT. AREA				192.9			192.9		
POWERLINE R.O.W.				13.0			13.0		
WETLANDS				148.0			148.0		
LAKES	50.0			183.0			233.0		
ROADS	40.0			123.2			163.2		
LANDSCAPE FEATURES				8.0			8.0		
WASTEWATER TREATMENT PLANT / PERCOLATION PONDS				15.0			15.0		
WATER TREATMENT PLANT				3.2			3.2		
WELLFIELDS				1.4			1.4		
BUFFER				3.6			3.6		
OPEN SPACE				2.6			2.6		
TOTAL ACREAGES	719.1			4,134.0			4,853.1		

PHASING SCHEDULE

LAND USE	EXISTING PRE 1990	1 1990-1994	2 1995-1999	3 2000-2004	4 2005-2009	5 2010-2014	TOTALS
THE VILLAGES OF LAKE (OBG SOUTH - LADY LAKE)							
RESIDENTIAL (UNITS)	75	1,400	438	147			2,060
COMMERCIAL (RETAIL/SERVICES)							
TOWN CENTER (S.F.)	140,886	100,000	168,000	634,567	35,547	42,450	1,121,450
ASSISTED LIVING FACILITY (BEDS)						94	
HOTEL (ROOMS)		48		80	205		333
ATTRACTION/RECREATION							
THEATRE (SCREENS)			8				8
GOLF COURSE (ACRES)	30	30					60
(HOLES)	9	9					18
INSTITUTIONAL (ACRES)			8.7				8.7
THE VILLAGES OF SUMTER (OBG WEST - SUMTER COUNTY)							
RESIDENTIAL (UNITS)		837	5,865	4,096	921		11,719
ALF (BEDS)					249		249
COMMERCIAL							
VILLAGE (S.F.)			238,000	159,300	585,000	600,000	1,562,300
NEIGHBORHOOD (S.F.)							
SNF (BEDS) (V.C.)					76		76
HOTEL (ROOMS)					100	200	300
OFFICE (GENERAL)					59,000		59,000
MEDICAL CENTER							
WELLNESS CENTER (V.C.) (S.F.)			32,000				32,000
HOSPITAL (BEDS)				60	200	90	350
MEDICAL OFFICES (S.F.) (OFFICES)				60,000	30,000	30,000	120,000
INSTITUTIONAL (ACRES)				32.6			32.6
GOLF COURSE (ACRES)		186	485	35			706
(HOLES)		27	81	9			117
SERVICES			5.4				5.4
TOTAL RESIDENTIAL (UNITS)	75	2,237	6,303	4,243	921		13,779
TOTAL COMMERCIAL (S.F.)	140,886	100,000	418,000	793,867	620,547	642,450	2,715,750
TOTAL OFFICE (S.F.)				60,000	89,000	30,000	179,000
TOTAL INSTITUTIONAL (ACRES)			8.7	32.6			41.3

EXHIBIT 1

EXHIBIT 2

LEGAL DESCRIPTION FOR TRI-COUNTY VILLAGES DRI LAKE COUNTY

EXHIBIT 2

VILLAGES DRI'S LEGAL DESCRIPTIONS

TRI-COUNTY VILLAGES
DEVELOPMENT OF REGIONAL IMPACT
LOCATED IN THE TOWN OF LADY LAKE AND
LAKE AND SUMTER COUNTIES

A TRACT OF LAND IN SECTIONS 6, 7 AND 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27 WITH THE WEST LINE OF THE SW1/4 OF SECTION 6; THENCE ALONG SAID WEST LINE RUN S00°09'15"E TO A POINT THAT IS N00°09'15"W, 306.67 FEET OF THE SOUTHWEST CORNER OF SECTION 6; SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°44'22"E, 525.81 FEET; THENCE N48°21'06"E, 234.80 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF OPAL DRIVE IN ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 9, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37K, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE SOUTH ALONG SAID NORTHERLY PROJECTION AND ALONG SAID RIGHT-OF-WAY LINE OF OPAL DRIVE TO THE NORTHWEST CORNER OF LOT 60, BLOCK 53, ORANGE BLOSSOM HILLS, SOUTH, UNIT 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37H, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE EAST TO THE NORTHEAST CORNER OF SAID LOT 60; THENCE SOUTH TO THE SOUTHEAST CORNER OF LOT 39 OF AFORESAID BLOCK 53; ALSO BEING THE INTERSECTION OF WITH THE NORTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE; THENCE SOUTHWESTERLY ACROSS SAID DAKOTA AVENUE TO THE NORTHEAST CORNER OF BLOCK 45, ORANGE BLOSSOM HILLS, SOUTH, UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37G, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE SOUTH TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 IN SECTION 18; THENCE AGAIN CONTINUE SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF GOVERNMENT LOT 7 IN SECTION 18; THENCE WEST TO THE SOUTHWEST CORNER OF AFORESAID N1/2 OF GOVERNMENT LOT 7; THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 7, RUN S00°24'25"E, 663.70 FEET TO THE NORTH LINE OF THE S1/4 OF GOVERNMENT LOT 7; THENCE S66°37'14"E, 161.77 FEET; THENCE S00°23'19"E, 559.03 FEET TO THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 80.00 FEET WIDE); THENCE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE EAST LINE OF GOVERNMENT LOT 6 IN SECTION 18; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE S89°41'00"W, 726.2 FEET, MORE OR LESS, TO THE EAST LINE OF PROPERTY DESCRIBED IN OFFICIAL

RECORDS BOOK 707, PAGE 359, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG AFORESAID EAST LINE RUN N00°23'52"W, 1288.10 FEET, MORE OR LESS, TO THE SOUTH LINE OF ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37D, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG AFORESAID SOUTH LINE OF UNIT NO. 2 RUN WEST TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 14, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37C, PUBLIC RECORDS LAKE COUNTY, FLORIDA; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 6; SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ALABAMA AVENUE; THENCE CONTINUE NORTH ACROSS SAID ALABAMA AVENUE TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 13 OF AFOREMENTIONED UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF SAID LOT 6, THENCE EAST TO THE SOUTHWEST CORNER OF LOT 41, BLOCK 13 OF SAID UNIT NO. 1; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 41; SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ARIZONA AVENUE; THENCE CONTINUE NORTH ACROSS SAID ARIZONA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 12 OF SAID UNIT NO. 1; THENCE EAST TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 12 OF SAID UNIT NO. 1; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 36, BLOCK 12 OF SAID UNIT NO. 1; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 36; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ARKANSAS AVENUE; THENCE WEST TO THE NORTHWEST CORNER OF LOT 35, SAID BLOCK 12; THENCE NORTH ACROSS SAID ARKANSAS AVENUE TO THE SOUTHWEST CORNER OF LOT 12, BLOCK 11 OF AFOREMENTIONED UNIT NO. 1; SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY LINE OF SAID ARKANSAS AVENUE; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 24, BLOCK 11; SAID POINT ALSO LYING ON THE EAST RIGHT-OF-WAY LINE OF DIANA DRIVE; THENCE CONTINUE WEST ACROSS DIANA DRIVE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 4 OF SAID UNIT NO. 1; THENCE NORTH TO THE NORTHWEST CORNER OF LOT 67 OF SAID BLOCK 4; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF CALIFORNIA AVENUE; THEN CONTINUE NORTH ACROSS SAID CALIFORNIA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 5 OF SAID UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 67 SAID BLOCK 5; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF CAROLINA AVENUE; THENCE CONTINUE NORTH ACROSS SAID CAROLINA AVENUE TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 6 OF SAID UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 67 OF SAID BLOCK 6; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF COLORADO AVENUE; THENCE NORTHEASTERLY ACROSS SAID COLORADO AVENUE TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 7 OF SAID UNIT NO. 1; THENCE CONTINUE NORTH TO THE NORTHWEST CORNER OF LOT 68 OF SAID BLOCK 7; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF DELAWARE AVENUE; THENCE CONTINUE NORTH

ACROSS SAID DELAWARE AVENUE TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 26 IN ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37E, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY LINE OF SAID DELAWARE AVENUE; THENCE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 26 OF SAID UNIT NO. 3; THENCE NORTH TO THE SOUTHEAST CORNER OF LOT 64 OF SAID BLOCK 26; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 60 OF SAID BLOCK 26; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 60; SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE; THENCE CONTINUE NORTH ACROSS DAKOTA AVENUE TO THE SOUTHWEST CORNER OF LOT 11, BLOCK 27 OF SAID UNIT NO. 3; SAID POINT ALSO LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DAKOTA AVENUE; THENCE EAST TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 27; SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF DIANA DRIVE; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY OF DIANA DRIVE TO THE SOUTHEAST CORNER OF LOT 70, BLOCK 30 OF SAID UNIT NO. 3; THENCE WEST TO THE SOUTHWEST CORNER OF LOT 64 OF SAID BLOCK 30; THENCE NORTH TO THE NORTHWEST CORNER OF SAID LOT 64; SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ILLINOIS AVENUE; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAXON DRIVE; SAID POINT ALSO BEING ON THE WEST LINE OF THE NW1/4 OF SECTION 18; THENCE ALONG SAID WEST LINE AND ALONG THE WEST LINE OF SECTION 7 AND 6 RUN NORTH TO THE POINT OF BEGINNING.

AND

THAT PORTION OF TRACT "A" OF OAK MEADOWS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING SOUTH OF TRACT "6", THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;

AND

TRACT "6", THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;

AND

THAT PORTION OF THE NORTH 3/4 OF GOVERNMENT LOT 8, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF U.S. HIGHWAY

441/27, LESS RIGHT OF WAY FOR ROLLING ACRES ROAD AND LESS THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF GOVERNMENT LOT 8, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A 4 INCH X 4 INCH CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF LOT 14, OAK MEADOWS AS RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF ROLLING ACRES ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 1677, PAGE 549, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 00°13'28"E. ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 356.19 FEET; THENCE N 14°05'30" W. ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 23.18 FEET TO A 5/8 INCH IRON ROD, LB 4475, FOR A POINT OF BEGINNING; THENCE N 89°46'46" W., A DISTANCE OF 297.17 FEET TO A 5/8 INCH IRON ROD, LB 4475; THENCE N 00°13'14" E. A DISTANCE OF 485.24 FEET TO A 3 INCH ROUND CONCRETE MONUMENT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF US HIGHWAY 27 & 441 AS DESCRIBED IN OFFICIAL RECORDS BOOK 68, PAGE 619, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE S 58°17'18" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 314.30 FEET TO A 5/8 INCH IRON ROD, LB 4475, BEING A POINT ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING OF S 29°04'03"E. AND A CHORD DISTANCE OF 24.41 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°26'30" AND A DISTANCE OF 25.50 FEET TO A 5/8 INCH IRON ROD, LB 4475 MARKING THE POINT OF TANGENCY, SAID POINT LYING ON SAID WEST RIGHT OF WAY LINE OF ROLLING ACRES ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: S 00°13'28" W. A DISTANCE OF 232.21 FEET TO A 5/8 INCH IRON ROD, LB 4475; THENCE S 14°05'30" E. A DISTANCE OF 69.72 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

LOTS 7 THROUGH 9, BLOCK 82, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 8 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37J, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND LESS LOTS 1 THROUGH 9, BLOCK 11, ORANGE BLOSSOM HILLS, SOUTH, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 37G, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

A TRACT OF LAND IN SECTIONS 1, 2, 3, 4, 9, 8, 10, 11, 12, 13, 14, 15, 16, AND 17 TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE S1/2 OF THE SE1/4 OF SECTION 9; FROM SAID POINT OF BEGINNING RUN NORTH TO THE NORTHWEST CORNER OF AFORESAID S1/2 OF SE1/4; THENCE EAST TO THE SOUTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 9; THENCE NORTH TO THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 9; THENCE WEST TO THE SOUTHWEST CORNER OF THE N1/2 OF THE NE1/4; THENCE NORTH TO THE SOUTHEAST CORNER OF THE E1/2 OF THE SW1/4 OF SECTION 4; THENCE WEST TO THE SOUTHWEST CORNER OF SAID E1/2 OF SW1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID E1/2 OF SW1/4; THENCE EAST TO THE NORTHEAST CORNER OF SAID E1/2 OF SW1/4; THENCE NORTH TO THE SOUTHEAST CORNER OF SAID NE1/4 OF THE NW1/4 OF SECTION 4; THENCE WEST TO THE SOUTHWEST CORNER OF SAID NE1/4 OF NW1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID NE1/4 OF NW1/4; THENCE EAST ALONG THE NORTH LINE OF SECTION 4 TO THE NORTHWEST CORNER OF SECTION 3; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SECTION 3 TO THE NORTHEAST CORNER OF THE NW1/4 OF SECTION 3; THENCE SOUTH TO THE NORTHWEST CORNER OF THE S1/2 OF THE NE1/4 OF SECTION 3; THENCE EAST TO THE NORTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF THE NE1/4 OF SECTION 3; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID NE1/4 OF SE1/4 OF NE1/4 THENCE EAST TO THE NORTHWEST CORNER OF THE S1/2 OF THE S1/2 OF THE NW1/4 OF SECTION 2; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID S1/2 OF S1/2 OF NW1/4 TO A POINT THAT IS 330 FEET WEST OF THE EAST LINE OF THE NW1/4 OF SECTION 2; THENCE PARALLEL WITH SAID EAST LINE RUN SOUTH TO THE EAST-WEST MID-SECTION LINE OF SECTION 2; THENCE ALONG SAID MID-SECTION LINE RUN EAST TO THE NORTHWEST CORNER OF THE N1/2 OF THE SW1/4 OF SECTION 1; THENCE CONTINUE EAST TO THE NORTHEAST CORNER OF SAID N1/2 OF SW1/4 ; THENCE NORTHEASTERLY TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27 (BEING 200 FEET WIDE) WITH THE EAST BOUNDARY OF THE W1/2 OF THE NE1/4 OF SAID SECTION 1; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN SOUTHEASTERLY TO THE EAST LINE OF SECTION 1; THENCE ALONG SAID EAST LINE AND ALONG THE EAST LINE OF SECTION 12 AND 13 RUN SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF SE1/4 OF SECTION 13; THENCE WEST TO THE SOUTHEAST CORNER OF THE N1/2 OF THE SW1/4 OF SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID N1/2 OF SW1/4 RUN WEST TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100.00 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE CONTINUE WEST TO THE EAST LINE OF THE SE1/4 OF SECTION 14; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 RUN N89°45'11"W, 256.48 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 475,

PAGE 510, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY OF AFOREMENTIONED PROPERTY WITH THE FOLLOWING (5) COURSES: N00°29'26"E, 690.11 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHWESTERLY 170.86 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 55°56'21" AND A CHORD BEARING AND DISTANCE OF N27°28'45"W, 164.15 FEET TO THE POINT OF TANGENCY; THENCE N55°26'55"W, 176.96 FEET; THENCE N00°29'26"E, 925.00 FEET; THENCE N49°49'19"W, 1092.25 FEET TO A POINT ON THE WEST LINE OF THE SE1/4 OF THE NE1/4 OF SECTION 14; SAID POINT BEING S00°21'41"E, 24.96 FEET OF THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 14; THENCE N00°21'41"W ALONG AFORESAID WEST LINE 24.96 FEET TO THE SOUTHWEST CORNER OF THE NE 1/4 OF THE NE1/4 OF SECTION 14; THENCE ALONG THE WEST LINE OF SAID NE1/4 OF NE1/4 RUN N00°23'21"E, 1093.86 FEET; THENCE N45°13'10"E, 163.12 FEET; THENCE N00°23'21"E, 252.92 FEET; THENCE N21°04'15"W, 190.48 FEET; THENCE N41°28'52"W, 274.41 FEET THENCE N52°14'07"W, 157.86 FEET; THENCE N89°37'47"W, 1059.81 FEET TO THE NORTH-SOUTH MID-SECTION LINE OF SECTION 11; THENCE ALONG SAID MID-SECTION LINE RUN NORTH TO THE SOUTHEAST CORNER OF THE W1/2 OF SECTION 2; SAID POINT BEING N89°41'35"E, 2646.82 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 2; THENCE ALONG THE EAST LINE OF THE W1/2 OF SECTION 2 RUN N00°04'27"W, 109.72 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA POWER CORPORATION TRANSMISSION LINE EASEMENTS ; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN N44°26'00"W, 622.28 FEET; THENCE S00°04'35"E, 506.40 FEET TO A POINT THAT IS 50.00 FEET NORTH OF THE SOUTH LINE OF THE SW1/4 OF SECTION 2; THENCE PARALLEL WITH SAID SOUTH LINE RUN S89°41'35"W TO THE WEST LINE OF THE SW1/4 OF SECTION 2; SAID POINT ALSO BEING ON THE EAST LINE OF THE SE1/4 OF SECTION 3; THENCE PARALLEL WITH AND 50.00 FEET NORTH OF SOUTH LINE OF THE SE1/4 OF SECTION 3 RUN WEST TO THE WEST LINE OF SAID SE1/4; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID SE1/4; THENCE CONTINUE SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF THE NW1/4 OF SECTION 10; THENCE ALONG THE SOUTH LINE OF SAID N1/2 OF NW1/4 RUN WEST TO THE NORTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF SECTION 10; THENCE SOUTH TO THE NORTHEAST CORNER OF THE W1/2 OF THE SW1/4 OF SECTION 10; THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID W1/2 OF SW1/4; SAID POINT ALSO BEING ON THE NORTH LINE OF THE NW1/4 OF SECTION 15; THENCE ALONG SAID NORTH LINE RUN WEST 185.91 FEET, MORE OR LESS, TO A 4-INCH CONCRETE MONUMENT; SAID MONUMENT BEING N89°59'15E, 1142.39 FEET OF THE NORTHWEST CORNER OF SECTION 15; FROM SAID CONCRETE MONUMENT RUN SOUTH 1334.50 FEET TO THE SOUTH LINE OF THE N1/2 OF THE NW1/4 OF SECTION 15; THENCE S89°53'52"W ALONG SAID SOUTH LINE 363.01 FEET TO A POINT ON THE ARC OF A CURVE IN THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100-FEET WIDE); SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS

OF 1959.86 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 208.17 FEET; SAID ARC HAVING A CENTRAL ANGLE OF 06°05'09", A TANGENT DISTANCE OF 104.18 FEET, A CHORD BEARING OF N86°26'53"W AND A CHORD DISTANCE OF 208.07 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N89°29'27"W ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST LINE OF THE NE1/4 OF SECTION 16; THENCE CONTINUE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF THE NE1/4 OF SECTION 16; THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

AND

THE NE1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND THE E1/2 OF THE SW1/4, THE NW1/4 OF THE SE1/4, AND THE SW1/4 OF THE NE1/4 AND SE1/4 OF NW1/4, LESS BEGIN AT SW CORNER OF SE 1/4 OF NW1/4, NORTH 525 FEET, EAST 415 FEET, SOUTH 525 FEET, WEST 415 FEET TO POINT OF BEGINNING OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

LESS RIGHT-OF-WAY FOR COUNTY ROAD 466 AND COUNTY ROAD 101.

AND

THAT PORTION OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 LESS ONE ACRE IN THE NORTHWEST CORNER THEREOF AND LESS RIGHT-OF-WAY FOR C.R. 101 AND LESS THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N89°24'25"W, ALONG THE SOUTH LINE THEREOF, 1,325.87 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE N00°22'59"E, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 30.00 FEET; THENCE S89°24'25"E, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 871.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°27'39", AN ARC DISTANCE OF 164.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 230.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°12'55", AN ARC DISTANCE OF 221.65 FEET; THENCE S89°39'10"E, 125.00 FEET TO THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE

SOUTHWEST 1/4 ; THENCE S00°20'50"W, 203.75 FEET TO THE POINT OF BEGINNING.

AND

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16. TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; THENCE S00°33'29"W, ALONG THE EAST LINE THEREOF A DISTANCE OF 594.277 FEET TO THE SOUTH LINE OF THE NORTH 594.277 FEET OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S89°24'25"E, ALONG THE EASTERLY EXTENSION OF THE SAID SOUTH LINE A DISTANCE OF 16.11 FEET TO THE WEST RIGHT-OF-WAY OF COUNTY ROAD 101 AS SHOWN ON THE PLAT OF VILLAGES OF SUMTER UNIT NO. 67 AS RECORDED IN PLAT BOOK 5, PAGES 49 THROUGH 49C, INCLUSIVE, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N13°40'21"W, 37.40 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST AND HAVING A RADIUS OF 1,040.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°38'33", AN ARC DISTANCE OF 29.81 FEET TO A POINT ON THE EAST LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S00°33'29"W, ALONG SAID EAST LINE A DISTANCE OF 65.24 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF-WAY FOR COUNTY ROAD 101.

AND

THE SOUTH 106.60 FEET OF THE EAST 3/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8.

AND

THAT PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 17, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF-WAY FOR COUNTY ROAD 103.

AND

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17, LYING NORTH OF COUNTY ROAD 466; LESS ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE INTERSECTION OF THE

NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 17 AND THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 466; THENCE ALONG SAID RIGHT-OF-WAY N89°23'30"W, 153.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N89°23'30"W, 0.34 FEET; N89°22'50"W, 1170.69 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE N00°24'31"E ALONG SAID WEST LINE A DISTANCE OF 17.87 FEET; THENCE DEPARTING SAID WEST LINE S89°22'50"E, 366.79 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTH AND HAVING A RADIUS OF 9,050.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'13", AN ARC DISTANCE OF 403.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTH AND HAVING A RADIUS OF 8,950.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'53", AN ARC DISTANCE OF 400.63 FEET TO A POINT ON THE SAID NORTHERLY RIGHT-OF-WAY AND THE POINT OF BEGINNING;

AND

LESS RIGHT-OF-WAY FOR COUNTY ROAD 103;

AND

LESS RIGHT-OF WAY FOR COUNTY ROAD 105;

AND

LESS AND EXCEPT HICKORY HILL HAMMOCK , A SUBDIVISION RECORDED IN PLAT BOOK 4, PAGES 77 AND 77-A, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.

EXHIBIT E

PROPOSED TRAFFIC ANALYSIS FROM KIMLEY HORN

EXHIBIT E

Kimley-Horn and Associates, Inc.

October 25, 2013

2615 Centennial Blvd.
Suite 102
Tallahassee, Florida
32308

Mr. Martin L. Dzuro, P.S.M.
Grant & Dzuro
990 Old Mill Run
The Villages, Florida 32162

Re: Tri-County Villages (Lake) DRI
Section 380.06 (19)(e)2.k., F.S. Change
The Villages, FL

Dear Marty:

The Villages is proposing the construction of an Assisted Living Facility (ALF) in the Spanish Springs/Town Center area. The ALF is to contain 94 beds. This letter summarizes the associated traffic impacts of this land use change to convert a portion of the approved commercial retail uses in the Tri-County Villages DRI to this ALF. The proposed reduction in commercial area is being made so that there is no increase in traffic impacts from the change.

The proposed ALF will be located north of Avenida Central and east of Alverez Avenue. This site is adjacent to the existing commercial area identified in previous traffic analyses as La Plaza Grande/Village Center which is part of the overall Town Center Commercial on Map H. Using the 9th Edition of ITE's *Trip Generation Manual* and applying the effective trip generation rate for this commercial area, **7,550 square feet of commercial will need to be reduced** so that there is no increase in traffic impacts during the p.m. peak hour. The 94-bed ALF is estimated to generate 28 trips during the p.m. peak hour, or 0.29 trips per occupied bed according to the *Trip Generation Manual*. For daily conditions, the ALF is estimated to generate 284 trips per day, but only 6,950 square feet would need to be reduced to have a trip-neutral change. Therefore, the peak hour is considered to be the controlling time period in this case. The calculations are shown on the attached page.

If you have any questions or need additional information, please feel free to contact me.

TEL 850 553 3500

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Richard R. Barr

Richard R. Barr
Senior Vice President

Copy: Darrin Taylor, Carlton Fields
Jonathan Thigpen

Attachment

K:\TAL_TPTO\040380 - Villages\002-022 - Vill. of Sumter\2172-Oct_2013_E2_Change\Correspondence\DzuroM131024-2.doc

Tri-County Villages (Lake) DRI
Land Use Change – Calculation Worksheet

Daily Trip Generation Analysis

Proposed Assisted Living Facility (ALF) Use – 94 beds

From *ITE Trip Generation Manual, 9th Ed.* Land Use 254 – Assisted Living

T = 1.61(94) + 132.6

T = 284 trips/day

Total commercial area (La Plaza Grande/Village Center area) equals 425,927 SF

From ITE Trip Generation Manual, 9th Ed. Land Use 820 – Shopping Center

Ln(T) = 0.65Ln(425.927) + 5.83

T = 17,418 trips/day

Effective trip generation rate = 17,418 trips / 425.927 KSF = 40.89 trips/KSF

To determine commercial area reduction:

284 trips (Assisted Living) / 40.89 trips/KSF (Shopping Center) = **6,950 SF**

PM Peak Hour Trip Generation Analysis

Proposed Assisted Living Facility (ALF) Use – 94 beds

From *ITE Trip Generation Manual, 9th Ed.* Land Use 254 – Assisted Living

T = 0.29(94)

T = 28 trips/hour

Total commercial area (La Plaza Grande/Village Center area) equals 425,927 SF

From *ITE Trip Generation Manual, 9th Ed.* Land Use 820 – Shopping Center

Ln(T) = 0.67Ln(425.927) + 3.31

T = 1,582 trips/hour

Effective trip generation rate = 1,582 trips / 425.927 KSF = 3.71 trips/KSF

To determine commercial area reduction:

28 trips (Assisted Living) / 3.71 trips/KSF (Shopping Center) = **7,550 SF**

J-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: **Resolution 2014-102 –Plaza Professional Center– Variance Request to Authorize the removal of One (1) 38" Historic Tree to Accommodate the construction of a new office building on the last remaining parcel at the Site –302 La Grande Blvd. (Alternate Key #3808678).**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Approval of Resolution #2014-102 – Request to Authorize the removal of One (1) 38" Historic Tree to Accommodate to Accommodate the construction of a new office building on the last remaining parcel at the Site –302 La Grande Blvd.

SUMMARY

Applicant, Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, has submitted an application for a variance in accordance with Chapter 10, Section 10-4).f). of the Land Development Regulations (LDRs) which states that on all properties, the removal of historic trees shall require a variance from the Planning and Zoning Board and then Town Commission.

The applicant proposes the removal of a 38" Historic Live Oak Tree to accommodate the construction of up to 4,300-square-foot of new office building space on the last remaining parcel at the Plaza Professional Center Site. The applicant states that due to the fact that the historic tree lies directly within the building pad, it is required to be removed. Additionally, the applicant indicated that the tree exhibits excessive lean which would endanger any future building erected and the root structure of the tree will suffer substantial damage during and after construction if the tree were to remain (Please see Justification Statement attached).

The application originally referenced the project as being within La Plaza Grande Professional Center; however, now it has been corrected to properly identify the Plaza Professional Center as the correct property reference of the site, which is just north of the La Plaza Grande Professional Center.

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:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The subject property lies in Section 07 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Planned Commercial (CP). The subject property is located at 302 La Grande Blvd. within the Plaza Professional Center (Alternate Key 3808678); within the town limits of the Town of Lady Lake, Florida. Resolution 2014-102 was reviewed by Town Attorney, Derek Schroth, on Tuesday, February 25, 2014, and determined correct in form.

Notices to inform the surrounding property owners (16) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014.

Comments:

- The applicant is aware that a $3,800 fee is due to the Town to mitigate the removal of the tree and is prepared to make payment to the Tree Bank pending approval of the resolution.

- Upon approval of this variance resolution, the applicant will continue with the Site Plan application process for approval of the improvements proposed at the remaining vacant lot. All landscaping buffer requirements and planting would have to be satisfied during this process.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-102 at its regular meeting on Tuesday, February 18, 2014, recommending approval with a 3-0 vote.

On March 10, 2014, the **Planning and Zoning Board** reviewed Resolution 2014-102 at their regular meeting and recommended approval to the Town Commission by a 3-1 vote.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: **Resolution 2014-102 –Plaza Professional Center– Variance Request to Authorize the removal of One (1) 38" Historic Tree to Accommodate the construction of a new office building on the last remaining parcel at the Site –302 La Grande Blvd. (Alternate Key #3808678).**

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STAFF RECOMMENDED MOTION:

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On March 10, 2014, the **Planning and Zoning Board** reviewed Resolution 2014-102 at their regular meeting and recommended approval to the Town Commission by a 3-1 vote.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance(s) [X] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

3-11-14

DEPARTMENT HEAD	Submitted 3/11/14	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER	Approved Agenda Item for: 3/17/14	Date 3/11/14

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain [ ] Approved w/Modification

RESOLUTION NO. 2014-102

A RESOLUTION GRANTING A VARIANCE TO AUTHORIZE THE REMOVAL OF ONE HISTORIC TREE IN ACCORDANCE WITH CHAPTER 10, SECTION 10-4).f)., OF THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS, ON PROPERTY OWNED BY BRIAN W. WARWICK, JANET R. VARNELL, AND ELLEN R. ROBARDS, LOCATED AT 302 LA GRANDE BLVD., WITHIN THE ~~LA~~ PLAZA ~~GRANDE~~ PROFESSIONAL CENTER (ALTERNATE KEY 3808678), WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.

WHEREAS, Brian W. Warwick, Janet R. Varnell, and Ellen R. Robards, the property owners of certain real property located in the Town of Lady Lake, Florida, more particularly described in Exhibit "A", have petitioned for a variance from the provisions of Chapter 10, Section10-4).f)., which requires a variance for the removal of historic trees; and

WHEREAS, the applicants are requesting to be allowed to remove one (1) historic tree on the property located at 302 La Grande Blvd., within the ~~La~~ Plaza ~~Grande~~ Professional Center (Alternate Key 3808678), within the town limits of the Town of Lady Lake, Florida; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of the Town of Lady Lake, Florida, hereby grants a variance from the provisions of Chapter 10, Section 10-4).f). of the Town of Lady Lake Land Development Regulations, which requires a variance for the removal of historic trees, and to allow for the removal of one (1) historic tree on the property located at 302 La Grande Blvd., within the ~~La~~ Plaza ~~Grande~~ Professional Center (Alternate Key 3808678), within the town limits of the Town of Lady Lake, Florida.

This Resolution shall take effect immediately upon its final adoption by the Town Commission.

RESOLVED this **17th** day of **March**, **2014**, in Lady Lake, Florida, by the Lady Lake Town Commission.

TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

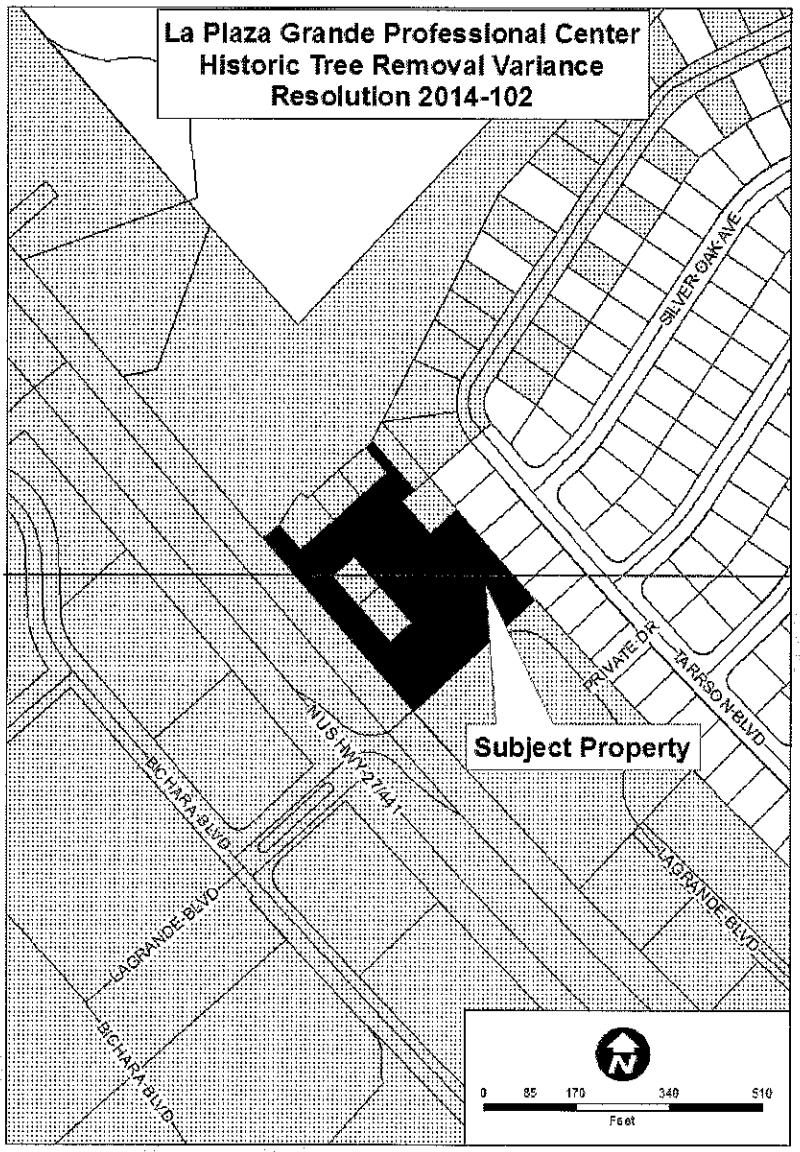
APPROVED AS TO FORM:

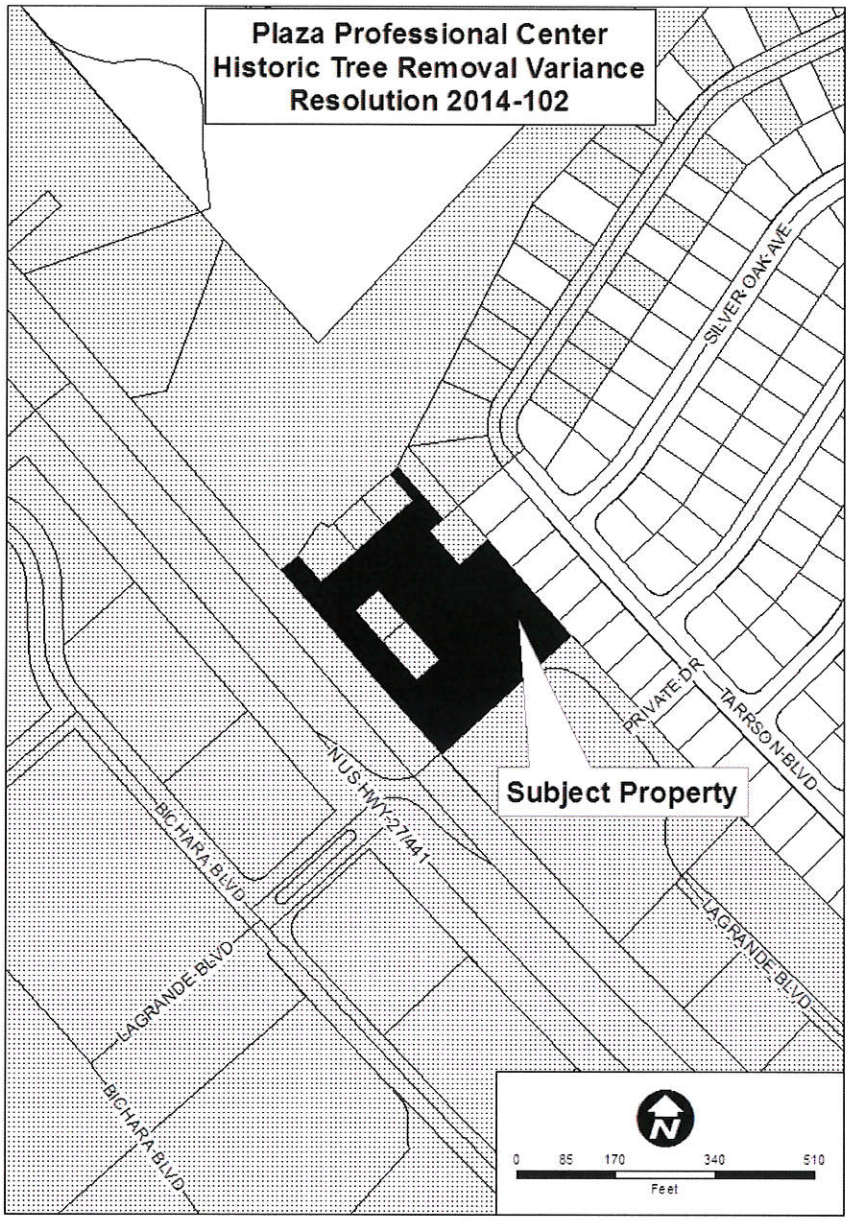
_____
Derek Schroth, Town Attorney

EXHIBIT "A"

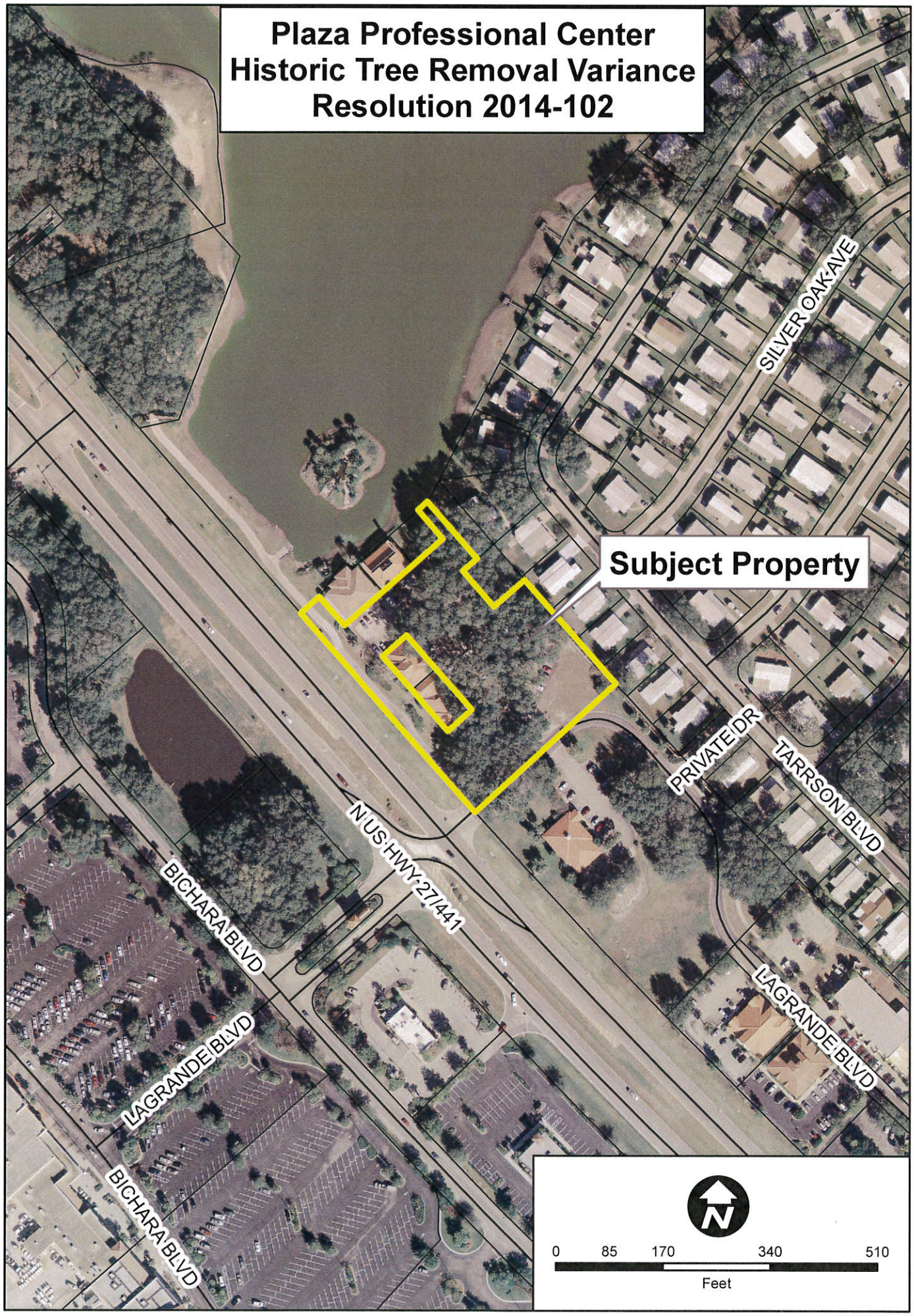
LEGAL DESCRIPTION

FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 PB 26 PG 55, RUN S 41-21-30 E 75 FT FOR POB, CONT S 41-21-30 E 38.32 FT TO THE BEGINNING OF A CURVE CONCAVE NE'Y & HAVING A RADIUS OF 11059.20 FT, THENCE SE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC LENGTH OF 182.19 FT, THENCE S 47-41-53 W 300 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, SAID POINT BEING ON A CURVE CONCAVED NE'LY & HAVING A RADIUS OF 11359.20 FT & A RADIAL BEARING OF S 47D-41-53 W, THENCE NW'LY ALONG THE ARC OF SAID CURVE & SAID NE'LY R/W LINE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC LENGTH OF 187.13 FT TO THE END OF SAID CURVE, THENCE N 41-21-30 W ALONG SAID NE'LY R/W LINE 232.65 FT, N 48-38-30 E 36.02 FT, S 41-21-30 E 60 FT, N 48-38-30 E 208.93 FT, N 41-21-30 W 60.02 FT, N 48-38-30 E 20.12 FT, S 41-21-30 E 119.33 FT, S 48-38-30 W 30 FT, S 41-21-30 E 75 FT, N 48-38-30 E 65 FT TO POB--LESS FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 RUN S 48-30-30 W 199 FT, S 41-21-34 E 17.32 FT FOR POB, CONT S 41-21-34 E 157 FT, S 48-38-26 W 50.84 FT, N 41-21-34 W 157 FT, N 48-38-26 E 50.84 FT TO POB-- ORB 2684 PG 22


La Plaza Grande Professional Center
Historic Tree Removal Variance
Resolution 2014-102
SILVER OAK AVE
PRIVATE DR
TARASON BLVD
Subject Property
US HWY 27/441
BICHARA BLVD
LAGRANDE BLVD
LAGRANDE BLVD
BICHARA BLVD
0 85 170 340 510
Feet


Plaza Professional Center
Historic Tree Removal Variance
Resolution 2014-102
SILVER OAK AVE
PRIVATE DR
TARRSON BLVD
Subject Property
N US HWY 27/441
BICHARA BLVD
LAGRANDE BLVD
LAGRANDE BLVD
BICHARA BLVD
N
0 85 170 340 510
Feet

1


Plaza Professional Center
Historic Tree Removal Variance
Resolution 2014-102
Subject Property
SILVER OAK AVE
PRIVATE DR
TARRSON BLVD
N US HWY 27/441
BICHARA BLVD
LAGRANDE BLVD
LAGRANDE BLVD
BICHARA BLVD
N
0
85
170
340
510
Feet

38" Tree Location
LAGRANDE BLVD
TARRSON BLVD
N US HWY 27/441
N US HWY 27/441

RECEIVED
FEB - 3 2014
GROWTH MANAGEMENT DEPT.
TOWN LADY LAKE

TOWN OF LADY LAKE
HISTORIC TREE VARIANCE APPLICATION

3808678

Tax Identification # C20=069

1. Owner's name: Brian Warwick, Janet Warwick, Ellen Robards

   Mailing Address: 20 La Plaza Grande Blvd., The Villages, Fl.

   Telephone/Email: 352-753-8600

2. Applicant's Name: Fran Dann-Akin

   Mailing Address: Foxfire Realty 127 Hwy 27/441, Lady Lake, Fl. 32159

   Telephone/Email: 352-266-7795 Fran@VillagesCommercialProperties.Com

3. Contact Person for Posting: Fran Dann-Akin

   Mailing Address: Foxfire Realty 127 Hwy Hwy 27/441, Lady Lake, Fl. 32159

   Telephone/Email: 352-266-7795 Fran@VillageCommercialProperties.com

4. Applicant is: Owner: __ Agent ✓ Purchaser __ Lessee __ Optionee __

5. Property Address/Location: 00 La Plaza Grande Blvd, The Villages 32159

6. Legal Description: See Attached.

7. The variance requested is as follows: Removal of trees as indicated in tree survey.

8. The variance is necessary for the following reasons: Insureability and saftey of perspective building.

9. Is your situation due to unique circumstances not created by you or your predecessor in title? Explain such circumstances: Yes. Tree was in existance prior to development of Burnsed Office Park. This is the last remaining parcel to be built on, which is why this tree has not previously been removed, dispite the maturity of the tree over the last 27 years. This tree was not contemplated in the odigional site plan. Therefore owner should not be unfairly burdened with the costs and risks occasioned by this tree.

10. Do special conditions and circumstances exist which are peculiar to your land or structure and which are not applicable to other lands or structures in the same district? Explain such conditions or circumstances: Yes

The tree in question would hang directly over any structure to be built. Initial surveys have indicated tree would be a risk.

11. Would literal interpretation of the provisions of the Code deprive you of rights commonly enjoyed by other property owners in the same district? Explain such rights: Yes.

It would prevent the land owners from building on property as origionally contemplated by the site development plan of 3-17-86.

12. A variance, as requested, will not permit, establish or enlarge any use or structure that is not permitted in the district. Does your request meet this criterion?

Yes

13. Have any land use applications been filed within the last year in connection with this property? ____Yes X No. If yes, briefly describe the nature of the request:

This application must be accompanied by proof of ownership and authorization from the owner if represented by an agent or contract purchaser. It must also include a drawing showing the exact locations and dimensions of all existing and proposed buildings and additions, required setbacks, existing easements and clearly delineate the specific variance requested.

I certify that the statements in this application are true to the best of my knowledge. Fran Dann-Akin Fran Dann-Akin

Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FORTY-TWO (42) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:

Date Application Received: 02-3-2014 Received by: WThen

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Brian Warwick, who being by me first duly sworn on oath, deposes and says:

(1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for: Tree Variance

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 28th day of January, 2014, by Brian Warwick who is personally known to me or who has produced Personally Known as identification and who did (did not) take an oath.

Notary Public

MARY ARNST
MY COMMISSION # EE 158119
EXPIRES: February 7, 2016
Bonded Thru Notary Public Underwriters

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Brian Warwick, Janet R. Varnell and Ellen Robards, who being by me first duly sworn on oath, deposes and says:

(1) That he is the fee-simple owner of the property legally described on page one of this application.

(2) That he desires approval for: Historic Tree Removal Variance.

(3) That he has appointed Fran Dann-Akin to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

Affiant (Brian Warwick)

Affiant (Janet R. Varnell)

Affiant (Ellen Robards)

The foregoing instrument was acknowledged before me this 30th day of January 2014, by Brian Warwick, Janet Warwick and Ellen Robards who is personally known to me ~~or who has produced~~ _____ ~~as identification~~ and who did (did not) take an oath.

Notary Public

MARY ARNST
MY COMMISSION # EE 158119
EXPIRES: February 7, 2016
Bonded Thru Notary Public Underwriters

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

CFN 2004142683
Bk 02684 Pgs 0022 - 23; (3pgs)
DATE: 10/26/2004 09:34:59 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 27.00
DEED DOC 1,505.00

This Document Prepared By and Return to:
Robert Q. Williams
Williams, Smith & Summers, P.A.
380 West Alfred Street
Tavares, FL 32778

Parcel ID Number: 07-18-24-0001-000-02300

Warranty Deed

This Indenture, Made this 21st day of October, 2004 A.D., **Between** Kenneth F. Cohrn, D.D.S.

of the County of Lake, State of Florida, **grantor,** and Brian W. Warwick and Janet R. Varnell, husband and wife, as to an undivided one-half (1/2) interest, and Ellen R. Robards, a single woman, as to an undivided one-half (1/2) interest, with the two one-half (1/2) interests being held as joint tenants with right of survivorship

whose address is: 20 La Grande Boulevard, The Villages, FL 32159

of the County of Lake, State of Florida, **grantees.**

Witnesseth that the GRANTOR, for and in consideration of the sum of ----------TEN DOLLARS ($10)---------- DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Lake State of Florida to wit:

See Exhibit "A" attached hereto.

Neither grantor nor anyone dependent upon grantor resides upon the subject real property, which does not constitute the homestead of grantor within the meaning of the laws and constitution of the State of Florida.

Transferred herewith to Grantee is the right to construct improvements on the property in the amount not previously used in the construction of a building transferred to Ross M. Valdez, as Trustee of the Ross M. Valdez Family Trust under trust dated February 18, 1998, hereafter "Valdez" and recorded in O.R. Book 2062, Page 0158, Public Records of Lake County, Florida. These building rights were originally acquired by Grantor's Predecessor in title in the deed recorded in O.R. Book 1076, Page 632, Public Records of Lake County, Florida. the deed gave the Grantor therein the right to construct 7826 square feet in accordance with the Declaration of Restrictions recorded in O.R. Book 923, Page 858, Public Records of Lake County, Florida. Those rights were transferred to Grantor herein by Mesne conveyances. The building transferred to "Valdez" contained

(Continued on Attached)

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: Robert Q. Williams
Witness

Kenneth F. Cohrn, D.D.S. (Seal)
P.O. Address: 422 Teague Trail, Lady Lake, FL 32159

Parcel ID Number: 07-18-24-0001-000-02300

approximately 3542 square feet, leaving the right to construct approximately 4284 square feet, which right is hereby transferred to Grantee, without warranty of any kind, including, without limitation, any warranty as to the exact number of square feet being transferred.

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of the original document.

EXHIBIT A

PARCEL "1":
COMMENCE AT THE MOST SOUTHERLY CORNER OF LOT 457 OF ORANGE BLOSSOM GARDENS, UNIT 4, AS RECORDED IN PLAT BOOK 26, PAGE 55, IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN THENCE S.41 21'30"E. 75.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING CONTINUE S.41 21'30"E. 38.32 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 11,059.20 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00 56'38" AN ARC LENGTH OF 182.19 FEET; THENCE S.47 41'53"W. 300.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27/441, SAID POINT BEING ON A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 11,359.20 FEET AND A RADIAL BEARING OF S.47 41'53"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHEASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00 56'38" AN ARC LENGTH 187.13 FEET TO THE END OF SAID CURVE; THENCE N.41 21'30"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 232.65 FEET; THENCE LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE RUN N.48 38'30"E. 36.02 FEET; THENCE S.41 21'30"E. 60.00 FEET; THENCE N.48 38'30"E. 208.93 FEET; THENCE N.41 21'30"W. 60.02 FEET; THENCE N.48 38'30"E. 20.12 FEET; THENCE S.41 21'30"E. 119.33 FEET; THENCE S.48 38'30"W. 30.00 FEET; THENCE S.41 21'30"E. 75.00 FEET; THENCE N.48 38'30"E. 65.00 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT PARCEL "2" DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED IN THAT PART OF GOVERNMENT LOT 3, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LYING NORTHEAST OF U.S. HIGHWAY NO. 27/441 (200 FEET WIDE), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 457, ORANGE BLOSSOM GARDENS, UNIT NO. 4, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 26, PAGES 55 AND 56, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN S.48 38'30"W. ALONG A PROJECTION OF THE SOUTHEASTERLY BOUNDARY LINE OF SAID LOT 457 A DISTANCE OF 199.00 FEET; THENCE S.41 21'34"E. 17.32 FEET TO THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, CONTINUE S.41 21'34"E. 70.50 FEET; THENCE S.48 38'26"W. 50.84 FEET; THENCE N.41 21'34"W. 70.50 FEET; THENCE N.48 38'26"E. 50.84 FEET TO THE POINT OF BEGINNING;
ALSO LESS PARCEL "3" DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATE IN THAT PART OF GOVERNMENT LOT 3, SECTION 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LYING NORTHEAST OF U.S. HIGHWAY NO. 441/27 (200 FEET WIDE), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 457, ORANGE BLOSSOM GARDENS, UNIT NO. 4, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 26, PAGES 55 AND 56, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S.48 38'30"W. ALONG A PROJECTION OF THE SOUTHEASTERLY BOUNDARY LINE OF SAID LOT 457, A DISTANCE OF 199.00 FEET; THENCE S.41 21'34"E., 87.82 FEET TO THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, CONTINUE S.41 21'34"E., 86.50 FEET; THENCE S.48 38'26"W., 50.84 FEET; THENCE N.41 21'34"W., 86.50 FEET; THENCE N.48 38'26"E., 50.84 FEET TO THE POINT OF BEGINNING.

Property Record Card

General Information

Alternate Key:	3808678	**Parcel:**	07-18-24-000100002300
Owner Name:	WARWICK BRIAN W ET AL	**Millage:**	00LL (Lady Lake) : 17.6629
Owner Address:	20 LA GRANDE BLVD LADY LAKE, FL 32159	**Property Location:**	LADY LAKE FL 32159
Legal Description:	FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 PB 26| PG 55, RUN S 41-21-30 E 75 FT FOR POB, CONT S 41-21-30 E | 38.32 FT TO THE BEGINNING OF A CURVE CONCAVE NE'Y & HAVING A| RADIUS OF 11059.20 FT, THENCE SE'LY ALONG THE ARC OF SAID | CURVE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC LENGTH OF | 182.19 FT, THENCE S 47-41-53 W 300 FT TO A POINT ON NE'LY | R/W LINE OF US HWY 441, SAID POINT BEING ON A CURVE CONCAVED| NE'LY & HAVING A RADIUS OF 11359.20 FT & A RADIAL BEARING OF| S 47D-41-53 W, THENCE NW'LY ALONG THE ARC OF SAID CURVE & | SAID NE'LY R/W LINE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC | LENGTH OF 187.13 FT TO THE END OF SAID CURVE, THENCE N | 41-21-30 W ALONG SAID NE'LY R/W LINE 232.65 FT, N 48-38-30 E| 36.02 FT, S 41-21-30 E 60 FT, N 48-38-30 E 208.93 FT, N | 41-21-30 W 60.02 FT, N 48-38-30 E 20.12 FT, S 41-21-30 E | 119.33 FT, S 48-38-30 W 30 FT, S 41-21-30 E 75 FT, N | 48-38-30 E 65 FT TO POB--LESS FROM S'LY COR OF LOT 457 | ORANGE BLOSSOM GARDENS UNIT 4 RUN S 48-30-30 W 199 FT, S | 41-21-34 E 17.32 FT FOR POB, CONT S 41-21-34 E 157 FT, S | 48-38-26 W 50.84 FT, N 41-21-34 W 157 FT, N 48-38-26 E 50.84| FT TO POB-- | ORB 2684 PG 22 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	VACANT COMMERCIAL (1000)	0	0		4284	SF	$0.00	$155,081.00
2	VACANT COMMERCIAL (1000)	0	0		89203.09	SF	$0.00	$9.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
2062 / 175	1/18/2002	WD	Q	V	$126,000.00
2684 / 22	10/21/2004	WD	Q	V	$215,000.00
3715 / 549	8/2/2008	QC	M	V	$100.00

Value

Total Just Value:		$155,090.00
Assessed Value:	=	$155,090.00
Total Exempt Value:	-	$0.00
Total Taxable Value:	=	$155,090.00
Millage Rate: ?	x	0.0176629
Base Ad-Valorem Tax:	=	$2,739.35
Non-Exempt School Levies:	+	$0.00
Estimated Ad-Valorem Tax:	=	$2,739.35

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

Truth In Millage (TRIM) Notice

- Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments

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HISTORIC TREE VARIANCE APPLICATION

Parcel No. 3808678 – Owner Brian W. Warwick, et al.

The real property in question is located within the La Plaza Grande Professional Center. The parcel includes the entire subdivision and all of its common areas excepting the existing buildings. However, there is only one buildable footprint permitted which allows for a 4300 square foot building and it will be the last remaining office space to be developed. There are more than 30 old growth large Oak trees situated on this heavily wooded parcel which is nearly covered in canopy. In fact, the owners have been paying maintenance costs to the owner's association for several decades based upon a future building size of 4300 square feet. The owners are requesting a Historic Tree Variance to remove one single 38" DBH live oak tree that lies directly within the building pad of the approved office space.

A Historic Tree Variance is required for this property for three primary reasons: (1) the location of the tree would prevent or substantially reduce the buildable space to such an extent that the value of the property would be substantially diminished; (2) even if a substantially smaller building were constructed, it could not be insured due to the overhanging branches of the tree in question; and (3) safety concerns would continue for the building as a result of damages caused to the tree during construction and damage caused by extensive pruning that would be required in order to obtain insurance.

The La Plaza Grande Professional Center subdivision was created and given approval in 1987, nearly 30 years ago. It is so highly populated with historic trees that it bears more resemblance to a natural tree stand than a commercial professional office subdivision. Removal of this tree will have very little impact on the subdivision because there are more large historical trees in the tiny subdivision than any other professional office subdivision in The Villages. In fact, the existing trees will actually benefit from the increased available sunlight occasioned by the removal of the subject tree, as recognized by the Arborist in his Tree Report.

The current canopy of the trees in the subdivision already covers the vast majority of the parking lot and common areas. The subject tree may even be considered a "hazardous tree" because it presents a danger of falling due to excessive lean. The existing canopy is so dense that the tree in question has grown outward and over the top of the established building location in order to reach available sunlight. The proximity of the tree and its root structure to the existing footprint will cause substantial harm to the tree. Digging the footings for the foundation and pouring the new slab over the root structure will damage existing roots and make the tree unstable and dangerous. The hazard created by the excessive lean of the tree and the size of the root structure cannot be remedied or controlled without requiring the landowner to, essentially, give up their right to build on the long-approved footprint entirely.

The reason that the lean of the tree and the root structure result in such a substantial burden on the property owners is two-fold. First, the lean of the tree will endanger any future building structure such that it is rendered virtually uninsurable. Even if the tree is trimmed to the extent required by insurers, such trimming will likely kill the tree. Second, the root structure of the tree in question is located well within the approved building footprint and it will undoubtedly suffer substantial damage during construction even if the building were built around the tree. The current owners paid fair market value for an approved commercial building pad that would accommodate a 4300 square foot commercial building. A building of this size and location has been approved for nearly 30 years. It would be fundamentally unfair and too severe a penalty, if not an unconstitutional taking, for the Town to prohibit the removal of this tree under these circumstances.

The Other Factors to be considered weigh in favor of granting the variance:

1. **Diminution in Value of Surrounding properties.** As stated above, the existing trees already within the subdivision have created an extensive canopy which shades the entire parking lot and the majority of common areas. Removing the tree in question will actually allow the existing trees more sunlight and water so that they will continue to flourish. Building the final building and completing the subdivision will be beneficial for all owners within the subdivision. Thus, there will be no diminution in value to the surrounding properties of the tree in question is removed.

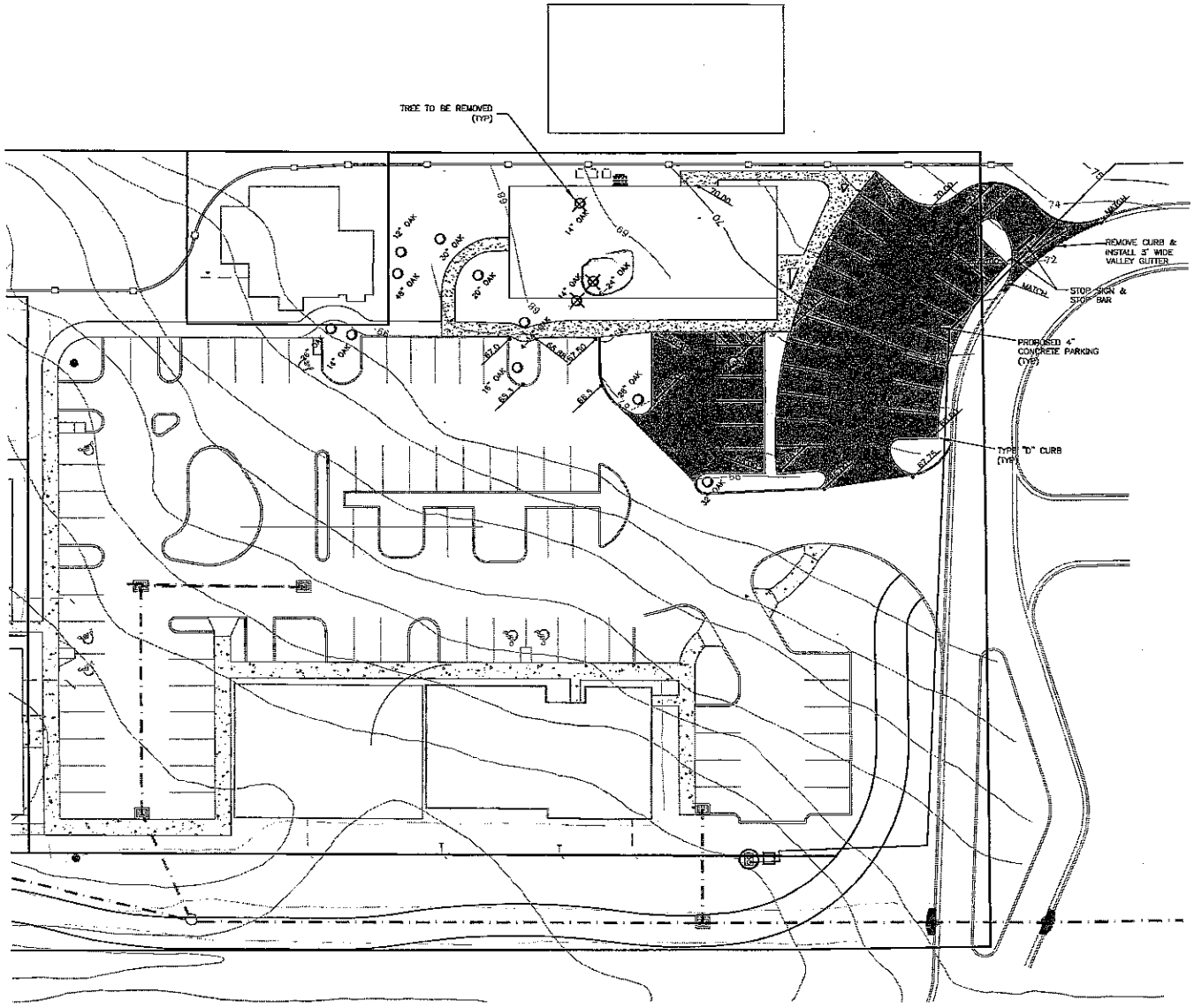
2. **Permit would be a benefit to the public interest.** The Town of Lady Lake approved a building site within the La Plaza Grande Professional Center nearly 30 years ago. The completion of the building on this location will bring additional revenue and business to the city and will allow the other residents of the professional center to finalize their subdivision. Accordingly, the granting of this permit would be beneficial to the public interest.

3. **Denial would result in unnecessary hardship to the owner.** As explained above, the owner paid fair market value for a building pad that was designed to hold a 4300 sq./ft commercial office building. Failure to grant the permit would result in the owners having to build a substantially smaller building and/or to build around the tree which would severely increase the costs. Finally, the insurance issues surrounding an overhanding tree whose roots have been damaged by construction of the building would be excessive and an unnecessary hardship on the owner.

4. **Use must not be contrary to the spirit of the code.** The variance application was designed specifically for situations like this where the costs associated with leaving the tree are so great that it makes more sense to remove the subject tree. Therefore, this application is consistent with the spirit of the code rather than contrary to it.

5. **Financial damages are not the only reason for the permit.** The dangers associated with the overhanging limbs and the damages caused to the root system from the construction process show that financial damages are not the only reason for the requested variance.

6. **Physical hardships may be considered.** This Variance request does not involve any physical disabilities of the applicant.



NOTES:

1. THE INFRASTUTURE FOR THIS PROJECT WAS APPROVED AS THE "BURNSED OFFICE PARK" SITE PLAN DATED 3-17-86.

2. ALL UTILITIES SHOWN ARE EXISTING.

PARKING DATA

EXISTING

BUILDING	BUILDING AREA	# PARKING SPACES REQUIRED
BUILDING A	2,000 sf	10
BUILDING B	2,482 sf	12
BUILDING C	3,500 sf	19
BUILDING D	3,843 sf	17.5
ALLERGY CENTER	3,650 sf	19

PROPOSED

BUILDING	BUILDING AREA	# PARKING SPACES REQUIRED
THIS PROJECT	4,300 sf	21.5

TOTAL PARKING REQUIRED	99

PARKING PROVIDED

EXISTING PARKING	74
PROPOSED PARKING (PREVIOUSLY APPROVED)	25
TOTAL PARKING PROVIDED	99

THESE DOCUMENTS AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF ABSHIER ENGINEERING, INC. AND NO PART THEREOF MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

DATE	REVISIONS	BY

ABSHIER ENGINEERING, INC.
5614 SE 111TH STREET, BELLEVIEW, FLORIDA
CA# 9930
P.O. BOX 2770
BELLEVIEW, FL 34421-2770
PHONE: (352) 245-6592
FAX: (352) 245-859

WARWICK SITE PLAN

LADY L... FLORIDA

DATE 2/20/07
DRAWN BY R.E.A.
CHKD BY R.E.A.

ENGINEER: EDWARD ABSHIER JR., P.E. #39961
DATE: January 23, 2014

SHT. 1 OF 2

Bryan Stanage
FL-5502AU

Tree #3

TREE STRUCTURE EVALUATION

Property Owner & Address Tree evaluation for Foxfire Realty

Date

Location in Landsca 'Largest Tree Inspection Goal Determine health

Arborist(s) Bryan Stanage Type of Inspection type 2

Tree Species Quercus Virginiana Estimated Age of Tree 100

Targets (List) Parking Lot Within Canopy ✓ Within1X 1.5X Ht Rating

Site Use Intensity Exposed Site Lone Tree Edge Tree Recently Thinned Stand

Notes

Species Live Oak DBH 38" Height 60ft Architecture

Crown Small Med Large ✓ for trunk size Dead Branches % Max. Size

Hanger(s) Max Size Dense Branch Ends Abrupt Bend Prev. Topped Prev. Failure

Weakly Attached Sprouts Notes Tree is healthy

Scaffold Limbs Weakly Attached Included Bark Cracks Seams Sweet Decay

Cavity Size Prev. Failure Lightning Inj Notes low crotched tree

Stem Lean %- Co-Dominant Stems # 6 Ht of crotch 4ft Stem Diams Incl. Bark Poor Taper

Decay Cavity Opening Size Conk Dead Bark Seam Crack Sweep Lightning Inj

Notes

Root Flare Exposed Buried ✓ Fill Depth Mulch Depth Soil Heaving Missing Roots Root Decay Conks

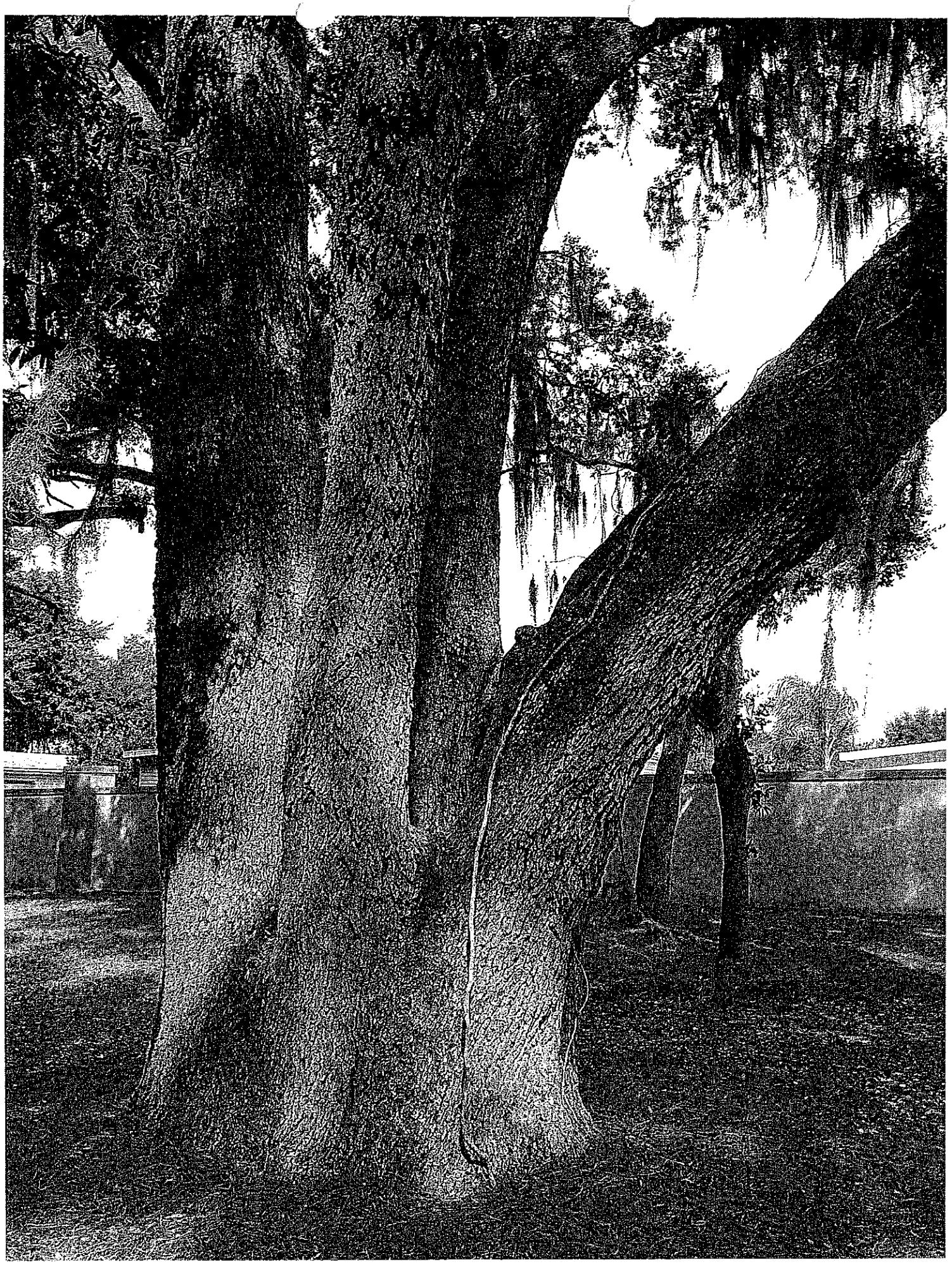
Notes

Root Zone Cut within 3X DBH Prev. Failures Shallow Soil Wet Soil Soil Cracks Grade Changes

Root Cut Distance From Stem Notes

Decay Quantification: Diam Bark Thickness

Describe Condition/Concern: Large canopy tree, no sign of disease. Buyer is looking to remove tree and replace with canopy trees.



Fran Dann

From: Bryan Stanage <bryan@stanagetreeservice.com>
Sent: Monday, January 27, 2014 4:19 PM
To: Fran@FranDann.com
Subject: Tree Evaluation for parcel # C20=069

Property owners are looking to build a professional building on this site, and there are 4 Live Oak Trees in the area where they look to build. Two of the smaller trees have been topped and have poor structure, one of the trees is a very large Live Oak Tree that has 6 low attached stems, and the last tree is located two feet away from sidewalk and surface roots will eventually be an issue. Customers are willing to mitigate this area, with small canopy trees. If these trees where saved, I don't think they would survive the construction damage, a sign of this damage can take up to 10 years to show up. There are many Large Live Oak Trees on the surrounding properties, their canopies will react to the new sunlight and fill the voids after these trees are removed. My professional opinion is that it wouldn't be wise to tree to preserve these trees, it would be better to remove all 4 trees, and replace with new canopy trees.

Thank You,
Bryan Stanage
Stanage Tree Service
(352) 636-3527

Check us out at:
www.StanageTreeService.com

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

352-751-1500 FAX 352-751-1510 www.ladylake.org

February 24, 2014

RE: Variance Resolution 2014-102

Dear Property Owner:

This is to notify you that an application has been filed requesting a variance in accordance with the provisions of Chapter 10, Section 4(f) entitled Site Development and Tree Removal of the Lady Lake Land Development Regulations which states a resolution granting a variance must be authorized by the Planning and Zoning Board and then Town Commission for the removal of a historic tree.

Applicant, Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, proposes the removal of a 38" Historic Live Oak Tree to accommodate the construction of a new office building on the last remaining parcel at the La Plaza Grande Professional Center Site. The applicant states that due to the fact that the historic tree lies directly within the building pad, it's required to be removed. Additionally, the applicant indicated that the tree exhibits excessive lean which would endanger any future building erected and the root structure of the tree will suffer substantial damage during and after construction if the tree were to remain.

The general location of the property is 302 La Grande Blvd., within the La Plaza Grande Professional Center (Alternate Key 3808678) within the town limits of the Town of Lady Lake, Florida.

Public hearing dates on the petitions are scheduled for the following dates:

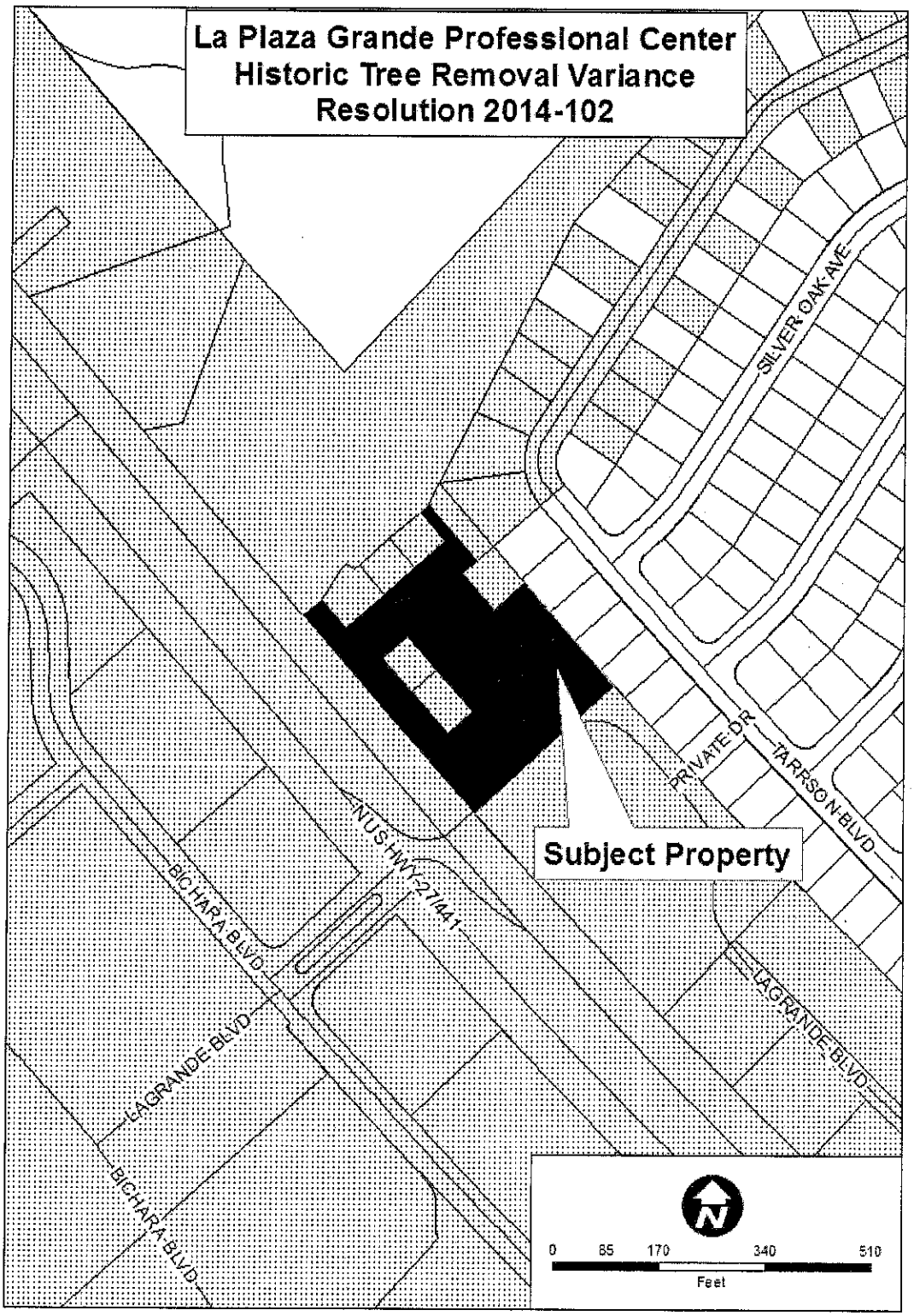
PLANNING AND ZONING BOARD- Monday, March 10, 2014 at 6:00 p.m.
COMMISSION MEETING- Monday, March 17, 2014 at 6:00 p.m.

You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

All persons wishing to cross-examine any party at the public hearings are required to file a Notice to Appear with the Town Clerk at least five (5) days prior to said public hearing in order to be heard at the time and place aforesaid. However, if a person only wishes to speak or testify, and not cross-examine a party, the Notice of Appearance form does not need to be filled out. Any person wishing to appeal a decision of this public body should ensure himself that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call Town Planner Wendy Then at (352) 751-1582 or via email at **WThen@ladylake.org**.

Sincerely,

Growth Management Dept.
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159


La Plaza Grande Professional Center
Historic Tree Removal Variance
Resolution 2014-102
SILVER OAK AVE
PRIVATE DR
TARRSON BLVD
Subject Property
US HWY 27/441
BICHARA BLVD
LAGRANDE BLVD
LAGRANDE BLVD
BICHARA BLVD
N
0 85 170 340 510
Feet

AltKey	OwnerName		OwnerAddre	OwnerCity	nerSt	OwnerZip
1484014	WYMAN IRA O & MARY LOU		412 MAPLE TER	EAST BRADY	PA	16028
1484022	WINHOLD PATRICIA A		928 TARRSON BLVD	LADY LAKE	FL	32159
1484031	ROWNTREE DAVID A & LUCIA T		129 BROADLEAF CRESENT	ANCASTER		
1484049	TUCKER EARCILE ROBERT		2021 SW 1ST AVE	OCALA	FL	34471
1535956	RITTER IRENE D ESTATE	C/O KATHLEEN MADIGAN	365 WEST 1ST ST	ELMIRA	NY	14901
2695994	TALIAFERRO MARION R TRUSTEE		932 TARRSON BLVD	LADY LAKE	FL	32159
2701170	RAFTER RUTH E		934 TARRSON BLVD	LADY LAKE	FL	32159
2795450	R & F PROPERTIES OF LAKE COUNTY INC		849 HAWK LNDG	FRUITLAND PAR	FL	34731
2809213	ANDERSON INA		938 TARRSON BLVD	LADY LAKE	FL	32159
2888814	BURBANK LINDSEY D JR & JUDY C		307 LA GRANDE BLVD	LADY LAKE	FL	32159
2888873						
2889098	E T ENTERPRISES OF LADY LAKE LLC		PO BOX 1804	LADY LAKE	FL	32158
2897872	TUCKER MYRA	C/O IFS OF CENTRAL FLORIDA	304 LA PLAZA GRANDE	LADY LAKE	FL	32159
3304241	GTMJ INVESTMENT GROUP LLC		1020 LAKE SUMTER LNDG	THE VILLAGES	FL	32162
3304390	VALDEZ ROSS M TRUSTEE		300 LAKE ELLA RD	FRUITLAND PAR	FL	34731
3465091						
2761075	LENNOX WILLIAM M & SHIRLEY ANN		936 TARRSON BLVD	LADY LAKE	FL	32159
3748557	VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT		3201 WEDGEWOOD LN	THE VILLAGES	FL	32162

VARIANCE COMMENTS AND RECOMMENDATIONS

Meeting of February 18, 2014

TO:	**Technical Review Committee**
FROM:	**Wendy Then, Town Planner**
SUBJECT:	**La Plaza Grande Professional Center Resolution No. 2014-102 – Historic Tree Removal Variance**
APPLICANT:	**Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards**
DATE:	**February 11, 2014**

SUMMARY:

Applicant, Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, has submitted an application for a variance in accordance with Chapter 10, Section 10-4).f). of the Land Development Regulations (LDRs) which states that on all properties, the removal of historic trees shall require a variance from the Planning and Zoning Board and then Town Commission.

The applicant proposes the removal of a 38" Historic Live Oak Tree to accommodate the construction of up to 4,300-square-foot of new office building space on the last remaining parcel at the La Plaza Grande Professional Center Site. The applicant states that due to the fact that the historic tree lies directly within the building pad, it's required to be removed. Additionally, the applicant indicated that the tree exhibits excessive lean which would endanger any future building erected and the root structure of the tree will suffer substantial damage during and after construction if the tree were to remain (Please see Justification Statement attached).

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:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The subject property lies in Section 07 Township 18 Range 24, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Planned Commercial (CP). The subject property is located at 302 La Grande Blvd. within the La Plaza Grande Professional Center (Alternate Key 3808678); within the town limits of the Town of Lady Lake, Florida. The application is complete and ready to be transmitted to the Planning & Zoning Board for their recommendation.

Notices to inform the surrounding property owners (16) within 150' of the subject property of the proposed variance will be mailed by certified mail return receipt on Monday, February 24, 2014. The property will also be posted on Monday, February 24, 2014.

Note:

Upon approval of this variance resolution, the applicant will continue the with Site Plan application process for approval of the improvements proposed at the remaining vacant lot.

Public Hearings:

The Planning and Zoning Board will review the application for Resolution 2014-102 at its regular meeting on Monday, March 10, 2014 at 6:00 p.m.

The Town Commission will review the application for Resolution 2014-102 for final consideration at its regular meeting on Monday, March 17, 2014 at 6:00 p.m.

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: March 10, 2014

SUBJECT: **Resolution 2014-102 – La Plaza Grande Professional Center– Variance Request to Authorize the removal of One (1) 38" Historic Tree to Accommodate the construction of a new office building on the last remaining parcel at the Site –302 La Grande Blvd. (Alternate Key #3808678).**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

1. **Motion to forward Resolution 2014-102 to the Town Commission with the Recommendation of Approval.**

2. **Motion to forward Resolution 2014-102 to the Town Commission with the Recommendation of Denial.**

   Staff is in support of Motion Number 1.

SUMMARY

Applicant, Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, has submitted an application for a variance in accordance with Chapter 10, Section 10-4).f). of the Land Development Regulations (LDRs) which states that on all properties, the removal of historic trees shall require a variance from the Planning and Zoning Board and then Town Commission.

The applicant proposes the removal of a 38" Historic Live Oak Tree to accommodate the construction of up to 4,300-square-foot of new office building space on the last remaining parcel at the La Plaza Grande Professional Center Site. The applicant states that due to the fact that the historic tree lies directly within the building pad, it's required to be removed. Additionally, the applicant indicated that the tree exhibits excessive lean which would endanger any future building erected and the root structure of the tree will suffer substantial damage during and after construction if the tree were to remain (Please see Justification Statement attached).

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:

1. No diminution in value of surrounding properties would be suffered.

2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The subject property lies in Section 07 Township 18 South Range 24 East, Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Planned Commercial (CP). The subject property is located at 302 La Grande Blvd. within the La Plaza Grande Professional Center (Alternate Key 3808678); within the town limits of the Town of Lady Lake, Florida. The application is complete and ready for review by the Planning & Zoning Board for their recommendation. Resolution 2014-102 was reviewed by Town Attorney, Derek Schroth, on Tuesday, February 25, 2014, and determined correct in form.

Notices to inform the surrounding property owners (16) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014.

Note:

Upon approval of this variance resolution, the applicant will continue the with Site Plan application process for approval of the improvements proposed at the remaining vacant lot. All landscaping buffer requirements and planting would have to be satisfied during this process.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-102 at its regular meeting on Tuesday, February 18, 2014, recommending approval with a 3-0 vote.

Public Hearings:

The Town Commission will review the application for Resolution 2014-102 for final consideration at its regular meeting on Monday, March 17, 2014 at 6:00 p.m.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[X] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

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3-4-14 DEPARTMENT HEAD Submitted 3/4/14 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for: 3/10/14 Date 3/4/14

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved
MONTELEONE/BIGWOOD 3-1 (MCKENZIE)

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: THAD - G.M.

Upon a motion by Member Monteleone and a second by Member McKenzie, the Planning and Zoning Board elected to retain Mr. Sigurdson as Vice Chairperson of the Planning and Zoning Board by a vote of 4-0.

3. <u>Resolution No. 2014-102</u> – Plaza Professional Park – Variance Request to Authorize the Removal of a 38" Historic Live Oak Tree to Accommodate a New Office Building on the Last Remaining Parcel at the La Plaza Grande Professional Center – Located at 302 La Grande Blvd. (Wendy Then)

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Town Clerk's office). She stated that the applicant, Fran Dann-Akin, on behalf of property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, has submitted an application for a variance in accordance with Chapter 10, Section 10-4).f) of the Land Development Regulations (LDRs) which states that on all properties, the removal of historic trees shall require a variance from the Planning and Zoning Board and the Town Commission. She stated the parcel is approximately 2.21 acres located at 302 La Grande Blvd (Alternate Key #3808678)). Ms. Then noted that the application was originally referenced to be in La Plaza Grande Professional Center; however, it is in the Plaza Professional Center, which is just north of the La Plaza Grande Professional Center.

Ms. Then stated the applicant proposes the removal of a 38" historic Live Oak tree to accommodate the construction of up to 4,300 sq. ft. of new office building space on the last remaining parcel at the Plaza Professional Center. The applicant states that due to the fact that the historic tree lies directly within the building pad, it is required to be removed. Additionally, the applicant indicated that the tree exhibits excessive lean, which would endanger any future building erected, and the root structure of the tree will suffer substantial damage during and after construction if the tree were to remain. Ms. Then reviewed the drawings of the subject parcel location and an aerial view of the parcel, and then read the applicant's three primary reasons for the variance in the Justification Statement as follows:

1) The location of the tree would prevent or substantially reduce the buildable space to such an extent that the value of the property would be substantially diminished; and
2) even if a substantially smaller building was constructed, it could not be insured due to the overhanging branches of the tree in questions; and
3) safety concerns would continue for the building as a result of damages caused to the tree during construction and damage caused by extensive pruning that would be required in order to obtain insurance.

Ms. Then noted that the justification statement also includes that the current owners paid fair market value for an approved commercial building pad that would accommodate a 4,300 sq. ft. commercial building, and it has been approved for nearly 30 years.

Photos of the property location, postings and the 38" historic tree were shown. A conceptual site plan showing the proposed location of the commercial building pad, and where the historic tree is currently located, was shown.

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:

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

March 10, 2014
6:00 p.m.

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida.

CALL TO ORDER: John Gauder, Chairperson

PLEDGE OF ALLEGIANCE: John Gauder, Chairperson

ROLL CALL: Alfred Monteleone, Member
Mike McKenzie, Member
William Sigurdson, Vice Chairperson/Member
John Gauder, Chairperson

ABSENT: Julius Chirieleison, Member

STAFF MEMBERS PRESENT: Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

Also Present: Attorney Todd Mazenko, BRS Legal; Mayor Ruth Kussard

OPEN FORUM:

Chairperson Gauder asked if anyone in the audience had any comments or questions. There were no comments or questions.

NEW BUSINESS:

1. Approval of Minutes: February 10, 2013 Planning and Zoning Board Meeting

Chairperson/Member John Gauder asked if anyone had any corrections or deletions to the February 10, 2014 Planning and Zoning Board meeting minutes.

Upon a motion by Member Monteleone and a second by Member Sigurdson, the Planning and Zoning Board approved the Minutes of the Planning and Zoning Board Meeting of February 10, 2014 as presented by a vote of 4-0.

2. Selection of a Chairperson and a Vice Chairperson

Chairperson/Member Gauder asked for nominations to select and vote on a Chairperson and Vice Chairperson for the Planning and Zoning Board for the coming year.

Upon a motion by Member McKenzie and a second by Member Sigurdson, the Planning and Zoning Board elected to retain Mr. Gauder as Chairperson of the Planning and Zoning Board by a vote of 4-0.

DRAFT

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The subject property lies in Section 07, Township 18, Range 24, in Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Planned Commercial (CP). The subject property is located at 302 La Grande Blvd., within the Plaza Professional Park (Alternate Key 3808678); within the town limits of the Town of Lady Lake, Florida. The application is complete and ready to be transmitted to the Planning and Zoning Board for their recommendation. Resolution No. 2014-102 was reviewed by Town Attorney Derek Schroth on Tuesday, February 25, 2014, and was determined to be correct in form.

Ms. Then reported that notices to inform the surrounding property owners (16) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014. She stated that 13 out of the 16 return receipts have been received, and staff has received one general inquiry, and one communication in writing in opposition of this variance.

Ms. Then stated the Technical Review Committee voted 3-0 to transmit Resolution No. 2014-102 to the Planning and Zoning Board for their recommendation at the February 18, 2014 meeting. The Town Commission will review the application for Resolution No. 2014-102 at their regular meeting on Monday, March 17, 2014 at 6 p.m.

Upon approval of this variance resolution, the applicant will continue with the Site Plan application process for approval of the improvements proposed at the remaining vacant lot. All landscaping buffer requirements and plantings would have to be satisfied during this process.

Ms. Then noted that should the Town Commission approve the applicant's request for tree removal, the applicant shall pay $3,600.00 for each 36" diameter at breast height (DBH) tree, plus $100.00 per additional inch over the 36" DBH tree, for a total of $3,800.00 to the Town Tree Bank within 30 days after the approval. This mitigation fee is to offset the loss of each historic tree.

Ms. Then stated that the applicant is present to answer any questions.

Vice Chair Sigurdson confirmed the location of the tree to be removed and it was noted that there are also a couple of other small trees that will be removed that do not meet the historic tree removal requirements for removal.

Brian Warwick introduced himself as the applicant and stated he would be happy to answer any questions. He stated there are four other much smaller trees to be removed in order to put up the building.

Vice Chair Sigurdson asked how long until construction would commence.

Mr. Warwick replied that after receiving approval from the Town, they will have to go before The Villages Architectural Review Committee, and he stated it depends on the timing of that, but they should commence soon afterward.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter, and as there were no comments, asked for a motion.

Member Monteleone made a motion for approval, and Member McKenzie seconded, and then they both voted against it. It was noted that this was inconsistent, and Mr. Monteleone stated he had another question. He commented that it was a shame this tree had to be removed, but he understood the reasoning behind it. He asked if replacement trees will be planted in its place.

Mr. Warwick stated that there are over 50 other remaining oak trees on the two acres of land and additional landscaping and plantings will be done after the building is completed.

Attorney Todd Mazenko asked for a new motion.

Upon a motion by Member Monteleone, and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2014-102 to the Town Commission for consideration of approval by a vote of 3-1 (McKenzie).

Vice Chair Sigurdson asked Ms. Then if the Town's Tree and Beautification Advisory Committee would have any input on this resolution for the tree removal.

Ms. Then replied that this particular variance for historic tree removal is not required to go before the Tree and Beautification Advisory Committee, as the tree bank donation is their recommendation as a method to acquire funds for further beautification in the Town.

4. <u>Resolution No. 2014-103</u> – Orange Blossom Hills Country Club Expansion – Parking Space Size Reduction Variance to Allow 9.5'x17' as the Minimum Regular Parking Space Size Throughout the Orange Blossom Hills Country Club – Located at1542 Water Tower Circle (Wendy Then)

Wendy Then, Town Planner, presented the background summary on this agenda item (on file in the Town Clerk's office). She stated the applicant, John R. Grant, on behalf of the Villages Operating Company, has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be 10 feet wide and 20 feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382). Ms. Then noted that this parcel is approximately 2.21 acres, and staff recommends approval of this resolution.

Views of the subject property and the location of this facility were shown on the overhead viewer.

Ms. Then reviewed the applicant's Justification Statement, which is a requirement of the application, and outlines the reasons and unique challenges of the site that requires such a variance. It states that the Orange Blossom Hills Country Club parking lot area was originally constructed in 1986, and the majority of standard parking spaces exhibit a 9.5'x17' dimension, aside from golf cart parking spaces, which are 6 feet wide and 10 feet long. The applicant is proposing to rebuild the

J-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: **Resolution 2014-103 – Orange Blossom Hills Country Club Facility– Variance requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Approval of Resolution 2014-103 – Orange Blossom Hills Country Club Facility– Requesting to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).

SUMMARY

Applicant, John R. Grant, on behalf of the Villages Operating Company has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).

The Orange Blossom Hills Country Club parking lot area was originally constructed in 1986, and the majority of standard parking spaces exhibit a 9.5'x17' dimension, aside from Golf Cart parking spaces, which are six (6) feet wide and ten (10) feet long. The applicant is proposing to rebuild the existing 1,114 Square-foot Pool Deck into an 878-square-foot Outside Bar/Dining Area with Porch Entrance, which will generate 63 additional seats. Now that the applicant proposes to expand the facility and increase the number of seats, the applicant is required to bring parking spaces to current Code.

In technical terms, the applicant is not asking to further reduce the size of the existing parking spaces which are 9.5'x17', but rather to be able to utilize these parking spaces in lieu of the what the Code requires which is 10'x20.' The generation of additional seats at

the Country Club facility creates the requirement that the parking spaces be ten (10) feet wide and twenty (20) feet long; however, due to space constrains within the existing development this requirement cannot be accommodated thus the submittal of this variance application. Additionally, the applicant states that the Country Club has been operating with 9.5'x17' parking spaces for 30 years and it has been found to be adequate for their operations.

As part of the application, a Justification Statement is required to be submitted outlining the reasons and unique challenges of the site that require such variance. Within the Justification Statement, the applicant stated that the building is nearly 30 years old and in need of improvements to provide a first class recreation and dining establishment and to maintain the quality of enjoyment for the public.

Proposal of Parking Spaces to be provided:

Existing		
Dimension	**Parking Space Type**	**Number of Spaces**
17'x9.5'	Standard	58
17'x10'	Standard	14
17'x20'	ADA	2
18'x9.5'	Standard	3
18'x10'	Standard	21
10'x6'	Golf Cart	97
Proposed		
18'x12'	ADA	6
Total provided		**201**

Required		
Restaurant Seating (76)	1 space/2 seats	38
Bar Seating (63)	1 space/3 seats	21
Outside Dining (32)	1 space/2 seats	16
Retail (973 sq. ft.)	1 space/200 SF	5
Employee-Proshop (4)	1 space/2 emp	2
Employee Restaurant (20)	1 space/2 emp	10
18 Hole Golf Course	6 spaces/ 1 hole	108
Total required		**200**

The applicant will be providing the required number of total parking spaces and the required number of ADA parking spaces.

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:

1. No diminution in value of surrounding properties would be suffered.

2. Granting the permit would be of benefit to the public interest.

3. Denial of the permit would result in unnecessary hardship to the owner seeking it.

4. The use must not be contrary to the spirit of this Code.

5. 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.

6. 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.

The application has been reviewed and been determined to be complete; the applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Planning & Zoning Board. Resolution 2014-103 was reviewed by Town Attorney, Derek Schroth, on Tuesday, February 25, 2014, and determined correct in form.

The subject property involving approximately 3.52 ± acres lies in Section 06, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a site plan of the property involved, along with supplementary material, have been included with the submitted applications. The Future Land Use for the site is Recreation (P) and is zoned Mixed Residential- Medium Density (MX-8).

Notices to inform the surrounding property owners (14) within 150' of the property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014.

Comments:

- Upon approval of this variance resolution, the applicant will continue with the Minor Modification to Site Plan application process for approval of the Outside Bar/Dining Area improvements proposed at the Orange Blossom Hills Country Club.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-103 at its regular meeting on Tuesday, February 18, 2014, recommending approval with a 3-0 vote.

On March 10, 2014, the **Planning and Zoning Board** reviewed Resolution 2014-103 at their regular meeting and recommended approval to the Town Commission by a 4-0 vote.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance(s) [X] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

3-11-14

DEPARTMENT HEAD Submitted 3/11/14 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for: 3/17/14 Date 3/11/14

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain [ ] Approved w/Modification

RESOLUTION NO. 2014-103

A RESOLUTION GRANTING A VARIANCE TO AUTHORIZE SIZE REDUCTION OF STANDARD 10'X20' PARKING SPACES IN ACCORDANCE WITH CHAPTER 7, SECTION 7-6).b).1).A)., OF THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS, TO ALLOW A MINIMUM DIMENSION OF 9.5'X17' FOR STANDARD PARKING SPACES ON PROPERTY OWNED BY THE VILLAGES OPERATING COMPANY, LOCATED AT 1542 WATER TOWER CIRCLE (ALTERNATE KEY 2805382), WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.

WHEREAS, the Villages Operating Company, the property owner of certain real property located in the Town of Lady Lake, Florida, more particularly described in Exhibit "A", has petitioned for a variance from the provisions of Chapter 7, Section 7-6).b).1).A)., which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long; and

WHEREAS, the owner applicant is requesting size reduction of standard 10'x20' parking spaces to allow a minimum dimension of 9.5'x17' for standard parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382), within the town limits of the Town of Lady Lake, Florida; and

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

NOW, THEREFORE, BE IT RESOLVED that the Town Commission of the Town of Lady Lake, Florida, hereby grants a variance from the provisions of Chapter 7, Section 7-6).b).1).A) of the Town of Lady Lake Land Development Regulations, which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long and to allow size reduction of standard parking spaces to a minimum dimension of 9.5'x17' throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382), within the town limits of the Town of Lady Lake, Florida.

This Resolution shall take effect immediately upon its final adoption by the Town Commission.

RESOLVED this **17th** day of **March**, **2014**, in Lady Lake, Florida, by the Lady Lake Town Commission.

TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

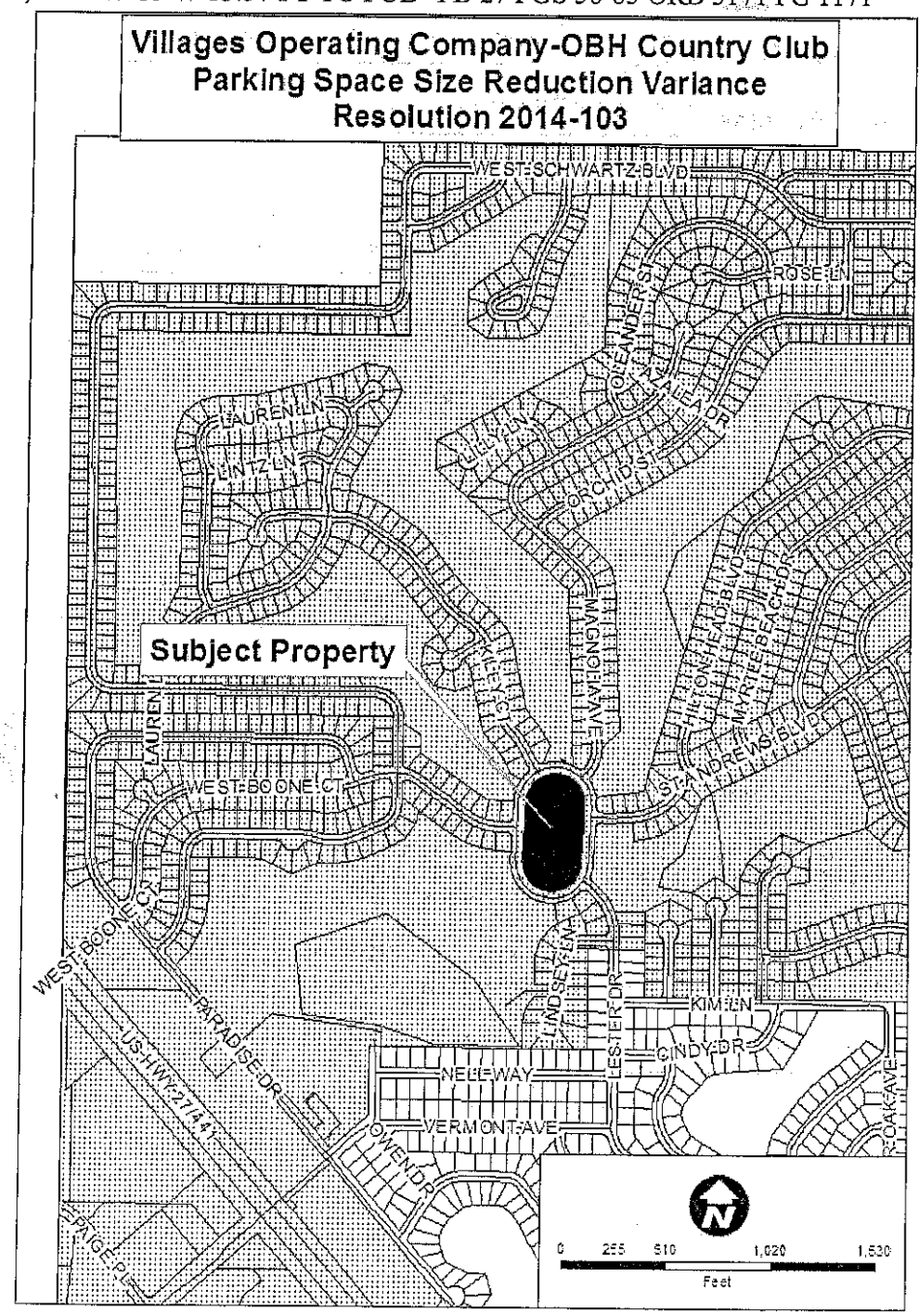
APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

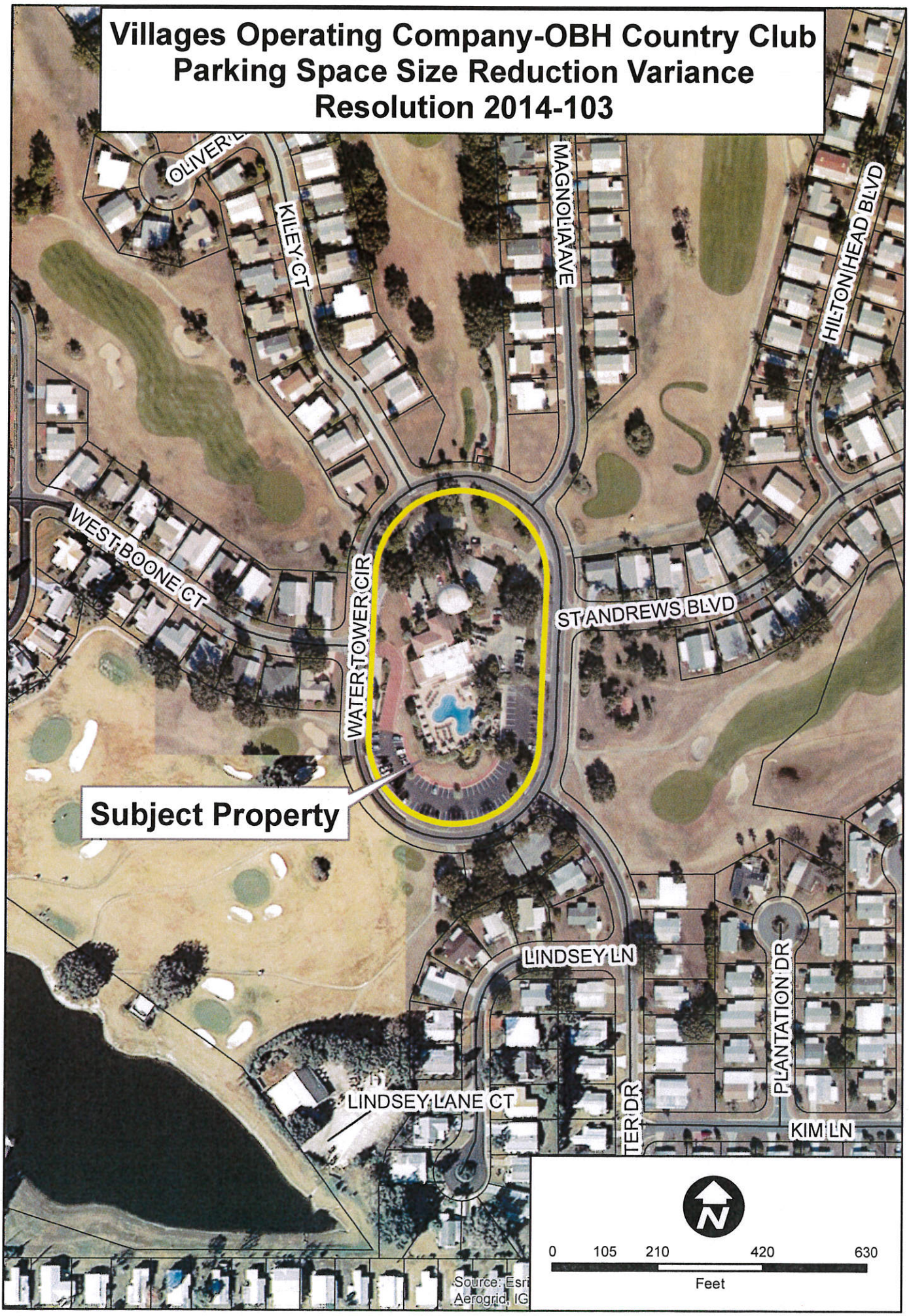
DRAFT

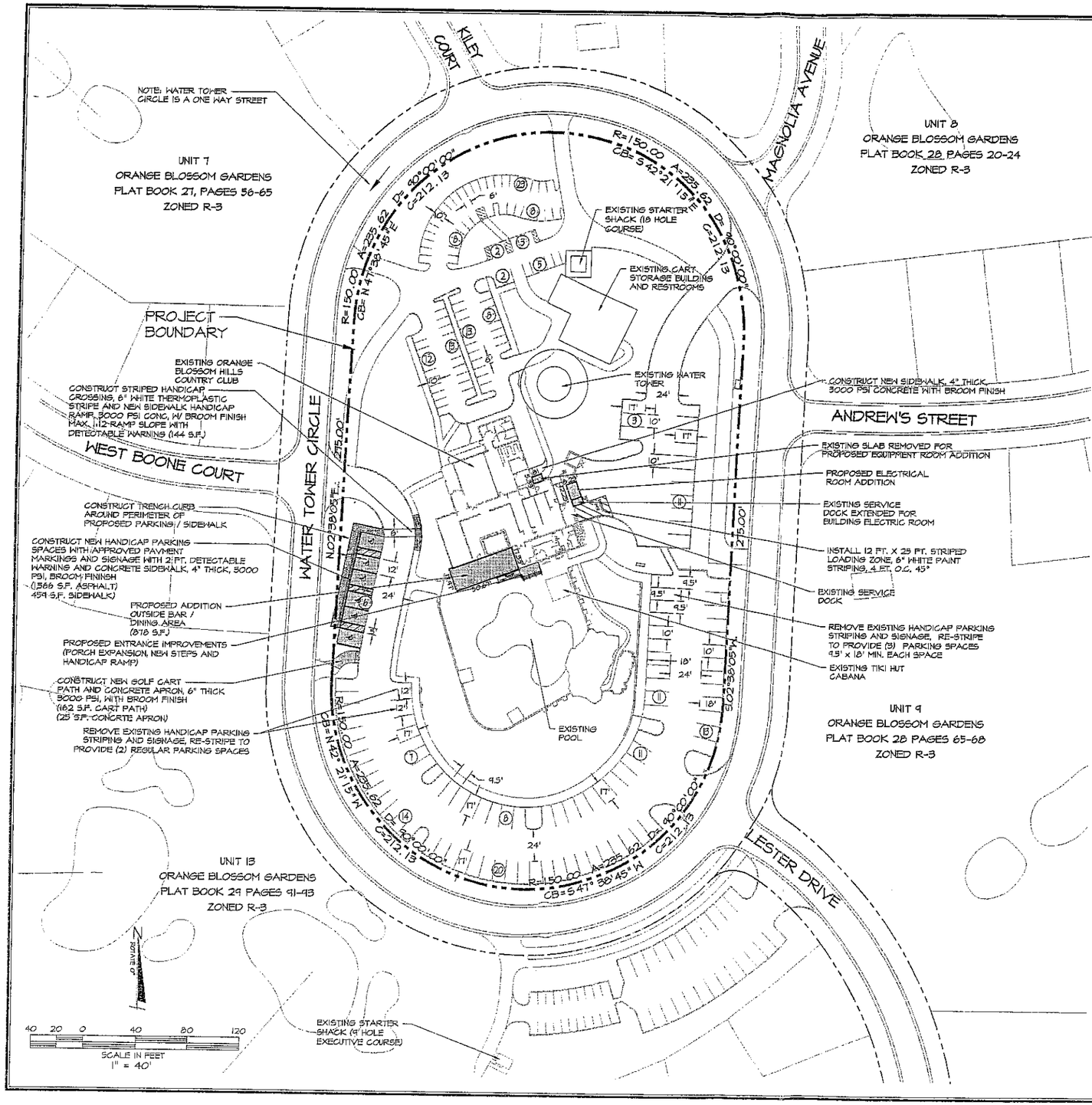
EXHIBIT "A"
LEGAL DESCRIPTION

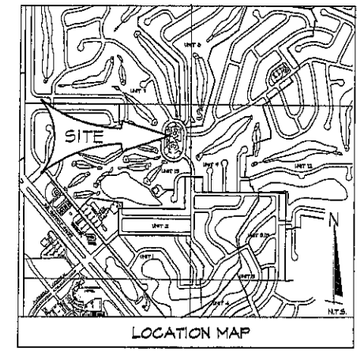
LADY LAKE, ORANGE BLOSSOM GARDENS UNIT NO 7 TRACTS 1, 2, TRACT 3--LESS FROM SE COR OF TRACT 3, SAID CORNER BEING ON THE N'LY R/W LINE OF WATER TOWER CIRCLE & ALSO BEING ON THE ARC OF A CURVE CONCAVE S'LY AND HAVING A RADIUS OF 200 FT, THENCE W'LY ALONG THE ARC OF SAID CURVE 43.49 FT FOR POB, SAID ARC HAVING A CHORD BEARING N 71-02-08 W 43.40 FT, CONT W'LY ALONG THE ARC OF SAID CURVE AND SAID R/W LINE 18.11 FT, SAID ARC HAVING A CHORD BEARING N 79-51-31 W 18.10 FT, N 09-52-0 E 13.26 FT, S 80-12-46 E 18.08 FT, S 09-47-13 W 13.37 FT TO POB--PB 27 PGS 56-65 ORB 3171 PG 1171



Villages Operating Company-OBH Country Club
Parking Space Size Reduction Variance
Resolution 2014-103







LOCATION MAP

SITE DATA

PROJECT SCOPE: TO CONSTRUCT ADDITIONAL DINING AREA, ELECTRICAL ROOM AND MECHANICAL ROOM OVER EXISTING CONCRETE SURFACE AND RENOVATE INTERIOR. SITE WORKS INCLUDES PROVIDE RELOCATED HANDICAP PARKING SPACES AND CONSTRUCTION OF NEW SIDE ENTRANCE AND HANDICAP RAMP AND STAIRS.

1. TOTAL ACRES = 3.52 ACRES
2. ZONING = MX-8
3. PROJECT ADDRESS - 1542 WATER TOWER CIRCLE
4. PARKING REQUIREMENTS:
   EXISTING:
   ORANGE BLOSSOM HILLS COUNTRY CLUB PARKING:
   17' x 9.5' REGULAR PARKING PROVIDED = 58 SPACES
   17' X 10' REGULAR PARKING PROVIDED = 14 SPACES
   17' X 12' REGULAR PARKING PROVIDED = 2 SPACES (RESTRIPED EXIST. HANDICAP)
   18' X 9.5' PARKING PROVIDED = 3 SPACES (RESTRIPED EXIST. HANDICAP)
   18' X 10' PARKING PROVIDED = 21 SPACES
   10' x 6' MIN. GOLF CART PARKING SPACES PROVIDED = 47 SPACES
   TOTAL PARKING PROVIDED = 145

   REQUIRED PARKING BASED ON SEATING / RETAIL SQUARE FOOTAGE
   RESTAURANT SEATING = 76 SEATS (1 SPACE / 2 SEATS) = 38 SPACES REQUIRED
   BAR SEATING = 63 SEATS (1 SPACE / 3 SEATS) = 21 SPACES REQUIRED
   PROPOSED OUTSIDE DINING SEATS = 32 SEATS (1 SPACE / 2 SEATS) = 16 SPACES REQ'D.
   PROSHOP RETAIL = 473 SQ. FT. (1 SPACE / 200 SQ. FT.) = 5 SPACES REQUIRED
   EMPLOYEE PARKING = 2 PROSHOP AND 10 RESTAURANT = 12 SPACES
   PARKING REQUIRED = 92 SPACES

   REQUIRED PARKING FOR GOLF COURSE
   18 HOLE GOLF COURSE = (6 SPACES PER HOLE) = 108 SPACES REQUIRED
   TOTAL PARKING REQUIRED = 200 SPACES

   PROPOSED PARKING ADDITION:
   18' x 12' HANDICAP PARKING PROVIDED = 6 SPACES
   TOTAL PARKING PROVIDED = 201 SPACES
5. OWNER/DEVELOPER -
   THE VILLAGES OF LAKE-SUMTER, INC.
   1100 MAIN STREET
   THE VILLAGES, FL 32159
   (352) 753-6260
6. ENGINEER/SURVEYOR -
   FARNER & BARLEY AND ASSOCIATES, INC.
   4450 N.E. 83RD ROAD
   WILDWOOD, FLORIDA 34785
   (352) 748-3126
7. SOIL TYPE - ASTATULA SAND 5-12% SLOPES.
8. PERMITTING AGENCIES:
   -TOWN OF LADY LAKE
9. EXISTING WATER AND SANITARY PROVIDED BY VILLAGE COMMUNITY DEVELOPMENT DISTRICT.
10. EXISTING UNDERGROUND ELECTRICAL TRANSMISSION SYSTEM PROVIDED BY DUKE ENERGY.
11. LOCATED IN SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
12. AREAS FOR TOTAL SITE

EXISTING BUILDING AREA =	12,813 SQ. FT / 0.29 AC.	(8.2%)
EXISTING PAVED AREA =	75,326 SQ. FT. / 1.73 AC.	(49.1%)
TOTAL IMPERVIOUS AREA =	87,939 SQ. FT. / 2.01 AC	(57.3%)
TOTAL OPEN AREA =	65,392 SQ. FT. / 1.51	(42.7%)
TOTAL PROJECT AREA =	153,331 SQ. FT. / 3.52 AC	(100%)

LEGAL DESCRIPTION

TRACT 1, ORANGE BLOSSUM GARDENS UNIT 7, AS RECORDED IN PLAT BOOK 27 PAGE 56 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. 3.52 ACRES.

JEFFREY ALLEN HEAD
LICENSE No 58058
STATE OF FLORIDA
PROFESSIONAL ENGINEER

DATE	REVISIONS	BY

FARNER BARLEY AND ASSOCIATES, INC.
ENGINEERS ▲ SURVEYORS ▲ PLANNERS
Certificate of Authorization Number: 4709
4450 N.E. 83rd Road ○ Wildwood, Florida 34785 ○ (352) 748-3126

VILLAGES OF LAKE SUMTER, INC. The Villages
ORANGE BLOSSOM HILLS COUNTRY CLUB

SITE PLAN

DATE NOV. 22, 2013
DRAWN BY DLB
CHKD BY JAH
FILE NAME site
JOB NO. 42141.2984

SHT. 5 OF 6

JAN 30 2014

S:\CAD\SITEPLANS\OSH CC Golf Cart Parking Addition\DWG\VCDNSSFile\VCD2NA004 - OB HILLS SITE.dwg, 1/28/2014 1:45:13 PM, dan, KYOCERA KM-3050(2nd gen)3, 1:1

Property Record Card

General Information

Alternate Key:	2805382	**Parcel:**	06-18-24-038500000000
Owner Name:	VILLAGES OPERATING COMPANY	**Millage:**	FOLL (Lady Lake) : 17.3407
Owner Address:	1020 LAKE SUMTER LNDG THE VILLAGES, FL 32162	**Property Location:**	1542 WATER TOWER CIR LADY LAKE FL 32159
Legal Description:	LADY LAKE, ORANGE BLOSSOM GARDENS UNIT NO 7 TRACTS 1, 2, | TRACT 3--LESS FROM SE COR OF TRACT 3, SAID CORNER BEING ON | THE N'LY R/W LINE OF WATER TOWER CIRCLE & ALSO BEING ON THE | ARC OF A CURVE CONCAVE S'LY AND HAVING A RADIUS OF 200 FT, | THENCE W'LY ALONG THE ARC OF SAID CURVE 43.49 FT FOR POB, | SAID ARC HAVING A CHORD BEARING N 71-02-08 W 43.40 FT, CONT | W'LY ALONG THE ARC OF SAID CURVE AND SAID R/W LINE 18.11 FT,| SAID ARC HAVING A CHORD BEARING N 79-51-31 W 18.10 FT, N | 09-52-0 E 13.26 FT, S 80-12-46 E 18.08 FT, S 09-47-13 W | 13.37 FT TO POB--PB 27 PGS 56-65 | ORB 3171 PG 1171 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	CLUBS, LODGES, UNION HALLS (7700)	0	0	TRACT 1	3.51	AC	$0.00	$52,650.00
2	GOLF COURSES (3800)	0	0	TR 2	3	PH	$0.00	$135,000.00
3	GOLF COURSES (3800)	0	0	TR 3	6	PH	$0.00	$270,000.00

Commercial Building(s)

Building 1

Commercial — Building Value: $42,608.00

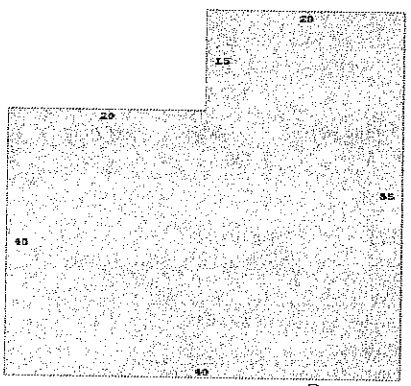
Summary

Year Built:	1987
Total Square Footage:	1900
Full Bathrooms:	0
Half Bathrooms:	0
Elevators:	0
Elevator Landings:	0
Escalators:	0
Residential Units:	0
Kitchens:	0
Fireplaces:	0
Structure Type:	Wood or Steel Open Stud Frame
Exterior Walls:	Concrete Block Stucco : 100.00 %

Section(s)

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	14	1	1900	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(48C)	100.00 %	No	No



print drawing view fullscreen

Building 2

Commercial — Building Value: $424,774.00

Summary

Year Built:	1987
Total Square Footage:	7422
Full Bathrooms:	3
Half Bathrooms:	0
Elevators:	0
Elevator Landings:	0
Escalators:	0
Residential Units:	0
Kitchens:	0
Fireplaces:	0
Structure Type:	Concrete Block or Masonry Walls
Exterior Walls:	

Section(s)

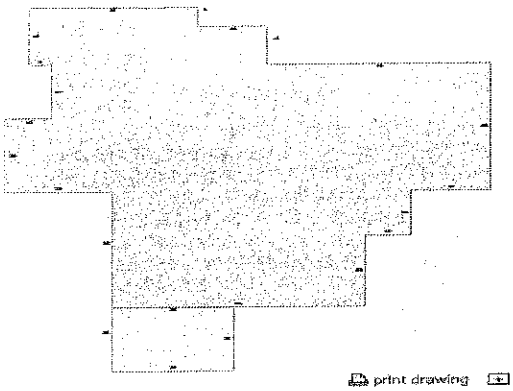
Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	14	1	6902	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(21C)	60.00 %	No	Yes
(77B)	40.00 %	No	Yes

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
2	FINISHED LIVING AREA (FLA)	14	1	520	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(11C)	100.00 %	No	Yes

Brick Common or
Concrete : 100.00 %



print drawing view fullscreen

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	GARAGE DETACHED (DGF)	704	SF	1985	$6,910.00
0002	GARAGE DETACHED (DGF)	384	SF	1985	$3,769.00
0003	GARAGE DETACHED (DGF)	216	SF	1985	$2,120.00
0004	GARAGE DETACHED (DGF)	459	SF	1987	$4,505.00
0005	PLUMBING FIXTURE (PLB)	2	UT	1987	$463.00
0006	GARAGE DETACHED (DGF)	77	SF	1987	$756.00
0007	GARAGE DETACHED (DGF)	704	SF	1987	$6,910.00
0008	GARAGE DETACHED (DGF)	77	SF	1987	$756.00
0009	POOL DECKING (PLD)	8265	SF	1987	$31,126.00
0010	COMMERCIAL SWIMMING POOL (CPL)	1500	SF	1987	$37,931.00
0011	HOT TUB / SPA (HTB)	1	UT	1987	$2,060.00
0012	UTILITY BUILDING - UNFINISHED (UBU)	100	SF	1987	$165.00
0013	PAVING (PAV)	8800	SF	1987	$12,320.00
0014	PAVING (PAV)	17900	SF	1987	$14,499.00
0015	(CMX)	1	UT	1984	$66,667.00
0016	ENCLOSED PORCH FINISHED (EPF)	144	SF	2004	$4,553.00

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
3171 / 1171	5/1/2006	WD	M I		$1.00

Value

Total Just Value:		$1,120,542.00
Assessed Value:	=	$1,120,542.00
Total Exempt Value:	-	$0.00
Total Taxable Value:	=	$1,120,542.00
Millage Rate:	x	0.0173407
Base Ad-Valorem Tax:	=	$19,430.97
Non-Exempt School Levies:	+	$0.00
Estimated Ad-Valorem Tax:	=	$19,430.97

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

Truth In Millage (TRIM) Notice

- Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments

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RECEIVED
JAN 30 2014
GROWTH MANAGEMENT DEPT.
TOWN LADY LAKE

TOWN OF LADY LAKE
VARIANCE APPLICATION

Alt. Key Number 2805382

1. Owner's name: Villages Operating Company

   Mailing Address: 1045 Lake Sumter Landing, The Villages, Fl 32162

   Email Address: ron.grant@thevillages.com

   Telephone #: 352-753-6260

2. Applicant's Name: John R. Grant, Owner's Representative, Villages Operating Co.

   Mailing Address: 1045 Lake Sumter Landing, The Villages, Fl 32162

   Email Address: ron.grant@thevillages.com

   Telephone #: 352-753-6260

3. Applicant is: Owner: x Agent __ Purchaser __ Lessee __ Optionee __

4. Property Address/Location: 1542 Water Tower Circle, The Villages, Fl 32159

5. Legal Description: See plans.

6. The variance requested is as follows: parking space sizes

7. The variance is necessary for the following reasons: parking spaces are existing and were built in 1986

8. Is your situation due to unique circumstances not created by you or your predecessor in title? Explain such circumstances:

   this site was permitted and built in 1986

9. Do special conditions and circumstances exist which are peculiar to your land or structure and which are not applicable to other lands or structures in the same district? Explain such conditions or circumstances:

parking was constructed in 1986

10. Would literal interpretation of the provisions of the Code deprive you of rights commonly enjoyed by other property owners in the same district? Explain such rights:

No

11. A variance, as requested, will not permit, establish or enlarge any use or structure which is not permitted in the district. Does your request meet this criterion?

Yes

12. Have any land use applications been filed within the last year in connection with this property? ____Yes __x__No. If yes, briefly describe the nature of the request and the date it was done:

This application must be accompanied by proof of ownership and authorization from the owner if represented by an agent or contract purchaser. It must also include a drawing showing the exact locations and dimensions of all existing and proposed buildings and additions, required setbacks, existing easements and clearly delineate the specific variance requested.

I certify that the statements in this application are true to the best of my knowledge.

Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FORTY-TWO (42) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT.

Office Use:

Date Application Received: 01-30-14 Received by: [illegible]

Fees Paid: $850.00

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF ~~LAKE~~ Sumter

Before me, the undersigned authority, personally appeared John R. Grant, V.P. The Villages of Lake-Sumter, Inc., who being by me first duly sworn on oath, deposes and says:

(1) That he/she is the fee-simple owner of the property legally described on page one of this application.

(2) That he/she desires approval for:

Orange Blossom Hills Country Club Renovation

(3) That he/she has appointed Jeffrey A. Head, P.E. to act as agent in his/her behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his/her stead.

Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 29th day of January, 2014, by John R. Grant, who is personally known to me or who has produced N/A as identification and who did (did not) take an oath.

Notary Public

RITA A. DEITRICH
MY COMMISSION # EE843615
EXPIRES: November 20, 2016

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ~~LAKE~~ Sumter RAD

Before me, the undersigned authority, personally appeared John R. Grant, V.P., who being by me first duly sworn on oath, deposes and says:

(1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for:

Orange Blossom Hills Country Club Renovation

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 29th day of January, 2014, by John R. Grant, who is personally known to me or who has produced N/A as identification and who did (did not) take an oath.

Rita A. Deitrich
Notary Public

NOTARY PUBLIC STATE OF FLORIDA
RITA A. DEITRICH
MY COMMISSION # EE843615
EXPIRES: November 20, 2016

FARNER BARLEY AND ASSOCIATES, INC.
ENGINEERS ▲ SURVEYORS ▲ PLANNERS

VIA EMAIL
January 31, 2014

Ms. Wendy Then
Municipal Complex Town of Lady Lake
409 Fennell Boulevard
Lady Lake, FL 32159

RE: **ORANGE BLOSSOM HILLS COUNTRY CLUB RENOVATION– MINOR MODIFICATION JUSTIFICATION STATEMENT (FBA#921141.2984)**

Dear Ms. Then:

In response to your email dated January 30, 2014 for the subject project, we offer the following responses:

1) **No diminution in value of surrounding properties would be suffered.**

   Response: The parking spaces are existing and privately owned by The Villages Operating Company. This facility was built in 1986 for the enjoyment of the public and funded by the Developer.

2) **Granting the permit would be of benefit to the public interest.**

   Response: This building was built in 1986 and the Developer is funding the proposed improvements to upgrade the building to provide a first class recreation and dining establishment for the enjoyment of the public.

3) **Denial of the permit would result in unnecessary hardship to the owner seeking it.**

   Response: This building is nearly 30 years old and in need of improvements to maintain the quality of enjoyment for the public.

4) **The use must not be contrary to the spirit of this Code.**

   Response: The use of this facility is not changing from what exists today, it is only an architectural upgrade to the building that was permitted and constructed in 1986.

4450 NE 83rd Road ♦ Wildwood, Florida 34785 ♦ E-Mail: jhead@farnerbarley.com
Phone: (352) 748-3126 ♦ Fax: (352) 748-0823

5) **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.**

Response: The facility has been operating for nearly 30 years with standard parking spaces that do not meet the current land development code. The developer has added additional handicap parking to meet the current ADA requirements. Additionally, the Town of Lady Lake reviewed and approved this site plan in 1986 with 17' deep parking spaces.

6) **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.**

Response: Applicant has no physical hardships related to a variance request to keep the 17' deep parking stalls.

We trust these responses satisfy your concerns. Please feel free to call us if you have any questions or need additional information.

Sincerely,
Farner Barley and Associates, Inc.

Jeffrey A. Head, P.E.

Sincerely,
Farner Barley and Associates, Inc.

Troy W. Locklin, Project Manager

cc: Mr. Ron Grant, Grant & Dzuro

Prepared by and return to:
Steven M. Roy, Esq./may
Attorney at Law
McLin & Burnsed PA
1028 Lake Sumter Landing
The Villages, FL 32162

CFN 2006081572
Bk 03171 Pgs 1171 - 1179; (9pgs)
DATE: 05/26/2006 11:49:49 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 78.00
DEED DOC 0.70

File Number:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 1st day of May, 2006 between **The Villages of Lake-Sumter, Inc.**, a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, FL 32162, **grantor**, and **The Villages Operating Company**, a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, FL 32162, **grantee:**

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida to-wit:

See Attached Exhibit A

Parcel Identification Number:

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

WITNESSES:

Print Name JOHN F WISE

Print Name: Williams Brooks

THE VILLAGES OF LAKE-SUMTER, INC.
a Florida corporation

By: _____
Mark G. Morse, Executive Vice President

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 1st day of May, 2006, by **Mark G. Morse,** as Executive Vice President of and on behalf of The Villages of Lake-Sumter, Inc., who is personally known to me.

NOTARY PUBLIC
STEVEN M. ROY
(Type or Print Notary Name)
My Commission Expires: _____

STEVEN M. ROY
MY COMMISSION # DD 281955
EXPIRES: January 19, 2008
Bonded Thru Budget Notary Services

The Florida documentary tax stamp of Section 201.02(1), Florida Statutes does not apply to this transfer of real property because The Villages Operating Company is a wholly-owned subsidiary of The Villages of Lake-Sumter, Inc., and according to *Crescent Miami Center, LLC v. Florida Department of Revenue*, 903 So. 2d 913 (Fla. 2005), the transfer of property between a grantor and its wholly owned grantee, absent any exchange of value, is without consideration and not subject to the documentary stamp tax.

O:\User\TR\VLS\Reorganization 2006 OH2938\The Villages Operating Company\Warranty Deed-VLS to Villages Operating-Lake.wpd/may
Revised: May 1, 2006
Printed: May 1, 2006

LAKE COUNTY

LC - 1 (SHOP AREA)
A PORTION OF NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1881, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4 OF SAID SECTION 18 AND PROCEED N89°51'50"W, ALONG THE NORTH BOUNDARY LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, A DISTANCE OF 40.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF ROLLING ACRES ROAD; THENCE S00°02'41"E ALONG THE WEST RIGHT-OF-WAY LINE OF ROLLING ACRES ROAD (RIGHT-OF-WAY WIDTH VARIES) ALSO PARALLEL WITH THE EAST BOUNDARY LINE OF NORTHEAST 1/4 OF SAID SECTION 18, A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING; THENCE THE FOLLOWING NINE COURSES ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1881, PAGE 1121; THENCE CONTINUE S00°02'41"E ALONG SAID RIGHT OF WAY LINE, 660.61 FEET; THENCE N89°54'17"W, ALONG THE SOUTH BOUNDARY LINE OF THE NORTHEAST 1/4 OF THE SAID SECTION 18, A DISTANCE OF 289.16 FEET; THENCE S00°02'00"W, A DISTANCE OF 171.61 FEET; THENCE N89°29'44"W, A DISTANCE OF 124.88 FEET; THENCE N00°02'00"E, A DISTANCE OF 177.67 FEET; THENCE N89°48'05"W, A DISTANCE OF 910.14 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY OF THOSE LANDS KNOWN AS "AREA 21" DESCRIBED IN OFFICIAL RECORDS BOOK 1436, PAGE 0014, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1881, PAGE 1121, AND ALONG THE BOUNDARY OF SAID "AREA 21" FOR THE FOLLOWING TWO COURSES: N19°06'56"W, A DISTANCE OF 196.54 FEET; THENCE N00°05'30"W, A DISTANCE OF 305.61 FEET TO THE WESTERLY EXTENSION OF THAT BOUNDARY OF TRACT "D", THE VILLAGES INDUSTRIAL CENTER, AS RECORDED IN PLAT BOOK 34, PAGES 63 AND 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THAT LIES 1.00 FOOT SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST; THENCE ALONG THE SAID WESTERLY EXTENSION OF THE BOUNDARY OF TRACT "D", S89°51'50"E, 98.66 FEET TO THE BOUNDARY OF SAID TRACT "D"; THENCE ALONG THE BOUNDARY OF SAID TRACT "D", CONTINUE S89°51'50"E, 1290.42 FEET TO THE POINT OF BEGINNING; **LESS** THAT PORTION THEREOF LYING WITHIN SAID TRACT "D"

AND

LC - 2 (FURNITURE WAREHOUSE)
LOT 2, THE VILLAGES INDUSTRIAL CENTER, AS RECORDED IN PLAT BOOK 34,

PAGES 63 AND 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

LC - 3 (DAILY SUN)
THE EAST 747.00 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; **LESS** RIGHT-OF-WAY FOR ROLLING ACRES ROAD.

AND

THE NORTH 1.00 FOOT OF THE EAST 747.00 FEET OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; **LESS** RIGHT-OF-WAY FOR ROLLING ACRES ROAD.

AND

LC - 4 (FIESTA BOWL)
THAT PORTION OF PARCEL 2 DESCRIBED IN OFFICIAL RECORD BOOK 2721, PAGE 1921, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING WEST OF THE CENTERLINE OF OAK MEADOWS LANE, PER PLAT OF OAK MEADOWS, RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT NO. 1 OF SAID OAK MEADOWS AND PROCEED N00°14'34"E, ALONG THE EAST BOUNDARY LINE OF SAID GOVERNMENT LOT NO. 7 AND ALONG THE EAST BOUNDARY LINE OF TRACT "A" OF SAID OAK MEADOWS A DISTANCE OF 1,110.30 FEET; THENCE DEPARTING SAID EAST BOUNDARY LINES, N89°45'26"W, A DISTANCE OF 61.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID OAK MEADOWS LANE, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 30°37'28"; THENCE NORTHWESTERLY ALONG SAID WEST RIGHT OF WAY OF THE ARC OF SAID CURVE A DISTANCE OF 144.31 FEET, SAID ARC HAVING A CHORD BEARING AND DISTANCE OF N15°04'15"W, 142.60 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE DEPARTING SAID WEST RIGHT OF WAY S89°11'37"E, A DISTANCE OF 34.45 FEET TO THE CENTERLINE OF SAID OAK MEADOWS LANE, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS 300.00 FEET AND A CENTRAL ANGLE OF 06°04'24" TO WHICH A RADIAL BEARING RUNS N63°01'35"E; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF THE ARC OF SAID CURVE A DISTANCE OF 31.80 FEET, SAID ARC HAVING A CHORD BEARING AND DISTANCE OF S23°56'14"E, 31.79 FEET TO THE POINT OF CUSP OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 152.00 FEET AND A CENTRAL ANGLE OF

21°09'09" TO WHICH A RADIAL BEARING RUNS N42°32'15"E; THENCE DEPARTING SAID CENTERLINE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 56.12 FEET, SAID ARC HAVING A CHORD BEARING AND DISTANCE OF N58°02'20"W, 55.80 FEET TO THE POINT OF BEGINNING.

AND

ALL THAT PORTION OF LOT "W" OF THE VILLAGE CENTER AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING NORTHERLY OF THE NORTH LINE OF THOSE LANDS DEEDED TO THE TOWN OF LADY LAKE, FLORIDA FOR THE PURPOSES OF ROAD RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 2732, PAGE 537, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA

AND

ALL THAT PORTION OF LOT "W" OF THE VILLAGE CENTER AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING SOUTHERLY OF THE SOUTH LINE OF THOSE LANDS DEEDED TO THE TOWN OF LADY LAKE, FLORIDA FOR THE PURPOSES OF ROAD RIGHT OF WAY DESCRIBED IN OFFICIAL RECORDS BOOK 2732, PAGE 537, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID LOT "W", RUN THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING (2) COURSES: RUN N00°14'34"E, 266.56 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 270.00 FEET, AND A CHORD BEARING AND DISTANCE OF N04°43'43"W, 46.78 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°56'24", AN ARC DISTANCE OF 46.84 FEET TO THE SOUTHERLY BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2732, PAGE 537, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ALSO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, AND HAVING A RADIUS OF 102.00 FEET, AND A CHORD BEARING AND DISTANCE OF N59°41'00"W, 102.10 FEET; THENCE, ALONG SAID SOUTHERLY BOUNDARY, THE FOLLOWING (2) COURSES: RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 60°04'02", AN ARC DISTANCE OF 106.93 FEET; THENCE N89°43'01"W, 298.92 FEET TO THE NORTHWESTERLY BOUNDARY OF AFORESAID LOT "W", BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY, AND HAVING A RADIUS OF 670.00 FEET, AND A CHORD BEARING AND DISTANCE OF S46°56'01"W, 123.28 FEET; THENCE, ALONG THE NORTHWESTERLY, WESTERLY AND SOUTHERLY BOUNDARY OF SAID LOT "W", THE FOLLOWING (5) COURSES: RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°33'28", AN ARC DISTANCE OF 123.46 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHWESTERLY, AND

HAVING A RADIUS OF 440.15 FEET, AND A CHORD BEARING AND DISTANCE OF S26°43'06"E, 169.02 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°08'22", AN ARC DISTANCE OF 170.08 FEET; THENCE S15°38'55"E, 153.22 FEET; THENCE N75°35'19"E, 72.11 FEET; THENCE S89°43'01"E, 292.69 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF OAK MEADOWS LANE, PER PLAT OF OAK MEADOWS, RECORDED IN PLAT BOOK 28, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, NOW VACATED, PER RESOLUTION BY THE TOWN OF LADY LAKE, FLORIDA, RECORDED IN OFFICIAL RECORDS BOOK 2721, PAGE 1921, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID LOT "W", RUN THENCE ALONG THE EAST LINE THEREOF THE FOLLOWING (2) COURSES: RUN N00°14'34"E, 266.56 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 270.00 FEET, AND A CHORD BEARING AND DISTANCE OF N04°43'43"W, 46.78 FEET; THENCE, NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°56'24", AN ARC DISTANCE OF 46.84 FEET TO A POINT OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 102.00 FEET, AND A CHORD BEARING AND DISTANCE OF S25°53'52"E, 13.35; THENCE, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°30'26", A DISTANCE OF 13.36 FEET; THENCE S22°08'39"E, 57.17 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 323.00 FEET, AND A CHORD BEARING AND DISTANCE OF S10°56'18"E, 125.54 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°24'44", AN ARC DISTANCE OF 126.34 FEET; THENCE S00°16'04"W, 63.50 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 304.20 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°42'04", AN ARC DISTANCE OF 62.12 FEET TO THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF THE AFORESAID LOT "W"; THENCE, ALONG SAID EASTERLY EXTENTION, N89°43'01"W, 41.57 FEET TO THE POINT OF BEGINNING.

AND

LC - 5 (VILLAGE GREEN)
LOT "V" AS SHOWN ON THE PLAT OF THE VILLAGE CENTER, RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, INCLUSIVE, IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THE FOLLOWING PORTION THEREOF:

COMMENCE AT THE SOUTHWEST CORNER OF LOT "V", THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, INCLUSIVE IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF RIO GRANDE AVENUE (BEING 60 FEET WIDE) AS SHOWN ON THE PLAT OF ORANGE BLOSSOM GARDENS, UNIT NO. 16, RECORDED IN PLAT BOOK 31, PAGES 15 THROUGH 19, INCLUSIVE, IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE N15°38'55"W, ALONG THE WEST BOUNDARY OF SAID LOT "V" AND SAID EASTERLY RIGHT OF WAY A DISTANCE OF 223.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N15°38'55"W ALONG SAID WEST BOUNDARY OF LOT "V" AND SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 17.77 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 85°27'40"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.29 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF AVENIDA CENTRAL (BEING 100 FEET WIDE) SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 670.00 FEET AND A CENTRAL ANGLE 03°19'03"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 38.79 FEET; THENCE S23°30'18"E DEPARTING FROM SAID RIGHT OF WAY LINE ON A RADIAL LINE, A DISTANCE OF 25.00 FEET; THENCE S66°29'42"W, A DISTANCE OF 25.24 FEET; THENCE S21°25'32"E, A DISTANCE OF 14.54 FEET; THENCE S68°34'28"W, A DISTANCE OF 41.68 FEET TO THE POINT OF BEGINNING.

AND

LC - 6 (AAA BUILDING)
ALL OF LOT P AND LOT Q, LESS THE SOUTHEASTERLY 54.50 FEET OF LOT Q, IN THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA

AND

LC - 7 (SPANISH SPRINGS DOWNTOWN)
BUILDING AREAS 1 AND 6 AND BUILDING AREAS 8 THROUGH 11, INCLUSIVE AND BUILDING AREA 13 AND BUILDING AREA 14, VILLAGE CENTER DOWNTOWN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 55, PAGES 72 THROUGH 79, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

UNIT A-2, UNIT A-3 AND UNIT B-2 ACCORDING TO THAT DECLARATION OF CONDOMINIUM OF TWO DOWNTOWN CONDOMINIUM , AS RECORDED IN OFFICIAL RECORDS BOOK 1477, PAGE 838, PUBLIC RECORDS OF LAKE COUNTY,

FLORIDA.

AND

GOLF COURSE LC - 8 (ORANGE BLOSSOM HILLS COUNTRY CLUB)
TRACTS 1, 2 AND 3, TOGETHER WITH TRACT A THROUGH K INCLUSIVE OF ORANGE BLOSSOM GARDENS, UNIT No. 7 AS RECORDED IN PLAT BOOK 27, PAGES 56 THRU 65, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. LESS THAT PORTION OF TRACT 3 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT NO. 3 OF ORANGE BLOSSOM GARDENS, UNIT NO. 7 AS PER THE AFORESAID PLAT THEREOF, SAID CORNER BEING ON THE NORTHERLY RIGHT OF WAY LINE OF WATER TOWER CIRCLE (50 FEET WIDE) AND ALSO BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 200.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 43.49 FEET, TO THE POINT OF BEGINNING, SAID ARC HAVING A CHORD BEARING AND DISTANCE OF N.71°02'08"W., 43.40 FEET; THENCE FROM THE POINT OF BEGINNING THUS DESCRIBED, CONTINUE WESTERLY ALONG THE ARC A CHORD BEARING AND DISTANCE OF N.79°51'31"W., 18.10 FEET; THENCE DEPARTING SAID CURVE AND SAID RIGHT OF WAY LINE, PROCEED N.09°52'00"E., 13.26 FEET; THENCE S.80°12'46"E., 18.08 FEET; THENCE S.09°47'13"W., 13.37 FEET TO THE POINT OF BEGINNING.

AND

TRACTS 1, 2 AND 3 TOGETHER WITH TRACT A THROUGH F INCLUSIVE OF ORANGE BLOSSOM GARDENS, UNIT NO. 8, AS RECORDED IN PLAT BOOK 28, PAGES 20 THRU 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS THAT PORTION OF TRACT 1 DESCRIBED AS FOLLOWS:

THE SOUTHERLY 2.00 FEET THEREOF LYING NORTH OF LOT 2465, OF ORANGE BLOSSOM GARDENS, UNIT NO. 9, PLAT BOOK 28, PAGES 65 THRU 68, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

TRACTS A, C, D AND E TOGETHER WITH TRACT F OF ORANGE BLOSSOM GARDENS UNIT, NO. 9, AS RECORDED IN PLAT BOOK 28, PAGES 65 THRU 68, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

TRACTS B, C AND D, OF ORANGE BLOSSOM GARDENS, UNIT NO. 10, AS RECORDED IN PLAT BOOK 28, PAGES 86 THRU 91, PUBLIC RECORDS OF LAKE COUNTY,

FLORIDA.

AND

LC - 10 (AREA BEHIND BELKS)
THAT PORTION OF LOT T, THE VILLAGE CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE MOST SOUTHERLY CORNER OF SAID LOT T; RUN N42°58'53"W, 52.09 FEET ALONG THE NORTHERLY AND NORTHEASTERLY RIGHT-OF-WAY OF AVENIDA CENTRAL AND THE BOUNDARY OF SAID LOT T TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 650.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°33'06", A DISTANCE OF 346.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG SAID CURVE, RIGHT-OF-WAY AND BOUNDARY THROUGH A CENTRAL ANGLE OF 20°56'54", A DISTANCE OF 237.65 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 700.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°52'23", A DISTANCE OF 181.71 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ALVEREZ AVENUE AND CONTINUING ALONG THE BOUNDARY OF SAID TRACT T, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94°42'59", A DISTANCE OF 41.33 FEET; THENCE N15°06'29"E, 383.62 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 280.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°50'05", A DISTANCE OF 102.00 FEET; THENCE DEPARTING THE RIGHT-OF-WAY OF ALVEREZ AVENUE AND THE BOUNDARY OF SAID LOT T, RUN THENCE ALONG THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2744, PAGES 1135 THROUGH 1137, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, S33°39'11"E, 33.41 FEET; THENCE S51°56'10"E, 58.55 FEET; THENCE S29°25'35"E, 48.58 FEET; THENCE S39°45'16"E, 47.73 FEET; THENCE S07°16'10"E, 32.21 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 122.00 FEET AND A CHORD BEARING AND DISTANCE OF S07°22'11"W, 104.31 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 50°37'02", A DISTANCE OF 107.78 FEET; THENCE S17°56'20"E, 81.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 52.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°00'33", A DISTANCE OF 27.24 FEET; THENCE S47°56'53"E, 225.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 52.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°13'53", A DISTANCE OF 12.92 FEET TO

THE POINT OF BEGINNING.

LC-11 (HACIENDA HILLS)
THOSE PORTIONS OF SECTION 6 AND 7, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

THAT AREA SHOWN AS "NOT PLATTED" ON THE PLAT OF THE VILLAGE CENTER AS RECORDED IN PLAT BOOK 33, PAGES 92 THROUGH 97, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE MOST SOUTHERLY CORNER OF LOT "B" OF SAID VILLAGE CENTER RUN NORTH ALONG THE WESTERLY BOUNDARY OF SAID LOT "B" 301.72 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY AND NORTHWESTERLY ALONG THE WESTERLY AND NORTHERLY BOUNDARIES OF SAID LOT "B" TO THE WEST LINE OF SAID SECTION 6; THENCE SOUTHERLY ALONG THE WEST BOUNDARY OF SECTION 6 AND ALONG THE WEST BOUNDARY OF SECTION 7 TO THE POINT OF BEGINNING

LAKE COUNTY GIS

COUNTY VIEW

Helping people make better decisions

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Information

IN OUT PAN GLOBAL PREVIOUS NEXT IDENTIFY

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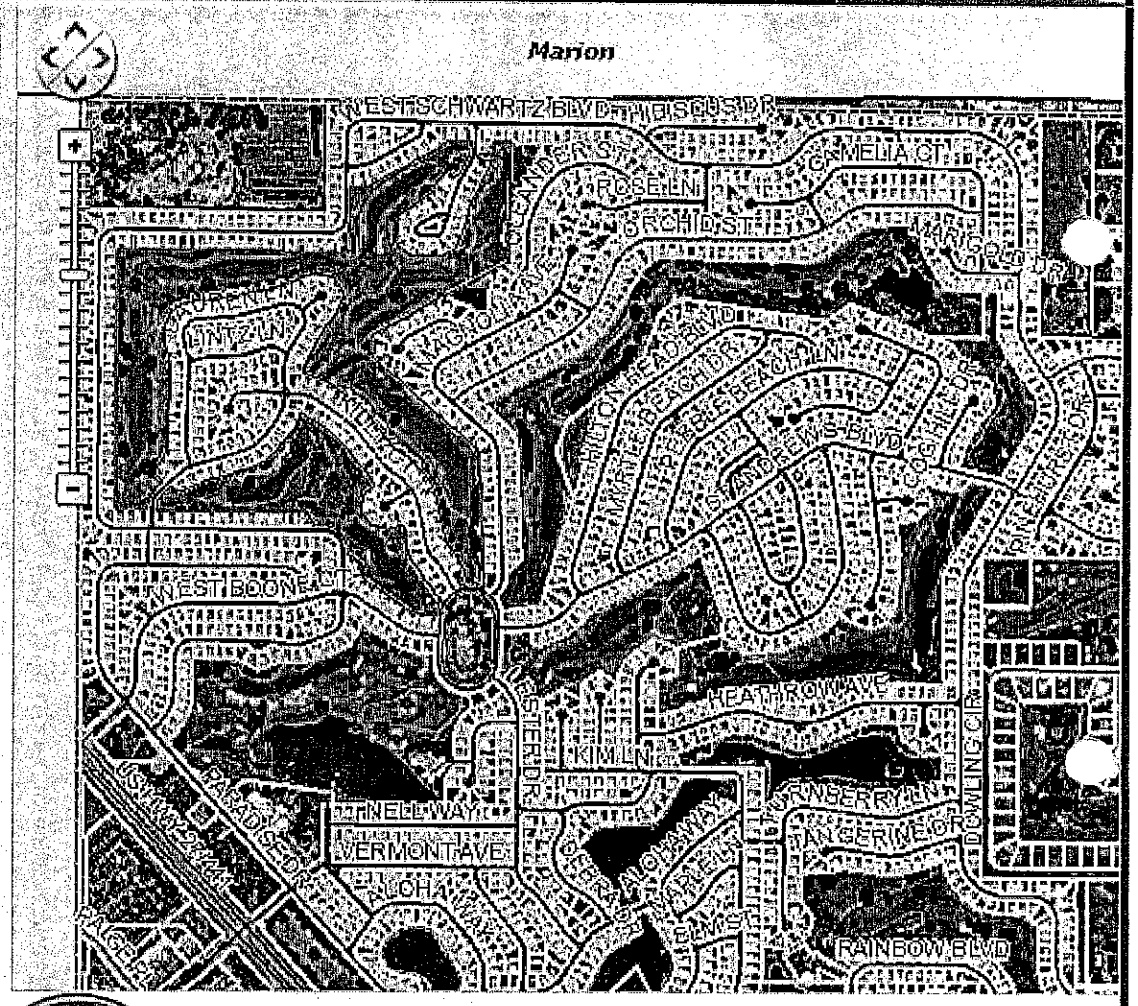
Parcel Details

ALT KEY:	2805382 [Property Appraiser, Tax Collector, Building Permits]
PARCEL NUMBER:	061824038500000000
PROPERTY ADDRESS:	1542 WATER TOWER CIR LADY LAKE FL 32159
OWNER:	VILLAGES OPERATING COMPANY
OWNER ADDRESS:	1020 LAKE SUMTER LNDG THE VILLAGES, FL 32162
SUBDIVISION:	ORANGE BLOSSOM GARDENS UNIT 07, LADY LAKE
YEAR BUILT	1987
LAND VALUE	$457,650
BUILDING VALUE	$467,382
ASSESSED VALUE	$1,120,542
ACRES	62.43
SQUARE FEET	2719450.80

« Back to Search Results



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Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

352-751-1500 FAX 352-751-1510 www.ladylake.org

February 24, 2014

RE: Variance Resolution 2014-103-Parking Spaces Size Reduction

Dear Property Owner:

This is to notify you that an application has been filed requesting a variance in accordance with the provisions of Chapter 7, Section 7-6).b).1).A).of the Town of Lady Lake Land Development Regulations which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long.

Applicant, John R. Grant, representative of the Villages Operating Company, is requesting size reduction of standard 10'x20' parking spaces to allow 9.5'x17' parking spaces throughout the Orange Blossom Hills Country Club Facility. The Orange Blossom Hills Country Club parking lot area was originally constructed in 1986, and most parking spaces exhibit a 9.5'x17' dimension The applicant is proposing to rebuild the existing Pool Deck into a 878-square-foot Outside Bar/Dining Area with Porch Entrance, which will generate 63 additional seats. Now that the applicant proposes to expand the facility, the applicant would like to provide the same size parking spaces needed for the additional seats due to space constrains within the existing development. The applicant states that the Country Club has been operating with 9.5'x17' parking space for 30 years and it has been found to be adequate for their operations.

The general location of the facility is 1542 Water Tower Circle, within the Orange Blossom Unit 7 (Alternate Key 2805382) within the town limits of the Town of Lady Lake, Florida.

Public hearing dates on the petitions are scheduled for the following dates:

PLANNING AND ZONING BOARD- Monday, March 10, 2014 at 6:00 p.m.
COMMISSION MEETING- Monday, March 17, 2014 at 6:00 p.m.

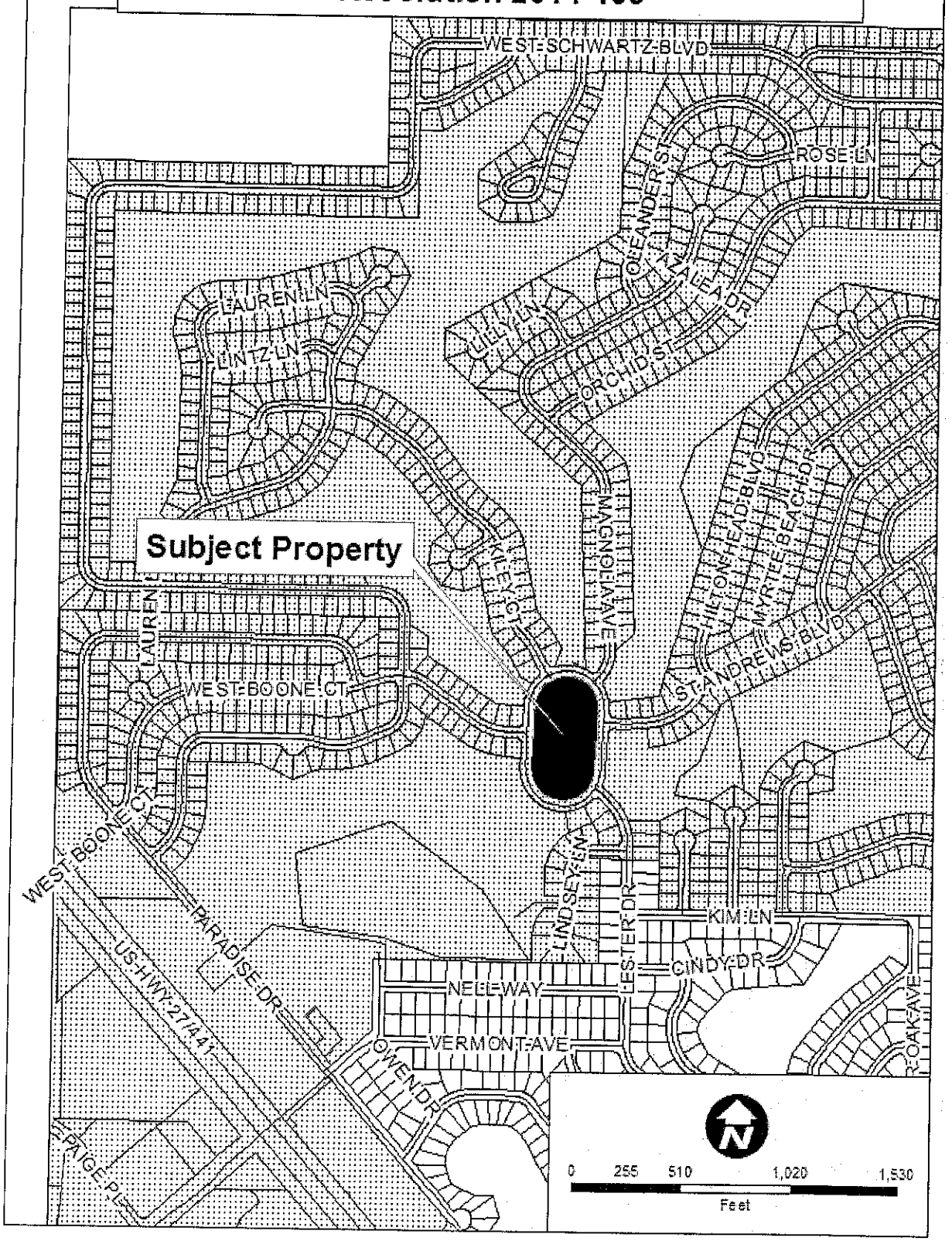
You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

All persons wishing to cross-examine any party at the public hearings are required to file a Notice to Appear with the Town Clerk at least five (5) days prior to said public hearing in order to be heard at the time and place aforesaid. However, if a person only wishes to speak or testify, and not cross-examine a party, the Notice of Appearance form does not need to be filled out. Any person wishing to appeal a decision of this public body should ensure himself that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call Town Planner Wendy Then at (352) 751-1582 or via email at **WThen@ladylake.org**.

Sincerely,

Growth Management Dept.
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159

Villages Operating Company-OBH Country Club
Parking Space Size Reduction Variance
Resolution 2014-103



AltKey	OwnerName	OwnerAddre	OwnerCity	Owne	OwnerZip
2844922	PAAJANEN WILLIAM E & LINDA	9905 COWFORD RD	ATHENS	AL	35611
2911531	HANSEN LAWRENCE W & LINDA K LIFE ESTATE	1003 W BOONE CT	LADY LAKE	FL	32159
2942851	SECHRIST ERMA J	1603 KILEY CT	LADY LAKE	FL	32159
2993634,	BUCKLIN WILLIAM B LIFE ESTATE	925 ST ANDREWS BLVD	LADY LAKE	FL	32159
3017447	HAAS CHARLES R & DAWN M	1004 W BOONE CT	LADY LAKE	FL	32159
3037898	SHEEHAN DONALD & DOROTHY TRUSTEES	1604 KILEY CT	LADY LAKE	FL	32159
3238974	TROW MARGARET C	1404 LINDSEY LN	LADY LAKE	FL	32159
3246101	CUBETA PETER R & ROSABELLE LIFE ESTATE	1602 KILEY CT	LADY LAKE	FL	32159
3247833	MOORE RALPH D & ROSE M	501 WELLINGTON DR	SOUTH LYON	MI	48178
3262000	BILLY EDWARD A LIFE ESTATE & JO ANN (	1422 LESTER DR	LADY LAKE	FL	32159
3393775	THORESEN JACK E	927 ST ANDREWS BLVD	LADY LAKE	FL	32159
3395697	PELUSO FRANK E LIFE ESTATE	1001 W BOONE CT	LADY LAKE	FL	32159
3398254	JONES JACKIE F TRUSTEE & JAMES F JO	1002 W BOONE CT	LADY LAKE	FL	32159
3524411,	VILLAGE CENTER COMMUNITY DEVELOPMENT DISTR	3201 WEDGEWOOD LN	THE VILLAGES	FL	32162

OBH- COUNTRY CLUB- Parking Space Size Reduction Variance

VARIANCE COMMENTS AND RECOMMENDATIONS

Meeting of February 18, 2014

TO:	**Technical Review Committee**
FROM:	**Wendy Then, Town Planner**
SUBJECT:	**Orange Blossom Hills Country Club** **Resolution No. 2014-103 - Parking Size Reduction Variance**
APPLICANT:	**John R. Grant, on behalf of The Villages Operating Company**
DATE:	**February 11, 2014**

SUMMARY:

Applicant, John R. Grant, on behalf of the Villages Operating Company has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).

The Orange Blossom Hills Country Club parking lot area was originally constructed in 1986, and the majority of standard parking spaces exhibit a 9.5'x17' dimension, aside from Golf Cart parking spaces, which are six (6) feet wide and ten (10) feet long. The applicant is proposing to rebuild the existing 1,114 Square-foot Pool Deck into a 878-square-foot Outside Bar/Dining Area with Porch Entrance, which will generate 63 additional seats. Now that the applicant proposes to expand the facility and increase the number of seats, the applicant is required to bring parking spaces to current Code. However, the applicant would like to provide the same size parking spaces needed for the additional seats due to space constrains within the existing development. The applicant states that the Country Club has been operating with 9.5'x17' parking spaces for 30 years and it has been found to be adequate for their operations.

As part of the application, a Justification Statement is required to be submitted outlining the reasons and unique challenges of the site that require such variance. Within the Justification Statement, the applicant stated that the building is nearly 30 years old and

in need of improvements to provide a first class recreation and dining establishment and to maintain the quality of enjoyment for the public.

Proposal of Parking Spaces to be provided:

Existing		
Dimension	**Parking Space Type**	**Number of Spaces**
17'x9.5'	Standard	58
17'x10'	Standard	14
17'x20'	ADA	2
18'x9.5'	Standard	3
18'x10'	Standard	21
10'x6'	Golf Cart	97
Proposed		
18'x12'	ADA	6
Total provided		**201**

Required		
Restaurant Seating (76)	1 space/2 seats	38
Bar Seating (63)	1 space/3 seats	21
Outside Dining (32)	1 space/2 seats	16
Retail (973 sq. ft.)	1 space/200 SF	5
Employee-Proshop (4)	1 space/2 ee	2
Employee Restaurant (20)	1 space/2 ee"	10
18 Hole Golf Course	6 spaces/ 1 hole	108
Total required		**200**

The applicant will be providing the required number of total parking spaces and the required number of ADA parking spaces.

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:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.

5. 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.

6. 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.

The application has been reviewed and been determined to be complete; the applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Planning & Zoning Board.

The subject property involving approximately 3.52 ± acres lies in Section 06, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a site plan of the property involved along with supplementary material have been included with the submitted applications. The Future Land Use for the site is Recreation (P) and is zoned Mixed Residential- Medium Density (MX-8).

Comments:

1.) Notices to inform the surrounding property owners (14) within 150' of the property of the proposed variance will be mailed by certified mail return receipt on Monday, February 24, 2014. The property will be posted also on Monday, February 24, 2014.

Public Meetings:

The **Planning & Zoning Board** is scheduled to review this application at the regular meeting on Monday, March 10, 2014 at 6:00 p.m.

The **Town Commission** is anticipated to consider this application for final approval at their regular scheduled meeting on Monday, March 17, 2014 at 6:00 p.m.

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: March 10, 2014

SUBJECT: **Resolution 2014-103 – Orange Blossom Hills Country Club Facility–Variance requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

1. **Motion to forward Resolution 2014-103 to the Town Commission with the Recommendation of Approval.**

2. **Motion to forward Resolution 2014-103 to the Town Commission with the Recommendation of Denial.**

Staff is in support of Motion Number 1.

SUMMARY

Applicant, John R. Grant, on behalf of the Villages Operating Company has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be ten (10) feet wide and twenty (20) feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).

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Proposal of Parking Spaces to be provided:

Existing		
Dimension	**Parking Space Type**	**Number of Spaces**
17'x9.5'	Standard	58
17'x10'	Standard	14
17'x20'	ADA	2
18'x9.5'	Standard	3
18'x10'	Standard	21
10'x6'	Golf Cart	97
Proposed		
18'x12'	ADA	6
Total provided		**201**

Required		
Restaurant Seating (76)	1 space/2 seats	38
Bar Seating (63)	1 space/3 seats	21
Outside Dining (32)	1 space/2 seats	16
Retail (973 sq. ft.)	1 space/200 SF	5
Employee-Proshop (4)	1 space/2 emp	2
Employee Restaurant (20)	1 space/2 emp	10
18 Hole Golf Course	6 spaces/ 1 hole	108
Total required		**200**

The applicant will be providing the required number of total parking spaces and the required number of ADA parking spaces.

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:

1. No diminution in value of surrounding properties would be suffered.

2. Granting the permit would be of benefit to the public interest.

3. Denial of the permit would result in unnecessary hardship to the owner seeking it.

4. The use must not be contrary to the spirit of this Code.

5. 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.

6. 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.

The application has been reviewed and been determined to be complete; the applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Planning & Zoning Board. Resolution 2014-103 was reviewed by Town Attorney, Derek Schroth, on Tuesday, February 25, 2014, and determined correct in form.

The subject property involving approximately 3.52 ± acres lies in Section 06, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a site plan of the property involved along with supplementary material have been included with the submitted applications. The Future Land Use for the site is Recreation (P) and is zoned Mixed Residential- Medium Density (MX-8).

Comments:

- Notices to inform the surrounding property owners (14) within 150' of the property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014.

Past Actions:

The **Technical Review Committee** reviewed the application for Resolution 2014-103 at its regular meeting on Tuesday, February 18, 2014, recommending approval with a 3-0 vote.

Public Hearings:

The Town Commission will review the application for Resolution 2014-103 for final consideration at its regular meeting on Monday, March 17, 2014 at 6:00 p.m.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[X] Resolution** **[ ] Budget Resolution**

[ ] Other

3-4-14

[ ] Support Documents/Contracts Available for Review in Manager's Office

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DEPARTMENT HEAD **Submitted** 3/4/14 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** 3/10/14 **Date** 3/4/14

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved
McKenzie/Sundsson 4-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: THAD - G.M. ✓

Mr. Warwick replied that after receiving approval from the Town, they will have to go before The Villages Architectural Review Committee, and he stated it depends on the timing of that, but they should commence soon afterward.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter, and as there were no comments, asked for a motion.

Member Monteleone made a motion for approval, and Member McKenzie seconded, and then they both voted against it. It was noted that this was inconsistent, and Mr. Monteleone stated he had another question. He commented that it was a shame this tree had to be removed, but he understood the reasoning behind it. He asked if replacement trees will be planted in its place.

Mr. Warwick stated that there are over 50 other remaining oak trees on the two acres of land and additional landscaping and plantings will be done after the building is completed.

Attorney Todd Mazenko asked for a new motion.

Upon a motion by Member Monteleone, and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2014-102 to the Town Commission for consideration of approval by a vote of 3-1 (McKenzie).

Vice Chair Sigurdson asked Ms. Then if the Town's Tree and Beautification Advisory Committee would have any input on this resolution for the tree removal.

Ms. Then replied that this particular variance for historic tree removal is not required to go before the Tree and Beautification Advisory Committee, as the tree bank donation is their recommendation as a method to acquire funds for further beautification in the Town.

4. <u>Resolution No. 2014-103</u> – Orange Blossom Hills Country Club Expansion – Parking Space Size Reduction Variance to Allow 9.5'x17' as the Minimum Regular Parking Space Size Throughout the Orange Blossom Hills Country Club – Located at1542 Water Tower Circle (Wendy Then)

Wendy Then, Town Planner, presented the background summary on this agenda item (on file in the Town Clerk's office). She stated the applicant, John R. Grant, on behalf of the Villages Operating Company, has filed an application for a variance to the Town of Lady Lake's Land Development Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be 10 feet wide and 20 feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the minimum regular parking space size in lieu of providing standard 10'x20' parking spaces throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382). Ms. Then noted that this parcel is approximately 2.21 acres, and staff recommends approval of this resolution.

Views of the subject property and the location of this facility were shown on the overhead viewer.

Ms. Then reviewed the applicant's Justification Statement, which is a requirement of the application, and outlines the reasons and unique challenges of the site that requires such a variance. It states that the Orange Blossom Hills Country Club parking lot area was originally constructed in 1986, and the majority of standard parking spaces exhibit a 9.5'x17' dimension, aside from golf cart parking spaces, which are 6 feet wide and 10 feet long. The applicant is proposing to rebuild the

4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Planning & Zoning Board. Resolution No. 2014-103 was reviewed by Town Attorney Derek Schroth on Tuesday, February 25, 2014, and was determined to be correct in form.

The subject property involving approximately 3.52 ± acres lies in Section 06, Township 18, and Range 24 in Lake County, Florida. Appropriate legal descriptions and a site plan of the property involved, along with supplementary material, have been included with the submitted applications. The Future Land Use for the site is Recreation (P) and is zoned Mixed Residential-Medium Density (MX-8).

Ms. Then noted that notices to inform the surrounding property owners (14) within 150' of the property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014. She stated that 14 of the 14 return receipts have been received, along with two phone calls with general inquiries.

Ms. Then stated the Technical Review Committee voted 3-0 to transmit Resolution No. 2014-103 to the Planning and Zoning Board for their recommendation at the February 18, 2014 meeting. The Town Commission will review the application for Resolution No. 2014-103 at their regular meeting on Monday, March 17, 2014 at 6 p.m.

Ms. Then stated that applicant is present if there are any questions.

Vice Chair Sigurdson clarified that the 6'x10' spaces are for golf carts on the north end, and noted that the handicapped spaces are being moved closer to the building. He asked if the new golf cart drive near there is for someone parking in the handicapped spaces in golf carts.

Ms. Then replied affirmatively, and stated that the Town's primary interest is to meet any and all ADA requirements for accessibility. She stated that there is a new golf cart path proposed, and that all spaces meet the minimum ADA requirements.

Jeff Head, Project Engineer with Farner Barley, introduced himself and stated the golf cart path was rerouted since the new handicapped spaces were impacting it, and spaces are being realigned as a result. He reiterated that they are not reducing parking space sizes; they have been in existence since 1986, and the applicant is just requesting they be allowed to remain the same size.

Chairperson Gauder asked if there were any other comments from the audience.

- Bill Steele from The Villages stated he read the posting and believes he misinterpreted it; thinking that it said the applicant was asking for a reduction in the number of parking spaces. He also asked if the swimming pool would be eliminated .

Mr. Head replied that there was no reduction in the number of parking spaces and that the pool was not being eliminated.

- Lowell Barker of 1517 W. Schwartz Blvd. stated he lives nearby and that residents are unclear as to what is going on, and stated that communication needs to be better.

Chairperson Gauder asked for a motion.

Upon a motion by Member McKenzie and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2014-103 to the Town Commission for consideration of approval by a vote of 4-0.

5. <u>Resolution No. 2014-104</u> – Grand Oaks Holding, LLC – Variance for Proposed New Freestanding Off-Site Premises Sign – Located at the Southeast Corner of County Road 25 and Marion County Road (Wendy Then)

Wendy Then, Town Planner, gave a brief summary of the agenda item (on file in the Town Clerk's office). She stated the applicant, Greg Beliveau with LPG Urban and Regional Planners, Inc., on behalf of Grand Oaks Holding, LLC, has submitted an application for a variance from Chapter 17, Section 17-7).a).16) which prohibits off-premises signs. The applicant is requesting to allow an off-premise freestanding sign to be erected on the property owned by Grand Oaks Holding, LLC, located at the southeast corner of County Road 25 and Marion County Road (Alternate Key 1237530), within the town limits of the Town of Lady Lake, Florida. Ms. Then stated the parcel is approximately 9.2 acres. The proposed monument sign is designed to be 8' high by 15' wide with a five foot setback along County Road 25, and a 58 foot setback along Marion County Road, which meets sign code requirements. She stated that staff recommends approval of this resolution.

Views of the location of the proposed sign on the subject property were shown, as well as aerial views and photos of the property and postings.

Ms. Then reviewed the Justification Statement which has been submitted as required by the application. It states that the Grand Oaks Resort is home to one of the most exquisite carriage museums in the country, with over 175 carriages, open to the public seven days a week. The applicant has indicated in the Justification Statement that the main purpose for the sign is to notify the public of the museum and special events held at Grand Oaks. Many of these events are in sponsorship of non-profit organizations as Grand Oaks coordinates with numerous non-profit organizations by allowing them to utilize the museum facilities to hold fund raisers at no cost. The applicant has stated that the museum and associated facilities are located on parcels with rural land use due to the equestrian and agricultural nature, which also poses a disadvantage in regard to signage. For identification and exposure purposes, erecting a sign along County Road 25 would make it easier for attendants to find the facility whose main entrance is located off of Marion County Road. Lastly, the applicant has pointed out that the off-premises sign should be considered temporary in that when the site is developed, the sign would become an on-premises sign for the development. However, the sign may still be used in some capacity by the Grand Oaks Resort for their events after the property has been sold. It was noted that the applicant has included a draft Easement Maintenance Agreement which would be executed prior to sale of the subject parcel for Grand Oaks Resort to retain the right to utilize the off-site sign.

The applicant would like to incorporate an electronic message board on the proposed freestanding sign, and a Special Permit Use application has been submitted concurrently with the variance application.

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:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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.

The subject property lies in Section 05, Township 18, Range 24, in Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Mixed-Used Planned Unit Development (PUD). The application is complete and ready to be transmitted to the Planning & Zoning Board for their recommendation. Resolution No. 2014-104 was reviewed by Town Attorney Derek Schroth on Tuesday, March 4, 2014, and was determined to be correct in form.

Ms. Then reported that notices to inform the surrounding property owners (14) within 150' of the property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014. She stated that 10 of the 14 return receipts have been received and there has been one general inquiry.

Photos of the property were shown on the overhead viewer.

Ms. Then stated the Technical Review Committee voted 5-0 to transmit Resolution No. 2014-104 to the Planning and Zoning Board for their recommendation at the March 4, 2014 meeting. The Town Commission will review the application for Resolution No. 2014-104 at their regular meeting on Monday, April 7, 2014 at 6 p.m.

Member Monteleone asked for clarification on whether the sign will be taken down once the parcel is developed.

Mr. Greg Beliveau of LPG Urban Planners replied that the applicant will retain the directional sign on that parcel by way of the easement agreement once the property is sold for development.

Member McKenzie asked for clarification that the sign will not have flashing lights, etc., but will only be a reading sign.

Mr. Beliveau replied that the Town has strict guidelines on LED signs and there will be no flashing or colors that are not allowed by the Town's ordinance.

K-10

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 17, 2014

SUBJECT: Appointment to the Planning and Zoning Board

DEPARTMENT: Clerk's Office

STAFF RECOMMENDED MOTION: Appointment of One (1) Member to the Planning and Zoning Board

SUMMARY: Mr. Julius Chirieleison of the Planning and Zoning Board has recently resigned due to a change in job location which would make it difficult for him to attend the meetings, resulting in a vacancy on the Board. There are currently three applications on file for the vacant position: Mr. Gil Pierson, Mr. Van Reynolds and Mr. Philip Fahey.

FISCAL IMPACT: N/A

[ ] **Capital Budget**
[ ] **Operating**
[ ] **Other**

ATTACHMENTS: [ ] **Ordinance** [ ] **Resolution** [ ] **Budget Resolution**

[X] **Other - Applications**

[ ] **Support Documents**

DEPARTMENT HEAD	**Submitted**	**Date**
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 3-17-14	**Date** 3-11-14

COMMISSION ACTION:

[ ] **Approved as Recommended** [ ] **Disapproved** [ ] **Tabled Indefinitely**

[ ] **Continued to Date Certain** [ ] **Approved with Modification**

TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION

Date: 3-11-14

Name: GIL PIERSON

Mailing Address: 1669 W. SCHWARTZ BLVD

Location of residence: LADY LAKE (VILLAGES)

Business Location (if applicable): _____
(Economic Development Advisory Committee only)

Home Phone: 954-428-5558 Work Phone: _____

Cell Phone: 954-415-1800 E-Mail Address: GILPIERSON@AOL.COM

Check below the Committees or Boards that you are willing to serve on:

- [ ] Citizens Advisory Task Force
- [ ] Economic Development Advisory Committee
- [ ] Library Board
- [X] Planning & Zoning Board
- [ ] Parks & Recreation Advisory Board
- [ ] Police Pension Board
- [ ] Tree & Beautification Advisory Committee

Occupation: REALTOR + INSTRUCTOR FOXFIRE REALTY

Training or experience related to activities of boards or committees to which appointment is sought: SEVERAL YEARS ON PLANNING + ZONING AND BEAUTIFICATION ADVISORY PRIMARY AND ALTERNATE

Member of the following professional or business organizations: REALTOR, AMERICAN LEGION, VFW, KNIGHTS OF COLUMBUS

Have you served on a Town board or committee in the past? YES

If yes – name of committees/boards and dates PLANNING + ZONING CITY OF DEERFIELD BEACH, FL. 1998-2003

CITY OF DEERFIELD BEACH, FL 1989-1993 - BEAUTIFICATION ADVISORY COMM

Nationality: (optional) USA **(This information is for use in the Annual Florida Department of State Report only.)**

Have you ever been convicted of a felony? (optional) NO

Please list three references that the Town may contact (excluding Town employees) – name, address and phone number:

1. GENE BOONE REALTOR 352-732-3344
2. JUDY TROUT REALTOR 352-307-0304
3. NAOMI PURBUSH REALTOR 352-425-6070

Additional information or comments may be attached to this form.

I will attend meetings in accordance with the adopted policies of the Town. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations of the board or committee.

Signature of Applicant

Please return application to:

Town Clerk's Office
Lady Lake Municipal Complex
409 Fennell Blvd
Lady Lake FL 32159

Please note: **You may be required to fill out a financial disclosure form.**

THIS APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Updated: 4-10-12

TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION

Date: 2-24-2014

Name: Van Reynolds

Mailing Address: 556 Loma Paseo Dr.

Location of residence: The Villages, Fl 32159

Business Location (if applicable): N/A
(Economic Development Advisory Committee only)

Home Phone: 352-301-8515 Work Phone: _____

Cell Phone: _____ E-Mail Address: vanjoy@comcast.net

Check below the Committees or Boards that you are willing to serve on:

- [ ] Citizens Advisory Task Force
- [X] Economic Development Advisory Committee
- [ ] Library Board
- [ ] Lake County Library Board Representative
- [X] Planning & Zoning Board
- [ ] Parks & Recreation Advisory Board
- [X] Police Pension Board
- [ ] Tree & Beautification Advisory Committee

Occupation: Retired Attorney

Training or experience related to activities of boards or committees to which appointment is sought: Former city Attorney for City of Metter, GA (15 yrs)
Former Municipal court Judge, (23 yrs) Twin City, GA.

Member of the following professional or business organizations: _____
formally member of Twin City, GA Lions Club and Metter GA Rotary Club (President)

Have you served on a Town board or committee in the past? No

If yes – name of committees/boards and dates _____

Nationality: (optional) American (This information is for use in the Annual Florida Department of State Report only.)

Have you ever been convicted of a felony? (optional) No

Please list three references that the Town may contact (excluding Town employees) – name, address and phone number:

1. Mike Dameron 352-502-3384
2. Dale Fordham 912-685-6850
3. Carroll Rogers 352-751-1489

Additional information or comments may be attached to this form.

I will attend meetings in accordance with the adopted policies of the Town. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations of the board or committee.

Signature of Applicant

Please return application to:

Town Clerk's Office
Lady Lake Municipal Complex
409 Fennell Blvd
Lady Lake FL 32159

Please note: You may be required to fill out a financial disclosure form.

THIS APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

Updated: 01/2014

---------- Forwarded message ----------
From: **LadyLake.org** <ladylake@host103.hostmonster.com>
Date: Thu, Feb 6, 2014 at 10:40 AM
Subject: New Board/Committee Application
To: chr.ayres@gmail.com
Cc: Yankeemann7@aol.com

Name: Philip J Fahey
Application Date: 02-06-14
Address: 1250 Granada Ct
Location of residence: The Villages Fl 32159
Business Location: The Villages Fl 32159
Home Phone: 352-751-0063
Work Phone: N/A
Cell Phone: 352-250-3125
Email: Yankeemann7@aol.com
Boards to serve on: Planning and Zoning Board
Occupation: Retired
Training or experience related to board sought: Was on CRB Board when it was first organized and also was on Planning & Zoning Board and was Chairman. Note The CRB Board is not listed on applicationN/A
Member of professional/business organizations: Was memmber of the Professional Dorector of Purchasing Directors for Indian River Hospital in Vero Beach Fl\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\'
Served in past?: Yes
If yes, which one?: Planing @ zoning Board and also was Chairman of said board. Also was member of first C.R.B Board
Nationality: N/A
Convicted of felony?: No
Reference 1: Mrs Ruth Kussard 424 Lema Paseo Drive Lady Lake 32159 353-259-0240
Reference 2: MR Thomas Nickerson 918 Ventura Dr The VIllages FL 32159 352-753-8413
Reference 3: Mr & Mrs Carl Kemp 5029 County Road 125B Wildwood,Fl 34783 352-330-0933
Additional comments: Having served on two committees I know what I am expected to do and how best to serve the town of Lady LakeI at this time applying for the opening on CRB Board

From: LadyLake.org
Cc: Yankeemann7@aol.com

PLANNING & ZONING BOARD

- VOTING FORM -

Date: March 17, 2014

Please mark your selection (1) and sign your name at the bottom.

Appointments:

	Yes	No
Gil Pierson	☐	☐
Van Reynolds	☐	☐
Philip Fahey	☐	☐

Thank you.

Selections made by: _____

(Name of Commissioner)