



REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: Monday, April 21, 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. **INVOCATION¹:** Associate Pastor Steve Poludniak – Tri-County Baptist Church
- E. **ROLL CALL**
- F. **PUBLIC COMMENTS²**
- G. **PROCLAMATIONS:**
 - 1. Arbor Day – April 25, 2014 (Mayor Kussard/Mike Burske)
 - 2. Civility Month – May 2014 (Mayor Kussard)
- H. **CONSENT³:**
 - 3. Minutes – April 7, 2014 – Regular Commission Meeting
 - 4. Budget Amendment to Establish FDOT Safe Routes to School Sidewalk Budget in FY 2014; and to Utilize Excess Reserve Funds to Purchase the Wildflower Property (Jeannine Michaud)

5. Consideration of Approval of the Interlocal Agreement Between Lake County and Municipalities Relating to the Local Option Fuel Tax (Kris Kollgaard)
6. Consideration of Approval of the Welcome Letter for the 23rd Annual Southeast Bowling Association Tournament (Kris Kollgaard)

I. OLD BUSINESS:

J. NEW BUSINESS:

7. Consideration for the Girl Scouts to Place a 10'x 8' Steel Shed Beside the Boy Scouts' Shed at the Scout Hut (Mike Burske)
8. Consideration to Host the Annual Driving Range Volunteers' Lunch at the Parks and Recreation Building on April 29, 2014 (Mike Burske)
9. Discussion and Direction Regarding Proceeding with an Agreement with VCCDD to Allow the Lady Lake Police Department to Use a Segway for General Police and Safety Protection Services on an As Needed Basis, and Whether Any Approved Agreement Should Include an Indemnity Clause (Chris McKinstry)
10. Consideration of an Amendment to the Sewer, Water and Reuse Utility Agreement for the "Assisted Living Facility at Lexington Park-Phase 2" To Provide for an Extension of an Additional 12 Months to Obtain a Building Permit and Reserve Utility Capacity Already Purchased for the Development (Thad Carroll)

K. TOWN ATTORNEY'S REPORT:

11. Resolution No. 2014-102 – First/Final Reading (tabled from 3-17-14 & continued to 4-21-14) – 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)

L. TOWN MANAGER'S REPORT:

12. Consideration of Reappointments to the Library Board (Kris Kollgaard)

M. MAYOR/COMMISSIONER'S REPORT:

N. PUBLIC COMMENTS⁴

O. 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 – 04-21-2014

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.*



PROCLAMATION

Whereas, in 1872, J Sterling Morton proposed to the Nebraska Board of Agriculture that this special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

Whereas, trees in our Town increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

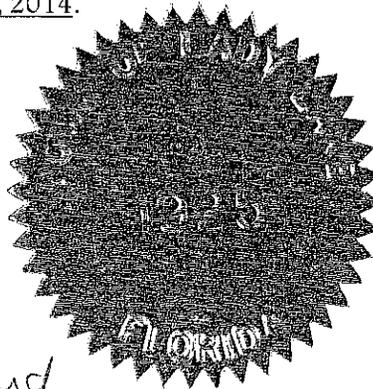
Now, Therefore, I, Ruth Kussard, Mayor of the Town of Lady Lake, Florida do hereby proclaim April 25, 2014 as

Arbor Day

in the Town of Lady Lake, and I urge all citizens to celebrate National Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

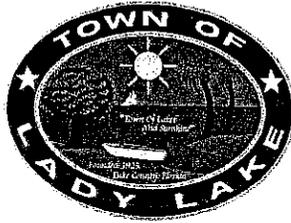
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Lady Lake to be affixed this 21st day of April, 2014.



Ruth Kussard, Mayor
Town of Lady Lake

ATTEST:

Kristen Kollgaard
Kristen Kollgaard, Town Clerk



G-2

PROCLAMATION

Whereas, the open exchange of public discourse is essential to the democratic system of government; and

Whereas, as a cornerstone of democracy Americans have observed certain rules of behavior generally known as civility; and

Whereas, civility, derived from the Latin words "civitas" meaning city and "civis" meaning citizen, is behavior worthy of citizens living in a community or in common with others; and

Whereas, displays of anger, rudeness, ridicule, impatience, and a lack of respect and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and

Whereas, civility can assist in reaching consensus on diverse issues and allow for mutually respectful ongoing relationships; and

Whereas, civility can uplift our daily life and make it more pleasant to live in an organized society; and

Whereas, the City, County and Local Government Law Section of The Florida Bar urges the adoption of a pledge of civility by all citizens in the State of Florida.

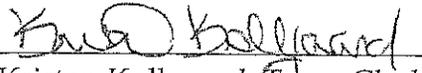
NOW, THEREFORE, be it resolved by the Town Commission of the Town of Lady Lake that the month of May 2014, is proclaimed as

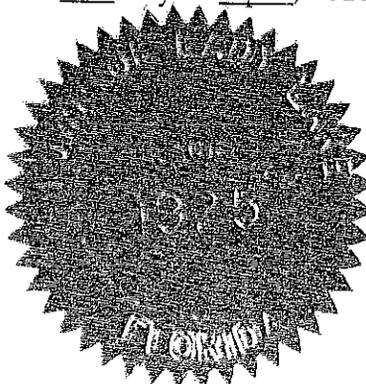
"CIVILITY MONTH"

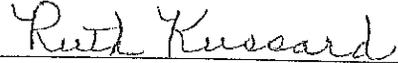
and calls upon all citizens to exercise civility toward each other.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the Town of Lady Lake to be affixed this 21st day of April, 2014.

Attest:


Kristen Kollgaard, Town Clerk




Ruth Kussard, Mayor



CITY, COUNTY AND LOCAL GOVERNMENT LAW SECTION

www.locgov.org

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Terms Expiring 2014:

District 3

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(305) 374-7349

District 5

Michele Lieberman

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Terms Expiring 2015:

District 2

Jeannine Smith Williams

St. Petersburg

(727) 893-7401

District 4

Robert L. Teitler

Ft. Lauderdale

(954) 359-1032

Terms Expiring 2016:

District 1

Virginia (Ginger) Saunders Delegal

Tallahassee

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Terms Expiring 2014

At-Large Members:

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Donald Crowell

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Craig Leen

Coral Gables

(305) 460-5218

Maggie Mooney-Portale

Sarasota

(941) 365-4950

Nancy Stuparich

Oviedo

(800) 633-6458

Ex-Officio Members:

All Past Chairs

PROGRAM ADMINISTRATOR:

Ricky D. Libbert
The Florida Bar
rllibbert@flabar.org

April 1, 2014

Re: Proclamation and Pledge of Civility for the Month of May

Dear Madam/Sir:

The attorneys of the City, County and Local Government Law Section of The Florida Bar ask your local government to join with other cities and counties throughout the State of Florida in proclaiming May as "Civility Month."

Civil discourse is a cornerstone of American democracy and is a vital ingredient to successful local governance. The attorneys of the City, County and Local Government Law Section of The Florida Bar ask you to renew the pledge of public conduct that your local government may have adopted in prior years.

A sample proclamation is enclosed for your use. We are asking all local governments in Florida to adopt such a proclamation to help to uplift the tone and conduct in public meetings throughout the State. We join with our public officials in urging all citizens to exercise civility toward each other throughout the year as they participate in Florida's democratic process.

If you choose to adopt the proclamation, please send us a copy to: Ricky Libbert, The Florida Bar, 651, E. Jefferson St., Tallahassee, Florida 32399-2300, rllibbert@floridabar.org

Thank you for your attention to this important matter and for your dedicated public service.

Sincerely,

Hans Ottinot
Chair

Enclosure

PROCLAMATION

Whereas, the open exchange of public discourse is essential to the democratic system of government; and

Whereas, as a cornerstone of democracy Americans have observed certain rules of behavior generally known as civility;

Whereas, civility, derived from the Latin words "civitas" meaning city and "civis" meaning citizen, is behavior worthy of citizens living in a community or in common with others; and

Whereas, displays of anger, rudeness, ridicule, impatience, and a lack of respect and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and

Whereas, civility can assist in reaching consensus on diverse issues and allow for mutually respectful ongoing relationships; and

Whereas, civility can uplift our daily life and make it more pleasant to live in an organized society; and

Whereas, the City, County and Local Government Law Section of The Florida Bar urges the adoption of a pledge of civility by all citizens in the State of Florida.

Now, therefore, be it resolved, by the Mayor of the City of _____ that the month of May is proclaimed as Civility Month, and calls upon all citizens to exercise civility toward each other.

Passed and adopted this _____ day of _____, 2014.

ATTEST:

CLERK

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**MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
April 7, 2014**

H-3

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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.

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21

A. **CALL TO ORDER:** Mayor Ruth Kussard

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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.*

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31

C. **PLEDGE OF ALLEGIANCE:** Mayor Ruth Kussard

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D. **INVOCATIONⁱ:** Pastor James Keough -- Congregational Church of The Villages

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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

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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 and Recreation Director; Chief Chris McKinstry, Police Department; John Pearl, I.T. Director; Jeannine Michaud, Finance Director; Tia O'Neal, Human Resource Director; Cindy Diemer, Senior Code Enforcement Officer; and Nancy Slaton, Deputy Town Clerk

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44

F. **PUBLIC COMMENTSⁱⁱ**

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

49
50

G. **PROCLAMATION:**

51

1. Proclamation for National Library Week – April 14-20, 2014 (Mayor Kussard/Beth Maciejewski)

Mayor Kussard read the proclamation proclaiming the week of April 14-20, 2014 as National Library Week and presented it to the Town's Library Director, Beth Maciejewski.

H. **CONSENTⁱⁱⁱ:**

2. Minutes – March 17, 2014 – Regular Commission Meeting

1
2 *Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the*
3 *Commission approved Consent Item #H-2, by a vote of 5 to 0.*
4

5 **I. OLD BUSINESS:**
6

7 **3. Consideration of Approval of the Amended and Updated Section 4.10 of the Workers**
8 **Compensation Policy (tabled from 3-17-14) (Tia O'Neal)**
9

10 Human Resource Director Tia O'Neal gave the background summary for this agenda item (on file
11 in the Clerk's Office). She stated that this policy was previously brought to the Town Commission
12 on March 17, 2014 and the Commission asked staff to revise the language for Section "F" to allow
13 the Commission to approve or disapprove reduction of pay for an employee on workers'
14 compensation in a light duty position. Ms. O'Neal stated the draft policy has been updated to
15 reflect those changes and has been reviewed by the labor attorney.
16

17 Mayor Kussard stated she does not believe the Commissioners should be making the determination
18 regarding reducing pay for an employee on a light duty assignment due to an injury. She stated the
19 Town Manager should determine this, and that the Commissioners should not be involved with
20 staffing issues.
21

22 Commissioner Hannan stated he agreed with the Mayor in theory, but that every case should be
23 looked at separately and has different issues. He stated he liked the amended section proposed
24 tonight, and the Town Manager could call a special meeting of the Commission if a case came up
25 that needed to be looked at.
26

27 Town Manager Kris Kollgaard stated calling a special meeting for this type of issue would violate
28 the Town's Charter. She stated she keeps the Commission apprised of things of this nature by
29 talking to each Commissioner individually, and gives the background and reasons for her
30 recommendations. Ms. Kollgaard stated that a Commissioner could then let her know their opinion
31 on it.
32

33 Commissioner Richards stated that he originally brought this up because he was concerned that an
34 employee on light duty would get less than what they would get on unemployment compensation.
35 He stated that although the manager supervises, the Commission funds the positions, and they may
36 have to fund another position if an employee is on light duty and a department is short-handed as a
37 result.
38

39 Commissioner Holden stated he agreed with the Mayor and the Town Manager as there are not
40 many cases of this nature that come about. He stated the Town Manager usually knows more about
41 what is going on in these cases.
42

43 Commissioner Hannan stated that the Town Manager keeps the Commission apprised as to what is
44 going on.
45

46 Commissioner Richards agreed that the Town Manager privately polls the Commission or has
47 private meetings with each Commissioner if there is something of a sensitive nature going on.
48

49 *Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the*
50 *Commission approved the Amended and Updated Section 4.10 of the Workers Compensation*
51 *Policy, by a vote of 4 to 1 (Kussard).*

1
2 **4. Consideration of the Offer from Lake County to Accept 65 Acres of Property Known**
3 **as Lady Lake Preserve (Kris Kollgaard)**
4

5 Town Manager Kris Kollgaard read the background summary for this agenda item (on file in the
6 Town Clerk's office). She reported that Lake County has offered to give the Town a 65-acre
7 property located a few miles east of the town limits. The property consists of a sand-bottomed
8 rainfall dependent lake, with associated wetlands. Eleven acres of the property are uplands
9 containing open land, shrub/brush land, and a small forested area. Ms. Kollgaard stated the
10 property has to be maintained solely for preservation of the existing ecosystems and associated fish
11 and wildlife. She stated that the Land Management Plan from Lake County was provided to the
12 Town, however none of the proposed actions have been implemented. Since acquisition of the
13 property, Lake County has provided routine patrol and basic maintenance.
14

15 Ms. Kollgaard stated that information provided by Lake County was forwarded to the Town's
16 engineers for evaluation as a recharge area for future CUP needs and the property would provide a
17 potential recharge; however if reuse was used in the future, we need to be aware of the additional
18 treatment and monitoring requirements. She stated that any recharge into the lake would likely
19 influence surface water/lake levels on other properties.
20

21 Ms. Kollgaard stated that the Town appreciates Lake County's offer to pass on this property to the
22 Town, however at this time, staff does not feel that the benefits to the Town would outweigh the
23 potential costs to maintain this preserve. She reported that she and the Public Works Director, C.T.
24 Eagle, took a four-wheeler out and viewed the property in person. Ms. Kollgaard noted that there is
25 no public access to this property, and right of way would have to be obtained from existing
26 surrounding property owners of a very nice residential subdivision, and the access would be right
27 behind someone's property. She stated that allowing public access for a picnic area or fishing
28 would create increased traffic, and purchasing the right of way and maintaining the property may be
29 costly. Ms. Kollgaard noted that the Town's CUP is currently in good shape for another 10 to 15
30 years. She also stated that the property is outside of Town limits and if it was annexed in, the Town
31 would have to provide police protection.
32

33 *Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the*
34 *Commission approved staff's recommendation to reject the offer from Lake County for the 65*
35 *acre property known at the Lady Lake Preserve, by a vote of 5 to 0.*
36

37 **J. NEW BUSINESS:**
38

39 **5. Consideration to Host the Second Annual Taste of Lady Lake on May 23, 2014 at the**
40 **Log Cabin/Veterans Park (Mike Burske)**
41

42 Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on
43 file in the Town Clerk's office). He stated that the Parks and Recreation Department is seeking
44 permission to host the Town's second annual restaurant and food vendor evening event at the Log
45 Cabin Park on May 23, 2014. Mr. Burske reported that approximately 23 vendors participated in
46 the event last year, and about the same are expected this year. He stated that Bobby Blackmon has
47 agreed to be the entertainer once again. Mr. Burske stated that there was discussion regarding
48 charging the food vendors this year, but he requested that the Commission allow area restaurants
49 and food vendor to participate at no charge again this year as the Town is able to attract more
50 vendors by not charging. He stated the hours for the event will be from 5:00 p.m. to 7:30 p.m.
51

1 Commissioner Richards commented that he thought it was a great idea and that it ties in with the
2 Economic Development Advisory Committee's idea to get Lady Lake's name out there and gets
3 people used to coming into the Town area.

4
5 Commissioner Holden and Commissioner Vincent agreed, as did the Mayor, who stated that the
6 food was very good last year and that Bobby Blackmon is a wonderful entertainer.

7
8 *Upon a motion by Commissioner Hannan and seconded by Commissioner Vincent, the*
9 *Commission approved the consideration to host the Second Annual Taste of Lady Lake on May*
10 *23, 2014 at the Log Cabin/Veterans Park, by a vote of 5 to 0.*

11
12 **6. Acknowledgement of Additional Engineering Services for the Rolling Acres Sidewalk**
13 **Project (Mike Burske)**

14
15 Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on
16 file in the Town Clerk's office). He stated that the proposal from P.S.I. to cover additional
17 engineering and additional signed and sealed plans for the current sidewalk project is included in
18 the packet. Mr. Burske stated that currently, the Town has four areas of the project that are going to
19 need modification:

- 20
21 1) The intersection of First Street, Second Street and Clay Avenue. The modification was needed
22 to better tie into the existing sidewalks on CR 466. The plans fell short of the crosswalk and a
23 better way was seen once construction was started.
- 24 2) Move the sidewalk on Clay Avenue closer to the road and add a curb to be compliant. The area
25 by the water tower had a greater grade than eight percent. We have the opportunity to hug the
26 road and separate the road and the sidewalk with a curb. This is a cost effective way to meet
27 F.D.O.T. compliance.
- 28 3) Add a curb by Griffin Avenue and CR 25 to keep dirt and soil off of the sidewalk. This need
29 was discovered once construction was started due to the slope the sidewalk is being built on.
30 Once again, we will need the curb to be F.D.O.T. compliant.
- 31 4) Re-design the gravity wall and the railing near the intersection of Rolling Acres Road and CR
32 466 and replace with curbing. By replacing the gravity wall, we can use the savings from the
33 wall to afford the other modifications. As this is a lump sum project, we need to substitute the
34 expensive wall and rail and replace with a curb that will serve the same purpose.

35
36 Mr. Burske stated that since F.D.O.T. paid for the original design of the sidewalk, the Town is in a
37 situation where it will have to pay for needed design modifications, and the additional design
38 engineering will allow the Town to continue the project and keep on schedule. He stated that he
39 will still submit the bill to the F.D.O.T. to see if they will pay it. Mr. Burske reported that the
40 contractor stated at the last progress meeting that the project may be completed by mid-April,
41 although he believes it will be in May, and that his goal is to keep the project going and keep time
42 on our side. Mr. Burske referred to the attached proposal for additional services and the e-mails and
43 plans leading up to the need for the services.

44
45 Commissioner Hannan asked why the sidewalk on CR 25 stopped at Meredith Auto Repair. He
46 mentioned there are school children at Smitty Road and the Lakes of Lady Lake, and residents there
47 would like to see a sidewalk.

48
49 Mr. Burske replied that he is working with Lake County regarding the distance of the sidewalk from
50 the road in this 35 mph area, but that it should continue on to near the Blue Parrott, but cannot
51 continue on to Lakes of Lady Lake.

1 Town Manager Kris Kollgaard clarified that the Safe Routes to School project is limited to a two
2 mile radius from the school.

3
4 Commissioner Vincent commented that the Lakes of Lady Lake children are afforded bus
5 transportation.

6
7 Commissioner Richards stated that Neel Schafer was under contract with the Town when they did
8 the design for this project. He asked if they had been contacted regarding reimbursing the Town for
9 PSI's additional work as some of it was caused by Neel-Schafer not foreseeing the ADA problems
10 on Clay Avenue regarding the percent grade.

11
12 Mr. Burske replied that he and Kris spoke to Neel-Schafer on Thursday morning and notified them
13 of some design flaws.

14
15 Commissioner Richards stated that the Town should pay this and move on with the project, and the
16 Town has contracts with Neel-Schafer all the time, and may be grading how well they did on the
17 F.D.O.T. project.

18
19 Commissioner Vincent asked how many feet of sidewalk the Town is adding, if staff had taken into
20 account the time and cost of maintaining the sidewalks, and if additional staffing may be needed.

21
22 Mr. Burske replied the project will consist of between 2.8 and 3.1 miles of sidewalk.

23
24 Public Works Director C.T. Eagle stated that the new sidewalks will significantly increase the
25 maintenance for edging the sidewalks and may cause complications for mowing between the
26 sidewalk and the road, etc. He stated that it will slow the current schedule down somewhat and it
27 will be re-evaluated regarding the possible need for additional staffing as the budget is looked at for
28 the next year.

29
30 Ms. Kollgaard agreed that it can be looked at after the project is completed in May, and it will give
31 staff time to see how much extra work is involved before the budget is prepared for the next year.

32
33 Commissioner Richards commented that Carroll Taylor with Four Seasons Landscaping, who does
34 the sweeping and the state maintenance, came up with a device for a tractor that does edging along
35 the sidewalk.

36
37 **7. Consideration of Approval of the Abatement Fee Reduction Procedure for Code**
38 **Enforcement (Thad Carroll)**

39
40 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
41 file in the Town Clerk's office). He stated that the policy for consideration by the Town
42 Commission for the Abatement Fee Reduction Procedure as discussed in the Special Workshop on
43 Monday, January 13, 2014 was included in the packet. This policy will serve to guide the
44 recommendations made by Town staff regarding fee reductions related to Code Enforcement
45 abatement cases.

46
47 Mr. Carroll stated that going forward, the protocol of staff will be to recommend a reduction to an
48 amount equivalent to 25% of the assessed property value, and in cases where that value exceeds
49 \$5,000.00, the recommended reduction will be set at \$5,000.00. He stated that based upon the
50 testimony of the property owner, the Special Magistrate will retain authority to further reduce or

1 increase this amount, and subsequently, the Commission will have final determination at the
2 Commission meeting to assign the final fee.

3
4 Mr. Carroll stated that other guidelines are also being set forth by this policy for recommending
5 daily fee accruals for code enforcement violations, as well as establishing a process by which code
6 violators will receive 30, 60, and 90-day reminders following the recording of their lien.

7
8 Commissioner Richards thanked staff for developing this policy, saying he thought it was great, and
9 the other Commissioners agreed.

10
11 *Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the*
12 *Commission approved the Abatement Fee Reduction Procedure for Code Enforcement, by a vote*
13 *of 5 to 0.*

14
15 **8. Update on Priority Projects Submission to Lake County Regarding Transportation**
16 **Impact Fee Projects (C.T. Eagle)**

17
18 Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the
19 Town Clerk's office). He stated that as seen in the attached email included in the packet, Lake
20 County Public works recently held kick-off meetings with the municipalities to discuss impact fee
21 eligible transportation projects. Mr. Eagle stated they requested that a list of potential projects be
22 submitted for further discussion, and the potential project forms for submission are attached as an
23 update and for any related discussion. He reviewed the list of potential projects for the audience:

- 24
25 1) Rolling Acres Road - A PD&E study performed by GMB Engineers in 2009 on behalf of the
26 Town of Lady Lake and Lake County recommended widening Rolling Acres Road from two to
27 four lanes, along with other safety and pedestrian use improvements. Since then traffic counts
28 and safety concerns have continued to increase and will continue to do so. A comprehensive
29 improvement project is requested that would account for traffic patterns relating to the
30 intersections of Rolling Acres Road at US 27/441, CR 466, and also Lake Ella Road; all of
31 which have seen and will continue to see increased usage due to large residential development
32 in the area.
- 33
34 2) Lake Ella Road - Lake County has existing plans to improve/realign Lake Ella Road with Eagles
35 Nest Road at the intersection of US 27/441. Along with the realignment of that area, the entire
36 length of Lake Ella Road should be studied and redesigned for improvements. Traffic has
37 continually increased on the section of Lake Ella Road between Rolling Acres Road and Micro
38 Racetrack Road. Lake Ella Road is increasingly utilized as a connector between, CR 466, CR
39 466A, Rolling Acres Road, and US 27/441. Some potential safety issues on Lake Ella Road
40 may also need to be remedied such as a limited sight distance issue when traveling west on Lake
41 Ella Road approaching Rolling Acres Road due to a steep hill, a sharp S-Turn on the eastern
42 section, and a possible three way stop intersection at Rolling Acres Road.
- 43
44 3) Oak Street - Construction of the unimproved portion of Oak Street from Rolling Acres Road to
45 Clay Avenue would open up a new alternative route for vehicles traveling to and from CR 25 to
46 Rolling Acres Road allowing traffic to bypass the already busy intersection of US 27/441 and
47 Rolling Acres Road. It would also open a new route for traffic to bypass the busy intersection
48 of US 27/441 and CR 466. Recommend investigating improvements on the existing portion of
49 Oak Street from the intersection of Clay Avenue to CR 25 due to increased traffic.

1 4) Abeble Road - Construction of the unimproved portion of Abeble Road, which is currently a dirt
2 road and is used by the local residents as alternative access between Rolling Acres Road and US
3 27/441. New large scale residential developments will/do have direct access to this road. Town
4 of Lady Lake main utility lines run parallel with the undeveloped portion of Abeble Road that
5 connect Rolling Acres Road to the Town of Lady Lake Public Works Complex on Skyline
6 Drive. Construction of this new roadway would alleviate a portion of the east-west traffic on
7 CR 466 and on Lake Ella Road, while also allow local residents an alternate route as well.
8

9 Commissioner Richards asked if there has been any more action on extending Clay Street.

10
11 Mr. Eagle stated the Town ran into property acquisition issues with the property owner on the
12 northern-most area to the west.

13
14 Ms. Kollgaard stated that she believes the Town will be able to require the easement on the other
15 side to offset the connection when Hwy 27/441 is widened and the bridge is taken down, after the
16 property is sold for development.

17
18 **K. TOWN ATTORNEY'S REPORT:**

19
20 **9. Resolution No. 2014-102 – First/Final Reading (tabled from 3-17-14) – Plaza**
21 **Professional Center – Variance Request to Authorize the Removal of a 38” Historic Live Oak**
22 **Tree to Accommodate a New Office Building on the Last Remaining Parcel at the Plaza**
23 **Professional Center – Located at 302 La Grande Blvd. (Thad Carroll)**
24

25 Derek Schroth, Town Attorney, stated that it was his understanding that the applicant requested that
26 this reading be postponed. He asked if any members of the audience would like to speak regarding
27 the postponement. There was no response.

28
29 Town Manager Kris Kollgaard requested that this reading be postponed to a date and time certain.

30
31 *It was the consensus of the Commission to postpone the final vote on this resolution to the*
32 *Commission meeting scheduled for April 21, 2014 at 6 p.m.*
33

34 **10. Resolution No. 2014-104 – First/Final Reading – Grand Oaks Holding, LLC – Variance**
35 **for Off-Site Premises Sign – Proposed New Freestanding Sign to be Located at the Southeast**
36 **Corner of County Road 25 and Marion County Road (Thad Carroll)**
37

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

39
40 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
41 file in the Town Clerk's office). He stated that the applicant, Greg Beliveau with LPG Urban &
42 Regional Planners, Inc., on behalf of Grand Oaks Holding, LLC, has submitted an application for a
43 variance from Chapter 17, Section 17-7).a).16) which prohibits off-premises signs. The applicant is
44 requesting to allow an off-premise freestanding sign to be erected on the property owned by Grand
45 Oaks Holding, LLC, located at the southeast corner of County Road 25 and Marion County Road
46 (AK #1237530), within the town limits of Lady Lake, Florida. The proposed monument sign is
47 designed to be 8' high by 15' wide with a 5 foot setback along County Road 25 and 58 foot setback
48 along Marion County Road, which meets sign code requirements. Mr. Carroll noted that the present
49 use of the 9.2 +/- acre property is vacant Commercial/Mixed Use and that the Town approved a
50 planned unit development on this property in 2008, and adopted it in 2009. He stated that staff
51 recommends approval of this variance.

1
2 Views of the property and the proposed sign location on the property were shown on the overhead
3 viewer along with the posting of the property.
4

5 Mr. Carroll stated that as required of the application, a Justification Statement has been submitted.
6 It states that the Grand Oaks Resort is home to one of the most exquisite carriage museums in the
7 country, with over 175 carriages, open to the public seven days a week. The applicant has indicated
8 within the Justification Statement that the main purpose for the sign is to notify the public of the
9 museum and special events held at Grand Oaks. Many of these events are in sponsorship of non-
10 profit organizations as Grand Oaks coordinates with numerous non-profit organizations by allowing
11 them to utilize the museum facilities to hold fund raisers at no cost. The applicant has stated that
12 the museum and associated facilities are located on parcels with rural land use due to the equestrian
13 and agricultural nature, which also poses a disadvantage in regards to signage. For identification
14 and exposure purposes, erecting a sign along County Road 25 would make it easier for attendants to
15 find the facility, of which the main entrance is located off of Marion County Road. Lastly, the
16 applicant has pointed out that the off-premises sign should be considered temporary in that when the
17 site is developed, the sign would become an on-premises sign for the development; however, the
18 sign may still be used in some capacity by the Grand Oaks Resort for their events as well after the
19 property has been sold. The applicant has included a draft Easement Maintenance Agreement
20 which would be executed prior to any sale of the subject parcel to retain the right for Grand Oaks
21 Resort to utilize the off-site sign.
22

23 Mr. Carroll showed a proposed rendering of the sign and stated that the applicant would also like to
24 incorporate an electronic message board on the proposed freestanding sign, so a Special Permit Use
25 application has been submitted concurrently with the variance application.
26

27 When reviewing an application for a variance, the Planning and Zoning Board and the Town
28 Commission shall consider the following requirements and criteria according to Chapter 3, Section
29 14 f) – Review criteria for variances in the Land Development Regulations:
30

- 31 • No diminution in value of surrounding properties would be suffered.
- 32 • Granting the permit would be of benefit to the public interest.
- 33 • Denial of the permit would result in unnecessary hardship to the owner seeking it.
- 34 • The use must not be contrary to the spirit of this Code.
- 35 • Financial disadvantages and/or inconveniences to the applicant shall not of themselves
36 constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify
37 granting of a variance.
- 38 • Physical hardships such as disabilities of any applicant may be considered grounds to justify
39 granting of a variance at the discretion of the Town Commission.
40

41 The subject property lies in Section 05, Township 18, South Range 24 East, in Lady Lake Florida.
42 The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services
43 (RET) and is zoned Mixed-Used Planned Unit Development (PUD). Resolution No. 2014-104 was
44 reviewed by Town Attorney Derek Schroth on Tuesday, March 4, 2014, and was determined to be
45 correct in form.
46

47 Mr. Carroll stated that notices to inform the surrounding property owners (14) within 150' of the
48 subject property of the proposed variance were mailed by certified mail return receipt on Monday,
49 February 24, 2014. The property was posted on Tuesday, February 25, 2014.
50

1 Mr. Carroll reported that the Technical Review Committee (TRC) reviewed the application for
2 Resolution No. 2014-104 at their regular meeting on Tuesday, March 4 2014, and determined the
3 application complete and ready for transmittal to the Planning and Zoning Board by a vote of 5-0.
4 At the March 10, 2014 meeting of the Planning and Zoning Board, the board recommended
5 approval of Resolution No. 2014-104 by a vote of 4-0.
6

7 Mr. Carroll stated that Greg Beliveau is present to answer any questions on behalf of the applicant.
8

9 Commissioner Holden commented that a five foot setback seems too close to the highway.
10

11 Mr. Carroll stated the setback is five feet off of the right of way.
12

13 Mr. Beliveau stated that it is approximately 35 feet from the edge of the pavement.
14

15 Mayor Kussard asked if anyone in the audience had any comments regarding this resolution. There
16 were no comments.
17

18 *Upon a motion by Commissioner Hannan and seconded by Commissioner Holden the*
19 *Commission approved Resolution No. 2014-104 – First/Final Reading – Grand Oaks Holding,*
20 *LLC – Variance for Off-Site Premises Sign – Proposed New Freestanding Sign to be Located at*
21 *the Southeast Corner of County Road 25 and Marion County Road, by the following roll call*
22 *vote:*
23

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

30 **11. Resolution No. 2014-105 – First/Final Reading – Grand Oaks Holding LLC – Special**
31 **Permit Use Request for an Electronic Message Board/Marquee Sign to be Located at the**
32 **Southeast Corner of County Road 25 and Marion County Road (Thad Carroll)**
33

34 Derek Schroth, Town Attorney, read the ordinance by title only.
35

36 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
37 file in the Town Clerk’s office). He stated that the applicant, Greg Beliveau with LPG Urban &
38 Regional Planners, Inc., on behalf of Grand Oaks Holding, LLC, has submitted a Special Permit
39 Use application concurrently with the sign variance request proposing the installation of an
40 electronic message board/marquee sign on a proposed monument sign to be erected on the property
41 owned by Grand Oaks Holding, LLC, located at the southeast corner of County Road 25 and
42 Marion County Road (AK #1237530).
43

44 The proposed monument sign is designed to be 8’ high by 15’ wide with a five foot setback along
45 County Road 25 and a 58 foot setback along Marion County Road, which meets sign code
46 requirements (sign renderings attached). A statement of adherence to the guidelines of the
47 electronic message board/marquee sign has been submitted indicating that the applicant will follow
48 all standards outlined under the provisions of the Town of Lady Lake Land Development
49 Regulations, Chapter 17, Section 17-3).e).(4)., including dimming features and capabilities for the
50 LED sign.
51

The electronic message board/marquee sign is proposed to be placed on an approved freestanding sign (pending Resolution 2014-104) and will display a copy area of 14 sq. ft.. The future land use and zoning designations of the adjacent properties are:

Future Land Use

Subject Property	Lady Lake- Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	ROW/Lady Lake Single Family – Low Density (up to 3 du/acre)
East	Lake County – Urban (up to 7 du/acre)
North	Lake County – Urban (up to 7 du/acre)
South	Lake County – Urban (up to 7 du/acre)

Zoning

Subject Property	Lady Lake-Mixed Use Planned Unit Development (PUD)
Zoning of Adjacent Properties	
West	Lady Lake Agricultural Residential (1 du/acre)
East	Lake County – Agriculture (1 du per 5 acres)
North	Lake County - Rural Residential (R-1), Lake County – Agriculture (1 du per 5 acres)
South	Lake County – Agriculture (1 du per 5 acres)

The zoning of the subject site allows for development and construction of freestanding signs, on which the applicant can install an electronic message boards/marquee sign upon Town Commission approval; therefore, the requested permit is consistent with the directives of the Land Development Regulations and Comprehensive Plan. Resolution No. 2014-105 was reviewed by Town Attorney Derek Schroth on Tuesday, March 4, 2014, and was determined to be correct in form.

Applications for Special Permit Use (SPU) must be made to the Town in accordance with the procedures established for Electronic Message Boards pursuant to Chapter 17, Section 17-3, (e). (4).

Chapter 17, Section 17-3, (e), (4) Review Criteria. When reviewing an application for a special permit use for electronic message boards, the Town Commission shall consider the following:

Electronic message boards must adhere to the following guidelines:

- a. Shall only be placed on approved freestanding signs.
- b. Maximum copy area shall not exceed fourteen (14) square feet per each side.
- c. Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- d. Shall only display text. The text shall be amber-colored or similar lettering with black background.
- e. All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.

Comments:

- The applicant submitted an Off-Premises Sign Variance application concurrently with this Special Permit Use application.

- 1 • The application meets the above requirements for review criteria for the installation of an
2 electronic message board on a freestanding sign. Additionally, the proposed freestanding
3 sign will meet the height, size, copy area, and setback requirements as per Chapter 17-Sign
4 Regulations.
- 5 • Contingent upon approval of the above Special Permit Use, the applicant will be required to
6 secure a building permit for the erection of the monument sign.
7

8 Views of the property and the postings were shown along with the rendering of the proposed sign.
9 Mr. Carroll stated that the electronic marquee area is limited to 14 sq. ft. per the Town's Code, with
10 a single amber colored display. He stated no animated, flashing or scintillating graphics are allowed
11 per Code, and the sign will have the required dimming capability. Mr. Carroll stated that the Town
12 has several of these signs around the community, including MMD Computers, the First Baptist
13 Church of Lady Lake, and Lady Lake Family Medicine. He stated the applicant is requesting the
14 same in their justification statement as they have many events and shows, and the ability to change
15 the message on the marquee sign is desired.
16

17 Notices to inform the surrounding property owners (14) within 150' of the subject property of the
18 proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014 with
19 10 of the 14 return receipts received. The property was posted on Tuesday, February 25, 2014.
20

21 Mr. Carroll reported that the Technical Review Committee (TRC) reviewed the application for
22 Resolution No. 2014-105 at their regular meeting on Tuesday, March 4, 2014, and determined the
23 application complete and ready for transmittal to the Town Commission by a vote of 5-0. He noted
24 that the Planning & Zoning Board does not review Special Permit Use applications.
25

26 Mr. Carroll stated that Greg Beliveau is present to answer any questions.
27

28 Commissioner Hannan commented that this is a very rural area and having an electronic sign in this
29 area will be distracting at night.
30

31 Mayor Kussard noted that the sign will have a dimming feature which should help.
32

33 Mr. Beliveau stated that the applicant really needs the electronic marquee feature to direct people to
34 where they are and the many functions that are held at Grand Oaks. He stated that many of them
35 are non-profit functions, including Special Olympics. Mr. Beliveau stated he is sad that they will
36 not be able to include special effects such as horses and carriages going across the sign, but they
37 will be happy to have the electronic feature. He stated that Grand Oaks has gone from a seasonal
38 facility to a 12 month resort and they want the public to be aware of what is going on there. Mr.
39 Beliveau stated the dimming will be in effect at night.
40

41 Commissioner Hannan clarified that Grand Oaks is not in Lady Lake.
42

43 Mr. Beliveau confirmed that, and stated when the property is sold in the future, the sign will
44 become a directional sign only for Grand Oaks. He also stated that they have been talking to staff
45 about available options such as annexation.
46

47 Commissioner Hannan stated that annexation would be nice.
48

49 Dr. Paul Harsh, Senior Pastor of the First Baptist Church, stated that their electronic sign has been
50 incredibly useful to them in many ways. He stated the ability to change the message via computer

1 very quickly is useful and practical, although they would also like to be able to use features that are
2 not currently allowed by Code.

3
4 Mr. Carroll clarified that there is one other electronic marquee sign in this rural area belonging to
5 the Lady Lake Assembly Church, although this is not in the Town's jurisdiction.

6
7 *Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the*
8 *Commission approved Resolution No. 2014-105 – First/Final Reading – Grand Oaks Holding*
9 *LLC – Special Permit Use Request for an Electronic Message Board/Marquee Sign to be Located*
10 *at the Southeast Corner of County Road 25 and Marion County Road, by the following roll call*
11 *vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

12
13
14
15
16
17
18
19 **L. TOWN MANAGER'S REPORT:**

20
21 **12. Consideration of Appointment of the Lady Lake Liaison to the Lake County Library**
22 **Board (Kris Kollgaard)**

23
24 Town Manager Kris Kollgaard read the background summary for this agenda item (on files in the
25 Town Clerk's office. She stated that Mr. William Stokes served as the liaison to the Lake County
26 Library Advisory Board since January of 2012, but resigned in December 2013 due to an
27 injury/illness. Ms. Kollgaard stated that the liaison is responsible for attending the Lake County
28 Library Board meetings that are held monthly in Tavares and then reports back to the Lady Lake
29 Library Board on the issues that were discussed. She stated that Mr. Frank Kirschenheiter has
30 recently submitted an application and is willing to serve as the liaison representative to fill this
31 vacancy. Ms. Kollgaard stated that this is the only application on file and the Lady Lake Library
32 Board recommended approval of this applicant for the appointment at their meeting on March 13,
33 2014.

34
35 Ms. Kollgaard reported that Mr. Kirschenheiter attended the last Library Board meeting where they
36 recommended his appointment, and intended to attend this meeting, but was unable to make it back
37 in time from a meeting in Tampa this afternoon.

38
39 Ms. Kollgaard asked the Commissioners to make their selection. The following results were read
40 into the record and tallied:

41
42 *Mr. Frank Kirschenheiter received affirmative votes by all five Commissioners and was*
43 *appointed as the Lady Lake Liaison to the Lake County Library Board.*

44
45 **13. Consideration of Appointments/Reappointment to the Police Pension Board (Kris**
46 **Kollgaard)**

47
48 Town Manager Kris Kollgaard read the background summary for this agenda item (on files in the
49 Town Clerk's office. She stated that currently, the Police Pension Board has two members whose
50 terms are expiring this month. Mr. William Reed has served for many years and wishes to retire
51 from the Board and Ms. Connie Merrell-Kasch wishes to be re-appointed.

1
2 Ms. Kollgaard stated that there are also currently three applications on file for this board for
3 consideration. The applicants are Frank Kirschenheiter, Van Reynolds, and John Schmied. She
4 stated that Mr. Schmied intended to attend this meeting, but contacted staff that he had a dental
5 problem and was unable to attend as he wished.
6

7 Mayor Kussard noted that Van Reynolds is present in the audience as an applicant for this board.
8

9 Mr. Reynolds introduced himself, stating he is a retired lawyer from Georgia. He stated that he
10 served as a part-time municipal court judge for 23 years, and as a city attorney for another
11 municipality for 13 years. Mr. Reynolds stated he has had the opportunity to view the workings of
12 a police department from two different angles.
13

14 The Commissioners stated that he had an impressive resume.
15

16 Ms. Kollgaard asked the Commissioners to make their two selections. The following results were
17 read into the record and tallied:
18

- 19 -Commissioner Holden voted for the appointment of Van Reynolds and John Schmied.
- 20 -Commissioner Vincent voted for the appointment of Van Reynolds and John Schmied.
- 21 -Commissioner Hannan voted for the appointment of Van Reynolds and John Schmied.
- 22 -Commissioner Richards voted for the reappointment of Connie Merrell-Kasch and the appointment
23 of Van Reynolds.
- 24 -Mayor Kussard voted for the appointment of Van Reynolds and John Schmied.
25

26 ***Mr. Van Reynolds and Mr. John Schmied were appointed as new members.***
27

28 Ms. Kollgaard reported that she signed the contract for the Wildflower property today and turned
29 over the check to Town Attorney Derek Schroth and it will be finalized tomorrow.
30

31 Ms. Kollgaard stated that the Special Commission meeting is coming up for the Comprehensive
32 Annual Financial Report. She asked if the Commission would be available to meet at 5:30 p.m. on
33 April 21, 2014, just prior to the regular Commission meeting at 6 p.m. She stated Chet Ross will be
34 present to give the audit report for fiscal year ending September 30, 2013, and the presentation of
35 the Certificate of Achievement for Excellence in Financial Reporting.
36

37 The Commissioners replied that they would be able to attend the Special Commission meeting at
38 5:30 p.m. on April 21, 2014.
39

40 Ms. Kollgaard stated that staff is working on the online permitting with HTE and SunGard which is
41 included in this year's budget. She stated that it is a long process and John Pearl and Aubrey Cash
42 are working very hard on it. Ms. Kollgaard stated that the Town has had this software since 1997 or
43 1998, and during that time, some of the staff that was trained on it has since left and some of the
44 shortcuts they learned were not passed on. She stated that staff has found that the software has
45 more capabilities than the Town is currently using, and thus, each department head is formulating a
46 step by step operating manual for their department. Ms. Kollgaard thanked staff for all their hard
47 work on this project.
48

49 Ms. Kollgaard thanked the Clerk's Office staff for working with Staples to get the price down on
50 the new chairs for the Commission Chambers.
51

1 **M. MAYOR/COMMISSIONER'S REPORT:**

2
3 There were no reports.

4
5 **N. PUBLIC COMMENTS^{iv}**

6
7 Mayor Kussard asked if anyone had any further questions or comments. There were no questions or
8 comments.

9
10 **O. ADJOURN**

11
12 There being no further discussion, the meeting was adjourned at 6:55 p.m.

13
14
15
16

Kristen Kollgaard, Town Clerk

17

Ruth Kussard, Mayor

18 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.



H-4

TOWN COMMISSION AGENDA ITEM

REQUESTED REGULAR COMMISSION MEETING DATE Apr 21, 2014

SUBJECT: Budget Amendment to establish FDOT SAFE Route to School Sidewalk budget in FY2014; and to utilize excess Reserve Funds to purchase Wildflower Property

DEPARTMENT: Finance Department

RECOMMENDED MOTION: Staff recommends approval of BT14-013 to establish FDOT SAFE Route to School Sidewalks budget for \$502,300 in FY2014, increase SAFE route to School budget for \$3500 for additional engineering from contingency, and increase OGS Land budget to Purchase Wildflower Property from General Fund Reserves for \$170,300.

SUMMARY: Amendment BT14-013 appropriates a FY2014 budget for the FDOT SAFE Route to School agreement. This amendment will increase the expense line item for FDOT SAFE Route to School and the FDOT SAFE Route to School revenue. Agreement with FDOT was executed Dec 21, 2012. Commission approved the additional engineering at the Apr 7, 2014 Commission Meeting .

Purchase of the Wildflower Property from General Fund Reserves was approved at the Feb 3, 2014 Commission Meeting.

FISCAL IMPACT: GF \$505,800 SAFE Rt [] Personal Budget
GF \$170,300 Land [] Operating Budget
[X] Other Capital Outlay 001-7201-572-6321
101-1901-519-6110

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 4/10/2014 Date 4/21/2014
FINANCE DEPARTMENT *JRM* Approved as to Budget Requirements Date 4/10/2014
TOWN MANAGER *[Signature]* Approved Agenda Item for: Date 4/21/14

COMMISSION ACTION: [] Approved as Recommended [] Disapproved

[] Tabled Indefinitely [] Continued to Date Certain

[] Approved with Modification

Reviewed by: *[Signature]*

**TOWN OF LADY LAKE
BUDGET TRANSACTION FORM FY2014**

TO: Town Manager

DATE: 4/7/2014

FROM: Finance

TRANS NO : BT14-013

FUND	ACCOUNT	DEPT	ACCT DESCRIPTION	INCREASE	(DECREASE)
REV					
001	0000-331-4910	Rec	SAFE Routes to School	\$502,300	
001	0000-389-9000		Transfer from Reserves	\$170,300	
EXP					
001	7201-572-6321	Rec	SAFE Routes to School	\$502,300	
001	1901-519-6110	Oth Gov	Land	\$170,300	
001	7201-572-6321	Rec	SAFE Routes to School	\$3,500	
001	1901-519-9900	Oth Gov	Contingency		\$3,500

JUSTIFICATION: Establish FY2014 budget for FDOT SAFE Route to School for Sidewalks, addtl Engineering (Contingency), and to purchase the Wildflower property (Reserves). This increases the bottom-line of the GF Budget and requires Commission approval.

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

TOWN COMMISSION ACTION:

- Approved
- Disapproved
- DATE: _____
- Agenda Item # _____

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

Jeannine Michaud 4/10/2014
Department Head Signature and Date

Town Manager Signature and Date

Finance Dept. Action:	
<input checked="" type="checkbox"/> Amendatory Required	
<input type="checkbox"/> Disapproved	
<input type="checkbox"/> Approved	Finance Director Date
DATA ENTRY ACTION:	
Accounting Period:	_____
Posted by:	_____
Data Entry Date:	_____



Florida Department of Transportation

**RICK SCOTT
GOVERNOR**

719 S. Woodland Boulevard
Deland, FL 32720-6834

**ANANTH PRASAD, P.E.
SECRETARY**

December 26, 2012

Mr. Mike Burske
Parks and Recreation Director
Town of Lady Lake
260 Rolling Acres Road
Lady Lake, Florida 32159

Dear Mr. Burske:

SUBJECT: LOCAL AGENCY PROGRAM (LAP) AGREEMENT
FPN: 427855-1-58/68-01
Contract No.: AQV 54
Project: Rolling Acres Road Sidewalks

This letter will serve as the Town's Notice-to-Proceed with the construction of the above project, effective December 21, 2012. One fully executed LAP Agreement is enclosed, and funds in the amount of \$470,816 have been encumbered for this project.

If you have any questions, please call Marianne Takacs at 386-943-5444.

Sincerely,


E. Joyce Horne-Harley
D5 LAP Administrator
Production Programming Coordinator

enclosure

cc: S. Kegel
V. Vacchiano

427855-1-58/68-01

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 427855-1-58/68-01 CONTRACT NO. AQV 54
--	---	--

The Florida Department of Transportation and the Town of Lady Lake, desire to supplement the original Agreement entered into and executed on December 21, 2012 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

PROJECT DESCRIPTION

Name Rolling Acres Road Sidewalks Length ~ 2.8 miles

Termini 10 locations listed under "Description of Work" below

Description of Work:

The sidewalk gap project will install 10 new sections of 5-foot sidewalk along existing streets, identified as safe-routes-to-school corridors, to provide continuous sidewalk connection. The sidewalk will conform with the current ADA requirements. The total project length is approximately 2.8 miles and includes the following streets:

- County Road (CR) 25 from Jason Drive to Griffin Avenue
- Griffin Avenue from CR 25 to Rolling Acres Road
- Rolling Acres Road from Pangola Drive to Via San Polo
- Rolling Acres Road from Oak Street to the Villages Elementary School entrance
- Clay Avenue from CR 466 to north of Oak Street
- West Lemon Street from Clay Avenue to Second Street
- First Street from CR 466 to Guava Street
- Second Street from CR 466 to Guava Street
- Third Street from Lemon Street to Guava Street
- Fourth Street from Lemon Street to Guava Street

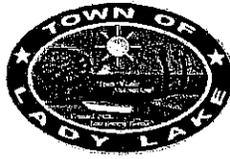
Reason for Supplement and Supporting Engineering and/or Cost Analysis:

To add \$31,484.00 to the construction project funding based on the low bids exceeding the original funding amount. Said revision is reflected on the **ADJUSTED EXHIBIT "B" SCHEDULE OF FUNDING**, attached hereto and incorporated herein, as Page 2.

ADJUSTED EXHIBIT "B" SCHEDULE OF FUNDING

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 427855-1-58/68-01 CONTRACT NO. AQV 54
--	---	--

TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					
FY: 2012-2013					
FY: 2013-2014					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					
FY: 2012-2013					
FY: 2013-2014					
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Design					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					
FY: 2012-2013					
FY: 2013-2014					
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					
FY: 2012-2013					
FY: 2013-2014					
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					
FY: 2012-2013	\$405,816.00		\$405,816.00		\$405,816.00
FY: 2013-2014		\$31,484.00	\$31,484.00		\$31,484.00
Total Construction Cost	\$405,816.00	\$31,484.00	\$437,300.00	\$0.00	\$437,300.00
Construction Engineering and Inspection (CEI)					
FY: 2008-2009					
FY: 2009-2010					
FY: 2010-2011					
FY: 2011-2012					\$65,000.00
FY: 2012-2013	\$65,000.00		\$65,000.00		
FY: 2013-2014					
Total CEI Cost	\$65,000.00	\$0.00	\$65,000.00	\$0.00	\$65,000.00
Total Construction & CEI Costs	\$470,816.00	\$31,484.00	\$502,300.00	\$0.00	\$502,300.00
TOTAL COST OF THE PROJECT	\$470,816.00	\$31,484.00	\$502,300.00	\$0.00	\$502,300.00



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: April 7, 2014

SUBJECT: Acknowledgement of Additional Engineering Services for the Rolling Acres Sidewalk Project

DEPARTMENT: Parks and Recreation Department

STAFF RECOMMENDED MOTION: Acknowledgement Only

SUMMARY: Included in the packet is the proposal from P.S.I. to cover additional engineering and additional signed and sealed plans for the current sidewalk project. Currently, we have four areas of the project that are going to need modification:

- 1) The intersection of First Street, Second Street and Clay Avenue. The modification was needed to better tie into the existing sidewalks on CR 466. The plans fell short of the crosswalk and a better way was seen once construction was started.
- 2) Move the sidewalk on Clay Avenue closer to the road and add a curb to be compliant. The area by the water tower had a greater grade than eight percent. We have the opportunity to hug the road and separate the road and the sidewalk with a curb. This is a cost effective way to meet F.D.O.T. compliance.
- 3) Add a curb by Griffin Avenue and CR 25 to keep dirt and soil off of the sidewalk. This need was discovered once construction was started due to the slope the sidewalk is being built on. Once again, we will need the curb to be F.D.O.T. compliant.
- 4) Re-design the gravity wall and the railing near the intersection of Rolling Acres Road and CR 466 and replace with curbing. By replacing the gravity wall, we can use the savings from the wall to afford the other modifications. As this is a lump sum project, we need to substitute the expensive wall and rail and replace with a curb that will serve the same purpose.

As F.D.O.T. paid for the original design of the sidewalk, we are in a situation where we have to pay for needed design modifications. The additional design engineering will give us the ability to continue the project and keep on schedule. The contractor stated at the last progress meeting that the project may be complete by mid-April. My goal is to keep the project going and keep time on our side. Please see the attached proposal for additional services and the e-mails leading up to the need for the services.

FISCAL IMPACT: \$3,500.00

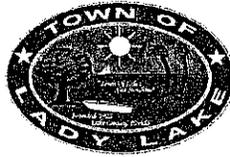
- Capital Budget
 - Operating
 - Other Contingency (Balance \$110,102.00)
-

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

Handwritten initials/signature



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : February 3, 2014

SUBJECT: Consideration of Purchasing 5.73 +/- acres Known as the Wildflower Property

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION:

- 1. Approval of the Contract for Purchasing 5.73 +/- acres known as the Wildflower Property (AK#1698693) in the amount of \$164,500.00 plus closing costs.
2. Approval of Utilizing Universal Engineering Sciences for the Phase 1 Environmental Site Assessment in the amount of \$1,800.00.

SUMMARY: 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. Mr. Farnsworth from the Wildflower Development Corporation accepted the offer and the contract is attached for the Commission's consideration. We 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. If we have to do a survey, that will be approximately \$2,500. The funds are available for this purchase in the Reserves or they can be taken out of Parks and Recreation Impact Fees. However, keep in mind if we utilize Parks and Recreation Impact fees for this purchase, the property is restricted to Parks/Recreation use only.

FISCAL IMPACT: \$164,500.00 for property, and estimated costs for:

- Survey - \$2, 500.00
-Closing costs and title insurance - \$1,500.00
-Environmental Site Assessment - \$1,800.00

- [] Capital Budget
[] Operating
[] Other

Total Cost: \$170, 300.00 (Estimated)

Need BA

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

[X] Support Documents-Contracts/emails

DEPARTMENT HEAD Submitted 2/22/14 Date

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date 2/26/14

TOWN MANAGER Approved Agenda Item for: 3/3/14 Date 2/26/14

COMMISSION ACTION:

- [X] Approved as Recommended [] Disapproved [] Table
[] Continued to Date Certain [] Approved with Modification

164,500.00 +
2,500.00 +
1,500.00 +
1,800.00 +

cc: TM. - KRIS C.T. - P.W.
FIN. ✓

004

170,300.00G+



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : February 3, 2014

SUBJECT: Consideration of Purchasing 5.73 +/- acres Known as the Wildflower Property

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION:

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SUMMARY: 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. Mr. Farnsworth from the Wildflower Development Corporation accepted the offer and the contract is attached for the Commission's consideration. We 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. If we have to do a survey, that will be approximately \$2,500. The funds are available for this purchase in the Reserves or they can be taken out of Parks and Recreation Impact Fees. However, keep in mind if we utilize Parks and Recreation Impact fees for this purchase, the property is restricted to Parks/Recreation use only.

FISCAL IMPACT: \$164,500.00 for property, and estimated costs for:

- Survey - \$2, 500.00
 - Closing costs and title insurance - \$1,500.00 Capital Budget
 - Environmental Site Assessment - \$1,800.00 Operating
- Total Cost: \$170, 300.00 (Estimated)** Other

ATTACHMENTS: Ordinance Resolution Budget Resolution Other

Support Documents-Contracts/emails

DEPARTMENT HEAD  Submitted 2/22/14 Date

HR Approved as to Form Date

FINANCE DEPARTMENT ^{POW AFP} Approved as to Budget Requirements Date 2/26/14

TOWN MANAGER  Approved Agenda Item for: 3/3/14 Date 2/26/14

COMMISSION ACTION:

- Approved as Recommended Disapproved Tabled Indefinitely
- Continued to Date Certain Approved with Modification

Handwritten: DBO 2/26/14

Handwritten: cc: TM. - KRIS
FIN. ✓



H-5

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : April 21, 2014

SUBJECT: Consideration of Approval of the Interlocal Agreement between Lake County and Municipalities Relating to the Local Option Fuel Tax

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Approval of the Interlocal Agreement between Lake County and Municipalities Relating to the Local Option Fuel Tax

SUMMARY:

Attached is the proposed inter-local agreement from Lake County for the distribution of the local option gas tax. This agreement is predicated on Option 2 (50% population and 50% road miles.) In order for the agreement to become effective September 1st, cities compromising 50% plus 1 of the incorporated population, as well as the County Commission, must approve the inter-local prior to June 1st. At the February 19, 2014 meeting, the Lady Lake Town Commission was presented with the different formulas prepared by Lake County, and it was the consensus of the Commission to proceed with Option 2.

FISCAL IMPACT: N/A [] Capital Budget [] Operating [] Other

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

[] Other

[] Support Documents

DEPARTMENT HEAD hk Submitted Date
HR Approved as to Form Date
FINANCE DEPARTMENT Approved as to Budget Requirements Date
TOWN MANAGER MK Approved Agenda Item for: 4/21/14 Date 4/14/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

Handwritten initials and signature

INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY
AND
MUNICIPALITIES
RELATING TO
LOCAL OPTION FUEL TAX

THIS AGREEMENT entered into by and between the Board of County Commissioners of Lake County, Florida, hereinafter referred to as "County", and the Municipalities who have signed this Agreement, hereinafter referred to as "Municipalities".

WHEREAS, Florida Statute 336.025 (1)(a)(1) allows the governing body of a county to impose in addition to other taxes allowed by law, a one-cent, two-cent, three-cent, four-cent, five-cent, or six-cent local option fuel tax, upon every gallon of motor fuel and diesel fuel sold in that county and taxed under Chapter 206, Florida Statutes (hereinafter referred to as the "Gas Tax"), and

WHEREAS, County imposed the first two cents (the first and second cents) Gas Tax in 1984 beginning September 1, 1984 for an initial period of ten years, and

WHEREAS, County extended the first two cents Gas Tax in 1994 beginning September 1, 1994 for a period of twenty years extending until August 31, 2014, and

WHEREAS, County further extended the first two cents Gas Tax in 2014 for a period of twenty-nine years and four months extending until December 31, 2043, and

WHEREAS, County imposed the second two cents (the third and fourth cents) of the Gas Tax in 1985 beginning September 1, 1985 for an initial period of thirty years extending until August 31, 2015, and

WHEREAS, County imposed the third two cents (the fifth and sixth cents) of the Gas Tax in 1986 beginning September 1, 1986 for an initial period of thirty years extending until August 31, 2016, and

WHEREAS, Florida Statute 336.025 provides that the proceeds of the Gas Tax may only be used for transportation expenditures as defined in the statute, and further that such tax shall be distributed between a county and municipalities located in such county based either on transportation

expenditures or upon the formula approved by the county and municipalities representing a majority of the incorporated population of that county, and

WHEREAS, the current Gas Tax in Lake County is divided between the County and the Municipalities in the county based on interlocal agreements, and

WHEREAS, County is considering the extension of some or all of the Gas Tax as each two cents expire in 2015, and 2016, and is desirous of entering into a new interlocal agreement which would set forth a new formula for distribution of the Gas Tax should any of such taxes be extended, and

WHEREAS, Florida Statute 336.025 requires that such agreement be approved by the county and with municipalities representing a majority of the incorporated population of the county, and

WHEREAS, Municipalities are desirous of entering into a new agreement with County and other Lake County municipalities to set forth a new formula for the distribution of the Gas Tax should any or all of it be extended by County, and

IT IS AGREED by County and Municipalities as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein.
2. **Authority.** This agreement is entered into by County and Municipalities pursuant to the authority provided by Florida Statutes 336.025 and 163.01.
3. **Scope of Agreement.** This agreement shall apply to all or any of the Gas Tax should such taxes be extended or imposed by County. This agreement shall not apply to the one-cent tax on every net gallon of motor and diesel fuel sold in Lake County which is known as the Ninth-Cent Fuel Tax and which is authorized by Florida Statute 336.021(1)(a).
4. **Effective Date; Existing Agreements.**
 - a. This agreement shall become effective upon the date that it is approved by County and Municipalities representing a majority of the incorporated population of Lake County.
 - b. The existing agreements between the parties relating to the Gas Tax shall be replaced by this agreement upon the effective date and the new formula implemented by the Department of Revenue at the earliest possible date.

5. **Distribution Formula.** County and Municipality agree that the proceeds of the one, two, three, four, five, and six cent Gas Tax, shall be distributed between County and Municipalities within Lake County based on the formula contained in this paragraph.

a. **County Share.** Beginning September 1, 2014 and thereafter, 66.38% of all six cents shall be distributed to County. The parties understand that the third and fourth cents of the Gas Tax will need to be renewed in 2015 and the fifth and sixth cents of the Gas Tax will need to be renewed in 2016; it is the intent of the parties that the County share of all six cents of the Gas Tax shall be 66.38% and shall continue for any of the six cents that are renewed.

b. **Municipal Share.**

i. **First and Second Cent Gas Tax.** Beginning September 1, 2014, the municipal share of the one and two cent Gas Tax shall be distributed to Municipalities in Lake County as follows: one-half (1/2) of the proceeds shall be based on the population distribution among each municipality and one-half (1/2) of the proceeds shall be based upon road miles of public roads maintained by each municipality. Population shall be determined utilizing the population estimates provided to the Governor by the Office of Economic and Demographic Research as provided in Florida Statute 186.901. Maintained road miles shall be determined from information reported by municipalities to the Florida Department of Transportation as provided in Florida Statute 218.322. The percentages set forth in this paragraph shall be recalculated each year beginning January 1, 2016, and the newly calculated percentages shall become effective on January 1st of each following year.

ii. **Third and Fourth Cent Gas Tax.** The municipal share of the third and fourth cents Gas Tax shall be distributed to municipalities in Lake County as follows:

1. Until August 31, 2015, the proceeds shall be distributed as follows:

Astatula	0.2932%
Clermont	3.6813%
Eustis	7.1562%
Fruitland Park	0.5430%

Groveland	0.7493%
Howey-In-The-Hills	0.2932%
Lady Lake	0.5321%
Leesburg	9.8276%
Mascotte	0.8470%
Minneola	0.5104%
Montverde	0.4126%
Mount Dora	5.5165%
Tavares	1.9655%
Umatilla	1.2922%

2. Commencing September 1, 2015 and thereafter the proceeds shall be distributed in the same manner and percentages as the first and second cent Gas Tax as set forth above.

iii. Fifth and Six Cent Gas Tax. The municipal share of the fifth and sixth cents Gas Tax shall be distributed to municipalities in Lake County as follows:

1. Until August 31, 2016, the proceeds shall be distributed as follows:

Astatula	0.5538%
Clermont	3.4749%
Eustis	6.8847%
Fruitland Park	1.5311%
Groveland	1.2271%
Howey-In-The-Hills	0.3909%
Lady Lake	1.2379%
Leesburg	8.2530%
Mascotte	0.9556%
Minneola	0.5430%
Montverde	0.2606%
Mount Dora	3.6378%

Tavares	3.4641%
Umatilla	1.2054%

2. Commencing September 1, 2016 and thereafter the proceeds shall be distributed in the same manner and percentages as the first and second cent Gas Tax as set forth above.
- c. The county manager is hereby directed to determine the percentage allocations as provided in paragraph (b) and to provide copies to all Municipalities within Lake County, and to the Department of Revenue prior to October 1 of each year that the Gas Tax is in effect.
- d. Any dispute as to the determination of distribution proportions shall be resolved as provided in Florida Statutes 336.025(5)(b).

6. Term of Agreement; Modification.

- a. Once effective, this agreement shall remain in effect until modified or terminated by the parties, or until the termination of the Gas Tax.
- b. This agreement may be modified or terminated only by agreement in writing and approved by County and Municipalities representing a majority of the unincorporated population within Lake County, Florida.
- c. The parties shall review and hold public hearings on the terms of this Agreement every ten (10) years.

Interlocal Agreement Between Lake County and Municipalities Relating to Local Option Gas Tax and Local Option Motor Fuel Tax

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute and deliver this Agreement as of the date set forth above.

ATTEST:

LAKE COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

Neil Kelly, Clerk of the Board of
County Commissioners of Lake
County, Florida

Jimmy Conner, Chairman

This ____ day of _____, 2014.

APPROVED AS TO FORM AND LEGALITY:

Sanford A. Minkoff
County Attorney

Interlocal Agreement Between Lake County and Municipalities Relating to Local Option Gas Tax and Local Option Motor Fuel Tax

MUNICIPALITY

This _____ day of _____, 2014.

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Attorney

LAKE COUNTY, FLORIDA

REVISED³ LOCAL OPTION GAS TAX DISTRIBUTION SCENARIOS FY 2013 estimate

AGENCY	CURRENT DISTRIBUTION <small>based on several formulas 1984 - 1994 First 2c distr. by 75% transportation exp. & 25% population/ 3-6c based on transp exp.</small>	FORMULA #2 BASED ON POPULATION¹ & ROAD MILES² <small>Distribution by 50% population & 50% road miles (w/o transfer)</small>	FORMULA #3, BASED ON POPULATION, TRANSPORTATION EXPENDITURES & ROAD MILES <small>Distribution by 1/3 of each: population, trans- portation expenditure and road miles (w/o transfer)</small>	FORMULA #4, BASED ON POPULATION & TRANSPORTA- TION EXPENDITURES <small>Distribution by 25% population & 75% transportation expenditures</small>	DEFAULT FORMULA, BASED ON TRANSPORTATION EXPENDITURES (Past Five Years) <small>Default formula if no other agreement</small>	
	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %
Lake County	\$5,407,044	66.38%	\$5,407,044	66.38%	\$5,806,176	71.28%
Astatula	\$28,592	0.35%	\$44,860	0.55%	\$10,909	0.13%
Clermont	\$292,441	3.59%	\$536,700	6.59%	\$176,503	2.17%
Eustis	\$607,692	7.46%	\$364,980	4.48%	\$656,193	8.06%
Fruitland Park	\$79,016	0.97%	\$81,690	1.00%	\$58,656	0.72%
Groveland	\$107,527	1.32%	\$162,560	2.00%	\$123,441	1.52%
Howey-in-the-Hills	\$20,365	0.25%	\$31,930	0.39%	\$4,419	0.05%
Lady Lake	\$142,555	1.75%	\$255,630	3.14%	\$215,391	2.64%
Leesburg	\$621,540	7.63%	\$359,290	4.41%	\$389,858	4.79%
Mascotte	\$66,797	0.82%	\$105,416	1.29%	\$37,293	0.46%
Minneola	\$48,144	0.59%	\$170,970	2.10%	\$13,180	0.16%
Montverde	\$23,666	0.29%	\$63,680	0.78%	\$11,023	0.14%
Mount Dora	\$331,607	4.07%	\$238,170	2.92%	\$235,535	2.89%
Tavares	\$285,110	3.50%	\$249,350	3.06%	\$363,472	4.46%
Umatilla	\$83,904	1.03%	\$73,730	0.91%	\$43,951	0.54%
TOTAL	\$8,146,000	100.0%	\$8,146,000	100.0%	\$8,146,000	100.0%

Source: ¹ Bureau of Economic and Business Research, University of Florida April 2012 estimate

² FDOT 2012 City County Mileage (Data as of Sept 30, 2011)

³ Lake County portion held at current level with no growth



H-6

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : April 21, 2014

SUBJECT: Consideration of Approval of the Welcome Letter for the 23rd Annual Southeast Bowling Association Tournament

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Approval of the Welcome Letter for the 23rd Annual Southeast Bowling Association Tournament

SUMMARY:

The 23rd Annual Southeast Bowling Association Tournament is being held in Lady Lake this year and Steve Gardino, President of the Leesburg USBC, Inc., has contacted the Town and would like a Welcome Letter from the Mayor to include in the packet information given out to the tournament participants and guests. Attached is a draft letter for the Commission's consideration.

FISCAL IMPACT: N/A	<input type="checkbox"/> Capital Budget
	<input type="checkbox"/> Operating
	<input type="checkbox"/> Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD <i>hio</i>	Submitted	Date
HR	Approved as to Form	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER <i>hio</i>	Approved Agenda Item for: 4/21/14	Date 4/14/14

COMMISSION ACTION:

Approved as Recommended Disapproved Tabled Indefinitely

Continued to Date Certain Approved with Modification

hio

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

352-751-1500

FAX 352-751-1510

www.ladylake.org



April 21, 2014

Dear Tournament Participants,

On behalf of the Town of Lady Lake, I'd like to welcome you to beautiful, sunny Central Florida for the 23rd Annual Southeast Bowling Association Tournament.

The Town of Lady Lake is full of remarkable residents and businesses. We are committed to making Lady Lake a special community to live in, work in or visit. You will enjoy the friendliness of a small town coupled with the benefits of a growing, thriving city.

Lady Lake has something for everyone. Shopping and dining in the Lady Lake area is an experience like no other. Choose from a diverse combination of contemporary and traditional businesses and stores for shopping. You will have no problem finding a quality meal in Lady Lake – our restaurants are the best around!

Situated on the U.S. Hwy 27/441 corridor, Lady Lake offers the ideal location. Just minutes from I-75 and Florida State Turnpike, Lady Lake offers quick access to larger neighboring cities such as Ocala and Orlando, and both the East and West Coast beaches.

I invite you to visit our area Chamber of Commerce, Town Recreation Facilities, Parks and Town Hall during your stay. Discover for yourself what our business community, our outstanding quality of life and great people have to offer you.

Sincerely,

Ruth Kussard, Mayor
Town of Lady Lake

Kris Kollgaard

From: Aubrey Cash
Sent: Thursday, April 10, 2014 1:24 PM
To: Kris Kollgaard
Subject: FW: Bowling tourney 23rd SBA tourney

Kris,

The welcome letter he is requesting will be included in a packet to be given out to the tournament participants and guest. The purpose of this packet is to provide information about the local area during their stay for the tournament.

Aubrey Cash

Executive Administrative Assistant

Town of Lady Lake

409 Fennell Blvd.

Lady Lake FL 32159

PH: (352) 751-1545

FAX: (352) 751-1510

acash@ladylake.org

"There are two ways of exerting one's strength: one is pushing down, the other is pulling up." Booker T. Washington

Effective Oct 7, 2013 the Town Hall hours of operation will be Mon - Thurs, 7:30am - 6:00 pm

Please Note: Under Florida law (Fla. Stat. 668.6076 - effec. 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.

From: Steve Gardino [<mailto:leesburgusbc@aol.com>]
Sent: Wednesday, April 09, 2014 10:10 AM
To: Aubrey Cash
Subject: Re: Bowling tourney 23rd SBA tourney

If I could impose, it would be easier on me if you sent me a .pdf version of the letter.

The Leesburg USBC Board of Directors thank you for your interest.

Steve Gardino

President Leesburg USBC, Inc.

Phone: (352)259-9276

email: leesburgusbc@aol.com

-----Original Message-----

From: Aubrey Cash <acash@ladylake.org>
To: Steve Gardino <leesburgusbc@aol.com>
Sent: Wed, Apr 9, 2014 9:09 am
Subject: RE: Bowling tourney 23rd SBA tourney

Hi Steve,

I received your email. It was very nice speaking with you yesterday regarding the tournament you are coordinating in our area. I will draft a welcome letter from the Town for you to include in your hand-outs for this event. I should have a signed letter for you in a couple of weeks, would you like for me to scan and email the letter or would you rather a hard copy be sent via US Mail?

Thank you the opportunity to include the Town of Lady Lake's area information for your participants and guest. I wish your event much success!

Aubrey Cash

Executive Administrative Assistant

Town of Lady Lake

409 Fennell Blvd.

Lady Lake FL 32159

PH: (352) 751-1545

FAX: (352) 751-1510

acash@ladylake.org

"There are two ways of exerting one's strength: one is pushing down, the other is pulling up." Booker T. Washington

Effective Oct 7, 2013 the Town Hall hours of operation will be Mon - Thurs, 7:30am - 6:00 pm

Please Note: Under Florida law (Fla. Stat. 668.6076 - effec. 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.

From: Steve Gardino [<mailto:leesburgusbc@aol.com>]

Sent: Tuesday, April 08, 2014 5:25 PM

To: Aubrey Cash

Subject: Bowling tourney 23rd SBA tourney

Attached are the example welcome letters from Macon and Warner Robbins GA for the tournament that was there last year.

Again, thank you for your interest in our tournament.

Steve Gardino

President Leesburg USBC, Inc.

Phone: (352)259-9276

email: leesburgusbc@aol.com



Charles K. Shaheen III
Mayor

Office of The Mayor
City of Warner Robins

700 Macon Boulevard
202 S. Davis Drive #202 718
Warner Robins, Georgia 31093
(478) 928-1115
Fax: (478) 928-1941

22nd ANNUAL SOUTHEAST
BOWLING ASSOCIATION TOURNAMENT
Hosted By
Middle Georgia USBC
June 1 - June 30, 2013

The City of Warner Robins, Georgia is honored that you have chosen us again for this prestigious bowling tournament.

During June, over 3,000 people are expected to be involved with this event. This year there will be approximately 600 teams with 5 bowlers to a team. The excitement and the competition are sure to be fun and leave many lasting memories.

It takes many hours of long hard work to make a championship successful. To all the participants, family members, friends, volunteers, officials, bowling enthusiasts, officials and behind the scenes workers - my heartfelt thanks for a job well done.

Good luck to all of you and have a safe and fun bowling experience.

Sincerely,

Charles K. Shaheen III, Mayor
City of Warner Robins, Georgia

International City - Chartered 1943

Steve emailed these
photos as examples.



ROBERT A.B. REICHERT
MAYOR

OFFICE OF THE MAYOR
City of Macon

700 POPULAR STREET
P.O. Box 247
MACON, GEORGIA 31202-0247
(478) 751-2170
FAX (478) 751-7931

May 16, 2013

Dear Tournament Participants:

On behalf of the City of Macon, I'd like to welcome you to Middle Georgia for the 22nd Annual Southeast Bowling Association Tournament. I hope you find your stay enjoyable, and I wish you the best as you compete.

During your visit, I hope you take time to visit the many cultural and historic opportunities offered in Macon, including the Georgia Sports Hall of Fame, the Allman Brothers Band Museum at the Big House, the Thomas African American Museum, the Historic Macon Terminal Station, the Macon-Bibb County Convention & Visitors Bureau, and much, much more.

I want to thank the Board of Directors for the Middle Georgia chapter of the USBC, the management of our local bowling centers, and all of the volunteers that have worked hard to create a fun and competitive tournament.

We are happy again to have you here in Middle GA. Best of luck to each of you, have a safe trip home, and please come visit us again.

Sincerely,

Robert A.B. Reichert
Mayor City of Macon



**23rd Annual
Southeast Bowling Association, Inc
Handicap Tournament**



Certified by the United States Bowling Congress
Conducted by the Leesburg USBC Bowling Association, Inc.

<p align="center">Team Event</p> <p align="center">Spanish Springs Lanes</p> <p align="center">997 Alvarez Avenue The Villages, FL 32159</p> <p align="center">(352)750-9440</p>		<p align="center">Doubles & Singles</p> <p align="center">Fiesta Bowl</p> <p align="center">890 Avenida Central The Villages, FL 32159</p> <p align="center">(352)753-2747</p>
--	---	--

May 31 – June 29, 2014
Entries Close May 1, 2014 – **NO EXTENSIONS**
(Postmarked by Midnight)

<p>ESTIMATED PRIZE FUND \$84,000</p> <p>Based on 400 Teams – 1000 Doubles – 2000 Singles – 1200 Handicap All Events</p> <p>Handicap & Scratch Brackets Available During All SBA Competition</p>
--

SBA Delegates Meeting – June 21, 2014 @ Comfort Suites

<p align="center">Host Hotel</p> <p align="center">Comfort Suites 1202 Avenida Central North The Villages, FL 32159 (352)259-6578 Fax (352)205-7699</p>	<p align="center"><i>Tournament Rates</i></p> <p align="center">\$69.00 plus tax - 1-4 persons</p> <p align="center">Make sure you ask for the Southeast Bowling Association Rate</p>	<p align="center">Team Captain Special</p> <p align="center">Send in 5 or more teams together receive \$50.00</p> <p align="center">Send in 10 or more teams together receive \$100.00</p>															
<p align="center">Tournament Fees</p> <table border="0"> <tr> <td></td> <td align="center">Per person / per event</td> <td align="center">A/E Hdcp or Scr</td> </tr> <tr> <td>Prize</td> <td align="center">\$13.00</td> <td align="center">\$5.00</td> </tr> <tr> <td>Bowling</td> <td align="center">\$ 8.00</td> <td></td> </tr> <tr> <td>Expense</td> <td align="center"><u>\$ 4.00</u></td> <td align="center"><u>\$1.00</u></td> </tr> <tr> <td>Total</td> <td align="center">\$25.00</td> <td align="center">\$6.00</td> </tr> </table> <p>Optional scratch \$10 each event</p>		Per person / per event	A/E Hdcp or Scr	Prize	\$13.00	\$5.00	Bowling	\$ 8.00		Expense	<u>\$ 4.00</u>	<u>\$1.00</u>	Total	\$25.00	\$6.00	<p align="center">Reservations must be made no later than 30 days prior to arrival</p> <p align="center">Sponsored by</p> 	
	Per person / per event	A/E Hdcp or Scr															
Prize	\$13.00	\$5.00															
Bowling	\$ 8.00																
Expense	<u>\$ 4.00</u>	<u>\$1.00</u>															
Total	\$25.00	\$6.00															

Send all entries or inquiries to:
Carol Gauthier, 2269 Judson Street, The Villages, FL 32162
Phone: (352)753-1098 – e-mail: leesburgusbc@aol.com
Make all checks payable to Leesburg SBA Tournament –
Full Entry Fees must accompany the entry

23rd Annual SBA Handicap Bowling Tournament
Entries close Midnight – May 1st, 2014 No Extensions

Entry No.

Team Event Dates & Times		Dbls & Sgls Dates & Times		Select Team Dates & Times			
Saturday	Sunday	Saturday	Sunday	Date		Time	
May 31	June 1	May 31	June 1	1 st		1 st	
June 7	June 8	June 7	June 8	2 nd		2 nd	
June 14	June 15	June 14	June 15	3 rd		3 rd	
June 21	June 22	June 21 5 pm only	June 22	Select Singles/Doubles Dates			
June 28	June 29	June 28	June 29	Date	Time		
9:00 AM	9:00 AM	9:00 AM	9:00 AM	1 st		1 st	
1:00 PM 5:00 PM	1:00 PM 5:00 PM	1:00 PM 5:00 PM	1:00 PM 5:00 PM	2 nd		2 nd	
*Friday Squad June 20 3:00 PM		*Friday Squad June 20 3:00 PM		3 rd		3 rd	
Squads on June 20 - June 21 will be reserved for SBA officials until April 1, 2014. Please check here () if SBA officer or director is a member on this entry.				Lanes will be redressed after 2 nd shift (Both Centers)			

Captain Information											
Name:			Address:								
City:		State:	Zip:	Phone #:		E-mail:					
Team Event											
	Team Name			USBC Local Association				Team - ea			
Pos.	Print Name (In order of lineup)			Soc Sec #	USBC Card #	Ent Ave	Sport Ave	Fee	Opt Scr		
	Last	First	M Init					\$25 ea	\$10 ea		
1											
2											
3											
4											
5											
6											
Singles and Doubles											
Pos.	Print Name (In order of lineup)			USBC Card #	Ent Ave	Singles ea		Doubles ea		All Events	
						Hdcp	Scr	Hdcp	Scr	Hdcp	Scr
						\$25	\$10	\$25	\$10	\$6	\$6
1											
2											
3											
				Total Fees:							

If 5th person is paired with another person from another team, indicate please indicate other team here.
 Mail both entries together.

Make checks payable to:
Leesburg SBA Tournament

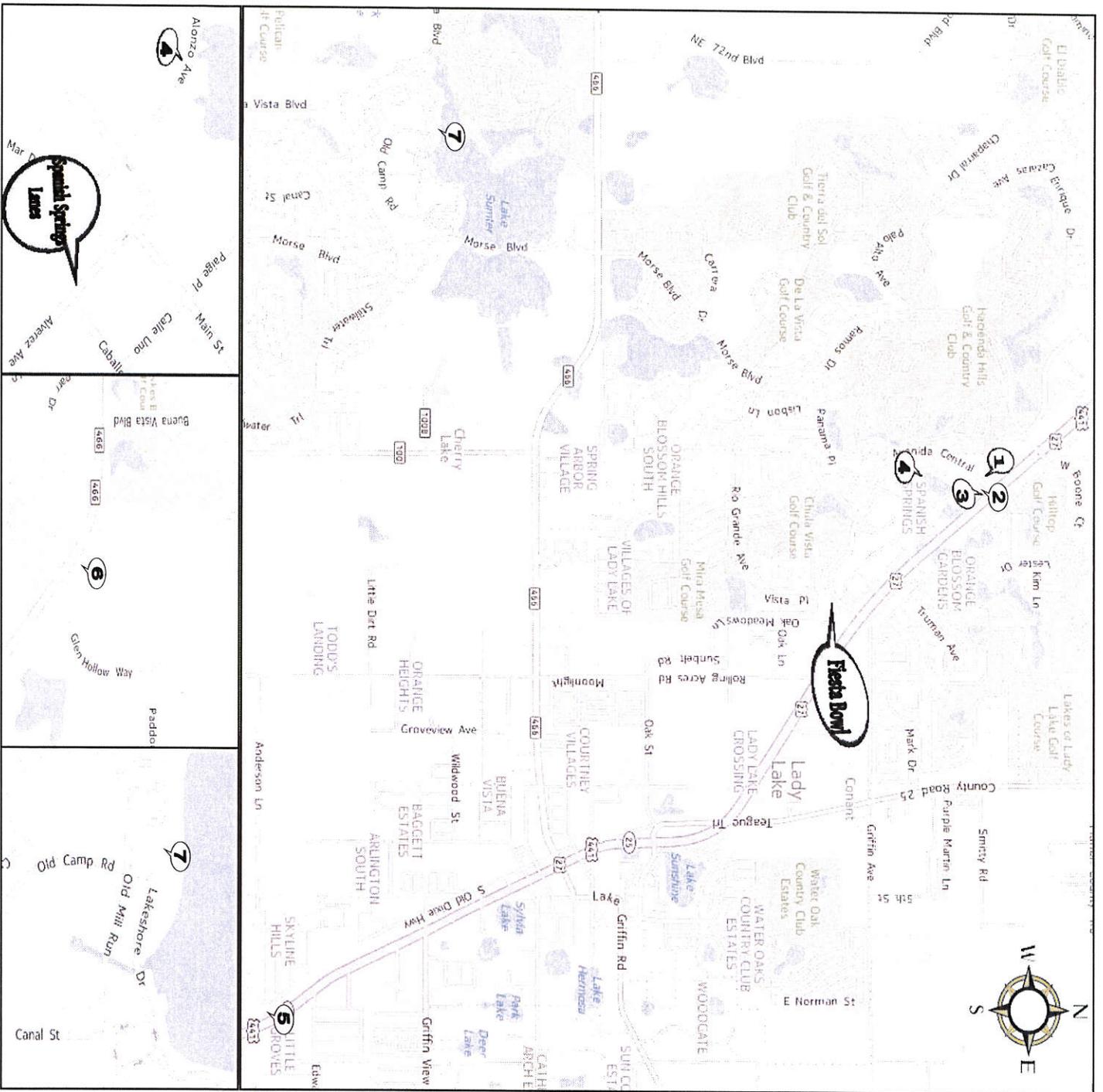
Mail entry to: 2014 SBA Tournament
 Leesburg USBC
 2269 Judson Street
 The Villages, FL 32162
 E-mail: Leesburgusbc@aol.com

PBA Member - Circle name
 Physically challenged - underline name

Amount Remitted			
Team		Hdcp A/E	
Doubles		Scr A/E	
Singles		Total	

All entries must be accompanied by full entry fee.
 A \$25.00 fee will be charged on returned checks
 Only certified checks or money orders will be accepted after April 21, 2014.
 Tournament Director: Erv Arleth (352)728-5095

*IRS requires us to report \$600 or more in winnings from the tournament and/or brackets.



1 - Host Hotel - Comfort Suites
 1202 Avenida Central North
 The Villages, FL 32159
 (352)259-6578 Fax-(352)205-7699
 \$69.00 per night 80 rooms

2 - La Hacienda Hotel
 1201 Avenida Central North
 The Villages, FL 32159
 (352)750-6863
 \$59.00 per night 47 rooms

3 - Holiday Inn Express
 1205 Avenida Central North
 Lady Lake, FL 32159
 (352)750-3888
 \$75.00 per night 80 rooms

4 - Towne Place Suites by Marriott
 1141 Alonzo Avenue
 The Villages, FL 32159
 (352)753-8686 Res-(877)753-8686
 \$75.00 per night 119 rooms

5 - Microtel Inn & Suites
 850 S. Hwy. 27/441
 Lady Lake, FL 32159
 (352)259-0184 Res-(888)771-7171
 Sgl \$55 / Dbl \$59 / Suite \$62 per night
 80 rooms

6 - Hampton Inn & Suites
 11727 NE 63rd Dr. (CR-466)
 The Villages, FL 32162
 (352)259-8246
 \$105.00 per night 80 rooms

7 - Waterfront Inn
 1105 Lakeshore Drive
 Lake Sunter Landing
 The Villages, FL 32162
 Res-(800)-592-0774
 \$85.00 per night 118 rooms



J-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: April 21, 2014

SUBJECT: Consideration of Approval for the Lady Lake Girl Scouts to Place a 10' x 8' Steel Shed Beside the Boy Scouts' Shed at the Scout Hut

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval for the Lady Lake Girl Scouts to Place a 10' x 8' Steel Shed Beside the Boy Scouts' Shed at the Scout Hut

SUMMARY: The Girl Scouts are requesting to place a 10 ft. by 8 ft. steel shed at the Scout Hut to be placed on the south side of the Boy Scouts' shed. The proposed shed will be a much smaller shed than the one the Boy Scouts had donated by the American Legion, and the Girl Scouts will pay for all permitting. The shed will hold the Girl Scouts' items until needed. Please see the attached photo and specifications of the shed. I spoke to the Boy Scout's Troop Leaders and they had no problem with the proposal. The Parks and Recreation Advisory Board recommended approval of this item. Please see the minutes from their meeting to review what was discussed.

FISCAL IMPACT: -0- (The Girl Scouts will pay all expenses for the shed.)

- [] Capital Budget
[] Operating
[] Other

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

[X] Other

[] Support Documents

DEPARTMENT HEAD [Signature] Submitted April 14, 14 Date April 21, 14
HR Approved as to Form Date
FINANCE DEPARTMENT Approved as to Budget Requirements Date
TOWN MANAGER [Signature] Approved Agenda Item for: 4/21/14 Date 4/14/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

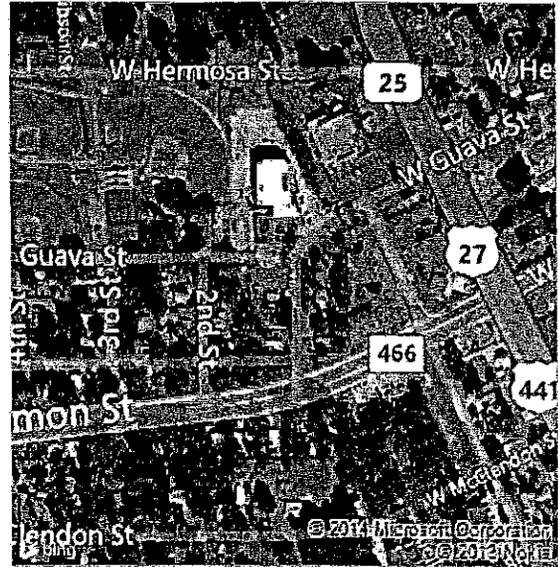
[Handwritten initials]

bing Maps

My Notes



On the go? Use m.bing.com to find maps, directions, businesses, and more



Shed will be located NAST to existing shed @ 5000 1st St!

Regulations regarding landscaping is adhered to regarding replacement of trees during construction/development.

Member Cantelmo confirmed that the new McDonald's across the street would be responsible for landscaping, and also asked about the past tree grant.

Mr. Burske replied that he wrote a grant application and the Town was awarded a grant for \$18,000-\$19,000 approximately three years ago, and planted 148 trees at the Rolling Acres Sports Complex and at the Guava Street fields as a result. He stated there are not many other places to plant them at this time.

Mr. Burske stated he could have a Town-staffed tree board, but that he would prefer to have a board made up of involved citizens. He stated that he is aware that this committee's role would be expanded slightly.

Member Schmelzer asked if the new committee would have anything to do with educating the public regarding tree trimming. He stated he has an issue with tree trimming, as it is overdone in The Villages, and many tree trimmers are unlicensed and uninsured and butcher the trees.

Ms. Kollgaard replied that the new committee could look at this issue and the Town would appreciate any input on it. She stated the Town is also looking into it, as it is frustrating because Code Enforcement cannot catch everyone; the tree trimmers start at one end of a street and go right down the block. She stated the responsibility currently falls on the homeowner, and the Town has been discussing this along with the attorney to come up with an ordinance to make the contractor responsible for the fines. This ordinance could have the contractors register with the Town and they would be provided the guidelines and restrictions to follow regarding tree trimming, and they could be fined by the Code Enforcement instead of the homeowner if the attorney can find a way to do that legally. Ms. Kollgaard stated that even though there have been articles and the Town is trying to get the word out about it, it still happens a lot.

Member Kasch suggested putting this information out on the water bills.

Ms. Kollgaard stated that the water bills do not go to Lady Lake's residents of The Villages, and the Town needs to find a way to educate and reach all its residents.

2. Consideration to Send a Recommendation to the Commission for the Lady Lake Girl Scouts to Place a 10' x 8' Steel Shed Beside the Boy Scouts' Shed at the Scout Hut (Mike Burske)

Parks and Recreation Director Mike Burske read the background summary for this agenda item. He stated that the Girl Scouts are requesting to place a 10 ft. x 8 ft. steel shed at the Scout Hut. The shed will be a much smaller shed than the one the Boy Scouts had donated by the American Legion, but will be placed on the south side of their shed. The shed will hold the Girl Scouts' items until needed. A photo of the shed and the specifications was included in the packet. Mr. Burske reported that he has spoken to the Boy Scouts Troop Leaders and they do not have a problem with the proposal.

Leah Nelson introduced herself as a Girl Scout Troop Leader in Lady Lake for the past 13 years. She stated that the Girl Scouts have accumulated many items over the last 13 years, and there are five individual troops who work together as a team. Ms. Nelson stated they would like to have a central location to store their items, and that they appreciate the Town's consideration.

Member Kasch asked who would install the shed.

Ms. Nelson replied that they would install the shed themselves with volunteer help.

Mr. Burske asked what would be the base of the shed.

Ms. Nelson replied that the shed will sit on a paver base with a plywood floor inside the base of the shed.

Mr. Burske commented that this would make the shed totally lightweight and it could be readily moved or removed.

Upon a motion by Member Cantelmo and a second by Member Kasch, the Parks and Recreation Advisory Committee approved the Recommendation to the Commission for the Lady Lake Girl Scouts to Place a 10' x 8' Steel Shed Beside the Boy Scouts' Shed at the Scout Hut by a vote of 3-0.

Mr. Burske noted that this item will be taken to the Town Commission for final approval, and that he would send the Girl Scouts an email regarding the date.

E. CHAIRPERSON/MEMBERS' REPORT:

Member Kasch asked who is currently on the Parks and Recreation Board.

Mr. Burske confirmed it is made up of those present and Mr. Julius Chirieleison, who is absent at this meeting, for a total of four.

Vice Chairperson Schmelzer stated that Mr. Mathias resigned from the board as he moved out of town.

Member Cantelmo asked if there will be monthly meetings once the boards are combined.

Mr. Burske replied that the meetings of the combined boards will still be scheduled for the second Wednesday of each month, and there should be more meetings than there has been recently; however, he stated that he will not hold a meeting if there is nothing to bring forth for discussion or consideration.

Mr. Burske reported that the Easter Egg Hunt is scheduled for April 12th, and he invited the members to contact him if they know of any groups or organizations who would like to participate.

F. ADJOURN:

With no further business or discussion, and with a motion by Member Kasch and a second by Member Cantelmo, the Parks and Recreation Advisory Committee meeting was adjourned at 5:50 p.m.

Julia Wolfe, Staff Assistant to Town Clerk

Thomas Schmelzer, Vice Chairperson

Minutes transcribed by Julia Wolfe, Staff Assistant to Town Clerk

FREE SHIP TO STORE! OR HOME! ON OVER 400,000 ITEMS! NEED IT NOW? BUY ONLINE AND PICK UP IN STORE!



More saving.
More doing.

Your Store:
Lady Lake #8447 (Change)

PRO Site · Tool & Truck Rental · Installation Services and Repair · Gift Cards · Help

Arrow Newport 10 ft. x 8 ft. Steel Shed

Model # NP10867 Internet # 100211354 Store SKU # 817546

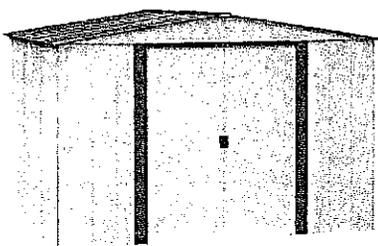
★★★★ (112) Write a Review Ask & Answer (38)

\$318.00 / each

3 in Stock at Lady Lake #8447

Aisle **OG** Bay **032**

(change pick up store)



PRODUCT SOLD : Online & In Store

Item cannot be shipped to the following state(s): AK,GU,HI,PR,VI

PRODUCT OVERVIEW

The large 444 cu. ft. storage capacity of the Arrow Newport 10 ft. x 8 ft. Metal Shed accommodates lots of lawn and garden tools and equipment, helping you safely store seasonal items when not in use. Lockable sliding door that helps keep your stored belongings safe, the shed's doors have a tall walk-in style for convenient access. A floor foundation kit is included for plywood floor installation (wood not included).

- Durable galvanized steel construction withstands heavy winds and snow loads for long-lasting use
- 444 cu. ft. storage capacity provides space to stow your gardening tools and yard equipment when not in use
- Includes floor frame kit for a plywood floor finish wood not included
- Some assembly required
- Dimensions: 10 ft. x 8 ft.
- Pitched roof helps rain and melting snow fall to the ground to help prevent standing water and leaks
- 6.4 ft. interior peak height provides ample headroom and space for standing tools such as rakes and ladders
- Wide-opening doors provide 55-1/2 in. width to accommodate tractor mowers and other large equipment
- Doors are lockable for increased security
- Brown roof and door trim with white siding and doors

SPECIFICATIONS

Approximate Shed Depth (ft.)	8	Approximate Shed Width (ft.)	10
Assembled Depth (in.)	95.25 in	Assembled Height (in.)	77.88 in
Assembled Width (in.)	123.25 in	Assembly Required	Yes
Door Opening Width (ft.)	4	Floor Options	Without Floor
Lockable Door/Gate Latch	Yes	Manufacturer Warranty	12 year limited
Number of Doors	2	Number of Windows	0
Product Depth (in.)	95.25	Product Height (ft.)	6.5
Product Height (in.)	77.875	Product Weight (lb.)	222
Product Width (in.)	123.25 in	Returnable	90-Day
Roof Color Family	Brown/tan	Roof Shape	Peak
Shed Door Type	Sliding	Shed Features	Double Door
Shelving Included	No	Sidewall Height (in.)	67.00
Siding Color Family	White	Storage Capacity (cu. ft.)	444

SHIPPING OPTIONS

Most orders process within 3 business days.

Please allow 2-6 business days for Curbside Truck Shipping (By Appointment) in the Continental U.S., plus order processing time. Deliveries are made to receiving area/dock for Businesses or curbside for Residential orders. The carrier will contact you to make a delivery appointment with a 4 hour window once the items have arrived at the local hub in your area. Delivery appointments are required.

If product is eligible for shipping to AK, HI and US Territories additional transit time and remote surcharges may apply.

 You replied on 3/4/2014 3:24 PM.

To help protect your privacy, links to images, sounds, or other external content in this message have been blocked. [Click here to unblock content.](#)

Mike Burske

From: Leah Nelson [leahblack595@hotmail.com]

Sent: Tue 3/4/2014 10:35 AM

To: Mike Burske

Cc:

Subject: RE: Shed

Attachments:

Mike,

What is the status of the request?

Thanks,
Leah

From: leahblack595@hotmail.com
To: mburske@ladylakepw.org
Subject: Shed
Date: Fri, 7 Feb 2014 18:21:00 +0000

Mike,

We haven't committed on a shed but looking at something like this, with brick/stone under to life and stone or plywood floor.

Leah

Arrow Newport 10 ft. x 8 ft. Steel Shed

Model # NP10867

Store SKU # 817546

PRODUCT OVERVIEW

The large 444 cu. ft. storage capacity of the Arrow Newport 10 ft. x 8 ft. Metal Shed accommodates lots of lawn and garden tools and equipment, helping you safely store seasonal items when not in use. Lockable sliding door that helps keep your stored belongings safe, the shed's doors have a tall walk-in style for convenient access. A floor foundation kit is included for plywood floor installation (wood not included).

- Durable galvanized steel construction withstands heavy winds and snow loads for long-lasting use
- 444 cu. ft. storage capacity provides space to stow your gardening tools and yard equipment when not in use
- Includes floor frame kit for a plywood floor finish wood not included

- Some assembly required
- Dimensions: 10 ft. x 8 ft.
- Pitched roof helps rain and melting snow fall to the ground to help prevent standing water and leaks
- 6.4 ft. interior peak height provides ample headroom and space for standing tools such as rakes and ladders
- Wide-opening doors provide 55-1/2 in. width to accommodate tractor mowers and other large equipment
- Doors are lockable for increased security
- Brown roof and door trim with white siding and doors

Info & Guides

- [Instructions / Assembly](#)
- [Use and Care Manual](#)
- [Warranty](#)

You will need Adobe® Acrobat® Reader to view PDF documents. [Download](#) a free copy from the Adobe Web site.

[Return To Top](#)

SPECIFICATIONS

Approximate Shed Depth (ft.)	8	Approximate Shed Width (ft.)	10
Assembled Depth (in.)	95.25 in	Assembled Height (in.)	77.88 in
Assembled Width (in.)	123.25 in	Assembly Required	Yes
Door Opening Width (ft.)	4	Floor Options	Without Floor
Lockable Door/Gate Latch	Yes	Manufacturer Warranty	12 year limited
Number of Doors	2	Number of Windows	0
Product Depth (in.)	95.25	Product Height (ft.)	6.5
Product Height (in.)	77.875	Product Weight (lb.)	222
Product Width (in.)	123.25 in	Returnable	90-Day
Roof Color Family	Brown/tan	Roof Shape	Peak
Shed Door Type	Sliding	Shelving Included	No
Sidewall Height (in.)	67.00	Siding Color Family	White
Storage Capacity (cu. ft.)	444		

 You replied on 3/5/2014 1:06 PM.

Mike Burske

From: Leah Nelson [leahblack595@hotmail.com]

Sent: Wed 3/5/2014 1:04 PM

To: Mike Burske

Cc:

Subject: RE: Shed

Attachments:

We were thinking concrete footers at least, or brick pavers.

> Subject: RE: Shed

> Date: Wed, 5 Mar 2014 11:58:11 -0500

> From: mburske@ladylake.org

> To: leahblack595@hotmail.com

>

> Leah, are you guys going to do a concrete pad under it...Mike

>

>

>

> From: Leah Nelson [mailto:leahblack595@hotmail.com]

> Sent: Tue 3/4/2014 4:07 PM

> To: Mike Burske

> Subject: RE: Shed

>

>

> We are in for Easter Egg Hunt April 12.

>

> Thanks,

> Leah

>

>

>> Subject: RE: Shed

>> Date: Tue, 4 Mar 2014 15:24:40 -0500

>> From: mburske@ladylake.org

>> To: leahblack595@hotmail.com

>>

>> Leah, are you guys up for the Easter Egg Hunt on April 12th. By the way, i am looking to take to Parks and Recreation on March 12th, not April. i need to get the plans ASAP meet that deadline...Mike

>>

>>

>>

>> From: Leah Nelson [mailto:leahblack595@hotmail.com]

>> Sent: Tue 3/4/2014 10:35 AM

>> To: Mike Burske

>> Subject: RE: Shed

>>

>>

>> Mike,

>>

>> What is the status of the request?

>>

>> Thanks,

>> Leah

>>

>>

>>

>>

>> From: leahblack595@hotmail.com

>> To: mburske@ladylakepw.org

>> Subject: Shed

>> Date: Fri, 7 Feb 2014 18:21:00 +0000

>>

>>

> > Mike,
 > >
 > > We haven't committed on a shed but looking at something like this, with brick/stone under to life and stone or plywood floor.
 > >
 > > Leah
 > >
 > >
 > >
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 > >
 > >
 > > Arrow Newport 10 ft. x 8 ft. Steel Shed
 > >
 > >
 > > Model # NP10867
 > >
 > >
 > > Arrow Newport 10 ft. x 8 ft. Steel Shed
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 > >
 > > Store SKU # 817546
 > >
 > >
 > > PRODUCT OVERVIEW
 > >
 > >
 > > The large 444 cu. ft. storage capacity of the Arrow Newport 10 ft. x 8 ft. Metal Shed accommodates lots of lawn and garden tools and equipment, helping you safely store seasonal items when not in use. Lockable sliding door that helps keep your stored belongings safe, the shed's doors have a tall walk-in style for convenient access. A floor foundation kit is included for plywood floor installation (wood not included).
 > >
 > >
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 > > * Doors are lockable for increased security
 > > * Brown roof and door trim with white siding and doors
 > >
 > >
 > > Info & Guides
 > >
 > >
 > > * Instructions / Assembly <<http://www.homedepot.com/catalog/pdfImages/ee/eeeb776a-b546-41a4-9b15-61530ff79ca8.pdf>>
 > > * Use and Care Manual <<http://www.homedepot.com/catalog/pdfImages/b2/b25c504d-b4de-480f-808f-a203a28e5b3f.pdf>>
 > > * Warranty <<http://www.homedepot.com/catalog/pdfImages/e7/e71384d3-ca45-4815-9a6d-20c3ec3a503d.pdf>>
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 <<http://www.adobe.com/products/acrobat/readstep2.html>> a free copy from the Adobe Web site.
 > >
 > > Return To Top <<http://www.homedepot.com/p/Arrow-Newport-10-ft-x-8-ft-Steel-Shed-NP10867/100211354?N=5yc1vZbtz2#thdHeader>>
 > >
 > > SPECIFICATIONS
 > >
 > > Approximate Shed Depth (ft.) 8 Approximate Shed Width (ft.) 10
 > > Assembled Depth (in.) 95.25 in Assembled Height (in.) 77.88 in

- > > Assembled Width (in.) 123.25 in Assembly Required Yes
- > > Door Opening Width (ft.) 4 Floor Options Without Floor
- > > Lockable Door/Gate Latch Yes Manufacturer Warranty 12 year limited
- > > Number of Doors 2 Number of Windows 0
- > > Product Depth (in.) 95.25 Product Height (ft.) 6.5
- > > Product Height (in.) 77.875 Product Weight (lb.) 222
- > > Product Width (in.) 123.25 in Returnable 90-Day
- > > Roof Color Family Brown/tan Roof Shape Peak
- > > Shed Door Type Sliding Shelving Included No
- > > Sidewall Height (in.) 67.00 Siding Color Family White
- > > Storage Capacity (cu. ft.) 444
- >



J-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: April 21, 2014

SUBJECT: Consideration to Host the Annual Driving Range Volunteers Lunch at the Parks and Recreation Building on April 29, 2014

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval to Host the Annual Driving Range Volunteers Lunch at the Parks and Recreation Building on April 29, 2014

SUMMARY: On an annual basis, the Lady Lake Driving Range has held a luncheon for the volunteers of the facility. Over the last couple of years, the Driving Range has utilized the Parks and Recreation Building to hold the event without fear of weather being a factor. Tables and chairs will be utilized from Public Works and Parks and Recreation. The Driving Range supplies all of the food and drinks and invites the Range volunteers and many from the Town who assist them at the Range. The event is scheduled for April 29, 2014. Keep in mind that they will use a grill in the fenced area of the building compound. Driving Range staff begins preparing food in the morning and starts serving around 11:00 a.m.

FISCAL IMPACT: N/A

- Capital Budget
 - Operating
 - Other
-

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD <i>WDB</i>	Submitted <i>04/15/14</i>	Date <i>04/21/14</i>
HR <i>[Signature]</i>	Approved as to Form <i>04-16-14</i>	Date <i>04-16-14</i>
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER <i>[Signature]</i>	Approved Agenda Item for: <i>4-21-14</i>	Date <i>4-16-14</i>

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

AS

Nancy Slaton

From: Kris Kollgaard
Sent: Wednesday, April 16, 2014 9:16 AM
To: Nancy Slaton
Subject: FW: Lady Lake Driving Range Volunteer & Parks & Rec Luncheon

Kristen Kollgaard
Town Manager/Town Clerk
Town of Lady Lake
409 Fennell Blvd.
Lady Lake FL 32159
PH: (352) 751-1544
FAX: (352) 751-1510
kkollgaard@ladylake.org

Effective Oct 7, 2013 the Town Hall hours of operation will be Mon - Thurs, 7:30am - 6:00 pm

Please Note: Under Florida law (Fla. Stat. 668.6076 - effec. 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.

-----Original Message-----

From: Mike Burske
Sent: Monday, April 07, 2014 4:17 PM
To: Kris Kollgaard
Subject: FW: Lady Lake Driving Range Volunteer & Parks & Rec Luncheon

Kris, FYI, I spoke to Ralph on Saturday as the original request was for April 22nd, which would be the day after the Commission Meeting. Asked them to do a week later to put time between the request and the actual event...Mike

-----Original Message-----

From: Rjcorso [mailto:rjcorso@aol.com]
Sent: Mon 4/7/2014 3:47 PM
To: mburske@LadyLakePW.org
Cc: rjohnson6@comcast.net
Subject: Lady Lake Driving Range Volunteer & Parks & Rec Luncheon

Dear Mike Burske,

On behalf of the Board of Directors of the Lady Lake Driving Range, I am requesting permission to hold our Annual Volunteer Luncheon at the Lady Lake Parks & Rec. Building on Tuesday, April 29, 2014 from 11:00am to 1:00pm. All Driving Range Volunteers and Parks & Rec. Staff are welcomed to attend. As usual, we will serve a Barbecue lunch to show our appreciation for all there help and dedication to our range which supports many different charities as well as the patriotic Veterans in our community.

Thank you in advance for your help. Please advise,
Ralph Corso



J-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE:

April 21, 2014

SUBJECT: Discussion and direction regarding proceeding with an agreement with VCCDD to allow the Lady Lake Police Department to use a VCCDD Segway for general police and safety protection services on an as needed basis. Discussion and direction as to whether or not any approved agreement should contain an indemnification clause.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Review and direction regarding an agreement with the VCCDD to allow the Lady Lake Police Department to use a VCCDD Segway for general police and safety protection services on an as needed basis.

SUMMARY: The VCCDD has purchased a Segway for general public safety use. They have agreed to allow trained members of the Lady Lake Police Department to use the Segway for police and public safety services. If an agreement is approved, the police officer assigned to the Spanish Springs Town Square will be the primary operator. Due to the nature of the venue, a mixture of vehicle and pedestrian traffic is prevalent. A police officer on a Segway instantly becomes more visible with the increased height from the device, more approachable to citizens and can facilitate positive interaction with the community we serve. A Segway also enables our officer to create a wider spread presence to proactively prevent crime and be more accessible to the public. Town Attorney Derek Schroth has prepared the attached agreement(s). World Risk Management (PRM) has reviewed for insurance purposes. See attached emails in reference to the question of whether an indemnification clause is necessary in any potential agreement.

FISCAL IMPACT: \$0

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents – Agreement w/ VCCDD

DEPARTMENT HEAD Submitted *[Signature]* Date 04/10/2014

HR Approved as to Form Date

FINANCE DEPARTMENT *JRM* Approved as to Budget Requirements Date 4/10/14

TOWN MANAGER *[Signature]* Approved Agenda Item for: 4/21/14 Date

[Signature]
Reviewed
[Signature]

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

AGREEMENT FOR USE OF SEGWAY
Exhibit Purposes - with Indemnification Clause

This agreement is made by and between the TOWN OF LADY LAKE, Lady Lake, Florida (hereinafter referred to as the "Town"), and Village Community Development District Public Safety Department (hereinafter referred to as "VCCDD") whose address is 3035 Morse Boulevard, The Villages, FL 32163.

RECITALS

WHEREAS, the VCCDD and the Town desire to jointly use a Segway for safety patrol and general police and safety protection services,

WHEREAS, the VCCDD and the Town also desire to establish the terms and conditions of such use,

THEREFORE, in consideration of the foregoing recitals, and in further consideration of the mutual covenants contained herein and other valuable consideration the receipt of which is hereby acknowledged, the parties hereby covenant and agree as follows:

1. **Use of Segway.** Trained members of the VCCDD Public Safety Department and the Town's Police Department shall use the Segway for general police and safety protection services on an as needed basis.
2. **Maintenance and Storage of Segway.** When not in use, the VCCDD shall store the Segway in Station 43 or at such other location owned and operated by the VCCDD. The VCCDD shall maintain the Segway and pay for any and all costs associated with the Segway's maintenance including any annual maintenance fees. The VCCDD Public Safety Chief or Deputy Chief will be notified of any and all requests for maintenance of the Segway.
3. **Sign-out Requirements.** Prior to any use, each person intending to use the Segway shall sign the VCCDD maintained sign-out log kept in Station 43 or at such other location owned and operated by the VCCDD.
4. **Indemnification.** To the greatest extent permitted under Florida law, the VCCDD shall indemnify and hold the Town of Lady Lake harmless for any and all damages, claims, fees, lawsuits, costs or bills arising out of the VCCDD's negligence or intentional acts concerning the Segway. To the greatest extent permitted under Florida law, the Town shall indemnify and hold the VCCDD harmless for any and all damages, claims, fees, lawsuits, costs or bills arising out of the Town's negligence or intentional acts concerning the Segway.
5. **Termination.** Either party may terminate this Agreement without cause upon fourteen (14) business days notice to the other. Termination by either party is without penalty.
6. **Binding Agreement.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.
7. **Validity.** The invalidity or unenforceability of any one or more provisions of this Agreement will not affect the validity or enforceability of any other provision of this Agreement, which will remain in full force and effect.

8. **Waiver.** No waiver or modification of this Agreement shall be valid unless in writing and duly authorized and signed by both parties.
9. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of Florida and the parties hereby consent to the jurisdiction of the courts of Lake County, State of Florida in connection with any matter related to or arising out of this Agreement or any breach thereof.
10. **Attorney's Fees.** The prevailing party in any action to enforce this agreement is entitled to all attorneys' fees incurred, prior to suit, during litigation, and after litigation on appeal of bankruptcy.
11. **Counterparts.** To facilitate execution, this Agreement may be executed in as many counterparts as may be required, and it will not be necessary that the signature or each party, or on behalf of each party, appear on each counterpart. It will be sufficient that the signature of, or on behalf of each party appear on at least one counterpart. All counterparts will collectively constitute a single agreement. Further, a facsimile copy of this Agreement and any signatures hereon will be considered for all purposes as originals.

In Witness Whereof, the parties have executed this Agreement on the date indicated below.

Dated the ___ day of _____, 2014.

TOWN OF LADY LAKE

Kristin Kollgaard
Town Manager

Dated the ___ day of _____, 2014.

VCCDD

Signature
Printed Name:
Position:

AGREEMENT FOR USE OF SEGWAY
Exhibit Purposes - without Indemnification Clause

This agreement is made by and between the TOWN OF LADY LAKE, Lady Lake, Florida (hereinafter referred to as the "Town"), and Village Community Development District Public Safety Department (hereinafter referred to as "VCCDD") whose address is 3035 Morse Boulevard, The Villages, FL 32163.

RECITALS

WHEREAS, the VCCDD and the Town desire to jointly use a Segway for safety patrol and general police and safety protection services,

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4. **Termination.** Either party may terminate this Agreement without cause upon fourteen (14) business days notice to the other. Termination by either party is without penalty.
5. **Binding Agreement.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.
6. **Validity.** The invalidity or unenforceability of any one or more provisions of this Agreement will not affect the validity or enforceability of any other provision of this Agreement, which will remain in full force and effect.
7. **Waiver.** No waiver or modification of this Agreement shall be valid unless in writing and duly authorized and signed by both parties.
8. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of Florida and the parties hereby consent to the jurisdiction of the courts of Lake County, State of Florida in connection with any matter related to or arising out of this Agreement or any breach thereof.

9. **Attorney's Fees.** The prevailing party in any action to enforce this agreement is entitled to all attorneys' fees incurred, prior to suit, during litigation, and after litigation on appeal of bankruptcy.

10. **Counterparts.** To facilitate execution, this Agreement may be executed in as many counterparts as may be required, and it will not be necessary that the signature or each party, or on behalf of each party, appear on each counterpart. It will be sufficient that the signature of, or on behalf of each party appear on at least one counterpart. All counterparts will collectively constitute a single agreement. Further, a facsimile copy of this Agreement and any signatures hereon will be considered for all purposes as originals.

In Witness Whereof, the parties have executed this Agreement on the date indicated below.

Dated the __ day of _____, 2014.

TOWN OF LADY LAKE

Kristin Kollgaard
Town Manager

Dated the __ day of _____, 2014.

VCCDD

Signature
Printed Name:
Position:



Chief Chris McKinstry
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Florida 32159
(352) 751-1567
(352) 751-1566 (fax)

FSS 668.6076 - "Under Florida law, 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."

Effective Oct 7, 2013 the Town Hall hours of operation will be Mon - Thurs, 7:30am - 6:00 pm

From: Lewis Stone [<mailto:lewis@stoneandgerken.com>]
Sent: Tuesday, March 04, 2014 8:20 AM
To: 'Tutt, Janet'; Chris McKinstry
Cc: Cain, Edmund; Pat Alred
Subject: RE: Segway MOU

Good morning. My comment on the document was that it was okay as originally presented with the removal of the indemnification language in paragraph 4. For local governments to indemnify each other "to the extent provided by law" creates an insurance question that could only possibly benefit someone other than the governments. Therefore my input is to eliminate the language of paragraph 4 and otherwise it is fine. Regards to all.

Lewis W. Stone
Stone & Gerken, P.A.
4850 North Highway 19A
Mount Dora, Florida 32757
(352) 357-0330
(352) 357-2474 fax
lewis@stoneandgerken.com

CONFIDENTIALITY NOTICE - The information contained in this message is confidential and may also be subject to the attorney-client privilege or may constitute privileged work product. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient or the agent or employee responsible for delivery to the intended recipient, you are hereby notified that any use, dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this message in error, please immediately notify us by telephone at (352)357-0330, delete this message, and return any hard copies of the original to us at 4850 North Highway 19A, Mount Dora, Florida 32757. Thank you.

Disclaimer under Circular 230: Any statement regarding tax matters made herein, including any attachments, are not formal tax opinions by this firm, cannot be relied upon or used by any person to avoid tax penalties, and are not intended to be used or referred to in any marketing or promotional materials.

From: Tutt, Janet [<mailto:Janet.Tutt@districtgov.org>]
Sent: Tuesday, March 04, 2014 8:09 AM
To: cmckinstry@ladylake.org
Cc: Lewis Stone; Cain, Edmund
Subject: FW: Segway MOU

Chief,
I am comfortable with the change in section 4.
However, I am copying Mr. Stone and as soon as I hear we can finally move forward with this.
Sorry for delay.
Janet

Janet Y. Tutt
District Manager

Chris McKinstry

From: Chris McKinstry
Sent: Tuesday, April 08, 2014 2:06 PM
To: Kris Kollgaard
Subject: FW: Segway MOU

fyi



Chief Chris McKinstry
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Florida 32159
(352) 751-1567
(352) 751-1566 (fax)

FSS 668.6076 - "Under Florida law, 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."

Effective Oct 7, 2013 the Town Hall hours of operation will be Mon - Thurs. 7:30am - 6:00 pm

From: Derek Schroth [<mailto:dschroth@brslegal.com>]
Sent: Tuesday, March 04, 2014 8:56 AM
To: Chris McKinstry
Subject: RE: Segway MOU

Good Morning Chief:

You can if you want. The risk is if the VCDD is negligent some way and the Town is sued, then the Town will not have as strong a recourse against the VCDD. However, the Town's insurance would likely cover a negligence claim so, monetarily, this may not be a big issue.

Derek

From: Chris McKinstry [<mailto:cmckinstry@ladylake.org>]
Sent: Tuesday, March 04, 2014 8:53 AM
To: Derek Schroth
Subject: FW: Segway MOU

Derek,
Please advise if I can remove paragraph 4.
Thank you,

Chris McKinstry

From: Tia Oneal
Sent: Wednesday, April 09, 2014 7:54 AM
To: Kris Kollgaard
Subject: FW: Segway

FYI...

From: [Andy Cooper@wrmlc.com](mailto:Andy_Cooper@wrmlc.com) [mailto:Andy_Cooper@wrmlc.com]
Sent: Tuesday, April 08, 2014 6:43 PM
To: Tia Oneal
Cc: [Debbie Young@wrmlc.com](mailto:Debbie_Young@wrmlc.com)
Subject: Re: Segway

Hi Tia,

Sorry I did not respond earlier, I was driving down to Fort Myers for a meeting tomorrow morning.

Employees are covered for negligence. The Town is also covered for property not owned by the Town but in the Town's care, custody and control. As such, to answer your question the Town/employee would be covered for a negligent act. I agree with your attorney about not having strong recourse without the indemnification wording. For example, the Segway caused an accident due to poor maintenance while a Town employee was using it. The Town would probably be named in a suit as the operator and it would be hard to include the VCDD for their lack of maintenance without an indemnification clause.

I hope this is clear, if you have any questions please email or call me on my mobile 321 662 3913. My first meeting starts at 10am and the second at 1.30pm so I will have time to talk.

Regards

Andy Cooper
Sent from my iPad

On Apr 8, 2014, at 3:16 PM, "Tia Oneal" <tiaoneal@ladylake.org> wrote:

Andy quick question, would our insurance cover a negligence claim on a piece of equipment that is not ours (not insured by us or purchased by us) but one of our employees was using while acting within the scope of their employment. The Villages wants to "share" a segway with us but the indemnification language has been removed from the proposed contract. Our attorney said if the VCDD is negligent some way and the Town is sued, then the Town will not have as strong recourse against VCDD.

Please advise.

Thanks,
Tia



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: April 21, 2014

SUBJECT: Consideration of an Amendment to the Sewer, Water and Reuse Utility Agreement for the "Assisted Living Facility at Lexington Park – Phase 2", to provide for an extension of an additional 12 months to obtain a Building Permit and reserve utility capacity already purchased for the development.

DEPARTMENT: Growth Management

STAFF RECOMMENDED MOTION:

Staff Recommends approval of the Amendment to the Sewer, Water and Reuse Agreement for the "Assisted Living Facility at Lexington Park – Phase 2".

SUMMARY

On March 3, 2014, the Town Commission granted approval for the Town Manager to execute an affidavit to allow WRYP ILF, LLC to transfer property referenced as "Lexington Park – Phase II" to ARCH LPLLKFL01, LLC. On March 5, 2014, the Phase II ALF parcel was transferred by way of warranty deed.

As part of the transfer of property, ARCH LPLLKFL01, LLC also inherited the utility entitlements originally purchased by WRYP ILF, LLC, subject to the terms and conditions of the Sewer, Water & Reuse Utility Agreement between the developer and the Town of Lady Lake executed on November 4, 2013. As per the terms of the agreement, in Section 2 the language states, "Should Developer not obtain a building permit to initiate construction of the Developer's project noted above within 180 days of the date this Utility Agreement is approved by Commission, the capacity herein reserved will be forfeited and all money paid to reserve capacity shall also be forfeited. Should Developer fail to obtain a building permit within 180 days of the date this Utility Agreement is approved by Commission, Developer agrees to release any and all claims against the Town for a return of any of the money paid to reserve capacity."

At this time ARCH LPLLKFL01, LLC is requesting an extension of the agreement for an additional twelve (12) months to allow more time to finalize the construction plans and secure building permits for construction of the facility. Trent Watkins, developer for ARCH LPLLKFL01,

LLC, has provided a letter dated April 9, 2014, which documents why construction of the facility was unable to begin in the 180 day timeframe as required in the original agreement.

The amended agreement will provide an additional twelve (12) months to secure a building permit (Amending Section 2), and also will recognize Trent Watkins of ARCH LPLKFL01 as the Developer of the project (Amending Section 9). The site plan for the project was approved by the Town Commission on November 4, 2013, and all ERUs have been purchased for the project in the amount of \$48,170.00. The Town of Lady Lake has not increased the charges per ERU for sewer, water, or reuse since the execution of the original agreement. Failure to approve the amended agreement will result in a forfeiture of the reserved capacity as well as all fees paid. The agreement is set to expire on May 3, 2014. Staff recommends approval of the amendment as presented. Town Attorney, Derek Schroth, reviewed and approved the amended agreement to form on April 11, 2014.

FISCAL IMPACT: \$ _____

- Capital Budget
 Operating
 Other
-

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other – Amendment to Agreement

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

⁽⁶⁾
4/14/14 DEPARTMENT HEAD *ereuf* Submitted *4/14/14* Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER *hio* Approved Agenda Item for: *4/21/14* Date

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification

1 *Reuse Capacity Reservation

2 (9049 gallons/7 days)/274 gpd/eru * \$292/eru =

3 5 erus x 292= \$1,460.00

4
5 TOTAL = \$48,170.00

6
7 The Reuse Capacity Reservation calculations were determined by the Developer's engineer of
8 record as allowed per Town of Lady Lake Land Development Regulations, Chapter 14-Water, Reuse,
9 and Sewer Standard Specifications. Further, a waiver to Chapter 14 is required for changes or
10 deviations to the Code.

11
12 Should Developer not obtain a building permit to initiate construction of the Developer's
13 project noted above within one (1) year and 180 days of the date this Utility Agreement is approved
14 by Commission, the capacity herein reserved will be forfeited and all money paid to reserve capacity
15 shall also be forfeited. Should Developer fail to obtain a building permit within one (1) year and 180
16 days of the date this Utility Agreement is approved by Commission, Developer agrees to release any
17 and all claims against the Town for a return of any of the money paid to reserve capacity. Developer
18 understands that capacity may not be available to the Developer should no building permits be
19 obtained within one (1) year and 180 days after this Utility Agreement is approved.

20
21 **2. (Section 9) NOTICES.** Payments required to be made under the terms hereof and notices
22 permitted, or required to be made under the terms hereof, shall be delivered to the parties at the
23 respective addresses:

24
25 Utility: Town of Lady Lake
26 Utility Department
27 409 Fennell Boulevard
28 Lady Lake, FL 32159

29
30 With a copy to: Derek A. Schroth, Esq.
31 Bowen Radson Schroth, P.A.
32 600 Jennings Ave.
33 Eustis, FL 32726

34
35 Developer/Owner: Trent Watkins
36 ARHC LPLKFL01, LLC
37 1740 SE 18th Street, Suite 902
38 Ocala, FL 34471
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Mark A. Yap
WRYP ILF LLC
5455 S.W. 28TH Avenue
Ocala, FL 34471

Any notices required or permitted hereunder shall be considered properly made if in writing and mailed by United States Mail, postage prepaid, to the addresses set forth herein.

3. All other terms and conditions of the Original Agreement remain in full force and effect unless modified herein.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their names and their seals to be hereunto affixed, by their proper officers thereunto duly authorized, on the day and year first above written.

Attest:

Kristen Kollgaard, Town Clerk

“Utility”:

TOWN OF LADY LAKE
a Florida Municipality

Approved as to Form:

Ruth Kussard, Mayor

Town Attorney

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Signed, sealed, and delivered in the presence of:

Witness:

Print Name:

Witness:

“Developer”:

Print Name:

ARHC LPLLKFL01, LLC,

By: _____

Print Name: _____

Title: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 2014, by _____, as _____ of ARHC LPLLKFL01, LLC, a Florida limited liability company. He is personally known to me or has produced _____ as identification.

Printed Name: _____
Notary Public, State of Florida

Commission No. _____

My commission expires: _____

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

SEWER, WATER & REUSE UTILITY AGREEMENT
LADY LAKE, FLORIDA

THIS UTILITY AGREEMENT made this 4th day of NOVEMBER, 2013 by and between the Town of Lady Lake, a Florida Municipality (hereinafter referred to as "Utility"), and WRYP ILF LLC, a Florida Limited Liability Company, its heirs, successors and assigns (hereinafter referred to as the "Developer").

WITNESSETH

WHEREAS, Developer is the fee simple owner of approximately 3.18 +/- acres of real property situated in Lake County, Florida, described with particularity in Exhibit "A" attached hereto and made a part hereof, which property is hereinafter referred to as the "Property"; and

WHEREAS, the Property may hereinafter be developed and improved into a Memory Care/Assisted Living Facility totaling 53,161 Square Feet of with 70 beds requiring central water, central sewer, and wastewater reuse services (hereinafter referred to as the "Development" a copy of the Project Site Plan is attached hereto as Exhibit "B"); and

WHEREAS, Utility is the owner and operator of water production and distribution facilities ("water facilities"), sanitary sewer collection and treatment facilities ("sewer facilities") and wastewater reuse facilities ("reuse facilities"); and

WHEREAS, Developer has requested connection to said Water, Sewer, and Reuse Facilities and that the Utility allocate and reserve sufficient capacity in these facilities to serve and sustain the operation of the Development; and

WHEREAS the Developer has agreed to construct certain water distribution, sanitary sewer collection, and reuse distribution facilities at its expense that will benefit Development; and,

WHEREAS, Utility has agreed to make its water service, sanitary sewer service, and reuse service available to the Development by means of connection to and use of



On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

the Water, Sewer, and Reuse Facilities on the terms and conditions hereinafter set forth.

NOW THEREFORE, in consideration of the foregoing which is incorporated herein and in consideration of the work to be done by the Developer and the sums to be paid by Developer for the work related thereto and as described hereafter, Developer and Utility agree as follows:

1. **EXCLUSIVE SERVICE TO THE PROPERTY.** Developer hereby agrees and covenants that the Development shall be served exclusively by Utility's Water, Sewer, and Reuse Facilities. Developer further agrees that this Agreement shall be a covenant binding upon and running with title to the Property. Utility hereby agrees to make water, sewer, and reuse services available to the Development hereafter constructed on the Property for the rates and under the conditions set forth in this Agreement. Utility agrees that such services shall be made available through Utility's existing Water, Sewer, and Reuse Facilities, and through the on-site facilities to be constructed by Developer; provided, however, that Utility is not prevented by law or governmental regulation from providing such water, sewer, and reuse service for any reason. Utility agrees that it will have sufficient capacity in the amount of 2,500 gallons per day ("gpd") in its Water Facilities, and in the amount of 2,500 gpd in its Sewer Facilities to serve the Development for a maximum peak flow of ten (10) ERUs. Further, Utility agrees that it will have sufficient capacity in the amount of five (5) Equivalent Residential Units (ERUs) in its Reuse Facilities to service the Development. Utility agrees that the water, sewer, and reuse services to be provided hereunder shall meet the current standards or requirements, as the case may be, of all state, local, and federal governmental agencies having jurisdiction over Utility; provided, however, that Utility shall not be responsible for any failure to meet or comply with said standards or requirements to the extent that such failure shall be occasioned by defect in the construction of the facilities to be constructed by Developer; and further, the acceptance of any such facilities by Utility shall not be an admission of, or acceptance of such responsibility. Utility hereby agrees to provide water, sewer and reuse services to the Development after Developer shall make a written request for such service to Utility, but not before the On-Site Facilities on the Property described in Paragraph 3 hereof are completed in accordance with this

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

Agreement. Additionally, Utility reserves the right to do site inspections and audits of said Water Facilities, Sewer Facilities, and Reuse Facilities at any given time without due notice to the Developer to determine if water, sewer, and reuse ERU allocations are correct. Based on the results of these audits and site inspections, Utility reserves the right to adjust amount of ERU allocations and assess applicable fees accordingly.

2. PAYMENT BY DEVELOPER OF LADY LAKE SANITARY SEWER, WATER, AND REUSE IMPACT FEES. Developer shall be responsible for payment of the Utility's sanitary sewer, water and reuse impact fees for the sanitary sewer, water and reuse volumes reserved under this agreement. Utility's sanitary sewer impact fee is three thousand one hundred seventy-two dollars and no cents (\$3,172.00) per equivalent residential unit. Utility's water impact fee is one thousand four hundred ninety-nine dollars and no cents (\$1,499.00) per equivalent residential unit. Utility's reuse impact fee is two hundred ninety-two dollars and no cents (\$292.00) per equivalent residential unit. Commercial units are charged based on the formula outlined in the Land Development Regulation of the Town of Lady Lake, as amended from time to time. Payment of said fee shall be made in accordance with section 11(h) of this agreement in the amount of Thirty-One Thousand Seven Hundred Twenty dollars and no cents (\$31,720.00) for sanitary sewer capacity; Fourteen Thousand Nine Hundred Ninety dollars and no cents (\$14,990.00) for water capacity; One Thousand Four Hundred Sixty dollars and no cents (\$1,460.00) for reuse capacity, for a total lump sum amount of Forty-Eight Thousand One Hundred Seventy dollars and no cents (\$48,170.00) calculated as follows:

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

Sanitary Sewer Capacity Reservation

2,500 gpd /250 gpd/eru \$3,172/eru =

10 erus x 3,172 = \$31,720.00

Water Capacity Reservation

2,500 gpd/250 gpd/eru \$1,499/eru =

10 erus x 1,499 = \$14,990.00

*Reuse Capacity Reservation

(9049 gallons/7 days)/274 gpd/eru * \$292/eru =

5 erus x 292= \$1,460.00

TOTAL = \$48,170.00

The Reuse Capacity Reservation calculations were determined by the Developer's engineer of record as allowed per Town of Lady Lake Land Development Regulations, Chapter 14-Water, Reuse, and Sewer Standard Specifications. Further, a waiver to Chapter 14 is required for changes or deviations to the Code.

Should Developer not obtain a building permit to initiate construction of the Developer's project noted above within 180 days of the date this Utility Agreement is approved by Commission, the capacity herein reserved will be forfeited and all money paid to reserve capacity shall also be forfeited. Should Developer fail to obtain a building permit within 180 days of the date this Utility Agreement is approved by Commission, Developer agrees to release any and all claims against the Town for a return of any of the money paid to reserve capacity. Developer understands that capacity may not be available to the Developer should no building permits be obtained within 180 days after this Utility Agreement is approved.

3. CONSTRUCTION OF IMPROVEMENTS. In order to provide water, sewer and reuse services to the Development, certain On-Site Improvements will need to be constructed.

(a) **ON SITE IMPROVEMENTS.** When the Property is developed, Developer shall construct and install therein, at its own cost and expense, all necessary On-Site Improvements, as agreed to by Utility and Developer, to allow the Development to be

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

connected to the lines of Utility, and including specifically, all lines, mains, valves, hydrants, lift stations and other such facilities including service connections necessary to serve the Development. The engineer's estimate of the On-Site Improvements is set forth in Exhibit "C" attached hereto, incorporated herein, and hereinafter referred to as On-Site Improvement Costs.

Developer agrees that the construction and installation of such On-Site Improvements shall be constructed and installed by Developer only after the approval of the Plans and Specifications therefore by Utility. The Plans and Specifications shall be in accordance with the requirements of Utility's standard engineering practices and all applicable regulatory authorities, and Developer shall obtain approval thereof from such agencies prior to commencement of construction.

Upon approval of the Plans and Specifications by Utility, as provided herein, the On-Site Improvements shall be constructed strictly in accordance with such Plans and Specifications. Developer shall advise Utility as to the progress of such construction and afford Utility the right to inspect said construction; provided, however, Utility shall have no duty to make such inspections, and by making such inspections shall incur no responsibility for the correct installation or construction thereof. Should the Utility not inspect said construction within two (2) days from the date the inspection is requested, Developer shall have the right to continue with the construction of the On-Site Improvements.

4. **RATES AND CHARGES.** The rates to be charged by Utility for water, sewer and reuse service to the Development hereafter built on the Property or any Future Development(s) shall be those rates and charges made by Utility to its customers which are from time to time approved by the Town Commission of the Town of Lady Lake or by any other governmental regulatory body having jurisdiction over such matters. Utility reserves the right to withhold or disconnect service to any active customer, or to refuse to give or provide new or additional services to any active customer, at any time the charges are not paid on a current basis within twenty-five (25) days after the same are billed provided that written notification of such delinquency has been made by Utility to such customer. The failure of an active customer to pay sums due Utility shall not affect Developer's rights under this Agreement. Moreover, the

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

service to the Development and Future Development (s) shall be subject to such other regulations from time to time lawfully imposed on Utility with respect to the operations of its Utility system, and except as limited by such regulations, the amounts of utility deposits, billing practices and times, liability for damage to Utility's Property and rate changes shall be exclusively within the discretion and control of Utility.

5. **WATER METERS AND REUSE WATER METERS.** It is hereby agreed by the parties hereto that a water meter and reuse meter, and or water meters or reuse meters shall be installed by Developer as Utility shall deem to be necessary to serve the Development and Future Development(s). Utility shall have the right to designate the number, type, quality and size of said meter or meters. All water and reuse meters so installed shall become the property of Utility.

6. **ALIENABILITY RESTRICTION.** Unless express written consent of the Town of Lady Lake is obtained, the Property and the rights and obligations of this Agreement which burden the Property shall not be transferred prior to Developer's connection to the Town Utilities. For the purposes of this paragraph and provision (Alienability Restriction), "transferred" means the conveyance of the Property to another person or entity or the conveyance of the controlling interest (more than 50%) in Developer (if a corporation or limited liability company). After Developer's connection to the Town Utilities, this provision (Alienability Restriction) terminates and has no effect. To eliminate this Alienability Restriction after connection, Developer shall submit to the Town of Lady Lake an affidavit for the Town Manager's signature attesting that the Developer has indeed connected to the Town Utilities. Provided the form affidavit is agreeable to the Town of Lady Lake, the executed affidavit shall be returned to the Developer for Developer to record at Developer's expense.

7. **PLATS.** Any plats of the Property, or portions thereof, filed among the Public Records of Lake County, Florida, or any other governmental unit, shall provide for such dedicated rights-of-way and utility easements as may be reasonable and necessarily required for the purpose of serving the Property, or portions thereof, with the water, sewer, and reuse service to be provided hereunder.

8. **SALE TO GOVERNMENTAL ENTITY.** In the event Utility shall hereafter sell the utility systems, or any part thereof serving the Property, to the State of Florida,

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

Lake County or a duly constituted municipality, or any agency or entity under such State's, County or municipality's control, supervision or direction, Developer agrees that with respect to water, sewer, and reuse service to the Property, the rules and regulations of such purchaser, and not the provisions of this contract, shall control, and that, upon assignment of this Agreement to the Purchaser, Utility shall be relieved of all further obligations hereunder.

9. **NOTICES.** Payments required to be made under the terms hereof and notices permitted, or required to be made under the terms hereof, shall be delivered to the parties at the respective addresses:

Utility: Town of Lady Lake
Utility Department
409 Fennell Boulevard
Lady Lake, FL 32159

With a copy to: Derek A. Schroth, Esq.
Bowen Radson Schroth, P.A.
600 Jennings Ave.
Eustis, FL 32726

Developer/
Owner: Mark A. Yap
WRYP ILF LLC
5455 S.W. 28TH Avenue
Ocala, FL 34471

Any notices required or permitted hereunder shall be considered properly made if in writing and mailed by United States Mail, postage prepaid, to the addresses set forth herein.

10. **TERM.** The term of this Agreement shall be for a period of 10 (ten) years from the date hereof. This Agreement shall automatically renew upon each tenth year anniversary date for another 10 (ten) years unless terminated by the Town of Lady Lake. The Town of Lady Lake may terminate this Agreement at any time for any reason after the initial 10 (ten) year term by providing written notice to the Owner at least 60 days prior to termination.

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

11. OTHER ESSENTIAL TERMS.

- a. Time is hereby made of essence of this Agreement in all respects.
- b. This Agreement constitutes the entire Agreement of the parties and expressly supersedes all negotiations, previous agreements or representations whether verbal or written, and may not be amended in any way whatsoever except by a writing executed by both parties hereto in a manner equal in dignity to the execution of this Agreement.
- ~~c. This Agreement shall inure to the benefit of and be binding upon the heirs, successors, personal representatives and assigns of the parties hereto and shall run with the land.~~
- d. Developer shall name Utility as co-insured on any insurance policy concerning coverage for the property while construction of the on-site improvements is taking place.
- e. This Agreement shall be governed by the laws of the State of Florida and venue shall be in Lake County, Florida. Developer shall indemnify protect and hold harmless the Utility from any and all claims, causes, actions, judgments, costs, attorney's fees, expenses and losses of every kind and character, whether direct or indirect, of any manner, or in anyway whatsoever arising on account of any action, claim or demand due to the incident and matters associated with the construction of the on-site improvements, including but not limited to:
 - i) All claims for enforcement of liens; subrogation; and/or contribution to include but not to be limited to any and all mechanic's and contractor's liens associated with the construction of the on-site improvements;
 - ii) Any and all bills from any source associated with the construction of the on-site improvements;
 - iii) Any and all claims under any federal, state or local act or ordinance associated with the construction of the on-site improvements;
 - iv) Any and all claims for reimbursement; subrogation; and/or contribution associated with the construction of the on-site improvements;

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

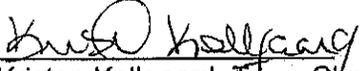
- v) Any and all claims for reimbursement, and/or subrogation of liens asserted by any insurance company or any party, that provides insurance coverage or benefits of any nature associated with the construction of the on-site improvements;
 - vi) Any and all claims, liens, reimbursement or subrogation under any contract or agreement with any group, organization, partnership or corporation associated with the construction of the on-site improvements;
 - vii) All actions, claims or demands whatsoever of any type or nature which may hereafter be brought or asserted against one another on account of and/or allegedly associated with the construction of the on-site improvements ;
- f. This Agreement shall be effective upon proper execution by both parties hereto.
- g. This Agreement shall be executed in several counterparts each of which if properly executed by both parties shall be considered an original.
- h. Developer shall pay all amounts required under this agreement within 30 days after the Town of Lady Lake executes this agreement. Should Developer fail to pay all amounts required under this agreement within 30 days after the Town of Lady Lake executes this agreement, the Town, in its sole discretion, may rescind and void this agreement in its entirety.

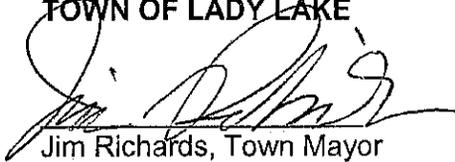
IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their names and their seals to be hereunto affixed, by their proper officers thereunto duly authorized, on the day and year first above written.

[signatures on following page]

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

Attest:


Kristen Kollgaard, Town Clerk

TOWN OF LADY LAKE

Jim Richards, Town Mayor

Approved as to form:


Town Attorney
Derek A. Schroth, Esquire

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

Witness:
[Signature]

Print Name:
RICHARD V. BOSCHÉ

Witness:
[Signature]

Print Name:
Gene Bruno Losito

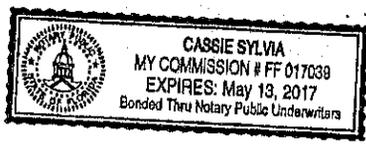
WRYP ILF, LLC

By: [Signature]
Name: Mark A. Yap
Title: Managing Member

STATE OF FLORIDA
COUNTY OF LAKE MARION

This is to certify that on this 28TH day of OCTOBER, 2013, before me, an officer duly authorized to take acknowledgements in the State and County aforesaid, personally appeared MARK A. YAP on behalf of the company, She is personally known to me or has produced N/A as identification and did or did not take an Oath.

SEAL



[Signature]
Signature of Acknowledger

CASSIE SYLVIA
Name of Acknowledger Typed

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

EXHIBIT "A"

LEGAL DESCRIPTION

DESCRIPTION (AS SURVEYED)

A PORTION OF THE N.E. 1/4 OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE ALONG THE NORTH BOUNDARY OF THE N.E. 1/4 OF SAID SECTION 19, N89°51'02"W, A DISTANCE OF 1992.91 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19; THENCE DEPARTING SAID NORTH BOUNDARY, ALONG SAID EAST BOUNDARY, S00°16'34"W, A DISTANCE OF 61.03 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF COUNTY ROAD NO. 466 (HAVING A 101 FOOT RIGHT OF WAY WIDTH); THENCE CONTINUE ALONG SAID EAST BOUNDARY, S00°16'34"W, A DISTANCE OF 837.07 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE ALONG SAID EAST BOUNDARY, S00°16'34"W, A DISTANCE OF 416.70 FEET TO THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19; THENCE DEPARTING SAID EAST BOUNDARY, ALONG THE SOUTH BOUNDARY OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19, N89°54'51"W, A DISTANCE OF 332.14 TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19; THENCE DEPARTING SAID SOUTH BOUNDARY, ALONG THE WEST BOUNDARY OF THE EAST 1/2 OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19, N00°16'36"E, A DISTANCE OF 417.80 FEET, THENCE DEPARTING SAID WEST BOUNDARY, S89°43'26"E, A DISTANCE OF 332.13 FEET TO THE POINT OF BEGINNING, SAID LANDS CONTAIN 3.18 ACRES, MORE OR LESS.

On site with no recapture- Assisted Living Facility at Lexington Park-Phase 2- 09/13-001

EXHIBIT "C"

ENGINEER'S ESTIMATED CONSTRUCTION COSTS



ENGINEER'S OPINION OF PROBABLE COST TOWN OF LADY LAKE LEXINGTON PARK ASSISTED LIVING FACILITY PHASE 2					
ITEM	DESCRIPTION	ESTIMATED QUANTITY		UNIT PRICE	AMOUNT
I. WATER DISTRIBUTION					
1	8" Potable Water Main	250	LF	35.00	8,750.00
2	8" 45 Degree MJDI Bend	2	EA	500.00	1,000.00
3	8" 22 Degree MJDI Bend	2	EA	500.00	1,000.00
4	8" x 6" MJDI Tee	1	EA	600.00	600.00
5	8" MJDI Cap	1	EA	400.00	400.00
6	6" 90 Degree MJDI Bend	1	EA	500.00	500.00
7	6" Gate Valve	1	EA	750.00	750.00
8	8" x 3" MJDI Reducer	1	EA	300.00	300.00
9	Fire Hydrant Assembly	2	EA	4,500.00	9,000.00
WATER DISTRIBUTION SUBTOTAL					\$ 22,300.00
II. SANITARY SEWER					
1	Sanitary Manhole	5	EA	3,000.00	15,000.00
2	8" PVC Gravity Sewer	285	LF	25.00	7,125.00
SANITARY SEWER SUBTOTAL					\$ 22,125.00
SUMMARY					
I. WATER DISTRIBUTION					22,300.00
II. SANITARY SEWER					22,125.00
TOTAL					44,425.00
<p><i>The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.</i></p>					

ARCH LPLLKFL01, LLC
1740 SE 18th Street, Suite 902, Ocala, FL 34471
Trent.Watkins@ConcordisSeniorLiving.com

Mobile: (352) 425-6278

Fax: (512) 420-9276

Office: (352) 387-1830

April 9, 2014

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

Re: Request for Extension of Reservation of Rights under a Sewer, Water & Reuse Utility Agreement for the Lexington Park – Phase II ALF

Dear Mr. Carroll:

ARHC LPLLKFL01, LLC, (“ARHC”) respectfully requests the Town Commission to consider an extension of the rights granted by the Town of Lady Lake, by way of a Sewer, Water & Reuse Utility Agreement dated November 4, 2013 (“Water Agreement”). The Water Agreement granted water, sewer and reuse capacity for the 59 unit assisted living facility that is to be constructed behind the existing Lexington Park assisted living facility located at 930 CR 466 in Lady Lake (“Phase II ALF”).

The prior owner of the subject parcel intended to begin construction of the Phase II ALF during the summer of 2013. Unfortunately, the construction plans were not completed by the architect until the end of August 2013. The Town of Lady Lake reviewed the site plan and construction plans very quickly and provided comments. As the architect was addressing the comments from the Town, the prior owner, WRYP ILF, LLC (“WRYP”), informed its lender that it was prepared to set a closing date for the construction loan. Although WRYP had received a firm commitment from the lender in May of 2013 to provide the construction financing for the project, the lender now informed WRYP that it had reached its lending limits and could no longer honor its commitment.

As WRYP was seeking another lender for the project, it received an offer from ARHC to buy the existing Lexington Park ALF and the Phase II ALF parcel (along with development rights). On March 3, 2014, this Commission approved the sale of the Phase II ALF parcel from WRYP to ARHC. On March 5, 2014, the Phase II ALF parcel was transferred from WRYP to ARHC by way of warranty deed. ARHC retained Concordis Senior Living as the manager of the existing ALF and as developer of the Phase II ALF.

For the past month, ARHC has been focusing on the integration of the Lexington Park ALF and care of its residents. The parent company of ARHC, American Realty Capital Healthcare Trust, Inc. also began trading on the NASDAQ yesterday. The acquisition of Lexington Park and the Phase II ALF parcel, the integration of Lexington Park and the listing of its stock on the NASDAQ have consumed the attention of ARHC for the past few months. Thus, we have not been able to provide the necessary focus to begin construction on the Phase II ALF.

ARHC needs to finalize the construction plans with the architect to address the comments previously made by the Town of Lady Lake. Once the plans are complete, we plan to submit them to the Town of Lady Lake and Lake County for review. ARHC also needs to bid the project out again based upon the final plans. Accordingly ARHC respectfully requests a twelve (12) month extension of the Water Agreement.

Should you have any questions, please feel free to contact me via phone at (352) 425-6278.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Trent Watkins', with a stylized flourish at the end.

R. Trent Watkins
Developer for ARHC LPLKFL01, LLC

\$10.00

Return to: Kim Stout
Stewart Title Guaranty Company
3401 West Cypress Street
Tampa, FL 33607
File No. 20140076



Prepared by and return to:

After Recording Return to:
Stewart Title Guaranty Company
One Washington Mall, Suite 1400
Boston, MA 02108
Attn: Joseph Berry

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned authority, this day personally appeared Kristen Hollgaard ("Affiant"), who first being duly sworn, deposes and says that:

1. Affiant is the Town Manager of the **TOWN OF LADY LAKE** (the "Town"), and, in such capacity, is authorized to make this Affidavit on behalf of the Town.
2. Affiant is making this Affidavit with respect to that certain Sewer & Water Utility Agreement dated June 3, 2009, between the Town and **WRYP ALF, LLC** (the "Developer") recorded in Official Records Book 3810, page 1, of the Public Records of Lake County, Florida (the "Agreement").
3. The Developer has connected to the On-Site and Off-Site Improvements (as those terms are defined in the Agreement) and, therefore, the alienability restriction set forth in Section 7 of the Agreement has terminated and is of no further force or effect.
4. Affiant hereby directs the Clerk of the Lake County Court to record this Affidavit in the Public Records of Lake County, Florida, in order to evidence the termination of the alienability restriction.

FURTHER AFFIANT SAYETH NOT.

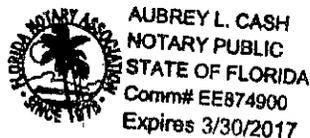
Kristen Hollgaard
Print Name: Kristen Hollgaard

"AFFIANT"

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2014, by Kristen Hollgaard, who either is personally known to me, or has produced a driver's license as identification.

(SEAL)

Aubrey L. Cash
Notary Public - State of Florida
Print Name: Aubrey L. Cash
My Commission Expires: 3-30-2017



6088
\$52.50
W. \$177,800.00

Return to: Kim Stout
Stewart Title Guaranty Company
3401 West Cypress Street
Tampa, FL 33607
File No. 20140076



Prepared by
After Recording Return to:
Stewart Title Guaranty Company
One Washington Mall, Suite 1400
Boston, MA 02108
Attn: Joseph Berry

3

Parcel ID No.: 19-18-24-0001-00003100

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, is given this 5th day of March, 2014, by WRYP ALF, LLC, a Florida limited liability company, whose mailing address is 1805 SE 16th Ave, Suite 102, Ocala, Florida 34471 ("Grantor") to ARHC LPLLKFL01, LLC, a Delaware limited liability company whose mailing address is 405 Park Avenue, 15th Floor, New York, New York 10022 ("Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does hereby grant, bargain, sell and convey unto Grantee, its successors and assigns, all of Grantor's right, title and interest in and to that certain tract or parcel of land situate, lying and being in the County of Lake, State of Florida, as more particularly described on Exhibit A attached hereto and by this reference incorporated herein (the "Property"), together with all buildings, structures, improvements and fixtures located thereon, as well as all and singular the rights of ways, easement rights, hereditaments and appurtenances belonging thereto, subject only to those matters set forth on Exhibit B hereto (the "Permitted Encumbrances");

TO HAVE AND TO HOLD the same unto Grantee in fee simple forever.

AND Grantor hereby fully warrants the fee simple title to the Property, and that Grantor has good and lawful authority to sell and convey the Property to Grantee, and that Grantor will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor, but not otherwise, subject however to the Permitted Encumbrances.

EXHIBIT A

ALF LEGAL DESCRIPTION

PARCEL 1:

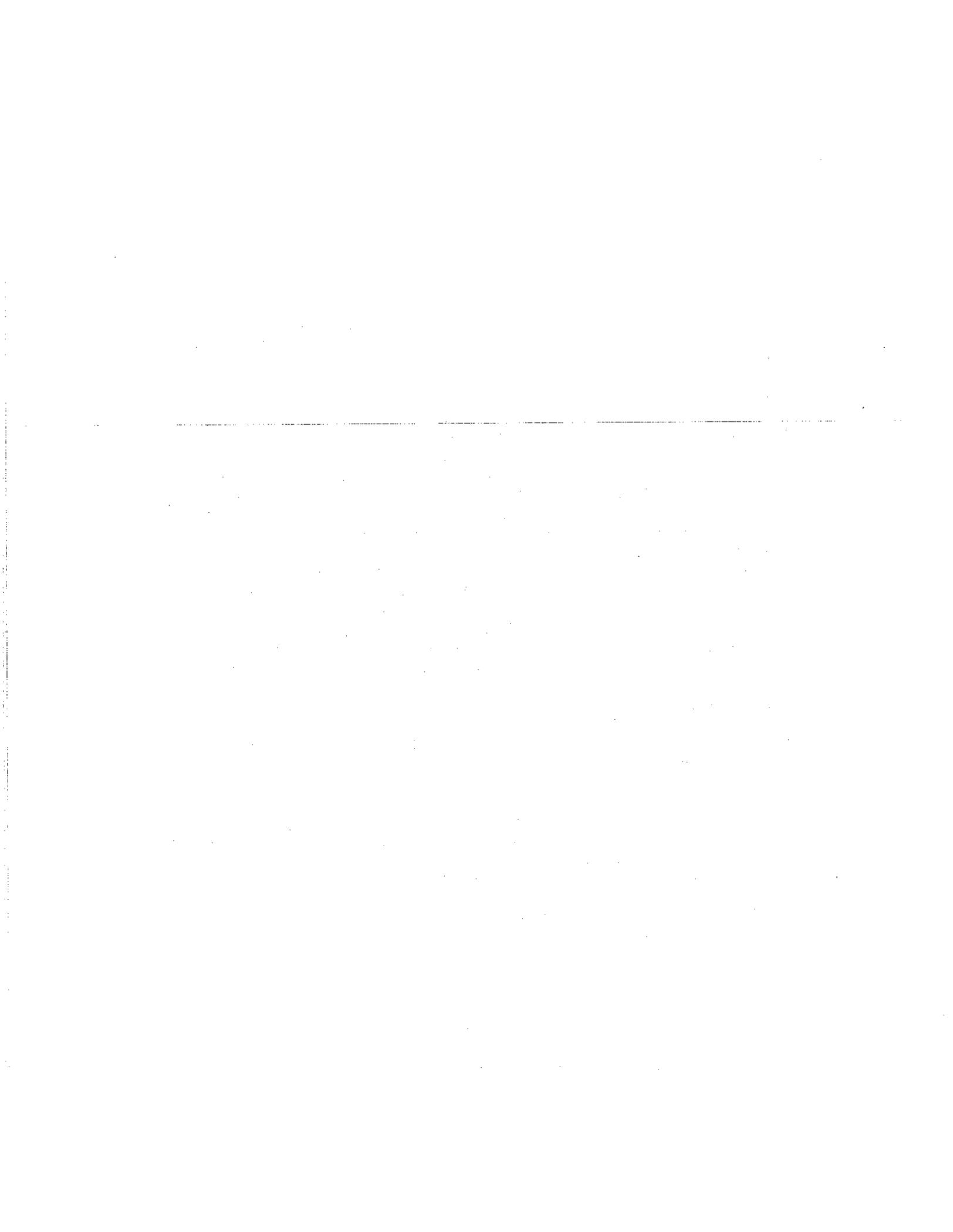
A PORTION OF THE N.E. 1/4 OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE ALONG THE NORTH BOUNDARY OF THE N.E. 1/4 OF SAID SECTION 19, N89°51'02"W, A DISTANCE OF 1992.91 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19; THENCE DEPARTING SAID NORTH BOUNDARY, ALONG SAID EAST BOUNDARY, S00°16'34"W, A DISTANCE OF 61.03 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF COUNTY ROAD NO. 466 (HAVING A 101 FOOT RIGHT OF WAY WIDTH), SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE CONTINUE ALONG SAID EAST BOUNDARY, S00°16'34"W, A DISTANCE OF 837.07 FEET; THENCE DEPARTING SAID EAST BOUNDARY, N89°43'26"W, A DISTANCE OF 332.13 FEET TO THE WEST BOUNDARY OF THE EAST 1/2 OF THE WEST 1/2 OF THE N.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 19; THENCE ALONG SAID WEST BOUNDARY, N00°16'36"E, A DISTANCE OF 836.28 FEET TO THE SOUTH RIGHT OF WAY OF COUNTY ROAD NO. 466; THENCE DEPARTING SAID WEST BOUNDARY, ALONG SAID SOUTH RIGHT OF WAY S89°51'40"E, A DISTANCE OF 332.12 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION TAKEN FOR RIGHT-OF-WAY PURPOSES BY LAKE COUNTY FLORIDA IN STIPULATED ORDER OF TAKING RECORDED 10/01/2008 IN OFFICIAL RECORDS BOOK 3688, PAGE 1946, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 21.00-FOOT-WIDE STRIP OF LAND BEING A PORTION OF THAT CERTAIN DESCRIBED PROPERTY PER OFFICIAL RECORDS BOOK 3039, PAGE 1183, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 19; THENCE RUN SOUTH 89°51'17" EAST ALONG THE CENTERLINE OF COUNTY ROAD 466 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 11560-2601, DATED 12-20-63, RECORDED IN ROAD PLAT BOOK 6, PAGE 55, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, FOR A DISTANCE OF 3080.25 FEET; THENCE RUN SOUTH 00°08'43" WEST FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID COUNTY ROAD 466, ALSO ON THE WEST LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3039, PAGE 1183, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THIS BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 89°51'17" EAST ALONG



THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 466 , A DISTANCE OF 332.21 FEET TO A POINT ON THE EAST LINE OF SAID PROPERTY; THENCE RUN SOUTH 00°16'25" WEST, ALONG SAID EAST LINE FOR A DISTANCE OF 21.00 FEET; THENCE RUN NORTH 89°51'17" WEST FOR A DISTANCE OF 332.20 FEET TO A POINT ON THE WEST LINE OF SAID PROPERTY; THENCE RUN NORTH 00°16'08" EAST ALONG SAID WEST LINE, FOR A DISTANCE OF 21.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (EASEMENT PARCEL)

TOGETHER WITH THE EASEMENT OVER THE SHARED EASEMENT PARCEL AS SET FORTH IN EXHIBIT "C" TO THE CROSS ACCESS EASEMENT AGREEMENT BETWEEN WRYP, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND ZMSS, LLP, A FLORIDA LIMITED LIABILITY PARTNERSHIP, DATED 08/12/2009 AND RECORDED 08/18/2009 IN OFFICIAL RECORDS BOOK 3808, PAGE 963, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

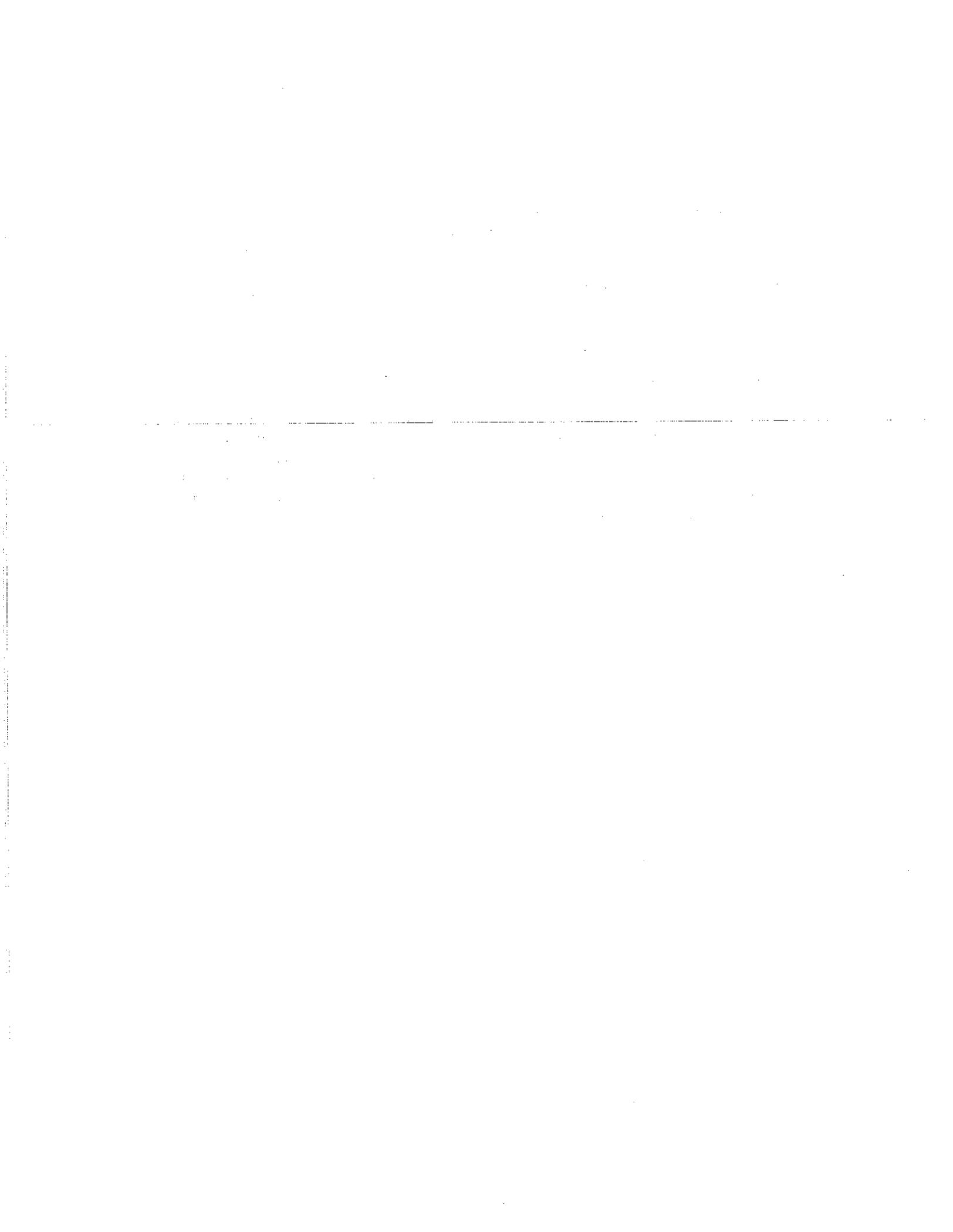
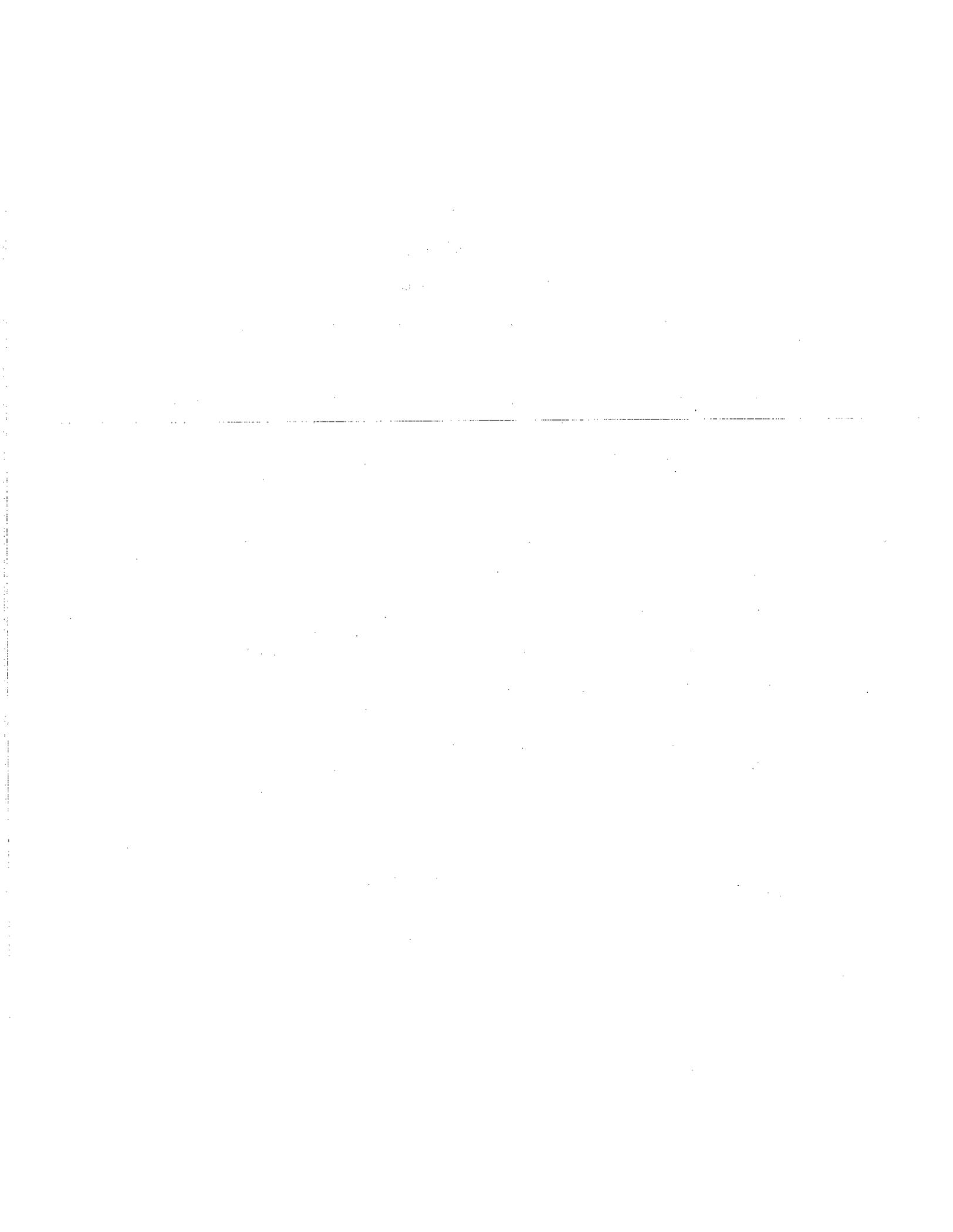
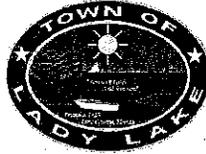


EXHIBIT B**PERMITTED ENCUMBRANCES**

1. Taxes and assessments for the year 2014 and subsequent years, which are not yet due and payable.
2. Drainage Easement and Grading Easement as described in Stipulated Order of Taking by Lake County, Florida recorded 10/01/2008 in Official Records Book 3688 Page 1946, of the Public Records of Lake County, Florida.
3. Non-Exclusive Easement Deed Cross Access Easement between ZMSS, LLP and WRYP, LLC recorded in Official Records Book 3696, Page 44, of the Public Records of Lake County, Florida.
4. Non-Exclusive Easement Deed Cross Access Easement between WRYP, LLC and LAKE COUNTY, FLORIDA and ZMSS, LLP and recorded in Official Records Book 3698, Page 1997, of the Public Records of Lake County, Florida.
5. Terms and conditions of the Stipulated Final Judgment between Lake County Florida and WRYP, LLC recorded 11/21/2008, in Official Records Book 3703, Page 1564, of the Public Records of Lake County, Florida.
6. Cross Access Easement between WRYP, LLC and ZMSS, LLP recorded in Official Records Book 3791, Page 2009, of the Public Records of Lake County, Florida; As re-executed and recorded in Official Records Book 3808, Page 963, of the Public Records of Lake County, Florida.
7. Construction, Operation and Easement Agreement between WRYP ALF, LLC and WRYP ILF, LLC in Official Records Book 3822, Page 1166, of the Public Records of Lake County, Florida.
8. Sewer Connection Easement Agreement between WRYP ALF, LLC and Lady Lake RE, LLC by instrument in Official Records Book 3971, Page 816, of the Public Records of Lake County, Florida.
9. Sewer & Water Utility Agreement Lady Lake Florida between the Town of Lady Lake, Florida and WRYP ALF, LLC recorded in Official Records Book 3810 Page 1, of the Public Records of Lake County, Florida.
10. Ordinance No. 2008-84 recorded in Official Records Book 3717 Page 1652, of the Public Records of Lake County, Florida.
11. Ordinance No. 2009-28 annexing property into the corporate limits of the Town of Lady Lake, etc., recorded in Official Records Book 3867 Page 1214, of the Public Records of Lake County, Florida.
12. Ordinance 2009-29 pertaining to Comprehensive Planning, etc. in the Town of Lady Lake, Florida recorded in Official Records Book 3867 Page 1206, of the Public Records of Lake County, Florida.
13. Ordinance No. 2009-30 recorded in Official Records Book 3874 Page 845, of the Public Records of Lake County, Florida.



14. Resolution No. 2011-104 recorded in Official Records Book 4075 Page 786, of the Public Records of Lake County, Florida.
15. Resolution No. 2011-105 recorded in Official Records Book 4075 Page 789, of the Public Records of Lake County, Florida.
16. Subject to an easement for ingress and egress described in Warranty Deed recorded in Official Records Book 2168 Page 1233, of the Public Records of Lake County, Florida and as conveyed in Warranty Deed recorded in Official Records Book 3838 Page 2149, of the Public Records of Lake County, Florida.
17. Drainage Easement to Lake County recorded in Official Records Book 3670 Page 2053, of the Public Records of Lake County, Florida.
18. Drainage and Ingress Egress Easement to Lake County recorded in Official Records Book 3670 Page 2057, of the Public Records of Lake County, Florida.
19. Perpetual Easement for Tree and Vegetation Trimming/Removal to Sumter Electric Cooperative, Inc. recorded in Official Records Book 3688 Page 117, of the Public Records of Lake County, Florida.
20. Ordinance No. 2011-14 annexing property into the corporate limits of the Town of Lady Lake, etc., recorded in Official Records Book 4060 Page 1202, of the Public Records of Lake County, Florida.
21. Ordinance 2011-15 pertaining to Comprehensive Planning, etc. in the Town of Lady Lake, Florida recorded in Official Records Book 4060 Page 1205, of the Public Records of Lake County, Florida.
22. Ordinance No. 2011-16 recorded in Official Records Book 4060 Page 1208, of the Public Records of Lake County, Florida.



TOWN COMMISSION AGENDA ITEM

REQUESTED MEETING DATE: April 21, 2014 – *Continued from April 7, 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 conceptual parking plan proposes 25 spaces; the requirement for a 4,300 square foot facility is 22 spaces (1 space per 200 Square Feet).

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.
- If the variance is granted, 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:

At the March 17, 2014 Commission Meeting, the Town Commission requested that an alternative plan be presented to determine whether the tree could be saved if the building or parking configuration were changed. At the April 7th Meeting, again Resolution 2014-02 was continued to the April 21st Meeting. At this time, Applicant, Fran Dann-Akin, has determined that the potential occupant of the property does not wish to reduce the parking spaces provided on the property, and that by saving the tree, some parking will need to be reduced. The applicant has stated that given that this is a medical facility, they would like to provide as much parking as possible, as the provision of parking is already somewhat of a

problem in the medical park. No alternative plan has been provided for the consideration by the Town Commission.

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.

At the March 17, 2014 meeting, the **Town Commission** approved tabling Resolution No. 2014-102 to the April 7, 2014 Commission Meeting.

At the April 7, 2014 meeting, the **Town Commission** approved tabling Resolution No. 2014-102 to the April 21, 2014 Commission Meeting.

FISCAL IMPACT: \$ 0

- Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

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

DEPARTMENT HEAD

Submitted 4/14/14

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

4/21/14

4/14

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved w/Modification

**TOWN OF LADY LAKE
LAKE COUNTY, FLORIDA**

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

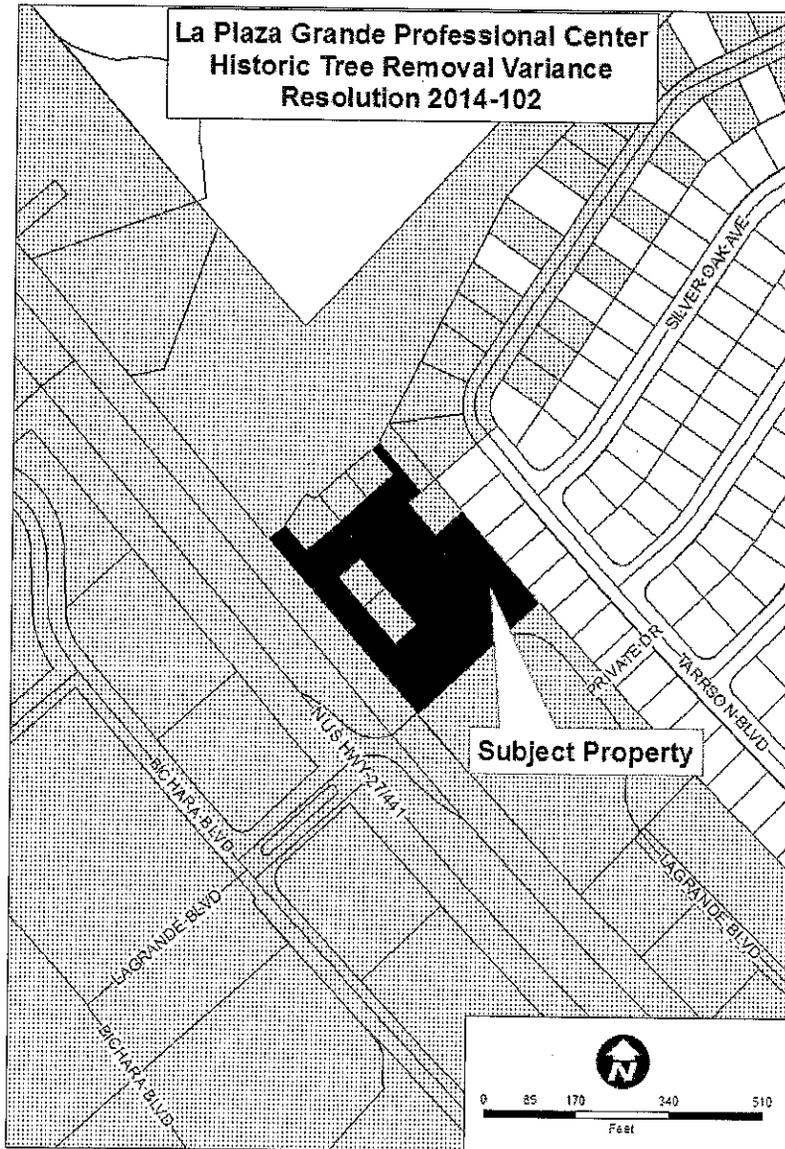
APPROVED AS TO FORM:

Derek Schroth, Town Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

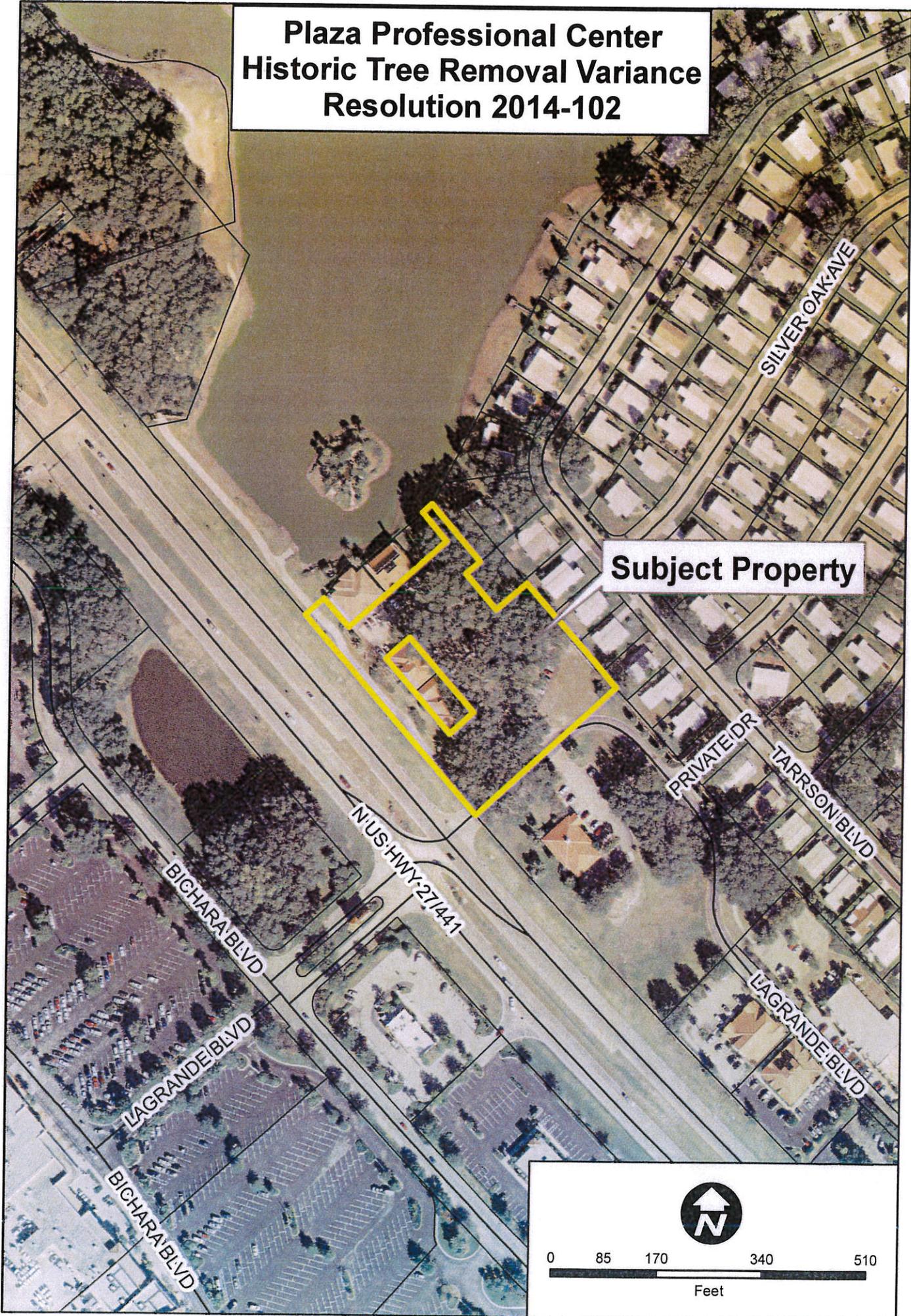
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FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 PB 26 PG 55, RUN S 41-21-30 E 75 FT FOR POB, CONT S 41-21-30 E 38.32 FT TO THE BEGINNING OF A CURVE CONCAVE NE'Y & HAVING A RADIUS OF 11059.20 FT, THENCE SE'LY ALONG THE ARC OF SAID CURVE THRU 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 |



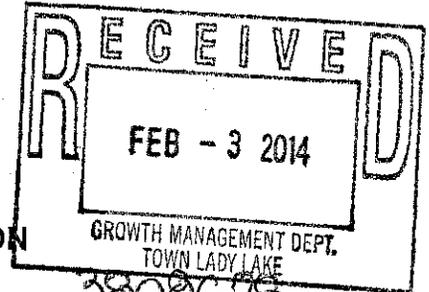
**Plaza Professional Center
Historic Tree Removal Variance
Resolution 2014-102**

Subject Property





TOWN OF LADY LAKE
HISTORIC TREE VARIANCE APPLICATION



Tax Identification # 3800678
C20-069

1. Owner's name: Brian Warwick, Janet Warwick, Ellen Edwards
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 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: 20 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 safety 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, despite the maturity of the tree over the last 27 years. This tree was not contemplated in the original 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 originally 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 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.

Mari Dann-Akin

Mari 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: WTher

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.

Brian Warwick
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.

Mary Arnst
Notary Public

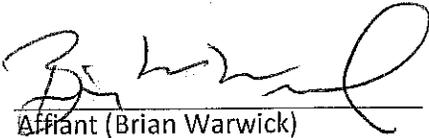


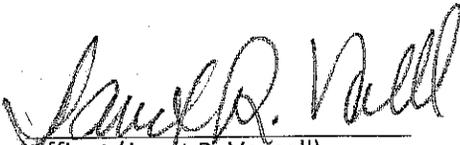
OWNER'S AFFIDAVIT

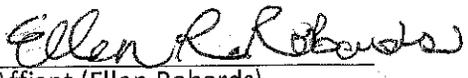
STATE OF FLORIDA
COUNTY OF LAKE

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:

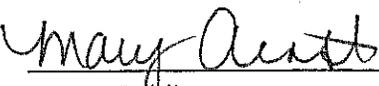
- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) That he desires approval for: Historic Tree Removal Variance.
- (3) That he has appointed Fran Dann-Akin to act as agent in his behalf to accomplish the above. The Owner is required to complete 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 Varnell 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



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.

Warranty Deed - Page 2

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.

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 overhanging 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.

Bryan Stange
FL-5502AU



Tree #3

TREE STRUCTURE EVALUATION

Property Owner & Address

Tree evaluation for Foxfire Realty

Date

Location in Landscap Largest Tree Inspection Goal Determine health

Arborist(s) Bryan Stange Type of Inspection type 2

Tree Species Quercus Virginia Estimated Age of Tree 100

Targets (List) Parking lot Within Canopy Within 1X 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 Diam 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

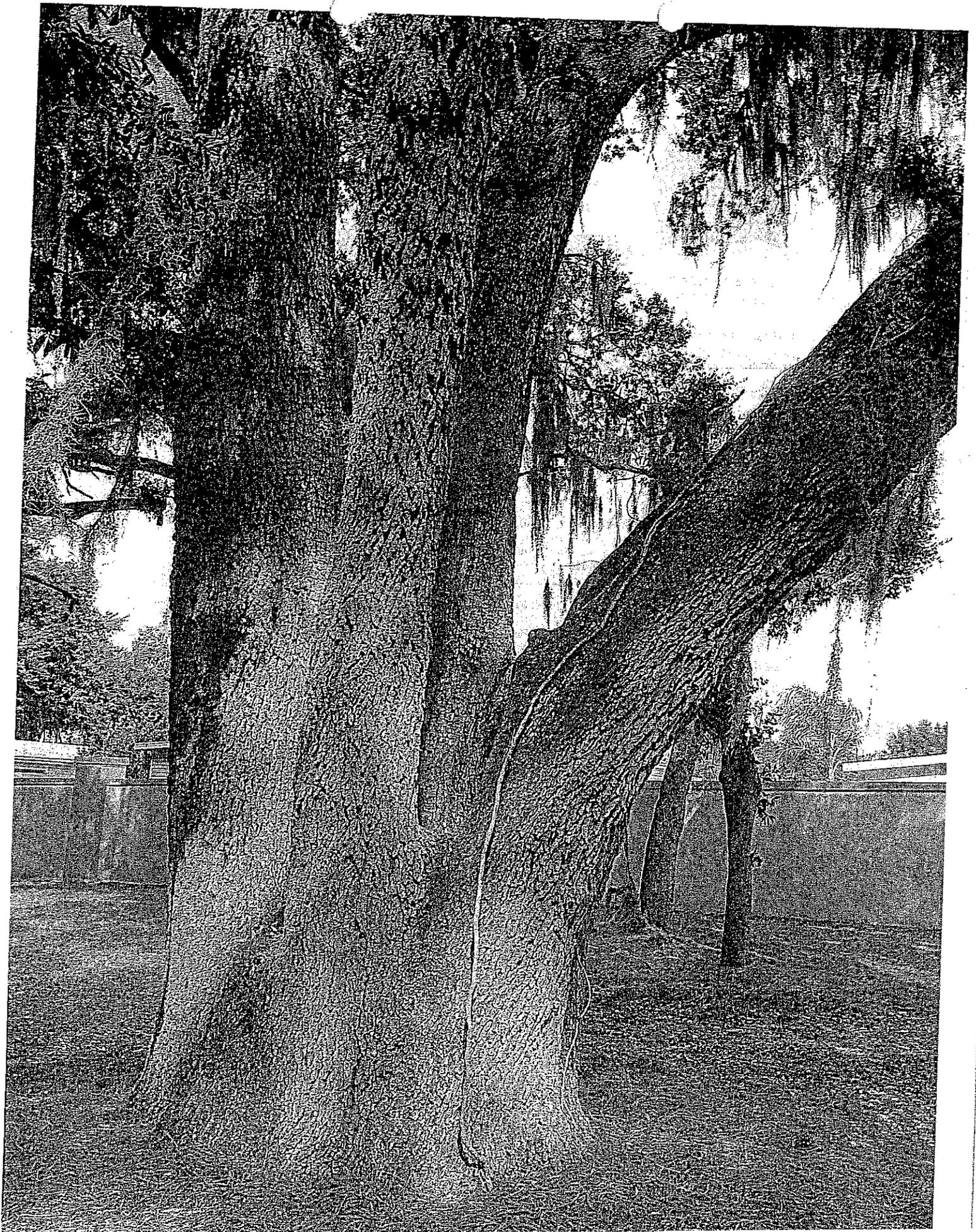
Root Cut Distance From Stem Notes

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

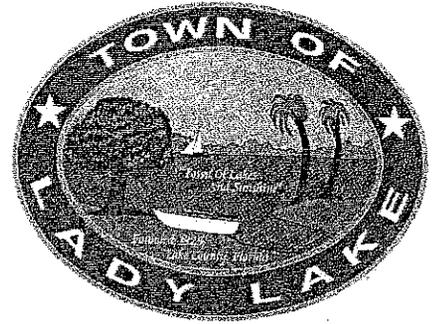
Check us out at:
www.StanageTreeService.com

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.

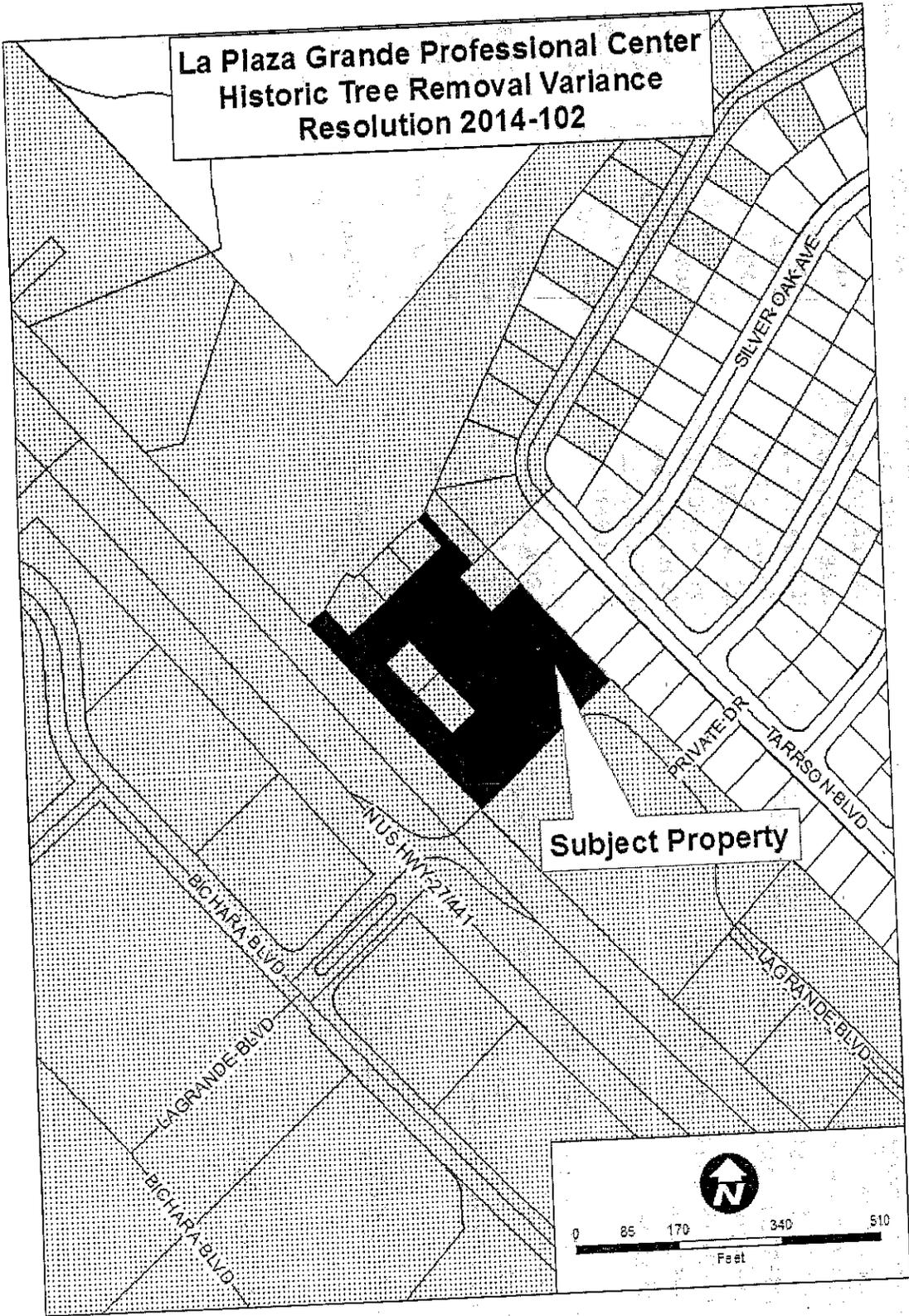
You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours in the Growth Management Department.

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.

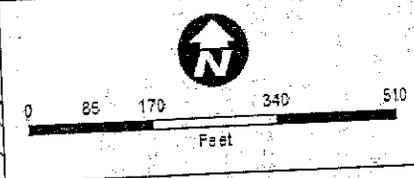
Sincerely,

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**

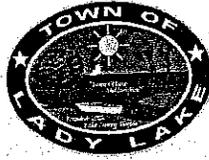


Subject Property



AltKey	OwnerName	OwnerAddress	OwnerCity	OwnerState	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	FL	32159
1484049	TUCKER EARCILE ROBERT	2021 SW 1ST AVE	OCALA	FL	34471
1535956	ITTER IRENE D ESTATE	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	FL	32159
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	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	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

Plaza Grande Professional Center- Historic Tree Removal Variance Application



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.

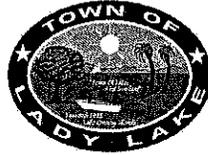
Note:

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) Resolution Budget Resolution

Other

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

D
-4-14

DEPARTMENT HEAD



Submitted

3/2/14

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 3/11/14

BOARD ACTION:

Approved as Recommended Disapproved

MONTESONE/SILVARDSON 3-1 (MCKENZIE)

Tabled Indefinitely Continued to Date Certain

Approved with Modification

CC: THAD - G.M.

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

~~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. Resolution No. 2014-102 – 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:

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.

1 Mr. Warwick replied that after receiving approval from the Town, they will have to go before The
2 Villages Architectural Review Committee, and he stated it depends on the timing of that, but they
3 should commence soon afterward.

4
5 Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter,
6 and as there were no comments, asked for a motion.

7
8 Member Monteleone made a motion for approval, and Member McKenzie seconded, and then they
9 both voted against it. It was noted that this was inconsistent, and Mr. Monteleone stated he had
10 another question. He commented that it was a shame this tree had to be removed, but he understood
11 the reasoning behind it. He asked if replacement trees will be planted in its place.

12
13 Mr. Warwick stated that there are over 50 other remaining oak trees on the two acres of land and
14 additional landscaping and plantings will be done after the building is completed.

15
16 Attorney Todd Mazenko asked for a new motion.

17
18 *Upon a motion by Member Monteleone, and a second by Member Sigurdson, the Planning and*
19 *Zoning Board recommended transmittal and approval of Resolution No. 2014-102 to the Town*
20 *Commission for consideration of approval by a vote of 3-1 (McKenzie).*

21
22 Vice Chair Sigurdson asked Ms. Then if the Town's Tree and Beautification Advisory Committee
23 would have any input on this resolution for the tree removal.

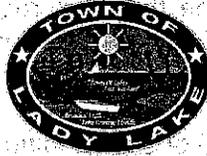
24
25 Ms. Then replied that this particular variance for historic tree removal is not required to go before
26 the Tree and Beautification Advisory Committee, as the tree bank donation is their recommendation
27 as a method to acquire funds for further beautification in the Town.

28
29 **4. Resolution No. 2014-103 – Orange Blossom Hills Country Club Expansion – Parking**
30 **Space Size Reduction Variance to Allow 9.5'x17' as the Minimum Regular Parking Space Size**
31 **Throughout the Orange Blossom Hills Country Club – Located at 1542 Water Tower Circle**
32 **(Wendy Then)**

33
34 Wendy Then, Town Planner, presented the background summary on this agenda item (on file in the
35 Town Clerk's office). She stated the applicant, John R. Grant, on behalf of the Villages Operating
36 Company, has filed an application for a variance to the Town of Lady Lake's Land Development
37 Regulations, Chapter 7, Section 7-6).b).1).A) which requires that a standard parking space be 10
38 feet wide and 20 feet long. The applicant is requesting a size reduction to allow 9.5'x17' as the
39 minimum regular parking space size in lieu of providing standard 10'x20' parking spaces
40 throughout the Orange Blossom Hills Country Club Facility located at 1542 Water Tower Circle,
41 within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382). Ms. Then noted that this
42 parcel is approximately 2.21 acres, and staff recommends approval of this resolution.

43
44 Views of the subject property and the location of this facility were shown on the overhead viewer.

45
46 Ms. Then reviewed the applicant's Justification Statement, which is a requirement of the
47 application, and outlines the reasons and unique challenges of the site that requires such a variance.
48 It states that the Orange Blossom Hills Country Club parking lot area was originally constructed in
49 1986, and the majority of standard parking spaces exhibit a 9.5'x17' dimension, aside from golf cart
50 parking spaces, which are 6 feet wide and 10 feet long. The applicant is proposing to rebuild the



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.

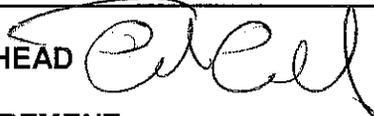
FISCAL IMPACT: \$ 0

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

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

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

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain Approved w/Modification

D
5-11-14

3/11/14

1. The first part of the document is a list of names and addresses.

2. The second part of the document is a list of names and addresses.

3. The third part of the document is a list of names and addresses.

4. The fourth part of the document is a list of names and addresses.

5. The fifth part of the document is a list of names and addresses.

6. The sixth part of the document is a list of names and addresses.

7. The seventh part of the document is a list of names and addresses.

8. The eighth part of the document is a list of names and addresses.

9. The ninth part of the document is a list of names and addresses.

10. The tenth part of the document is a list of names and addresses.

11. The eleventh part of the document is a list of names and addresses.

12. The twelfth part of the document is a list of names and addresses.

7,550 sq. ft. of commercial entitlements and add entitlements for a 94 bed assisted living facility. She stated she is aware that the residents of Vista Sonoma are concerned about what will be built, however, they will have the opportunity to voice their opinion at the site plan application. She asked if the public had any comments or questions about this phase of the process.

A gentleman spoke from the audience but it was inaudible on the recording.

Mr. Carroll stated he could address the gentleman's question about whether they could receive copies once the materials have been submitted for the site plans. He stated that the Town's Growth Management Department has not yet received an application for site plans, so he cannot supply copies.

Martin Dzuro, representing the developer, stated that, if contact information for the Vista Sonoma's homeowners' association president can be attained, the developer of this parcel has agreed to give a presentation of the proposed facility once they have the drawings and plans. He stated this will be the same information given to the Town when they apply for the site plan.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved 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, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

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)

Derek Schroth, Town Attorney, read the resolution 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, 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. He stated the parcel area is 2.21 +/- acres and is currently vacant commercial property, and staff recommends approval as presented.

Mr. Carroll reviewed a drawing of the subject property and the proposed building footprint, as well as an aerial view of the property. He 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 site. Mr. Carroll stated that the applicant has submitted material indicating that the professional center was approved by the Town in 1987, and since that time, the property has remained vacant and the Town has incorporated its

historic tree ordinance. The applicant has stated 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 (the Justification Statement was included in the packet).

Note: 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.

Photos of the posting, several views of the subject parcel and of the historic tree in question were shown.

The subject property lies in Section 07, Township 18, South Range 24 East, 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 Center (Alternate Key 3808678); within the town limits of the Town of Lady Lake, Florida. Resolution No. 2014-102 was reviewed by Town Attorney Derek Schroth on Tuesday, February 25, 2014, and determined it to be correct in form.

Mr. Carroll 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. He stated that 14 of the 16 receipts have been received and staff has received one communication in opposition of the variance.

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.

Mr. Carroll reported that the Technical Review Committee reviewed the application for Resolution No. 2014-102 at its regular meeting on Tuesday, February 18, 2014, recommending approval by a 3-0 vote. On March 10, 2014, the Planning and Zoning Board reviewed Resolution No. 2014-102 at their regular meeting and recommended approval to the Town Commission by a 3-1 vote. He stated that Fran Dann-Akin is present to answer any questions.

Commissioner Hannan asked if the yellow outline shown on one drawing is the building outline.

Mr. Carroll replied that it is the alternate key parcel outline, and the conceptual site plan was shown on another slide and it had a red circle around it.

Fran Dann-Akin introduced herself and stated that this site has approximately 40 oak trees on it. She stated that in showing this commercial property in the past, developers have turned it down because there are too many trees to work around.

Commissioner Richards stated the proposed parking lot is shown in the only open space available on the parcel. He asked if the building footprint could be changed to the open area and if the parking spaces could be placed within the trees.

Ms. Dann-Akin stated that the Town's parking space requirements calls for one space per every 200 sq. ft. of building area, and there is not enough room to lay out the parking spaces required in the tree area.

Commissioner Richards stated he would be more receptive to approving a parking space variance than to remove this historic tree; and with the present plan, a parking lot is the only thing visible from the open road. He stated that there were 17 negative responses to this historic tree removal on the Villages News.

Commissioner Hannan commented that it is a healthy, historic oak tree.

Ms. Dann-Akin stated she agrees that this is a beautiful tree, and that there are 40 other trees on this parcel, some of them quite large. She stated that in 2009, the owners hired an architect and a site engineer and fully designed the building to go around the tree, but later learned that building around the tree would cause significant damage to the roots and might cause the tree to die later on.

Commissioner Richards again suggested trying to place the parking spaces under the trees, and put the building in the open space.

Ms. Dann-Akin stated that even if the Town granted a variance for reduced parking spaces, sufficient parking is a big issue for medical offices

Mr. Carroll stated that this resolution could be tabled while the engineering is being done to change the concept, and to find out what the options are. He stated if it looks like a parking variance will be required instead of a historic tree variance, then a new application will be needed along with a new resolution.

Commissioner Hannan agreed that he would much rather see a parking variance.

Commissioner Holden also agreed he would hate to lose this tree, and if something else could be worked out, he would go along with it.

Mr. Carroll confirmed with Mr. Schroth that tabling this resolution for the time being was the easiest way to go.

Town Manager Ms. Kollgaard confirmed with Mr. Schroth that if this resolution was tabled to a date and time certain, then it would not have to be re-advertised.

Ms. Dann-Akin stated that she would appreciate this coming back before the Commission at the April 7, 2014 meeting. She asked what the engineers would need to propose in regard to parking.

Mr. Carroll stated that if there is a way to accommodate the required ratio of parking on the footprint and shift the parking toward the tree and shift the building toward the open space, it would be ideal. If not, a variance for parking may be possible.

Upon a motion by Commissioner Richards and a second by Commissioner Hannan, the Commission approved tabling 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., to be reconsidered at the April 7, 2014 Commission meeting, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

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 Through-Out the Orange Blossom Hills Country Club – Located at 1542 Water Tower Circle (Thad Carroll)

Derek Schroth, Town Attorney, read the resolution 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 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 on 2.21 +/- acres at 1542 Water Tower Circle, within Orange Blossom Gardens Unit No. 7 (Alternate Key 2805382).

Mr. Carroll reviewed the drawing showing the location of the subject property, along with an aerial view. He stated 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 feet wide and ten feet long. The applicant is proposing to rebuild the existing 1,114 sq. ft. pool deck into an 878 sq. ft. 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 up to current Code.



TOWN COMMISSION AGENDA ITEM

REQUESTED MEETING DATE: April 7, 2014 – *Continued from 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:

Staff Recommends granting a continuance of Resolution 2014-102 to the April 21, 2014, Town Commission Meeting, as requested by the applicant, to allow additional time to prepare an alternative building/parking site plan.

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

FISCAL IMPACT: \$ 0

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance(s) Resolution Budget Resolution

Other

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

W38
3-31-14
3/31/14

DEPARTMENT HEAD *[Signature]*

Submitted 3/31/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER *[Signature]*

Approved Agenda Item for: 4-1-14

Date

BOARD ACTION: Approved as Recommended Disapproved

Tabled Indefinitely

Continued to Date Certain

Approved w/Modification

Thad Carroll

From: Fran Dann [Fran@FranDann.com]
Sent: Wednesday, March 26, 2014 1:03 PM
To: Thad Carroll
Cc: Wendy Then; 'Fran Dann'
Subject: Resolution 2014-102

Hi Thad,

The engineer / architect will not be able to produce an alternative building- parking: site plan in the timeframe as required for the next Commission meeting on April 7th. May we please request rescheduling for this to be addressed at the following Commission Meeting which I believe to be on April 21st? I can be at the April 7th meeting, however without the alternative plan requested.

Thank you for the continued assistance you and Wendy have demonstrated in trying to help us get this building built. It is truly appreciated by all.

Sincerely,
Fran Dann-Akin

FRAN DANN-AKIN, BROKER-ASSOCIATE
FOXFIRE REALTY, INC.
126 N Hwy. 441/27
Lady Lake, FL 32159
Direct Ph: 352-266-7795
Fax: 352-750-2134
Email: Fran@VillagesCommercialProperties.com
Listing website: VillagesCommercialProperties.Com

Thad Carroll

From: Fran Dann [Fran@FranDann.com]
Sent: Monday, April 14, 2014 2:24 PM
To: Thad Carroll
Cc: Wendy Then; 'Fran Dann'
Subject: FW: Villages Parcel No 3808678 -Historic Tree Variance application

Dear Mr. Carroll,
Please see email below from current owner of parcel. We would still like to move forward with the request for variance.

It has been brought to my attention additionally, that this development was designed with no concern of trees being left because it was completed prior to the Lady Lake Tree Ordinance coming into effect. It also appears to have more trees than any other commercial development in the Town of Lady Lake.

Your assistance is greatly appreciated.
Thank you, Fran Dann-Akin

FRAN DANN-AKIN, BROKER-ASSOCIATE
FOXFIRE REALTY, INC.
126 N Hwy. 441/27
Lady Lake, FL 32159
Direct Ph: 352-266-7795
Fax: 352-750-2134
Email: Fran@VillagesCommercialProperties.com
Listing website: VillagesCommercialProperties.Com

From: Brian Warwick [<mailto:bwarwick@varnellandwarwick.com>]
Sent: Monday, April 14, 2014 1:47 PM
To: Fran Dann
Subject: RE: Villages Parcel

Dear Mr. Carroll,

Thank you for your email. We have been attempting to obtain a workable site plan - saving the tree as requested by the Town for our upcoming meeting. Unfortunately, after the architect and engineer reviewing alternative plans that reduce the parking. Potential Buyers find plans unacceptable. As you know, the medical building at issue requires an additional 21.5 parking spaces. A variance to reduce the number of parking spaces will cause the parking situation to be unworkable and potentially dangerous.

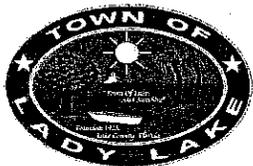
Buyers and current owners have already felt that the existing parking in Burnsed Office park is tight on certain days with the current 82 spaces. The anticipated 4,284 SF building will require at least 21.5 parking spaces. Requiring an additional 17 spaces to be added at a minimum. (Allowing 5 per 1000 SF of building which is modest, since most medical use, now demands 6 spaces per 1000 SF of building)

Also, we recently learned about a medical group in Marion County, Stonecrest Office park (Summerfield) which after adding onto their building, found they were so short on parking, that the group was forced to purchase an additional lot 5 parcels away. Their employees are now required to park down the street and walk to the office which has become an issue. The additional parking eventually cost them \$675,000 prior to improvements.

Here, the age of the development and the limited parcels nearby make the option of purchasing additional parking simply impossible. For these reasons, we feel that the tree must be removed so that the additional parking spaces can be accommodated. The new owners are willing to pay into the tree fund and are willing to plant new trees to make up for the removal. If there was any way for us to accommodate the existing tree we would, but that appears to be an impossibility in this situation.

Thank you.

Brian W. Warwick
VARNELL & WARWICK, P.A.
P.O. Box 1870
Lady Lake, FL 32158
Phone: (352)753-8600



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: April 21, 2014

SUBJECT: Reappointments to the Library Board

DEPARTMENT: Clerk's Office

STAFF RECOMMENDED MOTION: Reappoint Four Members to the Library Board

SUMMARY: Currently, the Library Board has four members whose terms are expiring this month. James Page, Dorothy Grubb, Jean Ganske and Dr. Paul Harsh are all current members and wish to be re-appointed.

No new applications are being considered at this time as the Library Board is being reduced by attrition from seven members to five.

FISCAL IMPACT: [] Capital Budget [] Operating [] Other

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution [] Other [X] Support Documents (Applications)

DEPARTMENT HEAD		Submitted	4/12/14	Date
HR		Approved as to form		Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN MANAGER		Approved Agenda Item for:	4/21/14	Date 4/15/14

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

Reappointed 4-16-12

**TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION**

Date:

3-29-12

Name:

Jean Ganske

Mailing Address:

1745 W. Schwartz

Location of residence:

Country Club Village

Business Location (if applicable):

(Economic Development Advisory Committee only)

Home Phone: 352753885 **Work Phone:**

Cell Phone: Yaj Yaj Headron **E-Mail Address:**

those are 83 for lady lake

Check below the Committees or Boards that you are willing to serve on:

- Economic Development Advisory Committee
- Library Board
- Planning & Zoning Board
- Parks & Recreation Advisory Board
- Police Pension Board
- Tree & Beautification Advisory Committee

Occupation:

retired high school - college teacher

1/9 4/16/12

Training or experience related to activities of boards or committees to which appointment is sought:

Teacher - High School - College
English Lit, Art, Speech, Golf coach

Member of the following professional or business organizations:

Civic in the Villages - leader of the peripheral newspaperly
support group

Have you served on a Town board or committee in the past?

Yes

If yes - name of committees/boards and dates

Library b. for about 10 years
Parks & Recreation Advisory Board around 2004

Nationality: (optional) French-German (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. Mr. John Rohan - head in the Villages 352 674 1800

2. Rev Ed Waters - St. Tim's Catholic Church - The Villages

3. Dr. Conti 352 250 1277 The Villages

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.

Updated: 01-30-12

Reappointed 4-16-12

TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION

Date: 3-28-2012

Name: DOROTHY GRUBB

Mailing Address: 1350 E. SCHWARTZ BLVD

Location of residence: LADY LAKE, FL 32159

Business Location (if applicable): _____
(Economic Development Advisory Committee only)

Home Phone: 352-753-1748 Work Phone: _____

Cell Phone: 740-341-6634 E-Mail Address: DOTINFLORIDA@EMBARRMAIL.COM

Check below the Committees or Boards that you are willing to serve on:

- Economic Development Advisory Committee
- Library Board
- Planning & Zoning Board
- Parks & Recreation Advisory Board
- Police Pension Board
- Tree & Beautification Advisory Committee

Occupation: RETIRED

Training or experience related to activities of boards or committees to which appointment is sought: VOLUNTEER AT LIBRARY
TEACHING EXPERIENCE

Member of the following professional or business organizations: _____

Have you served on a Town board or committee in the past? YES

If yes - name of committees/boards and dates LIBRARY BOARD

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. MURIEL BINGLET - 840 CORTEZ AVE LADY LAKE 750-1012
2. NEILIE INSKEEP - 904 CECELA COURT - LADY LAKE 750-0241
3. SHARLET KYLER 822 SILVER AAK - LADY LAKE 753-8579

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

Reappointed 4-16-12

**TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION**

Date: Mar. 28, 2012

Name: Paul B. HARSH II

Mailing Address: P.O. Box 737

Location of residence: 3800 Lk. Griffin Rd. Lady Lake, FL 32159

Business Location (if applicable): _____
(Economic Development Advisory Committee only)

Home Phone: 753-8254 Work Phone: 753-4477

Cell Phone: 267-7576 E-Mail Address: FBAPTLLPASTOR@AOL.com

Check below the Committees or Boards that you are willing to serve on:

- Economic Development Advisory Committee
- Library Board
- Planning & Zoning Board
- Parks & Recreation Advisory Board
- Police Pension Board
- Tree & Beautification Advisory Committee

Occupation: Pastor

Training or experience related to activities of boards or committees to which appointment is sought: College & Post-grad. degrees. Great experience and training in administration and organization. I have a personal library and both read and write (a lot).

Member of the following professional or business organizations: NONE

Have you served on a Town board or committee in the past? yes

If yes – name of committees/boards and dates Currently - Library Board

Nationality: (optional) _____ (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. Bob & Kathy Taylor 313 W. Mirror Lake Dr. F.P. 250-6841
2. John & Laura Czaplak 1618 Myrtle Beach L.L. 753-5483
3. Bob & June Fifield 2308 Bonnieview Dr. Leesburg, FL 250-3548

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

Reappointed 4-16-12

TOWN OF LADY LAKE
BOARDS/COMMITTEES APPLICATION

Date: APRIL 4, 2012

Name: JAMES PAGE

Mailing Address: 713 ORCHID ST LADY LAKE

Location of residence: same as above

Business Location (if applicable): _____
(Economic Development Advisory Committee only)

Home Phone: 352-350- Work Phone: _____

Cell Phone: 7707 E-Mail Address: bushijim@thevillages.net

Check below the Committees or Boards that you are willing to serve on:

- Economic Development Advisory Committee
- Library Board
- Planning & Zoning Board
- Parks & Recreation Advisory Board
- Police Pension Board
- Tree & Beautification Advisory Committee

Occupation: Retired

Training or experience related to activities of boards or committees to which appointment is sought: History Professor

Member of the following professional or business organizations: _____

Have you served on a Town board or committee in the past? YES

If yes – name of committees/boards and dates _____

LADY LAKE LIBRARY BOARD 1992 To present

Nationality: (optional) _____ (This information is for use in the Annual Florida Department of State Report only.)

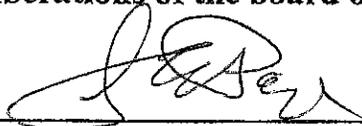
Have you ever been convicted of a felony? (optional) _____

Please list three references that the Town may contact (excluding Town employees) – name, address and phone number:

1. Sherry Page 713 ORCHID ST. LL 350-7707
2. Dot Grubh 1350 E. SWARTZ LL 753-1748
3. Rev. Paul Harsh, FIRST BAPTIST CHURCH, LL

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

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409 Fennell Blvd
Lady Lake FL 32159

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LIBRARY BOARD

- VOTING FORM -

Date: April 21, 2013

Please mark your selections (4) and sign your name at the bottom.

Thank you.

Re-Appointment:

	Yes	No
James Page	<input type="checkbox"/>	<input type="checkbox"/>
Dorothy Grubb	<input type="checkbox"/>	<input type="checkbox"/>
Jean Ganske	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Paul Harsh	<input type="checkbox"/>	<input type="checkbox"/>

Selections made by: _____
(Name of Commissioner)