

## REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

**DATE:** Monday, May 5, 2014  
**TIME:** 6:00 p.m.  
**PLACE:** Town Hall Commission Chambers  
409 Fennell Blvd., Lady Lake, Florida

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

### AGENDA\*

- A. **CALL TO ORDER:** Mayor Ruth Kussard
- B. **PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. **PLEDGE OF ALLEGIANCE:** Mayor Ruth Kussard
- D. **INVOCATION<sup>1</sup>:** Reverend Carolyn Thomas – Lady Lake United Methodist Church
- E. **ROLL CALL**
- F. **PUBLIC COMMENTS<sup>2</sup>**
- G. **CONSENT<sup>3</sup>:**
  - 1. Minutes – April 21, 2014 – Special Commission Meeting  
– April 21, 2014 – Regular Commission Meeting
  - 2. Consideration and Approval to Apply to the Bulletproof Vest Partnership Initiative for Sworn Police Personnel Vest Purchases and Replacements (Aubrey Cash/Chris McKinstry)
- H. **OLD BUSINESS:**
- I. **NEW BUSINESS:**
  - 3. Major Modification to Paradise Park Area “B” – MJM 03/14-001– Providing for Flexi-Paved Walking Recreational Trails and Concrete Sidewalks, Golf Cart Parking Areas, Landscaping Improvements, and Other Recreational Park Features such as Florida

Accessible ADA Park Benches and Picnic Tables – Located just South of Wales Plaza  
(Thad Carroll)

**J. TOWN ATTORNEY'S REPORT:**

4. Resolution No. 2014-102 – First/Final Reading (tabled from 3-17-14; continued to 4-21-14; continued to 5-5-14) – 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)

**K. TOWN MANAGER'S REPORT:**

5. Consideration of Appointment(s)/Reappointment to the Economic Development Advisory Committee (Kris Kollgaard)

**L. MAYOR/COMMISSIONER'S REPORT:**

**M. PUBLIC COMMENTS<sup>4</sup>**

**N. ADJOURN**

**\*Back up for agenda items is available on the Town's website at [www.ladylake.org](http://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 – 05-05-2014

---

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

**MINUTES OF THE SPECIAL MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA  
April 21, 2014**

The Special 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 5:30 p.m.

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

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager/Town Clerk; Jeannine Michaud, Finance Director; Pam Winegardner, Assistant Finance Director; Debbie Rodriguez-Lopez, Senior Account Specialist; Kristal Learn, Accounting Clerk; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; John Pearl, IT Director; Chief Chris McKinstry, Police Department; Tia O'Neal, Human Resource Director; and Nancy Slaton, Deputy Town Clerk

3. **Presentation and Acceptance of the Audit Report for Fiscal Year Ending September 30, 2013 (Chet Ross, Shumacker, Johnston & Ross)**

The Mayor introduced Chet Ross of Shumacker, Johnston & Ross, PA, to present the audit report.

Mr. Ross stated that he is presenting the audited comprehensive annual financial report for the Town for year-ending September 30, 2013. The official letter to the Commissioners communicating his formal results of the audit as required by *Government Auditing Standards* was handed out at the beginning of the meeting.

Mr. Ross stated the first items he will review are a couple of financial highlights. He stated the Management's Discussion and Analysis in the front part of the report includes this information. Mr. Ross stated that the Town's equity or net position increased by \$563,000, and the unrestricted equity was at \$7.9 million, including the general fund at \$5.8 million and the utility fund at \$2.9 million. He stated this is 66% or two-thirds of the Town's annual general fund expenditures, and is a strong position as this is seven to eight month's worth, and he likes to see at least six months. Mr. Ross stated he is aware that the Town has committed to projects such as the road resurfacing to use some of this money.

Mr. Ross stated there is nothing of consequence noted in the audit for this year. He stated the Town has not selected policies regarding fund balance in terms of what is committed and assigned and who does it, and thus the Town Commission makes these decisions. Mr. Ross stated the Town currently has a sewer capacity reserve agreement with The Villages and he is

1 happy to see the Town has recently done a flow test to assure that the pipe is working, and thus,  
2 the asset is still valuable.

3  
4 Mr. Ross also reported that when the Town entered into the agreement with the Lake County  
5 Sheriff's Office for dispatch services last year, the budget stated the Town will buy \$77,000  
6 worth of equipment. Mr. Ross noted that although the Town may have paid for the equipment,  
7 the County owns it, and he had to move it to an operating expense rather than a capital  
8 acquisition as it is not the Town's equipment.

9  
10 Mr. Ross stated that there was a \$75,000 deferred asset in the utility fund for engineering services  
11 for sewer for Lady Lake Boulevard and Clay Avenue which was done back in 2004. He stated he  
12 has been carrying that asset forward, but that he wrote it off this year to get it off the books since  
13 sewer has not been completed and new engineering would probably have to be done if the project  
14 commenced again.

15  
16 Mr. Ross stated the Commissioners could contact him at any time if they have a question. He  
17 thanked them for the opportunity to present his report in this forum, and asked them to accept the  
18 report for distribution.

19  
20 The Mayor, Commissioners and Town Manager thanked Mr. Ross for his presentation. Mayor  
21 Kussard commented that it was a very complete report.

22  
23 *Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the*  
24 *Commission approved the distribution of the Comprehensive Annual Financial Report for*  
25 *Fiscal Year Ending September 30, 2013, by a vote of 5 to 0.*

26  
27 Town Manager Kris Kollgaard thanked Mr. Ross and stated it was a pleasure to work with him  
28 and that he is a valuable resource.

29  
30 Commissioner Hannan requested that two pages be added to next year's budget to include a  
31 personnel summary and fund balances where reserves are tracked over the years.

32  
33 Mr. Ross pointed out that the reserves are tracked on pages 88 and 89 of the current report, and  
34 the personnel summary is shown on page 105.

35  
36 Commissioner Hannan apologized, stating he had not noticed them in this report. He asked if the  
37 word "reserves" has changed.

38  
39 Mr. Ross replied that the terminology changes every so often.

40  
41 **4. Presentation of the Certificate of Achievement for Excellence in Financial Reporting**  
42 **for the Fiscal Year Ending September 30, 2012 (Mayor Kussard)**

43  
44 Mayor Kussard presented the Certificate of Achievement for Excellence in Financial Reporting  
45 for Fiscal Year Ending September 30, 2012 to the Finance Department staff. It states that this  
46 award is presented by the Government Finance Officers Association of the United States and  
47 Canada to government units and public employer retirement systems whose comprehensive  
48 annual financial report achieved the highest standards in government accounting and financial  
49 reporting.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

Town Manager Kris Kollgaard noted that the plaque has changed this year, and now has a space to place the year of the award on the same plaque year after year.

The Mayor, Commissioners and Town Manager recognized the staff of the Finance Department who played a large part in the Town achieving this award.

**5. ADJOURN:** There being no further discussion; the meeting was adjourned at 5:45 p.m.

---

Kristen Kollgaard, Town Clerk

---

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

DRAFT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

**MINUTES OF THE REGULAR MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA  
April 21, 2014**

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

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

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

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

**D. INVOCATION<sup>i</sup>:** Associate Pastor Steve Poludniak – Tri-County Baptist Church

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

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

**F. PUBLIC COMMENTS<sup>ii</sup>**

Mayor Kussard asked if anyone in the audience would like to speak on any item.

- Barbara Fowler of Winners Circle reported that there is a problem with pit bulls running loose in her area. She stated that her cat was killed three weeks ago on her porch by a pit bull running loose. Ms. Fowler asked that the Town look into it.

Town Manager Kris Kollgaard asked if Animal Control has been contacted.

- Ms. Fowler stated the occurrence with her cat happened at 10:30 at night, and although the police came out, Animal Control was not available at that time. She stated Animal Control contacted her the following Wednesday and asked her to call again if something happened. Ms. Fowler stated that a neighbor was also recently

1 chased into her house by pit bulls when she was putting her children, ages 5 months  
2 to 11 years old, into her van. The neighbor had to distract the dog in order to get back  
3 out to her children in the van, where the door had been left open. She asked again  
4 that something be done.  
5

6 Ms. Kollgaard stated that she would talk to Animal Control and have it looked into.  
7

8 Commissioner Hannan asked if all dogs have to be registered, and if registrations can be checked  
9 regarding the dogs that reside in that area.  
10

11 Ms. Kollgaard replied that animals have to be registered with Lake County, and that she will  
12 check with Animal Control to see what kind of problems have been reported there and what else  
13 can be done.  
14

15 **G. PROCLAMATION:**

16  
17 **1. Arbor Day – April 25, 2014 (Mayor Kussard/Mike Burske)**  
18

19 Mayor Kussard read the proclamation proclaiming April 25, 2014 as Arbor Day and presented it  
20 to Mike Burske, Parks and Recreation Director.  
21

22 Mr. Burske announced that Arbor Day will be celebrated at the Log Cabin/Veterans Park this  
23 Friday, April 25<sup>th</sup>, at 10 a.m., and that an orange tree will be planted.  
24

25 **2. Civility Month – May 2014 (Mayor Kussard)**  
26

27 Mayor Kussard read the proclamation proclaiming the month of May 2014 as Civility Month as  
28 requested by the City, County and Local Government Law Section of the Florida Bar. The  
29 proclamation explains that civility is where persons observe certain rules of behavior which can  
30 make it more pleasant to live in an organized society.  
31

32 **H. CONSENT<sup>iii</sup>:**  
33

34 Mayor Kussard asked if anyone wanted to pull any consent item for discussion.  
35

36 Town Manager Kris Kollgaard asked that Item H-6 be pulled for discussion.  
37

38 **3. Minutes – April 7, 2014 – Regular Commission Meeting**  
39

40 **4. Budget Amendment to Establish FDOT Safe Routes to School Sidewalk Budget in**  
41 **FY 2014; and to Utilize Excess Reserve Funds to Purchase the Wildflower Property**  
42 **(Jeannine Michaud)**  
43

44 The background summary for this agenda item (on file in the Clerk's Office) states that  
45 Amendment BT14-013 appropriates a FY 2014 budget for the F.D.O.T. Safe Routes to School  
46 agreement. This amendment will increase the expense and revenue line items for F.D.O.T. Safe  
47 Routes to School budget. The agreement with F.D.O.T. was executed on December 21, 2012,  
48 and the Commission approved the additional engineering at the April 7, 2014 Commission  
49 meeting.  
50

1 Purchase of the Wildflower property from General Fund Reserves was approved at the February  
2 3, 2014 Commission meeting.

3  
4 **5. Consideration of Approval of the Interlocal Agreement Between Lake County and**  
5 **Municipalities Relating to the Local Option Fuel Tax (Kris Kollgaard)**  
6

7 The background summary for this agenda item (on file in the Clerk's Office) states that the  
8 proposed interlocal agreement from Lake County for the distribution of the local option gas tax  
9 is included in the packet. This agreement is predicated on Option 2 (50% population and 50%  
10 road miles). In order for the agreement to become effective September 1<sup>st</sup>, cities comprising  
11 50% plus one of the incorporated populations, as well as the County Commission, must approve  
12 the interlocal agreement prior to June 1<sup>st</sup>. At the February 19, 2014 meeting, the Lady Lake  
13 Town Commission was presented with the different formulas prepared by Lake County and it  
14 was the consensus of the Commission to proceed with Option 2.

15  
16 *Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the*  
17 *Commission approved Consent Items #H-3 through H-5, by a vote of 5 to 0.*  
18

19 **6. Consideration of Approval of the Welcome Letter for the 23<sup>rd</sup> Annual Southeast**  
20 **Bowling Association Tournament (Kris Kollgaard)**  
21

22 The background summary for this agenda item (on file in the Clerk's Office) states that the 23<sup>rd</sup>  
23 Annual Southeast Bowling Association Tournament is being held in Lady Lake this year and  
24 Steve Gardino, President of the Leesburg USBC, Inc., has contacted the Town and would like a  
25 Welcome Letter from the Mayor to include in the packet information given out to the tournament  
26 participants and guests. A draft letter for the Commission's consideration was included in the  
27 packet.

28  
29 Town Manager Kris Kollgaard stated that the letter that was included in the packet has been  
30 changed and the amended letter was passed out to be reviewed for approval.

31  
32 *Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the*  
33 *Commission approved the amended letter for Consent Item # H-6, by a vote of 5 to 0.*  
34

35 **I. OLD BUSINESS:**

36  
37 **J. NEW BUSINESS:**  
38

39 **7. Consideration for the Girl Scouts to Place a 10'x 8' Steel Shed Beside the Boy**  
40 **Scouts' Shed at the Scout Hut (Mike Burske)**  
41

42 Parks and Recreation Director Mike Burske gave the background summary for this agenda item  
43 (on file in the Town Clerk's office). He stated that the Girl Scouts are requesting to place a 10 ft.  
44 by 8 ft. steel shed at the Scout Hut to be placed on the south side of the Boy Scouts' shed. Mr.  
45 Burske stated that the proposed shed will be a much smaller shed than the one the Boy Scouts  
46 had donated by the American Legion and the Girl Scouts will pay for all permitting. The shed  
47 will hold the Girl Scouts' items until needed. The photo and specifications of the shed were  
48 included in the packet. He stated he spoke to the Boy Scout's troop leaders and they had no  
49 problem with the proposal, and the Parks and Recreation Advisory Board recommended

1 approval of this item. The minutes from their meeting were also included in the packet. Mr.  
2 Burske stated that Leah Nelson is present to answer any questions.

3  
4 Commissioner Hannan asked if the Town could waive the permitting fees for the Girl Scouts.

5  
6 Town Manager Kris Kollgaard stated the Town is not allowed to waive those fees.

7  
8 Commissioner Hannan asked what will be stored in the shed as he is concerned about security.

9  
10 Leah Nelson introduced herself as a Girl Scout leader and stated the Girl Scout's camping  
11 supplies such as coolers and tents, craft supplies and paperwork will be stored in the shed and  
12 will be locked up. She stated nothing irreplaceable will be stored there, and it will help that all  
13 five of the Girl Scout leaders will have one area to go to rather than trying to coordinate  
14 convenient times to get supplies currently stored at each other's homes.

15  
16 *Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the*  
17 *Commission approved the Consideration for the Girl Scouts to Place a 10'x 8' Steel Shed*  
18 *Beside the Boy Scouts' Shed at the Scout Hut, by a vote of 5 to 0.*

19  
20 **8. Consideration to Host the Annual Driving Range Volunteers' Lunch at the Parks**  
21 **and Recreation Building on April 29, 2014 (Mike Burske)**

22  
23 Parks and Recreation Director Mike Burske gave the background summary for this agenda item  
24 (on file in the Town Clerk's office). He stated that on an annual basis, the Lady Lake Driving  
25 Range has held a luncheon for the volunteers of the facility. Over the last couple of years, the  
26 Driving Range has utilized the Parks and Recreation Building to hold the event without fear of  
27 weather being a factor. Tables and chairs will be utilized from Public Works and Parks and  
28 Recreation. Mr. Burske stated that the Driving Range supplies all of the food and drinks and  
29 invites the Range volunteers and many from the Town who assist them at the Range. The event  
30 is scheduled for April 29, 2014. He asked the Commission to keep in mind that they will use a  
31 grill in the fenced area of the building compound, and that Driving Range staff begins preparing  
32 food in the morning and starts serving around 11:00 a.m.

33  
34 Commissioner Richards stated he is looking forward to the event.

35  
36 *Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the*  
37 *Commission approved the Consideration to Host the Annual Driving Range Volunteers'*  
38 *Lunch at the Parks and Recreation Building on April 29, 2014, by a vote of 5 to 0.*

39  
40 **9. Discussion and Direction Regarding Proceeding with an Agreement with VCCDD to**  
41 **Allow the Lady Lake Police Department to Use a Segway for General Police and Safety**  
42 **Protection Services on an As Needed Basis, and Whether Any Approved Agreement Should**  
43 **Include an Indemnity Clause (Chris McKinstry)**

44  
45 Police Chief Chris McKinstry gave the background summary for this agenda item (on file in the  
46 Town Clerk's office). He stated that the VCCDD has purchased a Segway for general public  
47 safety use and they have agreed to allow trained members of the Lady Lake Police Department to  
48 use the Segway for police and public safety services. Chief McKinstry stated that if an  
49 agreement is approved, the police officer assigned to the Spanish Springs Town Square will be  
50 the primary operator. He stated that due to the nature of the venue, a mixture of vehicle and

1 pedestrian traffic is prevalent, and a police officer on a Segway instantly becomes more visible  
2 with the increased height from the device, is more approachable by citizens, and can facilitate  
3 positive interaction with the community served. He stated a Segway also enables the officer to  
4 create a wider spread presence to proactively prevent crime and be more accessible to the public.  
5 Chief McKinstry stated that Town Attorney Derek Schroth has prepared the attached  
6 agreement(s), and World Risk Management (PRM) has reviewed for insurance purposes. Emails  
7 were included in the packet regarding the question of whether an indemnification clause is  
8 necessary in any potential agreement.

9  
10 Commissioner Hannan asked if the Segway will be stored at the fire station over the bridge.

11  
12 Chief McKinstry replied that it will.

13  
14 Town Manager Kris Kollgaard stated that the Town's insurance company is suggesting that the  
15 indemnity clause be included in the agreement.

16  
17 After discussion, the Commissioners agreed that the agreement should include the indemnity  
18 clause.

19  
20 Commissioner Hannan asked if The Villages has a maintenance agreement on this unit.

21  
22 Chief McKinstry stated the Segway has no maintenance per say other than batteries, and a once a  
23 year check up to make sure all the nuts and bolts are tight and in place.

24  
25 Commissioner Holden wondered about the practicality of using the Segway in a crowd at the  
26 Square, and whether it would be run on the street or sidewalk.

27  
28 Chief McKinstry replied that the officer will be trained and the Segway will be used on both the  
29 sidewalk and the street, and in the parking lots as a wide spread presence.

30  
31 Commissioner Vincent stated he would like to have the maintenance requirements clarified by  
32 Segway, and find out the mean time for failure.

33  
34 Commissioner Hannan confirmed that this Segway is brand new. He commented that there  
35 should be some type of warranty.

36  
37 Ms. Kollgaard stated the Segway was purchased by The Villages.

38  
39 Mayor Kussard stated that the indemnification clause in the agreement will cover the Town if  
40 there is any negligence on the part of The Villages, and if it is by the Town, then the Town  
41 would cover it.

42  
43 Ms. Kollgaard and Chief McKinstry stated they will check with The Villages regarding the  
44 maintenance information on the Segway.

45  
46 ***Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the***  
47 ***Commission approved the Agreement with VCCDD to Allow the Lady Lake Police Department***  
48 ***to Use a Segway for General Police and Safety Protection Services on an As Needed Basis,***  
49 ***with the inclusion of the indemnity clause, by a vote of 5 to 0.***

1 **10. Consideration of an Amendment to the Sewer, Water and Reuse Utility Agreement**  
2 **for the "Assisted Living Facility at Lexington Park-Phase 2" To Provide for an Extension**  
3 **of an Additional 12 Months to Obtain a Building Permit and Reserve Utility Capacity**  
4 **Already Purchased for the Development (Thad Carroll)**  
5

6 Thad Carroll, Growth Management Director, gave the background summary for this agenda item  
7 (on file in the Town Clerk's office). He stated that on March 3, 2014, the Town Commission  
8 granted approval for the Town Manager to execute an affidavit to allow WRYP ILF, LLC to  
9 transfer property referenced as "Lexington Park – Phase 2" to ARCH LPLLKFL01, LLC. On  
10 March 5, 2014, the Phase II ALF parcel was transferred by way of warranty deed.

11  
12 As part of the transfer of property, ARCH LPLLKFL01, LLC also inherited the utility  
13 entitlements originally purchased by WRYP ILF, LLC, subject to the terms and conditions of the  
14 Sewer, Water & Reuse Utility Agreement between the developer and the Town of Lady Lake  
15 executed on November 4, 2013. As per the terms of the agreement, in Section 2, the language  
16 states, "Should Developer not obtain a building permit to initiate construction of the Developer's  
17 project noted above within 180 days of the date this Utility Agreement is approved by  
18 Commission, the capacity herein reserved will be forfeited and all money paid to reserve  
19 capacity shall also be forfeited. Should Developer fail to obtain a building permit within 180  
20 days of the date this Utility Agreement is approved by Commission, Developer agrees to release  
21 any and all claims against the Town for a return of any of the money paid to reserve capacity."  
22

23 Mr. Carroll stated that at this time, ARCH LPLLKFL01, LLC is requesting an extension of the  
24 agreement for an additional 12 months to allow more time to finalize the construction plans and  
25 secure building permits for construction of the facility. He stated that Trent Watkins, developer  
26 for ARCH LPLLKFL01, LLC, has provided a letter dated April 9, 2014 which documents why  
27 construction of the facility was unable to begin in the 180 day timeframe as required in the  
28 original agreement, as they are running into problems with acquiring lending for the project.  
29

30 Mr. Carroll stated that the amended agreement will provide an additional 12 months to secure a  
31 building permit (Amending Section 2), and also will recognize Trent Watkins of ARCH  
32 LPLLKFL01 as the Developer of the project (Amending Section 9). The site plan for the project  
33 was approved by the Town Commission on November 4, 2013, and all ERUs have been  
34 purchased for the project in the amount of \$48,170.00. The Town of Lady Lake has not  
35 increased the charges per ERU for sewer, water, or reuse since the execution of the original  
36 agreement. Failure to approve the amended agreement will result in a forfeiture of the reserved  
37 capacity as well as all fees paid. The agreement is set to expire on May 3, 2014. Staff  
38 recommends approval of the amendment as presented. Town Attorney Derek Schroth reviewed  
39 and approved the amended agreement to form on April 11, 2014.  
40

41 Mr. Carroll stated that Trent Watkins is present to answer any questions.  
42

43 Commissioner Holden commented that it is a reasonable request.  
44

45 *Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the*  
46 *Commission approved the Amendment to the Sewer, Water and Reuse Utility Agreement for*  
47 *the "Assisted Living Facility at Lexington Park-Phase 2" To Provide for an Extension of an*  
48 *Additional 12 Months to Obtain a Building Permit and Reserve Utility Capacity Already*  
49 *Purchased for the Development, by a vote of 5 to 0.*  
50

1           **K.       TOWN ATTORNEY’S REPORT:**

2  
3           **11.       Resolution No. 2014-102 – First/Final Reading (tabled from 3-17-14 & continued to**  
4           **4-21-14) – Plaza Professional Center – Variance Request to Authorize the Removal of a 38”**  
5           **Historic Live Oak Tree to Accommodate a New Office Building on the Last Remaining**  
6           **Parcel at the Plaza Professional Center – Located at 302 La Grande Blvd. (Thad Carroll)**  
7

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

9  
10          Growth Management Director Thad Carroll gave the background summary for this agenda item  
11          (on file in the Town Clerk’s office). He stated that the applicant, Fran Dann-Akin, on behalf of  
12          property owners Brian W. Warwick, Janet R. Varnell, and Ellen Robards, has submitted an  
13          application for a variance in accordance with Chapter 10, Section 10-4).f). of the Land  
14          Development Regulations (LDRs) which states that on all properties, the removal of historic  
15          trees shall require a variance from the Planning and Zoning Board and then the Town  
16          Commission.

17  
18          The applicant proposes the removal of a 38” historic live oak tree to accommodate the  
19          construction of up to 4,300 sq. ft. of new office building space on the last remaining parcel at the  
20          Plaza Professional Center Site. The applicant states that due to the fact that the historic tree lies  
21          directly within the building pad, it is required to be removed. Additionally, the applicant  
22          indicated that the tree exhibits excessive lean which would endanger any future building erected  
23          and the root structure of the tree will suffer substantial damage during and after construction if  
24          the tree were to remain (Justification Statement is attached). The conceptual parking plan  
25          proposes 25 spaces; the requirement for a 4,300 sq. ft. facility is 22 spaces (one space per 200 sq.  
26          ft.).

27  
28          The application originally referenced the project as being within La Plaza Grande Professional  
29          Center; however, it has now been corrected to properly identify the Plaza Professional Center as  
30          the correct property reference of the site, which is just north of the La Plaza Grande Professional  
31          Center.

32  
33          When reviewing an application for a variance, the Planning and Zoning Board and the Town  
34          Commission shall consider the following requirements and criteria according to Chapter 3,  
35          Section 14 f) – Review criteria for variances in the Land Development Regulations:

- 36  
37               1. No diminution in value of surrounding properties would be suffered.  
38               2. Granting the permit would be of benefit to the public interest.  
39               3. Denial of the permit would result in unnecessary hardship to the owner seeking it.  
40               4. The use must not be contrary to the spirit of this Code.  
41               5. Financial disadvantages and/or inconveniences to the applicant shall not of  
42               themselves constitute conclusive evidence of unnecessary and undue hardship and  
43               be grounds to justify granting of a variance.  
44               6. Physical hardships such as disabilities of any applicant may be considered  
45               grounds to justify granting of a variance at the discretion of the Town  
46               Commission.

47  
48          The subject property lies in Section 07, Township 18 South, Range 24 East, Lady Lake, Florida.  
49          The Future Land Use Map designation for the site is Commercial General-Retail Sales &  
50          Services (RET) and is zoned Planned Commercial (CP). The subject property is located at 302

1 La Grande Blvd. within the Plaza Professional Center (Alternate Key 3808678); within the town  
2 limits of the Town of Lady Lake, Florida. Resolution No. 2014-102 was reviewed by Town  
3 Attorney Derek Schroth on Tuesday, February 25, 2014, and determined it to be correct in form.  
4

5 Notices to inform the surrounding property owners (16) within 150' of the subject property of  
6 the proposed variance were mailed by certified mail return receipt on Monday, February 24,  
7 2014, and the property was posted on Tuesday, February 25, 2014.  
8

9 Comments:

- 10
- 11 • The applicant is aware that a \$3,800 fee is due to the Town to mitigate the removal of the  
12 tree and is prepared to make payment to the Tree Bank pending approval of the  
13 resolution.  
14
  - 15 • If the variance is granted, the applicant will continue with the Site Plan application  
16 process for approval of the improvements proposed at the remaining vacant lot. All  
17 landscaping buffer requirements and planting would have to be satisfied during this  
18 process.  
19

20 The Technical Review Committee reviewed the application for Resolution No. 2014-102 at its  
21 regular meeting on Tuesday, February 18, 2014, recommending approval with a 3-0 vote. On  
22 March 10, 2014, the Planning and Zoning Board reviewed Resolution No. 2014-102 at their  
23 regular meeting and recommended approval to the Town Commission by a 3-1 vote. At the  
24 March 17, 2014 meeting, the Town Commission approved tabling Resolution No. 2014-102 to  
25 the April 7, 2014 Commission meeting. At the April 7, 2014 meeting, the Town Commission  
26 approved tabling Resolution No. 2014-102 to the April 21, 2014 Commission meeting.  
27

28 Mr. Carroll reported that at the March 17, 2014 Commission meeting, the Town Commission  
29 requested that an alternative plan be presented to determine whether the tree could be saved if the  
30 building or parking configuration were changed. At the April 7<sup>th</sup> meeting, Resolution No. 2014-  
31 02 was again continued to the April 21<sup>st</sup> meeting to give the applicant more time. He stated that  
32 at this time, Fran Dann-Akin has determined that the potential occupant of the property does not  
33 wish to reduce the parking spaces provided on the property, and that by saving the tree, some  
34 parking will need to be reduced. The applicant has stated that given that this is a medical  
35 facility, they would like to provide as much parking as possible as the provision of parking is  
36 already somewhat of a problem in the medical park. Mr. Carroll stated that no alternative plan  
37 has been provided for the consideration by the Town Commission. He reviewed photos and  
38 aerial views of the property and the tree being considered, and stated that staff recommends  
39 approval.  
40

41 Mr. Carroll stated that Mr. Warwick and Fran Dann are both present to elaborate on this request.  
42

43 Brian Warwick introduced himself and stated that they purchased the property back in 2009 and  
44 have been trying to put a building on it for some time. He stated they met with the engineer at  
45 Abshear and looked into all possibilities to try to keep this tree, although the entire parking area  
46 is covered in trees as over 40 live oak trees are on the parcel. Mr. Warwick stated the site plan  
47 that was approved for Dr. Neuzil's office in the corner shows a future building and additional  
48 parking in the area that he is proposing. He stated they need at least 17 additional parking  
49 spaces, and they met with Michael Pape at The Villages who tried to draw up an alternative plan  
50 to move the building down and have parking along the front. This resulted in only eight parking

1 spaces, which is not enough. Mr. Warwick stated he had the architect try to design the building  
2 around the tree, but because the tree is leaning and the massive branches would be hanging over  
3 the building, the insurance company would require that the branches be cut. And according to  
4 the arborist, if two to three massive branches are cut and with the roots covered by the building,  
5 the tree will end up dying anyway. He stated they have done everything that they could to put  
6 the building that was designed for this location for 30 years, prior to the adoption of the tree  
7 ordinance, at this location; and the only way to do that is to remove the tree in order to have  
8 adequate parking for the building. Mr. Warwick stated they would be glad to pay into the tree  
9 fund and plant even more trees than is already there. He stated the engineer is present to answer  
10 questions.

11  
12 Commissioner Richards asked if the architect had put the building in the open area and put the  
13 parking under the trees, perhaps taking out some of the smaller trees. He stated they could also  
14 try golf cart size parking spaces.

15  
16 Mr. Warwick replied that Mr. Pape, the architect, tried that, but could only come up with eight  
17 additional parking spaces, when they need 17 total. He stated they have not tried to use golf cart  
18 parking spaces, but it could be a possibility.

19  
20 Commissioner Richards asked if the original parking lot being utilized by other tenants is  
21 included in the parking figures.

22  
23 Mr. Warwick replied the plan was originally approved with two smaller buildings with parking,  
24 but was then changed to one large building (up to 4,286 sq. ft.) with additional parking over and  
25 above the current parking lot. He stated this has been in the works since 1987, and he purchased  
26 the property believing he had the right to put a building of this size in this location, well before  
27 the tree ordinance was adopted.

28  
29 Commissioner Hannan stated the ordinance was put into place because people were  
30 indiscriminately taking down trees. He stated he does not want to see this tree removed.

31  
32 Ed Abshear, engineer, stated that to construct this building, the development as a whole needs to  
33 have 99 parking spaces and there are only 82 at this time, so 17 more need to be provided.

34  
35 Commissioner Richards asked how much space is in the area of the small trees.

36  
37 Mr. Abshear stated this was looked at with The Villages and there is not room in there to have  
38 two rows of parking with a drive aisle, and the applicant would actually lose spaces because of  
39 the drive aisle in this area.

40  
41 Commissioner Hannan stated that there are no designated parking spaces in the development,  
42 and when he has passed by there, the parking lot never has more than ten cars in it at a time. He  
43 stated that overflow from the proposed building could go into other parking spaces, and that the  
44 applicant should be looking into a variance for parking instead of one for tree removal.

45  
46 Mayor Kussard commented that she read the arborist's report which stated he does not believe  
47 the tree would survive the damage caused by the construction of the building.

48  
49 Commissioner Richards stated that is only if the building is built where the applicant is  
50 proposing.

1  
2 Town Attorney Derek Schroth commented that if the Commission is not inclined to grant a  
3 variance of any sort, even parking, then the Town could run into a vested rights claim where an  
4 ordinance was enacted after the approval of construction of this building. He stated that if this is  
5 denied tonight, the Commission would have to allow the property owner some use of the  
6 property, which may mean granting a parking variance in the future so they can build the  
7 building they were approved for.

8  
9 Commissioner Hannan asked if the Commission was given the site plan which has been  
10 approved 30 years ago.

11  
12 Mr. Carroll stated that the information is part of the report in the packet that states the applicant  
13 received approval back in 1987 originally. He stated that staff has a site plan that shows the  
14 professional park 30 years ago, showing a building on the property.

15  
16 Commissioner Richards commented that the Commission stated two weeks ago that they would  
17 consider a parking variance, and that someone could get inventive and put golf cart parking  
18 under the trees.

19  
20 Commissioner Holden and Commissioner Vincent both stated they are on the fence, although  
21 they would like to see more alternatives than removing the tree.

22  
23 Mr. Warwick stated that there will be three doctors in the building and they thought that reducing  
24 the parking by more than ten spaces would lead to a real problem in the future for patient  
25 parking.

26  
27 Mr. Abshear pointed out that the tree in question is behind a sidewalk, and the roots are most  
28 likely behind the tree in the grassy area. Even if the parking were to be put back behind the tree,  
29 it would be risky for the tree as then all the roots would be covered by impervious surface.

30  
31 Commissioner Richards stated that pervious pavement could be used, and the Commission is  
32 looking for more ideas.

33  
34 Commissioner Hannan asked if the Town's arborist could take a look at the plans as well.

35  
36 Commissioner Vincent commented that most doctors see at least 50 patients a day, so three  
37 doctors would be seeing 150 patients in a day maximum, with perhaps 50 at a minimum and this  
38 could be a problem.

39  
40 Mr. Abshear stated that when looking at parking for doctors' offices now, they plan for six  
41 spaces for each 1,000 sq. ft. of building, and the whole development is currently at less than that  
42 at one space for 5,000 sq. ft.

43  
44 Commissioner Richards stated this Commission has had complaints in the past that the Town  
45 requires too many parking spaces, and that they have given variances for the number of parking  
46 spaces required. He stated he would like to keep the tree and consider other variances which  
47 may include golf cart parking spaces.

48  
49 Mayor Kussard stated her concern is that even if the tree remains and a building is built, and then  
50 the tree's root structure is damaged so that it must be cut down anyway. She stated no one wants

1 to see a healthy historic oak tree cut down, but she would not like to see it damaged and have to  
2 be removed later.

3  
4 Commissioner Richards stated there are other options; it depends on where the building is built.

5  
6 Commissioner Holden asked if there would be an option to build two smaller buildings.

7  
8 Mr. Warwick replied that two smaller buildings would not meet their purposes, and he reiterated  
9 that the deed for the property in 1987 states he has the right to build a 4,300 sq. ft. building on  
10 this location, although the parking was not configured then. He stated the site plan back in 2005  
11 shows the parking and building where he proposes to put it now, without showing the tree.

12  
13 Mr. Schroth asked Mr. Carroll if he had seen the approved site plan from 2005.

14  
15 Mr. Carroll replied that this has not been submitted to him and that he has not seen a 2005  
16 approval.

17  
18 Mr. Schroth stated that if the Town approved a site plan with the building in that specific  
19 location, then the applicant has the right to do it.

20  
21 Mr. Carroll replied that he does not recollect seeing anything like that and would have to verify  
22 it.

23  
24 Ms. Kollgaard stated that when site plans are approved by the Town, they are stamped approved  
25 and dated, and staff will look to see if we have a record of this.

26  
27 Mayor Kussard commented that this issue may need to be tabled again until the next  
28 Commission meeting on May 5, 2014 to allow research to be done.

29  
30 Commissioner Hannan asked if the applicant's copy of the site plan should become a part of the  
31 record since it was presented before the Commission.

32  
33 Mr. Schroth asked the applicant if he had an extra copy for the record to provide to the Clerk's  
34 office. He thanked Commissioner Hannan for pointing this out.

35  
36 Commissioner Hannan asked that the applicant look into Commissioner Richards'  
37 recommendation regarding golf cart parking spaces. He also asked again if the Town's arborist  
38 could look at the tree and the plans. He stated this tree is so huge and has a large root system,  
39 and he suggested you could cut half the roots and the tree would still survive.

40  
41 Ms. Kollgaard stated the applicant has provided their arborist's report, but it would be up to the  
42 Commission if they wanted the Town to pay for another one.

43  
44 Commissioner Richard's suggested waiting to see if the applicant provides another viable plan.

45  
46 Commissioner Holden asked what it would cost to hire an arborist.

47  
48 Ms. Kollgaard asked Mr. Carroll if he knew the cost for an arborist's review.

1 Mr. Carroll replied that he did not know off hand, but that it would be in the hundreds, not  
2 thousands of dollars.

3  
4 Ms. Kollgaard stated that if the Commission decided to postpone this decision to a date and time  
5 certain, the Town would not have to re-advertise, as it would meet the requirements.

6  
7 Mr. Schroth clarified that the purpose for the postponement is to verify whether the Town  
8 approved a previous site plan, and also to allow the applicant to make adjustments to the plan.

9  
10 *It was the consensus of the Commission to postpone the final vote on this resolution to the*  
11 *Commission meeting scheduled for May 5, 2014 at 6 p.m.*

12  
13 Mr. Warwick commented that The Villages Architectural Review Committee will require them  
14 to match their parking area to the rest of the professional center, which is a stamped concrete  
15 parking lot, an impervious surface.

16  
17 Commissioner Hannan stated he was not aware that The Villages reviewed commercial  
18 properties as well as residential.

19  
20 Mr. Warwick replied that they have two Architectural Review Committees; one for residential  
21 and one for commercial. He stated they will also have to approve tree removal if the Town  
22 approves it.

23  
24 Mayor Kussard asked if there were any questions or comments from the public on this item.  
25 There were no questions or comments.

26  
27 **L. TOWN MANAGER'S REPORT:**

28  
29 **12. Consideration of Reappointments to the Library Board (Kris Kollgaard)**

30  
31 Town Manager Kris Kollgaard read the background summary for this agenda item (on file in the  
32 Town Clerk's office). She stated that the Library Board currently has four members whose terms  
33 are expiring this month. James Page, Dorothy Grubb, Jean Ganske, and Dr. Paul Harsh are all  
34 current members and wish to be re-appointed. No new applications are being considered at this  
35 time as the Library Board is being reduced by attrition from seven members to five.

36  
37 Ms. Kollgaard asked the Commissioners to make their selection. The following results were  
38 read into the record and tallied:

- 39  
40 - Commissioner Holden voted yes for the reappointment of James Page, Dorothy Grubb, Jean  
41 Ganske, and Dr. Paul Harsh.  
42 - Commissioner Vincent voted yes for the reappointment of James Page, Dorothy Grubb, Jean  
43 Ganske, and Dr. Paul Harsh  
44 - Commissioner Hannan voted yes for the reappointment of James Page, Dorothy Grubb, Jean  
45 Ganske, and Dr. Paul Harsh  
46 - Commissioner Richards voted yes for the reappointment of James Page, Dorothy Grubb, Jean  
47 Ganske, and Dr. Paul Harsh  
48 - Mayor Kussard voted yes for the reappointment of James Page, Dorothy Grubb, Jean  
49 Ganske, and Dr. Paul Harsh.  
50

1 *James Page, Dorothy Grubb, Jean Ganske, and Dr. Paul Harsh received affirmative votes by*  
2 *all five Commissioners and they were reappointed to the Library Board.*  
3

4 Ms. Kollgaard asked if the Commissioners would like to consider putting up a fence in the back  
5 section of the recently purchased Wildflower property as it backs up to a residential property.  
6

7 Commissioner Hannan asked what type of fence would be considered and if it is to keep people  
8 off the Town's property.  
9

10 Ms. Kollgaard stated the type of fence would be up to the Commission, and it would just be  
11 along the back so the residents of the property behind this parcel would know where the  
12 boundary is.  
13

14 Commissioner Richards suggested having the property surveyed and have concrete monument  
15 markers put in to show the boundary line instead.  
16

17 Commissioner Hannan agreed with Commissioner Richards as he does not like fences, but  
18 Commissioner Holden stated he would rather have a fence as the neighbors may park on the  
19 property, although he agreed a survey to mark the boundaries would be a good idea.  
20

21 Mayor Kussard commented that she likes the idea of a fence.  
22

23 After further discussion, it was the consensus of the Commission that staff would bring this up at  
24 another time.  
25

26 **M. MAYOR/COMMISSIONER'S REPORT:**  
27

28 Commissioner Hannan stated that he believes in giving credit where credit is due, and that the  
29 sidewalk project undertaken by Parks and Recreation Director Mike Burske is a major  
30 accomplishment for the Town of Lady Lake. He suggested that a plaque be made, explaining  
31 how the sidewalks were financed and giving credit to Mr. Burske, for each phase of the sidewalk  
32 project and have it imbedded in the concrete. He passed out suggested samples for the  
33 Commissioners to look at.  
34

35 After discussion, the Commission agreed it was a good idea to recognize this feat and it was  
36 decided that staff will look into having a plaque made up to hang up at the school since the  
37 sidewalk project is a Safe Routes to School grant, and it will be brought back to the Commission.  
38

39 Commissioner Hannan reported that he sent a letter, along with approximately 700 members of  
40 the Apple Computer Club in The Villages, requesting that Apple build a computer store in Lady  
41 Lake, with a copy to Marty DelBovi of Benchmark. Mr. DelBovi's response was to thank  
42 Commissioner Hannan and he stated that he will follow up on his request at the annual  
43 convention of the International Conference of Shopping Centers which is coming up in May in  
44 Las Vegas. It was noted that the closest Apple store to Lady Lake is currently in Altamonte  
45 Springs and Orlando.  
46

47 Commissioner Holden stated if the applicants requesting the tree removal that were present  
48 earlier knew what they would have to go through ahead of time trying to get this tree removed,  
49 they would have had the tree removed on a weekend, and paid the fine after the fact. He stated

1 that they could have done this if they were an unsavory company, and he asked Mr. Carroll what  
2 the ramifications of that would have been.

3  
4 Commissioner Hannan commented that there would most likely be a heavy fine by The Villages  
5 Architectural Review Committee.

6  
7 Growth Manager Thad Carroll replied that the applicant would have to pay the \$3,800 tree  
8 mitigation fee, along with double the tree removal permit fee, which is currently \$25. He  
9 mentioned that the fee for residential historic tree removal is \$500.00. Mr. Carroll stated that if  
10 someone does something without a permit, a double fee is charged, and he would have to check  
11 with the attorney to see if the \$3,800 would be doubled as well as the \$25 tree removal permit  
12 fee. Mr. Carroll stated staff is glad the applicant took this route to request the variance.

13  
14 **N. PUBLIC COMMENTS<sup>iv</sup>**

15  
16 Mayor Kussard asked if anyone had any further questions or comments. There were no  
17 questions or comments.

18  
19 **O. ADJOURN**

20  
21 There being no further discussion, the meeting was adjourned at 7:18 p.m.

22  
23  
24  
25  
26 \_\_\_\_\_  
Kristen Kollgaard, Town Clerk

\_\_\_\_\_  
Ruth Kussard, Mayor

27  
28 Minutes transcribed by Nancy Slaton, Deputy Town Clerk

*<sup>i</sup> 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.*

*<sup>ii</sup> 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.*

*<sup>iii</sup> 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.*

*<sup>iv</sup> 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.*



TOWN COMMISSION AGENDA ITEM

G-2

REQUESTED COMMISSION MEETING DATE:

May 5, 2014

SUBJECT: Application to the Bulletproof Vest Partnership Initiative for Sworn Police Personnel vest purchases and replacements.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval to apply for, and accept if awarded, the Bulletproof Vest Partnership Initiative for the 2014 open solicitation period.

SUMMARY: Staff is requesting approval to apply for, and accept if awarded, the 2014 U.S. Department of Justice Bulletproof Vest Partnership Initiative during the open solicitation period beginning April 1, 2014 and ending May 13, 2014. The Bulletproof Vest Partnership Initiative is a 50%/50% grant that provides assistance to local law enforcement agencies with the purchase of new vests or replacement vests coming out of warranty. Vests carry a 5 year warranty.

The Police Department anticipates the need to purchase seven new/replacement vests. The average cost per vest is \$625.00 plus shipping (estimated at \$60.00 per vest) for an estimated total of \$4795.

Funding decisions are made within 3 months after the application period closes.

FISCAL IMPACT: 0 [ ] Capital Budget [ ] Operating [ ] Other

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution [x] Other - 2014 BVP Solicitation for Application [ ] Support Documents

DEPARTMENT HEAD Submitted [Signature] Date 4/25/2014 HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date 4/28/2014 \$4900 in Budget TOWN MANAGER [Signature] Approved Agenda Item for: 5/5/14 Date 4/29/14

Reviewed [Signature]

COMMISSION ACTION: [ ] Approved as Recommended [ ] Disapproved [ ] Tabled Indefinitely [ ] Continued to Date Certain [ ] Approved with Modification

Dear BVP Participant:

The Bureau of Justice Assistance (BJA) is pleased to announce the Fiscal Year 2014 BVP application funding period.

Applications for FY 2014 BVP funds will be accepted beginning Tuesday, April 1, 2014. All applications must be submitted online at <http://www.ojp.usdoj.gov/bvpbasi/> by 6:00 pm (e.d.t.), Tuesday, May 13, 2014.

Important Information Regarding FY 2014 BVP Funds:

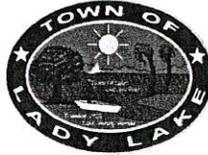
1. Jurisdictions receiving funding for reimbursement of body armor purchases must have a written mandatory wear policy for uniformed patrol officers, in place when the FY 2014 BVP applications are submitted. Please see the BVP mandatory FAQs for further guidance on this new requirement: <http://www.ojp.usdoj.gov/bvpbasi/docs/FAQsBVP MandatoryWearPolicy.pdf>
2. Each vest purchased with FY 2014 funds must meet National Institute of Justice (NIJ) standards on the date it was ordered and must be American-made. Please see this website for the latest NIJ compliant vests: [https://www.justnet.org/other/ballistic\\_cpl.html](https://www.justnet.org/other/ballistic_cpl.html) and [https://www.justnet.org/other/stab\\_cpl.html](https://www.justnet.org/other/stab_cpl.html)
3. Jurisdictions with more than one law enforcement agency (LEA) associated with the jurisdiction account may not submit a separate application. Instead, the LEAs associated with jurisdictions with more than one LEA must submit their own application information and vest needs to the jurisdiction. The jurisdiction will then submit the LEA applications in one submission to BJA.
4. To ensure that program participants are submitting applications that accurately reflect their vest needs for the next two years, please review the program guidance below. Prior to submitting an application for FY 2014 BVP funds:
  - a. Verify that the number of vests indicated on the application does not exceed actual agency needs. Review all currently deployed vests for those that will need to be replaced during the next two years, according to the replacement cycle indicated on your BVP system profile. Applications for funds should reflect the number of vests your agency needs to replace within the next two years, and vests for officers your agency anticipates hiring in the next two years. (New hires can be anticipated based on the average number of officers hired over the most recent three years.)
  - b. Ensure that the application accurately reflects the current market cost for the vests identified on the application.
  - c. Review previous year(s) BVP funding to identify any unspent funds that might currently be available for BVP needs.

Your careful attention to actual vest needs will help ensure that all eligible jurisdictions submitting requests will receive the maximum allowable based on the appropriation and distribution guidelines.

For questions regarding this email or for assistance with the online application process, please do not hesitate to call the BVP Help Desk at 1-877-758-3787, or email [vests@usdoj.gov](mailto:vests@usdoj.gov).

Sincerely,

The BVP Program Team  
Bureau of Justice Assistance  
<http://www.ojp.usdoj.gov/bvpbasi/>



## TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: May 5, 2014

---

**SUBJECT:** Major Modification to Paradise Park Area "B" MJM 03/14 -001-- Providing for Flexi-Paved Walking Recreational Trails and Concrete Sidewalk, Golf Cart Parking Areas, Landscaping Improvements, and Other Recreational Park Features such as Florida Accessible ADA Park Benches and Picnic Tables -- Located just South of Wales Plaza (Alternate Key 2685280).

**DEPARTMENT:** Growth Management

---

### STAFF RECOMMENDED MOTION:

**Staff recommends approval of the Major Modification to the Major Site Plan for the Paradise Park-Area 'B'- MJM 03/14-001**

---

### SUMMARY:

Janet Tutt, in representation of the Village Center Community Development District, property owner, has submitted a Major Modification to the Site Plan as per Town of Lady Lake Land Development Regulations, Chapter 7, Section 11.b.1, where a 10% or more change in the project acreage or square footage requires the submittal and approval of a Major Modification application. The proposed project includes 1,546 lineal feet of walking recreational trails and landscaping improvements located all along Paradise Park- Area 'B,' just between Wales Plaza and Sunrise Plaza, referenced by address 1320 Paradise Drive (Alternate Key 2685280). The property is zoned Planned Commercial (CP) and the Future Land Use Map designation for the site is Commercial General- Retail Sales and Services (RET); which is consistent with directives of the Comprehensive Plan. The site plan modification engineering plans have been drawn and certified by Richard Vernon Busche, Professional Engineer with Kimley-Horn and Associates, Inc., dated April 28, 2014, and John Olters, Registered Landscape Architect with Michael Pape & Associates, P.A., dated April 14, 2014.

The proposed improvements include the following:

- 11,235 square feet of 6' Flexi-Pave Sidewalk to be constructed along the internal park area and continuing along Paradise Drive.
- 12,419 square feet of parking area generating nineteen (19) parking spaces, including two (2) Florida ADA Accessible parking spaces.
- 3,284 square feet of 6' Concrete Sidewalk along the west side of the proposed parking lot area.
- Construction of Single Dry Retention Area.
- The improvements will require the removal of the following trees due to declining, diseased, and generally poor condition:

Live Oak	1
Laurel Oak	6
Southern Magnolia	2
Cherry Laurel	1
Crape Myrtle	11
Sabal Palm	21
East Palatka Holly	1
Slash Pine	14

- Landscaping improvements will be and 516 square feet of bench pads including features such as:
  - o ADA Florida Accessible Park Benches
  - o ADA Florida Accessible Picnic Table

Reviews were completed for the Town by Town staff and The Villages Fire Department. Attached are following items in the packet:

1. Response to comments by applicant dated 04/28/2014 addressing outstanding site plan comments completed by Town Engineer, dated 04/29/2014 (Satisfied).
2. Fire Review comments for the general site development completed by the Villages Fire Department, dated 04/09/2014 (Satisfied).

All outstanding engineering comments have been properly satisfied by the applicant.

The Paradise Park Area 'B' project received approval by St. John's River Water Management District (SJRWMD) for the proposed improvements under Permit No. IND-069-137495-1; to include a dry retention area to be constructed to address storm water within the site.

Note: The majority of the Project is located within Special Flood Hazard Area- Flood Zone A in accordance to FEMA Flood Insurance Rate Map 120690C154E effective December 18, 2012, so the applicant incorporated Flood Plain Compensation measures within the design of the improvements.

Applicant has met all requirements of the Land Development Regulations (LDRs) for site plan submittal per Chapter 7 of the Land Development Regulations as well as meeting Chapter 10 – Landscaping & Tree Protection.

**Past Actions:**

The **Technical Review Committee (TRC)** reviewed the Major Modification application at the regular meeting on April 15, 2014, and determined the application to be complete and ready for transmittal to the Town Commission with a vote of 5-0.

FISCAL IMPACT: \$ 0

- Capital Budget
- Operating
- Other

ATTACHMENTS:  Ordinance  Resolution  Budget Resolution  
 Other – Site Plan Modification

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

*WB*  
*4-29-14*  
*to*  
DEPARTMENT HEAD *[Signature]*

Submitted *4/29/14*

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: *5/5/14*

Date *4/29/14*

BOARD ACTION:  Approved as Recommended  Disapproved

Tabled Indefinitely  Continued to Date Certain

Approved with Modification

**TOWN OF LADY LAKE**  
**APPLICATION FOR MAJOR/MINOR SITE PLAN MODIFICATION**

1. Applicant's Name: Janet Tutt, District Manager, Village Community Development Districts  
Address: 3251 Wedgewood Lane, The Villages, Florida 32162  
Telephone/Email: (352) 751-3939 / janet.tutt@districtgov.org  
Applicant is: Owner X Developer \_\_\_ Lessee \_\_\_ Agent \_\_\_ Optionee \_\_\_
2. Owner's Name: Janet Tutt, District Manager, Village Community Development Districts  
Address: 3251 Wedgewood Lane, The Villages, Florida 32162  
Telephone/Email: (352) 751-3939 / janet.tutt@districtgov.org
3. Project Name: Paradise Park Area 'B' Landscaping and Recreation Improvements  
Physical Location/Address: Southeast corner of US 441 and Wales Plaza/Paradise Drive
4. The exact legal description of the property as shown on the Tax Receipt or the Warranty Deed, or attach a separate sheet to the application form: see attached legal descriptions from the Property Appraiser
5. The property is currently zoned: CP – Planned Commercial
6. Briefly describe the proposed modification: Addition of park recreation features  
If for storage, what type of material will be stored? N/A
7. Have any development reviews and/or approvals been granted to this property?  
Yes \_\_\_ No X If yes, list the type, date and result: \_\_\_\_\_

  
\_\_\_\_\_  
Signature of Applicant

PLEASE SUBMIT APPLICATION TO THE GROWTH MANAGEMENT DEPARTMENT ACCOMPANIED BY TEN (10) COPIES OF THE SITE PLAN AND ONE (3) 11 X 17 (SIGNED AND SEALED REQUIRED), APPROPRIATE REVIEW FEES, PROOF OF OWNERSHIP AND ALL APPLICABLE INFORMATION AND DOCUMENTATION AS REQUIRED BY LADY LAKE ORDINANCE 94-08, LAND DEVELOPMENT REGULATIONS, ADOPTED AUGUST 15, 1994.

<b>Office Use:</b>	
Date Application Received: <u>03-24-14</u>	Received by: <u>W. Thon</u>
Major Site Plan Modification -Major Major Site Plan Modification -Minor Fees Paid: <u>                    </u>	<u>\$2,495.00</u>

## Property Record Card

## General Information

<b>Alternate Key:</b>	2685280	<b>Parcel:</b>	06-18-24- 01010000000A
<b>Owner Name:</b>	VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT	<b>Millage:</b>	FOLL (Lady Lake) : 17.3407
<b>Owner Address:</b>	3201 WEDGEWOOD LN THE VILLAGES, FL 32162-7116	<b>Property Location:</b>	1320 PARADISE DR LADY LAKE FL 32159
<b>Legal Description:</b>	<p>LADY LAKE, ORANGE BLOSSOM GARDENS, UNIT 1 PARCELS A &amp;    B--LESS THAT PART OF PARCEL B DESC AS: FROM  INTERSECTION OF    SE'LY R/W OF SUNRISE PLAZA NOW VACATED WITH NE'LY R/W  OF US    HWY 441 RUN SE'LY ALONG SAID NE'LY R/W OF HWY 441 A  DIST OF    420.38 FT FOR POB, RUN N 48DEG 34MIN 22SEC E 125.51 FT, S     41DEG 25MIN 38SEC E 33.85 FT, S 48DEG 34MIN 22SEC W  125.55    FT, N 41DEG 21MIN 58SEC W 33.85 FT TO POB &amp; LESS THAT  PART    OF PARCEL A DESC AS: BEG AT W'LY COR OF PARCEL A, RUN  S    41DEG 21MIN 30SEC E ALONG W'LY LINE OF PARCEL A 45 FT,  N    48DEG 38MIN 30SEC E 25 FT, N 41DEG 21MIN 30SEC W 45 FT, S     48DEG 38MIN 30SEC W 25 FT TO POB--, THAT PART OF  VACATED    WALES PLAZA DESC AS: FROM S'LY COR OF SAID WALES  PLAZA RUN N    48DEG 38MIN 30SEC E ALONG SE R/W LINE OF WALES PLAZA  25 FT    FOR POB, CONT N 48DEG 38MIN 30SEC E 250 FT TO SW'LY  R/W LINE    OF PARADISE DR, N 41DEG 21MIN 58SEC W 9.55 FT, S 48DEG  38MIN    30SEC W 250.02 FT, S 41DEG 21MIN 58SEC E 6.43 FT TO POB,  BEG    AT S'LY COR OF PARCEL A WITH E'LY R/W LINE OF US HWY  441,    RUN N 48-38-30 E ALONG NW'LY R/W LINE OF SUNRISE PLAZA    250.01 FT TO THE POINT OF CURVE CONCAVE W'LY &amp; HAVING  A    RADIUS OF 25 FT, THENCE N'LY ALONG THE ARC OF SAID  CURVE    39.27 FT TO SW'LY R/W LINE OF PARADISE DR, SAID ARC  HAVING A    CHORD BEARING &amp; DIST OF N 03-38-30 E 35.36 FT, THENCE S    41-21-30 E ALONG A PROJECTION OF SAID R/W LINE 50 FT TO</p>		

THE |  
 PC OF A CURVE CONCAVE NE'LY & HAVING A RADIUS OF 50  
 FT, |  
 THENCE SE'LY ALONG THE ARC OF SAID CURVE 26.18 FT,  
 SAID ARC |  
 HAVING A CHORD BEARING & DIST OF S 56-21-26 E 25.88 FT, S  
 |  
 48-38-30 W 281.71 FT TO NE'LY R/W LINE OF US HWY 441, N |  
 41-21-30 W 50 FT TO POB PB 18 PG 9 |  
 ORB 2905 PG 0301 |

## Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Just Value
1	(8089)	0	0		2	LT	\$0.00		\$33,000.00

## Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	GARAGE DETACHED (DGF)	110	SF	1972	\$842.00
0002	GARAGE DETACHED (DGF)	225	SF	1972	\$1,721.00

## Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
2905 / 301	8/1/2005	WD	M	V	\$1.00

## Value

### Estimated Tax Calculation

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

<b>Total Just Value:</b>	=	\$35,563.00
<b>Save Our Homes Benefit:</b>	-	\$0.00
<b>Assessed Value:</b>	=	\$35,563.00
<b>Other Exemptions:</b>	-	\$35,563.00
<b>Total Homestead:</b>	-	\$0.00
<b>Total Taxable Value:</b>	=	\$0.00
<b>Millage Rate:</b>	<input checked="" type="checkbox"/> x	0.0173407
<b>Base Ad-Valorem Tax:</b>	=	\$0.00
<b>Non-Exempt School Levies:</b>	+	\$0.00
<b>Estimated Ad-Valorem Tax:</b>	=	\$0.00

What could my ad-valorem taxes be like over time?

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

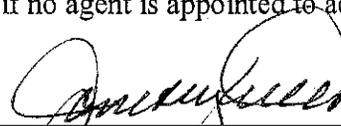
Copyright © 2014 Lake County Property Appraiser. All rights reserved.

OWNER'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Janet Y. Tutt,  
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:  
site plan modification for Paradise Park Area 'B'
- (3) That he has appointed Self 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 (Owner's Signature)

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of March,  
2014, by Janet Tutt, 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.



# St. Johns River Water Management District

Hans G. Tanzler III, Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [floridaswater.com](http://floridaswater.com).

April 23, 2014

Village Community Development District  
3251 Wedgewood Ln  
The Villages, FL 32162

SUBJECT: Permit Number IND-069-137495-1  
Paradise Park Area 'B'

Dear Sir/Madam:

Enclosed is your permit issued by the St. Johns River Water Management District on April 23, 2014. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

### **Technical Staff Report:**

If you wish to review a copy of the Technical Staff Report (TSR) that provides the District's staff analysis of your permit application, you may view the TSR by going to the Permitting section of the District's website at [floridaswater.com/permitting](http://floridaswater.com/permitting). Using the "search applications and permits" feature, you can use your permit number or project name to find information about the permit. When you see the results of your search, click on the permit number.

### **Noticing Your Permit:**

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become nonfinal and any activities that you choose to undertake pursuant to your permit will be at your own risk.

### **Compliance with Permit Conditions:**

To submit your required permit compliance information, go to the District's website at [floridaswater.com/permitting](http://floridaswater.com/permitting). Under the "Apply for a permit or submit compliance data" section, click to sign-in to your existing account or to create a new account. Select the "Compliance Submittal" tab, enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select the compliance item that you are ready to submit and then attach the appropriate information or form.

The forms to comply with your permit conditions are available at [floridaswater.com/permitting](http://floridaswater.com/permitting) under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need copies of the appropriate forms, please contact the Bureau of Regulatory Support at (386) 329-4570.

### **Transferring Your Permit:**

As required by a condition of your permit, you must notify the District in writing within 30 days of any sale, conveyance or other transfer of a permitted system or facility, or within 30 days of any transfer of ownership or control of the real property where the permitted system or facility is

#### GOVERNING BOARD

John A. Miklos, CHAIRMAN  
ORLANDO  
Douglas C. Boufiora

Maryam H. Ghyabi, VICE CHAIRMAN  
ORLANDO BEACH  
Douglas Burnett

Fred M. Roberts Jr., SECRETARY  
OCALA  
Lad Daniels

George W. Robbins, TREASURER  
JACKSONVILLE  
Chuck Drake  
Carla Yetter

located. You will need to provide the District with the information specified in District rule 40C-1.612, Florida Administrative Code (name and address of the transferee and a copy of the instrument effectuating the transfer). Please note that a permittee remains liable for any corrective actions that may be required as a result of any permit violations that occur before the sale, conveyance, or other transfer of the system or facility, so it is recommended that you request a permit transfer in advance.

Thank you and please let us know if you have additional questions. For general questions contact [e-permit@sjrwm.com](mailto:e-permit@sjrwm.com) or (386) 329-4570.  
Sincerely,

*M. Daniels*

Margaret Daniels, Bureau Chief  
Bureau of Regulatory Support  
St. Johns River Water Management District  
4049 Reid Street  
Palatka, FL 32177-2529  
(386) 329-4570

Enclosures: Permit

cc: District Permit File

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
Post Office Box 1429  
Palatka, Florida 32178-1429

PERMIT NO. IND-069-137495-1

DATE ISSUED: April 23, 2014

PROJECT NAME: Paradise Park Area 'B'

**A PERMIT AUTHORIZING:**

Construction and operation of a Stormwater Management System with stormwater treatment by retention for a 3.58 - acre project known as Paradise Park Area 'B', as per plans received by the District on March 24, 2014.

**LOCATION:**

SECTION(S): 6, 7

TOWNSHIP(S): 18S RANGE(S): 24E

Lake Counties

**ISSUED TO:**

Village Community Development District  
3251 Wedgewood Ln  
The Villages, FL 32162

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

**PERMIT IS CONDITIONED UPON:**

See conditions on attached "Exhibit A", dated April 23, 2014

**AUTHORIZED BY:** St. Johns River Water Management District  
Division of Regulatory Engineering and Environmental Services

By:



\_\_\_\_\_  
David Dewey  
Service Center Director

**"EXHIBIT A"**  
**CONDITIONS FOR ISSUANCE OF PERMIT NUMBER IND-069-137495-1**  
**Village Community Development District Janet Tutt**  
**DATED April 23, 2014**

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the District a fully executed Form 62-330.350(1), "Construction Commencement Notice," [10-1-13], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the District, as described in subsection 62-330.010(5), F.A.C. If available, an District website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
  1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
  2. For all other activities — "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
  3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
  1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
  2. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
  1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
  2. Convey to the permittee or create in the permittee any interest in real property;
  3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
  4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
  1. Immediately if any previously submitted information is discovered to be inaccurate; and
  2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial

subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
22. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

23. The proposed surface water management system shall be constructed and operated in accordance with the plans received by the District on March 24, 2014.
24. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.

## Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at [Clerk@sjrwm.com](mailto:Clerk@sjrwm.com), within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

## Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at [floridaswater.com](http://floridaswater.com). These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

**Notice Of Rights**

**Certificate of Service**

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Village Community Development District  
3251 Wedgewood Ln  
The Villages, FL 32162

This 23th day of April, 2014.

*M. Daniels*

Margaret Daniels, Bureau Chief  
Bureau of Regulatory Support  
St. Johns River Water Management District  
4049 Reid Street  
Palatka, FL 32177-2529  
(386) 329-4570

Permit Number: IND-069-137495-1

## NOTICING INFORMATION

Dear Permittee:

Please be advised that the St. Johns River Water Management District has not published a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit to file a petition challenging the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice, the time to challenge the issuance of your permit will not expire.

A copy of the notice and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit as proof of publication. Please submit a scanned copy of the affidavit by emailing [compliancesupport@sjrwm.com](mailto:compliancesupport@sjrwm.com) (preferred method) or send the original affidavit of publication to:

Margaret Daniels, Bureau Chief  
Bureau of Regulatory Support  
4049 Reid Street  
Palatka, FL 32177

If you have any questions, please contact the Bureau of Regulatory Support at (386) 329-4570.

Sincerely,



Margaret Daniels, Bureau Chief

Bureau of Regulatory Support

---

NOTICE OF AGENCY ACTION TAKEN BY THE  
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on \_\_\_\_\_:

(Name and address of applicant) \_\_\_\_\_  
permit#\_\_\_\_\_. The project is located in \_\_\_\_\_ County, Section  
\_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ East. The permit authorizes a surface  
water management system on \_\_\_\_\_ acres for \_\_\_\_\_ known as  
\_\_\_\_\_. The receiving water body is \_\_\_\_\_.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty six (26) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing notice of intended District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., is not available.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at [floridaswater.com](http://floridaswater.com). These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit <http://floridaswater.com/notic eofrights/> to read the complete Notice of Rights to determine any legal rights you may have concerning the District's intended decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Bureau Chief, Bureau of Regulatory Support (RS), 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386)329-4570.

## **NEWSPAPER ADVERTISING**

### **ALACHUA**

The Alachua County Record, Legal Advertising  
P. O. Box 806  
Gainesville, FL 32602  
352-377-2444/ fax 352-338-1986

### **BRAFORD**

Bradford County Telegraph, Legal Advertising  
P. O. Drawer A  
Starke, FL 32901  
904-964-6305/ fax 904-964-8628

### **CLAY**

Clay Today, Legal Advertising  
1560 Kinsley Ave., Suite 1  
Orange Park, FL 32073  
904-264-3200/ fax 904-264-3285

### **FLAGLER**

Flagler Tribune, c/o News Journal  
P. O. Box 2831  
Daytona Beach, FL 32120-2831  
386-681-2322

### **LAKE**

Daily Commercial, Legal Advertising  
P. O. Drawer 490007  
Leesburg, FL 34749  
352-365-8235/fax 352-365-1951

### **NASSAU**

News-Leader, Legal Advertising  
P. O. Box 766  
Fernandina Beach, FL 32035  
904-261-3696/fax 904-261-3698

### **ORANGE**

Sentinel Communications, Legal Advertising  
633 N. Orange Avenue  
Orlando, FL 32801  
407-420-5160/ fax 407-420-5011

### **PUTNAM**

Palatka Daily News, Legal Advertising  
P. O. Box 777  
Palatka, FL 32178  
386-312-5200/ fax 386-312-5209

### **SEMINOLE**

Seminole Herald, Legal Advertising  
300 North French Avenue  
Sanford, FL 32771  
407-323-9408

### **BAKER**

Baker County Press, Legal Advertising  
P. O. Box 598  
MacLenny, FL 32063  
904-259-2400/ fax 904-259-6502

### **BREVARD**

Florida Today, Legal Advertising  
P. O. Box 419000  
Melbourne, FL 32941-9000  
321-242-3832/ fax 321-242-6618

### **DUVAL**

Daily Record, Legal Advertising  
P. O. Box 1769  
Jacksonville, FL 32201  
904-356-2466 / fax 904-353-2628

### **INDIAN RIVER**

Vero Beach Press Journal, Legal Advertising  
P. O. Box 1268  
Vero Beach, FL 32961-1268  
772-221-4282/ fax 772-978-2340

### **MARION**

Ocala Star Banner, Legal Advertising  
2121 SW 19th Avenue Road  
Ocala, FL 34474  
352-867-4010/fax 352-867-4126

### **OKEECHOBEE**

Okeechobee News, Legal Advertising  
P. O. Box 639  
Okeechobee, FL 34973-0639  
863-763-3134/fax 863-763-5901

### **OSCEOLA**

Little Sentinel, Legal Advertising  
633 N. Orange Avenue  
Orlando, FL 32801  
407-420-5160/ fax 407-420-5011

### **ST. JOHNS**

St. Augustine Record, Legal Advertising  
P. O. Box 1630  
St. Augustine, FL 32085  
904-819-3436

### **VOLUSIA**

News Journal Corporation, Legal Advertising  
P. O. Box 2831  
Daytona Beach, FL 32120-2831  
(386) 681-2322

## CN and Runoff Volume Calculations

**KHA Project:** Paradise Park B    **By:** SLH    **Date:** 3/12/2013  
**Location:** Marion County, Florida    **Checked:** RVB    **Date:** 3/12/2013

**Basin ID:** B-01                      **EXISTING CONDITIONS**  
**Basin Area:**                      1.35 ac  
**Curve Number:**                      39.0  
**DCIA Area:**                      0.00 ac  
**DCIA %**                              0.00%

**I. Runoff Curve Number (CN)**

Cover description	Soil Group	CN	Area (ac)	CN x Area
Impervious (On-site)	--	98	0.00	0.00
Pervious (On-site)	A	39	1.35	52.65
<b>Totals</b>			1.35	52.65

**Weighted CN = 39.0**

## CN and Runoff Volume Calculations

**KHA Project:** Paradise Park B    **By:** SLH    **Date:** 3/12/2013  
**Location:** Marion County, Florida    **Checked:** RVB    **Date:** 3/12/2013

**Basin ID:** B-01                      **PROPOSED CONDITIONS**  
**Basin Area:**                      1.35 ac  
**Curve Number:**                      45.1  
**DCIA Area:**                      0.29 ac  
**DCIA %**                              21.48%

### I. Runoff Curve Number (CN)

Cover description	Soil Group	CN	Area (ac)	CN x Area
Impervious (On-site)	--	98	0.06	5.88
Pervious (On-site)	A	39	0.95	37.05
Pond Bottom	--	98	0.05	4.90
<b>Totals</b>			1.06	47.83

Weighted CN = 45.1

### II. Runoff Volume Calculations

#### A. CN/Area Runoff Calculations

	100 Year - 24 Hour
Rainfall Amount	11.50 in
Runoff Depth	3.87 in
Runoff Volume	0.34 ac-ft

#### B. DCIA Runoff Calculations

	100 Year - 24 Hour
Rainfall Amount	11.50 in
DCIA Area	0.29 ac
Runoff Volume	0.28 ac-ft

#### C. Total Runoff

	100 Year - 24 Hour
Runoff Volume	0.62 ac-ft



# MPA

---

M I C H A E L P A P E & A S S O C I A T E S , P A  
L A N D P L A N N I N G • S I T E D E S I G N • L A N D S C A P E A R C H I T E C T U R E

---

March 24, 2014

## **Statement of Determination and Condition: Trees Proposed for Removal at Paradise Park, Part B**

TO: Wendy Then, CFM  
Town Planner, Town of Lady Lake

FR: Michael E. Pape PLA ASLA (FL0000525)

I have prepared this report in regard to the next phase of Paradise Park, referred to as "Part B." This is a continuation of the project that began last year for the southern portion of the park. The current phase is the large, mostly undeveloped open space generally to the north/northwest of the existing archery range, as represented in the permit plans submitted by Kimley-Horn Associates and our firm.

This project is a continuation of the adaptation of the park for improved active and passive use, and it is particularly gratifying to me to be a part of this effort, having been the landscape architect for the continued evolution and enhancement of this park since the late 1980s. Much of the landscaping installed in those years has long passed its useful life span and will be replaced as part of this project; fortunately, only a few of the trees have problems addressed by this report. Besides the ornamental trees mentioned, there is a minor number of canopy trees with issues, mainly Laurel Oaks. There are no Historic Trees among these.

Michael Pape & Associates PA, as project landscape architects and certified arborists, evaluated all the trees in this phase to determine the ones proposed for removal. I am presenting this statement as a finding of fact regarding the objective justification for the trees' removal, as itemized below.

1. The trees proposed for removal include the following species and numbers:

Live Oak (*Quercus virginiana*) - (1)  
Laurel Oak (*Quercus laurifolia*) - (6)  
Magnolia (*Magnolia grandiflora*) - (2)  
Cherry Laurel (*Prunus caroliniana*) - (1)  
Crape Myrtle (*Lagerstroemia indica*) - (11)  
Sabal Palm (*Sabal palmetto*) - (21)  
East Palatka Holly (*Ilex x attenuata 'East Palatka'*) - (1)  
Slash Pine (*Pinus elliottii*) - (14)

The accompanying plan exhibit includes the tree survey information for this site, indicating the locations and sizes of the trees addressed by this report. We have not included photos with this report, as the trees are existing and may be observed by Staff. The key points of this report are as follows:

1. The subject trees were planted about 27 years ago, except for any like the Cherry Laurel that may have "volunteered." Over the following years, the expected amount of attention to managing the changing dynamics of the landscape was really never provided, with the result that the ornamental trees-- and smaller existing canopy species-- were never thinned out, or removed when they became crowded out by the larger canopy trees. Thus, the general objective of the project is to "catch up" on properly managing the landscape of this park, removing the declining ornamental trees that have performed poorly and are no longer viable due to being crowded out by the larger canopy trees, and removing the few canopy trees that are declining, unhealthy, hazardous, and/or conflict with the healthier, viable trees.
2. Regarding the Sabal Palms, in most cases their removal is based on trunk narrowing and damage, pitting and decay...conditions that relate to the palms' original condition and handling. Some have conflicts with the canopies of dominant Oaks, and some are being removed to accommodate the new walking path, with many being replaced with healthy new palms. The Sabals at the corner entrance wall by US 441/27 are being removed due to these conditions as well as the fact that they conflict with the existing overhead electric lines and have been ruined by the resultant pruning (these trees existed in these locations prior to MPA's involvement at the park, so they have been growing here well over 30 years.) There Sabals are being replaced in appropriate locations to prevent future conflicts.
3. Regarding the Crape Myrtles and East Palatka Hollies, these are in declining, diseased, and generally poor condition, in many cases overgrown by the dominant Oaks, and having suffered years of variable maintenance.
4. Regarding the Slash Pines, these made sense when they were planted to contribute to screening the homes along Paradise Drive; besides the fact that their usefulness in that respect has long passed, they are in generally unsightly and in poor condition, constantly dropping deadwood (which is not safe with the increased presence of residents using the new facilities planned for this area). These pines have no value or viability to the setting of this park.
5. The single Cherry Laurel is clearly a volunteer which has no value or viability for the park, conflicting with the canopy of the Oak under which it grew up.
6. The single Live Oak is near the north/northeast corner of the site. It has suffered severe damage in the splitting off of a major co-dominant trunk in recent years; although not otherwise unhealthy, the severely heavy lean of the remaining trunk makes this tree nonviable for the long term. This project is the appropriate time to remove this hazardous tree.
7. Regarding the Laurel Oaks, these are proposed for removal generally because they are nonviable subordinate trees that conflict with the growth of other healthier viable trees, and

because they are generally in a state of decline, exhibiting one or more conditions including: *Ganoderma* and other likely fungal proliferation with associated decay; unhealthy and dangerous structure, co-dominant leaders with included bark, and broken or rotting leaders; advanced age-related decline, with extensive dead wood, decay and breakage of major limbs, and canopy tip die-back; and extensive Mistletoe infestation. These conditions are characteristic of this short-lived species, and with advancing age and declining condition they cause Laurel Oaks to virtually always become hazards to property and person in the urban environment. I am confident that beyond aesthetics, the removal of these trees is important for protection of the public health, safety, and welfare, due to the increased presence of residents in this park.

8. It is also notable that the removal of these particular Laurel Oaks will afford better longevity and health for the remaining Laurels, most of which despite their advanced age do not yet exhibit relative decline. It would be remiss for me not to mention that as the years go by, many of the remaining Laurels which are still in acceptable condition will decline and require removal. We encourage the District to plan for their replacement with more suitable species, including Live Oak.

In summary, our determination on a thorough and objective arboricultural basis is that the subject trees merit removal due to their poor condition and/or lack of viability, due to the present and future hazardous conditions which some of them present, and due to the improved opportunities this will create for the plentiful remaining trees-- and those being added-- to grow properly and thrive.

On behalf of KHA/MPA design team and the District, I appreciate your consideration. Please contact me if you have any questions about this report, or if you'd like us to meet you on site to review this project.

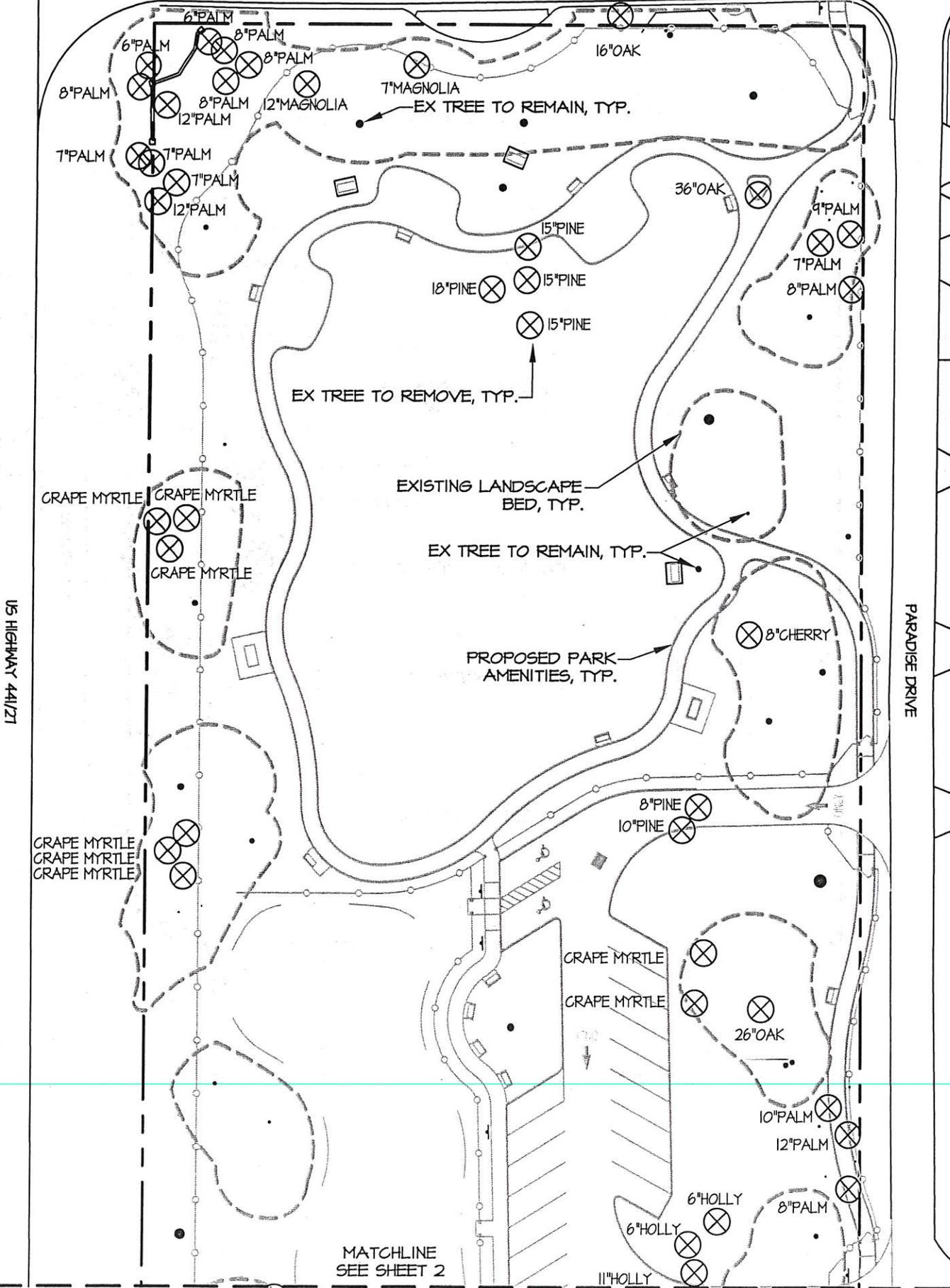
Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Pape". The signature is fluid and cursive, with the first name being the most prominent.

Michael E. Pape, PLA ASLA

Attachment: Tree removal plan

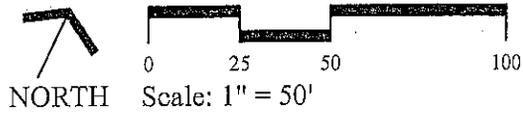
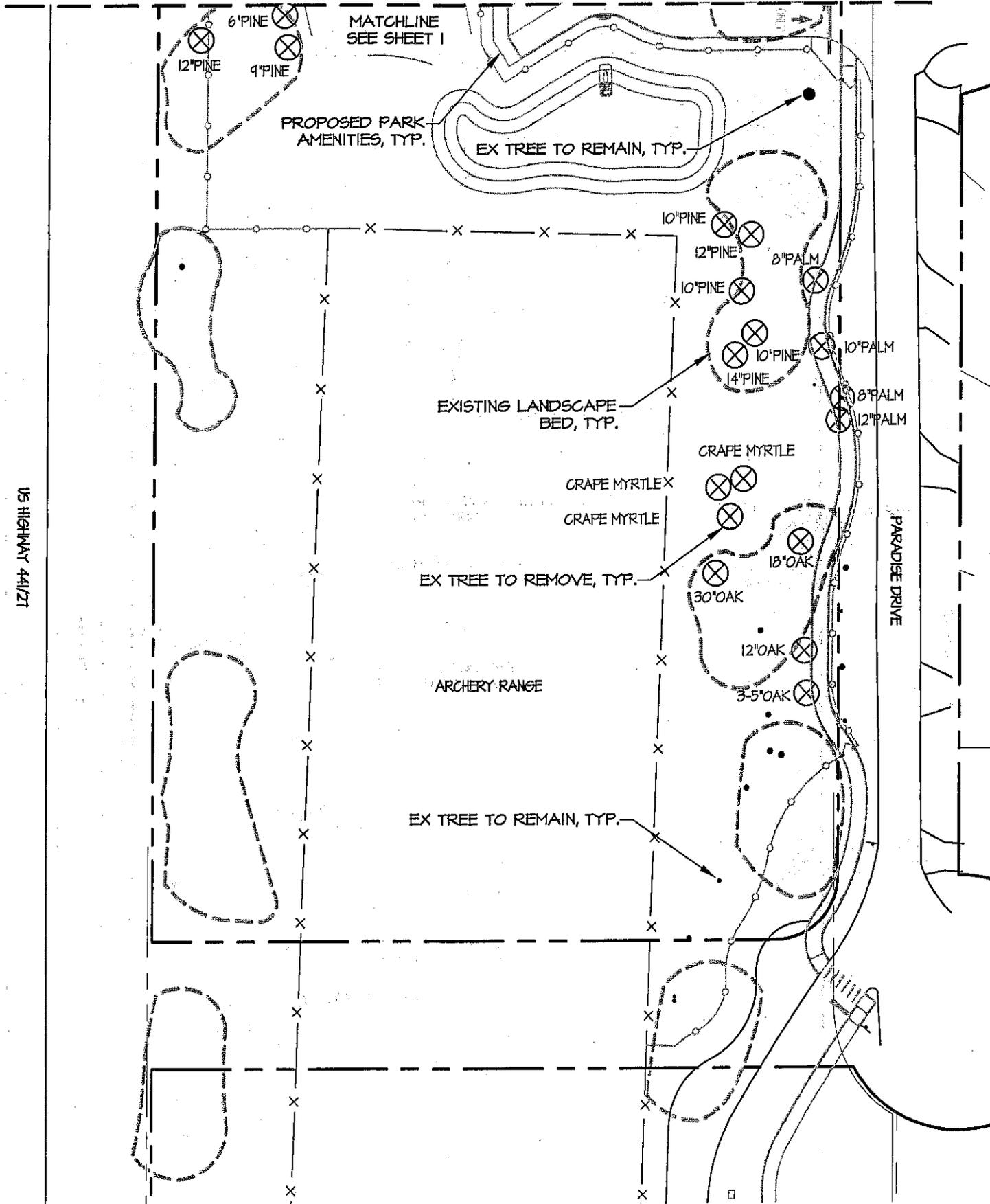
WALES PLAZA

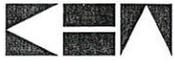


US HIGHWAY 441/21

PARADISE DRIVE

MATCHLINE  
SEE SHEET 2





Kimley-Horn  
and Associates, Inc.

April 28, 2014

■  
Suite 200  
1823 SE Ft. King Street  
Ocala, Florida  
34471

Ms. Wendy Then  
Town of Lady Lake  
409 Fennell Blvd.  
Lady Lake, Florida 32159

**Re: Paradise Park Area 'B' Landscaping and Recreation Improvements  
Response to Staff Comments  
Kimley-Horn Project Number 142202011**

Dear Ms. Then,

Kimley-Horn and Associates, Inc. received comments dated April 10, 2014, for the above referenced project. Below are the comments and associated responses:

**Drainage and Stormwater**

1. Environmental resource Permit (ERP) is still under review by SJRWMD.

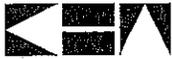
**Response:** *SJRWMD has issued a permit for this project, see attached.*

2. Sheet C-05: Provide a detail for the proposed overflow weir.

**Response:** *Please see revised plan sheet C-07. A detail for the proposed overflow weir has been added to the plans*

3. Drainage Report: Impervious area calculations in the proposed conditions need to be updated. 0.06 Acres used in the calculations does not look correct. Subsequently, please update all the calculations based on correct impervious area.

**Response:** *In proposed conditions for the Paradise Park Area 'B' site, there will be a total impervious area of 0.35 acre. In the basin calculations, this area was broken into 'directly connected impervious area' (DCIA) and general impervious area (CN=98). Please see the originally submitted drainage report for this breakdown shown under the 'Proposed Conditions Basin Calculations' and in the PONDS Model input parameters.*



4. Per 62-330.051 (4) (c) 4 F.A.C., If the work is limited to Sidewalks having a width of 6 foot or less are exempt from permitting. But this project involves construction Sidewalk and parking area, SJRWMD might request to include the sidewalk as impervious area within the proposed basin.

*Response: SJRWMD has issued a permit for this project, see attached.*

**Erosion Control**

5. Sheet C-08: Extend the proposed silt fence to include the 6' Flexi-Pave sidewalk construction area.

*Response: Please see revised plans sheet C-09. The limits of the proposed silt fence protective barrier have been revised.*

We trust these responses along with the attachments being submitted will provide the Town of Lady Lake with all the information it has requested. Please feel free to call me (352-438-3000) if you have questions.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

Richard V. Busche, PE, C.F.M.  
Vice President

RVB/ALG/aep

Attachments: SJRWMD Permit Letter dated April 23, 2014

Cc: File

April 10, 2014

Mrs. Wendy Then  
Town of Lady Lake  
409 Fennell Blvd.  
Lady Lake, FL 32159

**REFERENCE: PARADISE PARK AREA 'B' LANDSCAPING AND RECREATION  
IMPROVEMENTS - REVIEW NO. 1 - NS.011785.008**

Dear Mrs. Wendy;

Pursuant to your request, Neel-Schaffer, Inc. (NSI) has reviewed the Improvement plans submitted by Kimley-Horn and Associates, Inc on April 10, 2014, for the above referenced project. Our review of the improvement plans focused on reviewing Stormwater/Drainage and Erosion Control Plans for the standards provided in the Land Development Regulations (LDR) of the Town of Lady Lake. Issues related to site development, Water, Sewer, and Reclaimed Facilities, landscaping/irrigation, on-site sign, traffic design and historic and archeological resource protection were not reviewed.

We have reviewed the plans provided by you and we have also looked into the drainage report submitted to the St. Johns Water Management District. Based on our engineering review of the subject improvement plans and reports, the following comments are submitted for the Town's review and consideration:

**Drainage and Stormwater**

1. Environmental resource Permit (ERP) is still under review by SJRWMD.
2. Sheet C-05: Provide a detail for the proposed overflow weir.
3. Drainage Report: Impervious area calculations in the proposed conditions need to be updated. 0.06 Acres used in the calculations does not look correct. Subsequently, please update all the calculations based on correct impervious area.
4. Per 62-330.051 (4) (c) 4 F.A.C, If the work is limited to Sidewalks having a width of 6 foot or less are exempt from permitting. But this project involves construction Sidewalk and parking area, SJRWMD might request to include the sidewalk as impervious area within the proposed basin.

**Erosion control**

5. Sheet C-08: Extend the proposed silt fence to include the 6' Flexi-Pave sidewalk construction area.

Additional comments may follow after this review. If you have questions or comments, please do not hesitate to contact me at 407-647-6623.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Schultz', with a long horizontal flourish extending to the right.

Christopher Schultz, P.E.  
Project Manager

April 29, 2014

Mrs. Wendy Then  
Town of Lady Lake  
409 Fennell Blvd.  
Lady Lake, FL 32159

**REFERENCE: PARADISE PARK AREA 'B' LANDSCAPING AND RECREATION  
IMPROVEMENTS - REVIEW NO. 2**

Dear Mrs. Wendy;

Pursuant to your request for evaluation of the above referenced project, Neel-Schaffer, Inc. (NSI) has reviewed the Improvement plans re-submitted by Kimley-Horn and Associates, Inc to the City of Lady Lake Planning Office and subsequently forwarded to NSI on April 28, 2014. Our review of the updated improvement plans focused on reviewing Stormwater, Drainage and Erosion control plans based on requirements and standards provided in the Land Development Regulations (LDR) of the Town of Lady Lake. Issues related to site development, water supply, sanitary sewer / reclamation facilities, landscaping / irrigation, on-site signage, traffic design and historic / archeological resource protection were not reviewed.

We have reviewed the updated plans provided by your office, the SJWMD issued permit as well as the drainage report submitted to the St. Johns Water Management District. Based on our engineering review of the re-submitted subject improvement plans and reports, NSI has found the plans and reports to be satisfactory and in compliance with Lady Lake LDR and Florida DEP requirements.

If you have questions or comments, please do not hesitate to contact me at 407-647-6623.

Sincerely,



Christopher Schultz, P.E.  
Project Manager



## Villages Public Safety

Villages Center Community Development District.

3035 Morse Blvd

The Villages, Florida 32162

(352)205 8280

(352) 2058290 fax

Date: April 9, 2014

I have reviewed the plans for the Paradise Park Area B

The Villages Public Safety has no comments on this project.

Capt. Daniel Hickey.

Fire Safety Inspector II

117980

**Wendy Then**

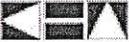
---

**From:** Richard.Busche@kimley-horn.com  
**Sent:** Wednesday, April 09, 2014 2:35 PM  
**To:** Wendy Then  
**Cc:** Amber.Gartner@kimley-horn.com; Stewart.Hill@kimley-horn.com  
**Subject:** FW: Paradise Park Area B

Here is the requested information for Paradise B:

* Total linear feet of the 6' Flex-Pave Sidewalk	1,546 LF
* Total square footage of the 6' Flex-Pave Sidewalk	11,235 SF
Total square footage of the bench pads (including the picnic table pad)	516 SF
Total square footage of the New Parking Lot Area	12,419 SF
Total square footage of Concrete Sidewalk (including exposed aggregate detectable warning)	3,284 SF

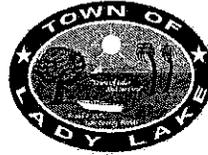
**Richard V. Busche, P.E., CFM**



Kimley-Horn  
and Associates, Inc.

1823 Southeast Fort King Street, Suite 200  
Ocala, Florida 34471  
(352) 438-3000 (ofc)  
(352) 427-4428 (mob)  
(561) 863-8175 (fax)  
[richard.busche@kimley-horn.com](mailto:richard.busche@kimley-horn.com)  
[www.kimley-horn.com](http://www.kimley-horn.com)

\*\*\*\*\*  
This e-mail from Kimley-Horn and Associates, Inc. and any files  
transmitted with it may contain confidential information.  
It is intended solely for the individual named above. If you are  
not the intended recipient, please notify the sender and delete  
it immediately. Any other use or distribution is prohibited.  
\*\*\*\*\*



**TECHNICAL REVIEW COMMITTEE**  
**Modification of Major Site Plan**  
**Meeting of April 15, 2014**

---

**TO:** Technical Review Committee

**FROM:** Wendy Then, Town Planner

**SUBJECT:** Major Modification Application to Paradise Park Area "B" –  
MJM 03/14-001

**DATE:** March 29, 2013

---

**SUMMARY:**

Janet Tutt, in representation of the Village Center Community Development District, property owner, has submitted a Major Modification to the Site Plan as per Town of Lady Lake Land Development Regulations, Chapter 7, Section 11.b.1, where a 10% or more change in the project acreage or square footage requires the submittal and approval of a Major Modification application. The proposed project includes 1,546 lineal feet of walking recreational trails and landscaping improvements located all along Paradise Park- Area 'B,' just between Wales Plaza and Sunrise Plaza, referenced by address 1320 Paradise Drive (Alternate Key 2685280). The property is zoned Planned Commercial (CP) and the Future Land Use Map designation for the site is Commercial General- Retail Sales and Services (RET); which is consistent with directives of the Comprehensive Plan. The site plan modification engineering plans have been drawn and certified by Richard Vernon Busche, Professional Engineer with Kimley-Horn and Associates, Inc., dated March 21, 2014, and John Olters, Registered Landscape Architect with Michael Pape & Associates, P.A., dated March 21, 2014.

The proposed improvements include the following:

- 11,235 square feet of 6' Flexi-Pave Sidewalk to be constructed along the internal park area and continuing along Paradise Drive.
- 12,419 square feet of parking area generating nineteen (19) parking spaces, including two (2) Florida ADA Accessible parking spaces.
- 3,284 square feet of 6' Concrete Sidewalk along the west side of the proposed parking lot area.
- Construction of Single Dry Retention Area.
- The improvements will require the removal of the following trees due to declining, diseased, and generally poor condition:

<i>Live Oak</i>	1
<i>Laurel Oak</i>	6
<i>Southern Magnolia</i>	2

<i>Cherry Laurel</i>	1
<i>Crape Myrtle</i>	11
<i>Sabal Palm</i>	21
<i>East Palatka Holly</i>	1
<i>Slash Pine</i>	14

- Landscaping improvements will be and 516 square feet of bench pads including features such as:
  - ADA Florida Accessible Park Benches
  - ADA Florida Accessible Picnic Table

Reviews were completed for the Town by Town staff and The Villages Fire Department. Attached are following items in the packet:

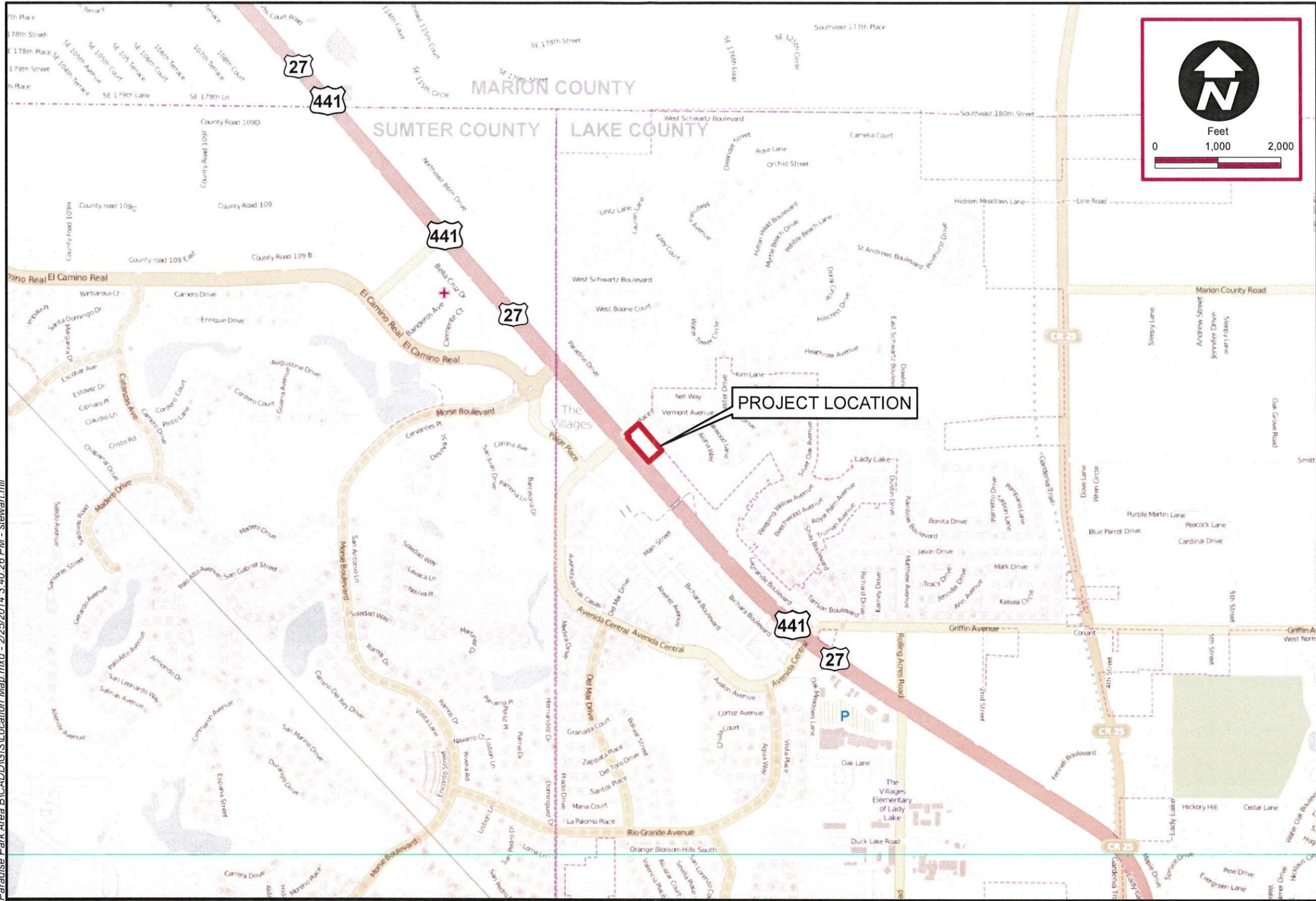
1. Review Comments for the site plan completed by Town Engineer, dated 04/10/2014.
2. Fire Review comments for the general site development completed by the Villages Fire Department, dated 04/09/2014.

The Paradise Park Area 'B' requires a permit with the St. John's River Water Management District (SJRWMD) for the dry retention area to address storm water within the site. The application was submitted on 03/24/2014 and is currently under review (IND-069-19062-5).

Applicant has met all requirements of the Land Development Regulations (LDRs) for site plan submittal per Chapter 7 of the Land Development Regulations as well as meeting Chapter 10 – Landscaping & Tree Protection. The major modification application is complete and is ready to be forwarded to Town Commission upon the Technical Review Committee (TRC) determination of the same.

**Public Hearings:**

The tentative date for the next Town Commission Meeting is Monday, May 5, 2014.



K:\OCA\_Civil\142202011 - Paradise Park Area B\CADD\GIS\Location Map.mxd - 2/25/2014 3:40:26 PM - stewart.hill


**Kimley-Horn and Associates, Inc.**  
 © 2014 Kimley-Horn and Associates, Inc.  
 1823 SE Fort King Street, Suite 200, Ocala FL 34471  
 Phone: (352) 438-3000  
 www.kimley-horn.com CA 00000696

LOCATION MAP

PARADISE PARK RECREATION IMPROVEMENTS  
TOWN OF LADY LAKE, FLORIDA

Scale: As Noted	Project No. 142202011	February 2014	Figure 1
-----------------	-----------------------	---------------	----------

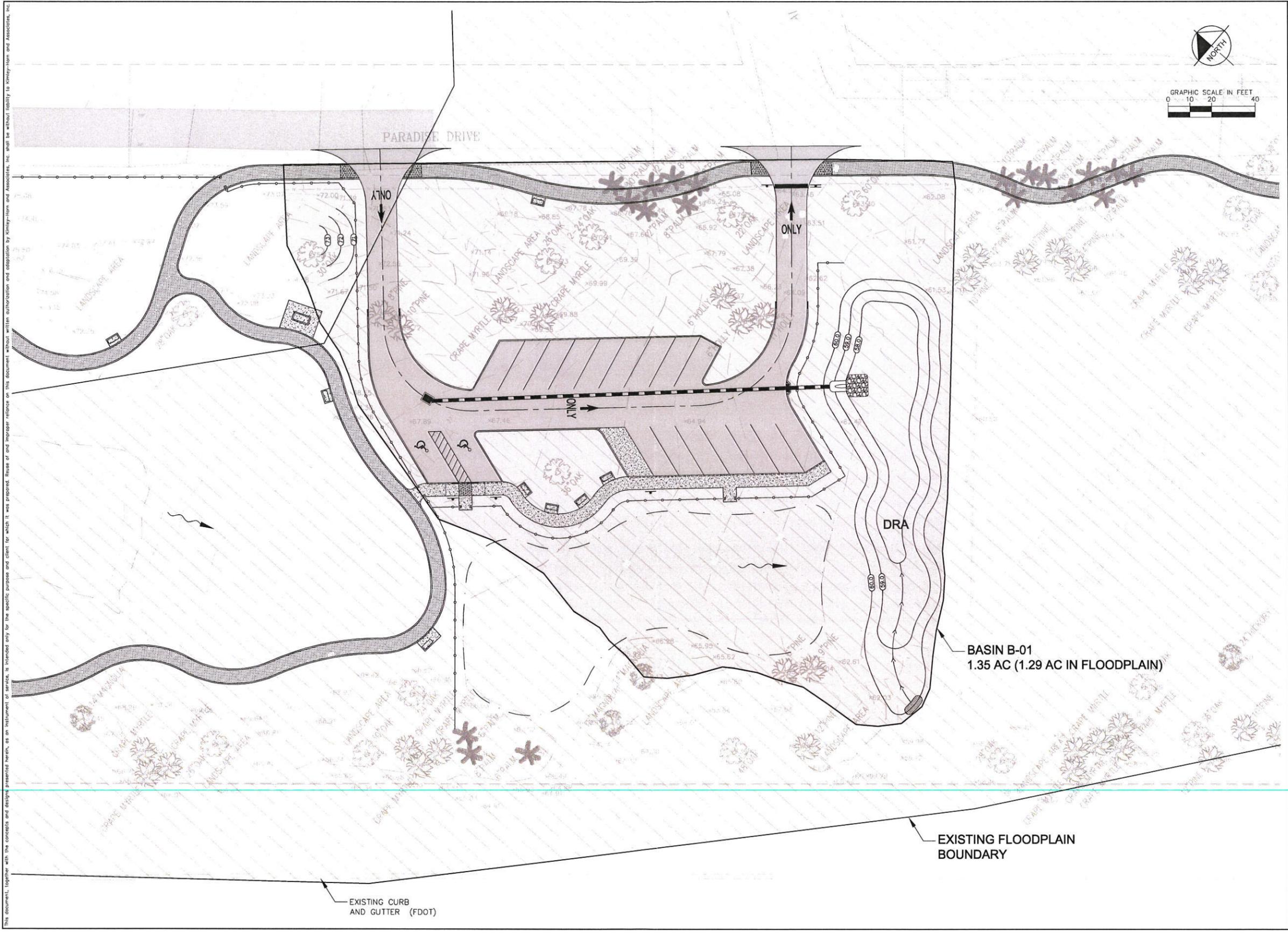


K:\OCA\_Civil\142202011 - Paradise Park Area B\CADD\GIS\Aerial Map.mxd - 2/25/2014 3:33:50 PM - Stewart Hill


**Kimley-Horn and Associates, Inc.**  
 © 2014 Kimley-Horn and Associates, Inc.  
 1823 SE Fort King Street, Suite 200, Ocala FL 34471  
 Phone: (352) 438-3000  
 www.kimley-horn.com CA 0000696

AERIAL MAP			
PARADISE PARK AREA 'B' RECREATION IMPROVEMENTS TOWN OF LADY LAKE, FLORIDA			
Scale: As Noted	Project No. 142202011	February 2014	Figure 2

K:\UTL\00147202011\Paradise Park Area (K1A)\00147202011\020\Proposed Basin Exhibit.dwg, Layout: PROPOSED BASIN EXHIBIT, Mar 19, 2014, 10:05:11 AM  
 This document, together with the concepts and designs presented herein, is an instrument of service. It is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. and be without liability to Kimley-Horn and Associates, Inc.



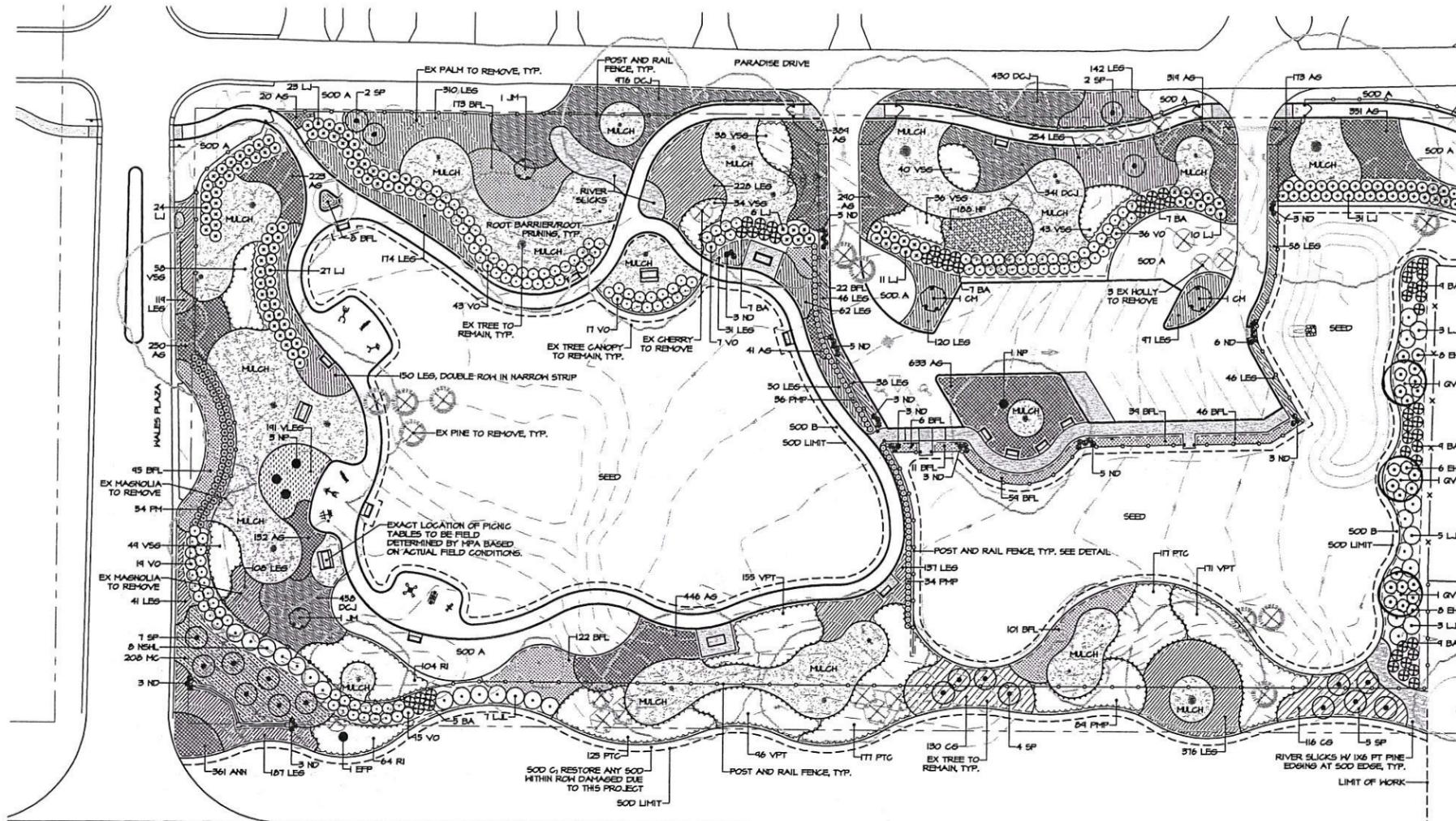
**PLANT SCHEDULE**

NOTES: Plant quantities are provided as a guide only. The contractor shall confirm total quantities as reflected by the plan.

Key	Qty	Plant Name	Site and Spacing	Maintenance
AS	3465	Lily-of-the-lily <i>Agapanthus africanus</i>	#1, full; 3-4 ppp min; 16" oc	24" ht x full mass; remove dead flower stalks
ANN	361	Annual, seasonal	4" pot; full; 12" oc; flexible install; select available varieties for LA's selection	Replace all seasonally
BA	51	Bamboo <i>Bambusa multiplex</i> 'Alphonse Karr'	#15; 8' H; 20+ canes; full; 5' oc	15' ht x full mass; control encroachment
BAL	27	Bamboo <i>Bambusa multiplex</i> 'Alphonse Karr'	Cont./B4/B; 12+ H; 30+ canes; full; 5' oc	15' ht x full mass; control encroachment
BFL	464	Blueberry Flax Lily <i>Dianella laevis</i>	#3; full; 30" oc	24" ht x full mass
CG	246	Cordgrass <i>Spartina bakeri</i>	#1; full; 3' oc	4' ht x full mass; allow natural growth; maintain informally
CH	2	Grape Myrtle, lavender <i>Lagerstroemia indica</i> 'Mokogee'	#30/B4/B; 4+ H x 5+ spr; multi-trunk	25' ht x 20' spr; prune no more than 1/2" wood
DCJ	2820	Dwarf Confederate Jasmine <i>Trachelospermum asiaticum</i> 'Minka'	#1; full; 15" min; 5-7 minners mlt; 18" oc	10-15" ht; full mass; prevent intrusion into other plants
EFP	1	European Fan Palm <i>Chamaerops humilis</i>	Cont./B4/B; 4' OA; multi-trunk; mature specimen	Allow natural growth; control encroachment
EH	22	Eagleston Holly <i>Ilex x attenuata</i> 'Eagleston'	Cont./B4/B; 10-12' H x 5' spr	20' ht x 10' spr; full mass; maintain informally; do not shear
HF	100	Hollyform <i>Cyrtomium falcatum</i>	#1; full; 12" spr; 2' oc	Allow natural growth; remove frost damage in spring
JM	3	Japanese/Saucer Magnolia <i>Magnolia saulangeana</i>	#15; 6+ H x 3+ spr	Allow natural growth; prune only for form or dead wood
LEG	3250	Emerald Goddess Liriope <i>Liriope muscari</i> 'Emerald Goddess'	#1; full; 3-7 ppp min; 2' oc	18" ht x full mass
LJ	102	Ligustrum <i>Ligustrum japonicum</i>	Cont./B4/B; 5' H x 5+ spr; full to ground	12' ht x 10' full hedge
L.L	16	Ligustrum <i>Ligustrum japonicum</i>	B4/B; 8+ H x 8+ spr; multi-trunk; full to ground	18' ht x 18'
MC	340	Muhly Grass <i>Muhlenbergia capillaris</i>	#3; full; 3' oc	Cut back each year after last frost to 8-10" ht.
ND	46	Heavenly Bamboo <i>Nandina domestica</i>	#1; 25+ H x 2+ spr; 3 canes min	Allow natural growth
NP	4	Needle Palm <i>Rhaphidophyllum hystrix</i>	Cont./B4/B; 4' OA; mature specimen	Allow natural growth; prune only dead fronds
NSH	34	Nellie Stevens Holly <i>Ilex cornuta x attenuata</i> 'Nellie R. Stevens'	#30; 6-8+ H x 3-1/2-4+ spr; full to ground	20' ht x 10' spr; full mass; maintain informally; do not shear
NSHL	6	Nellie Stevens Holly <i>Ilex cornuta x attenuata</i> 'Nellie R. Stevens'	Cont./B4/B; 12+ H x 6+ spr; full to ground	20' ht x 10' spr; full mass; maintain informally; do not shear
PH	34	Japanese Yew <i>Podocarpus macrophylla</i>	Cont./B4/B; 5+ H x 30+ spr; turgid; full and vigorous; 3' oc	8' ht x 8' full hedge; may be sheared
PH-P	154	Pringle's Dwarf Japanese Yew <i>Podocarpus macrophylla</i> 'Pringle'	#3; 10-12+ H x 12-18+ spr; 30" oc	30" ht x full mass; maintain informally; may be sheared
PTC	414	Pittosporum, compact green <i>Pittosporum tobira</i> 'Compacta'	#3; 18-24+ H x 18-24+ spr; 3' oc	36" ht x full mass; maintain informally; do not shear
QV	3	Live Oak <i>Quercus virginiana</i>	Cont./B4/B; 14-16' H x 7-9' spr; 4" cal min	Allow natural growth; prune only for form or dead wood
RI	168	Indian Hawthorn, white <i>Raphiolepis indica</i> 'Alba'	#3; 12+ H x 10+ spr; 3' oc	30" ht x full mass; maintain informally; do not shear
JM	3	Japanese/Saucer Magnolia <i>Magnolia saulangeana</i>	#30; 8-1/2+ H x 4+ spr	Allow natural growth; prune only for form or dead wood
SP	22	Sabal Palm <i>Sabal palmetto</i>	B.R.; hurricane cut; 16-24" ct staggered	Allow natural growth; prune only dead fronds
VLEG	H1	Variegated Okra Liriope <i>Ophiopogon heterophyllus</i> 'Argenteomarginatus'	#1; full; 3-7 ppp min; 2' oc	18" ht x full mass
VO	214	Sweet Viburnum <i>Viburnum odoratissimum</i>	#30; 4-5' H x 3+ spr; 3' oc	8' ht x 10' full hedge
VPT	306	Variegated Pittosporum <i>Pittosporum tobira</i> 'Variegata'	#3; 15+ H x 15+ spr; 3' oc	3' ht x 30' full hedge
VSG	240	Variegated Shell Ginger <i>Alpinia zerumbet</i> 'Variegata'	#3; 3' OA shade-grow; 3' oc	Allow natural growth; maintain informally; remove dead foliage
SOD A		Zoyaia Empire' <i>Zoyaia japonica</i> 'Empire'		
SOD B		Bermuda/Bahia Mix		
SOD C		St. Augustine Floratum' <i>Stenotaphrum secundatum</i> 'Floratum'		
SEED		Bermuda/Bahia Mix		
MULCH		Pine Straw	3" depth	Refresh annually, or as needed

**SPECIAL REQUIREMENTS OF THE VILLAGES**

- This plan has been approved by The Villages' Design Review Committee (DRC) and/or its Representative. No changes in the plan or the specifications shall occur without specific authorization of the DRC or its Representative, except that minor adjustments may be made to adjust for actual site conditions or as-built circumstances.
- Upon completion of the irrigation and landscape installation, the Parcel Developer and/or its representative shall contact The Villages to inspect the site to determine whether the completed job meets the form, fit, and quality called for in the approved submittal plans and specifications, and whether additional landscape measures may be required to meet The Villages' standards. In the opinion of the DRC's representative, due to conditions and circumstances that were not indicated by the submittals provided, the Parcel Developer shall be responsible for contacting The Villages to specifically request a landscape inspection by the DRC's representative, upon completion of the installation. Any deficiencies found by the DRC's representative will be identified in writing and submitted to the Parcel Developer, who shall then be responsible for immediately taking all corrective action necessary to remedy the deficiencies.
- The Owner and/or all successors and assigns, shall provide perpetual grounds maintenance to insure generally that: all grounds and landscaped areas shall be kept free of trash, leaves and dead landscape material; all landscaped areas shall be maintained regularly, including trimming, fertilization, mowing, and replacement of diseased, damaged, or dead plant materials as required; all annual/perennial bedding plants shall be replaced to maintain seasonal color; all irrigation systems shall be thoroughly inspected periodically, shall be kept in good repair, and shall be adjusted as necessary to provide continued proper coverage; all parking lots, sidewalks, and other areas shall be swept regularly and otherwise kept free from accumulations of grass clippings, leaves, and other debris; any exterior lighting shall be periodically checked, lamps replaced, and aiming adjusted, as required. No trees shall be topped or unaturally and abusively pruned at any time, and shall be subject to immediate replacement per the original plan if they were.



**ROOT PRUNING NOTES:**

- ALL ROOT PRUNING SHALL BE COMPLETED BEFORE HALKING PATHWAY/PARKING/ CONSTRUCTION BEGINS. ABSOLUTELY NO EXCAVATION SHALL OCCUR BEFORE ALL ROOT PRUNING IS COMPLETE.
- AS INDICATED ON THE PLAN, EXISTING TREES SHALL BE ROOT PRUNED 10' FROM THE PROPOSED WALKING PATH/ CART PARKING. COORDINATE WITH THE LANDSCAPE ARCHITECT PRIOR TO COMMENCING WORK.
- EVERY EFFORT SHALL BE MADE TO KEEP THE ROOTS WITHIN THE ROOT ZONE UNDISTURBED.
- AT THE TIME THE TREES ARE ROOT PRUNED THE TOPS SHALL BE SELECTIVELY PRUNED ACCORDING TO THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) PRUNING STANDARDS FOR MATURE TREES TO COMPENSATE FOR ROOT LOSS.
- ALL TREES THAT HAVE BEEN ROOT PRUNED SHALL BE FERTILIZED BEFORE COMMENCEMENT OF CONSTRUCTION. SOIL WITHIN THE ROOT ZONE SHALL BE INJECTED WITH A HIGH PHOSPHOROUS AND POTASSIUM FERTILIZER ALONG WITH A ROOT HORMONE OR MICROBIAL.
- AT THE TIME OF ROOT PRUNING ALL TREES SHALL BE IRRIGATED WITH LOW PRESSURE, LOW VOLUME DRIP IRRIGATION.
- NO VEHICULAR TRAFFIC OR PARKING IS ALLOWED WITHIN THE ROOT ZONES OF THE TREES.
- ANY DAMAGE TO ANY EXISTING LANDSCAPING OR IRRIGATION ON ADJACENT SITES CAUSED BY ANY ASPECT OF THE CONSTRUCTION OF THIS PROJECT SHALL BE RESTORED IMMEDIATELY TO ACCEPTABLE CONDITIONS, AS DETERMINED BY MPA.

**ROOT CONTROL BARRIER NOTES:**

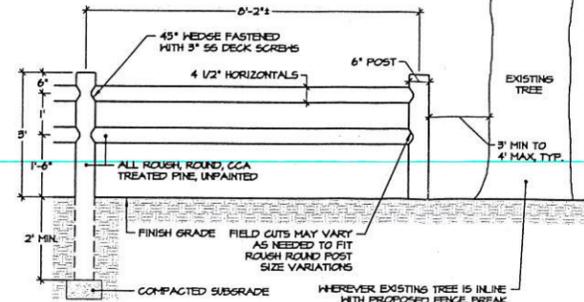
- ALL OAK TREES LOCATED WITHIN 10' OF THE PROPOSED WALKING PATHWAY/PARKING COURTS SHALL REQUIRE ROOT BARRIER.
- THE ROOT CONTROL SHALL UTILIZE A 36" DEPTH ROOT BARRIER PRODUCT MANUFACTURED BY ROOTMAKER PRODUCTS CO., LLC. WWW.ROOTMAKER.COM, (256) 862-3141, ITEM#R3600 R3636, 36" X 100 LINEAR TARD ROLL (BROWN).
- WHEN INSTALLED THE PRODUCT SHALL HAVE THE "FUZZY" SIDE TOWARD THE ROOTS TO BE TRAPPED. THE FABRIC SHALL EXTEND OUT OF THE TRENCH A MAXIMUM OF 8" AND BE PRUNED WITH TURF STAPLES A MINIMUM OF 14" O.C. THE EXPOSED FABRIC SHALL BE COVERED WITH 3" OF CLEAN SANDY SOIL.
- THE TRENCH SHALL BE BACKFILLED WITH THE EXCAVATED CLEAN, SANDY SOIL DEPOSITED IN 6" LAYERS AND COMPACTED UNTIL THE INSTALLATION HAS A COVER EQUAL TO BUT NOT GREATER THAN 2" ABOVE EXISTING GROUND. THE COMPACTED OF THE FILLED TRENCH SHALL BE AT LEAST EQUAL TO THAT OF THE SURROUNDING UNDISTURBED MATERIAL. SETTILING WITH WATER SHALL NOT BE PERMITTED. WHENEVER THE TRENCHES HAVE NOT BEEN PROPERLY FILLED, OR IF SETTLEMENT OCCURS, THEY SHALL BE REFILLED, COMPACTED, SMOOTHED OFF, AND FINALLY MADE TO CONFORM TO THE SURFACE OF THE GROUND, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF SOD AND OTHER LANDSCAPING.
- ANY ROCK, LIMESTONE, OR DEBRIS THAT MAY DAMAGE THE ROOT BARRIER SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AND PROPERLY DISPOSED OF. EXCESS UNSUITABLE BACKFILL MATERIALS SHALL BE REPORTED PROMPTLY TO THE LANDSCAPE ARCHITECT.

**SPECIAL SITE PREPARATION NOTES:**

- Existing low level plant material not shown on this plan and within the limit of work that conflicts with new plantings shall be removed and disposed of properly.
- See special pruning notes this sheet for all areas shown on plans.
- Trees shall be root pruned and root barrier installed where ever new curbs/pavement is being installed within 10' of an existing tree. Root barrier shown is schematic, and may vary. Refer to notes and details.

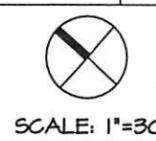
NOTE:  
NO VEHICULAR TRAFFIC, INCLUDING PARKING OR STORAGE SHALL OCCUR WITHIN THE DRIPLINE OF EXISTING TREES.

ABSOLUTELY NO DAMAGE TO THE ROOT SYSTEM OF THE OAKS CAN OCCUR TO THE SIDE OF THE OAKS OPPOSITE THE ROOT PRUNING LINE. CAREFUL COORDINATION WITH THE PROJECT LANDSCAPE ARCHITECT SHALL BE NECESSARY TO ENSURE ONLY MINIMAL DAMAGE OCCURS TO EXISTING OAKS.



**POST AND RAIL FENCE**

SCALE: 1/2" = 1'



SCALE: 1"=30'

SEE SHEET L-2 FOR DETAILS

MATCHLINE - SEE SHEET L-2

REVISIONS

DATE

**MPA**  
 MICHAEL PAPE & ASSOCIATES, P.A.  
 LAND PLANNING • SITE DESIGN • LANDSCAPE ARCHITECTURE  
 2551 S.E. 17TH STREET • OCALA, FLORIDA 34471 • (352) 361-3900

PARADISE PARK LANDSCAPING AND  
 RECREATION IMPROVEMENTS  
 THE VILLAGES, FLORIDA  
**LANDSCAPE PLAN**

DATE: 4/28/14  
 JOB NO. 2045648  
 DWS NO. 2045648 LS  
 DWN BY: APT  
 GND. BY: MEP

SHEET L OF 2

L-1

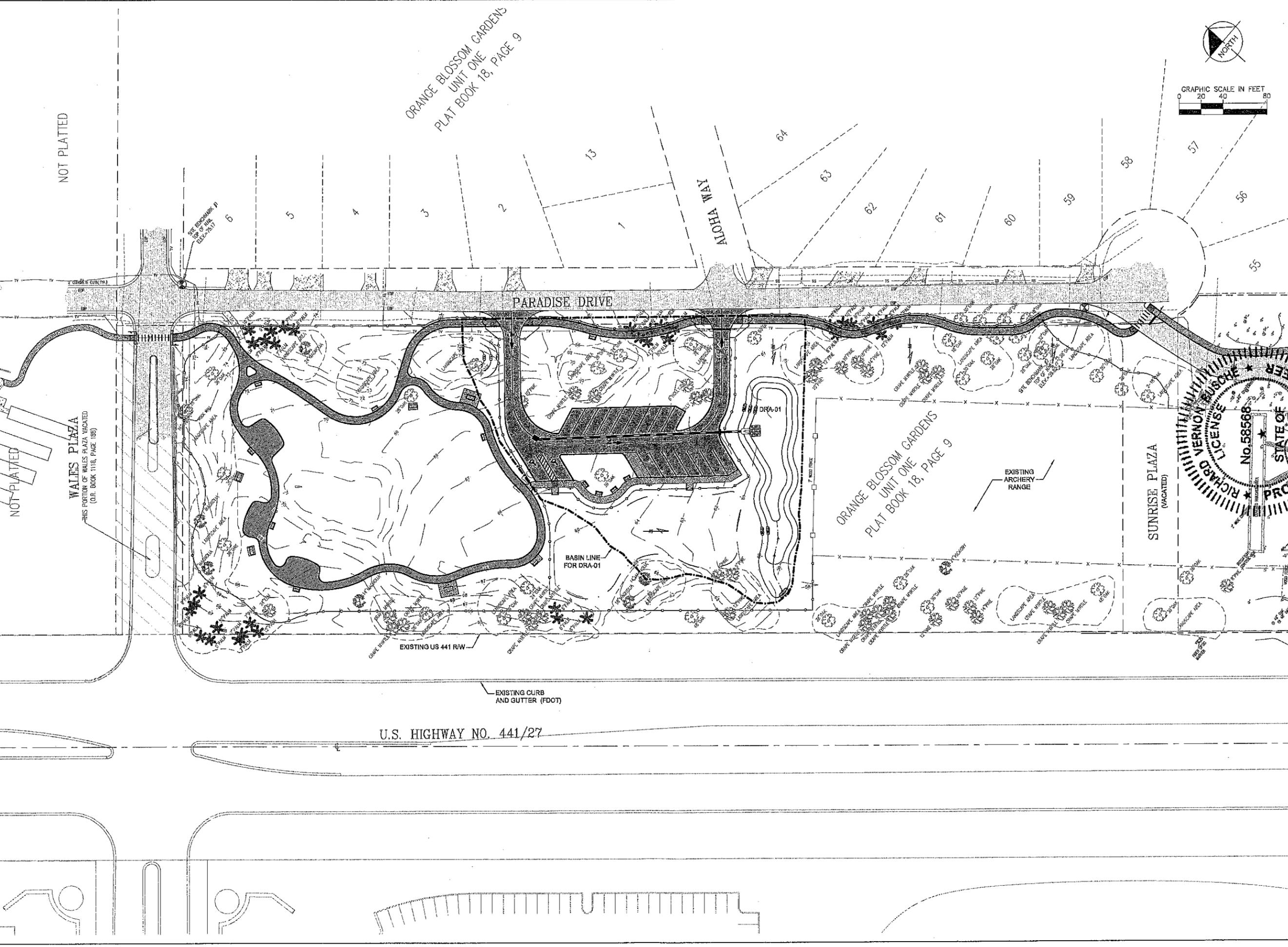








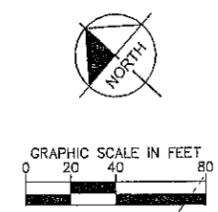
This document, together with the concepts and designs presented herein, is an instrument of service, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



PARADISE PARK AREA 'B'  
LANDSCAPING AND RECREATION  
IMPROVEMENTS  
PREPARED FOR  
VILLAGE CENTER COMMUNITY  
DEVELOPMENT DISTRICTS  
TOWN OF LADY LAKE  
FLORIDA

# MASTER DRAINAGE PLAN

KHA PROJECT NO. 14220201  
DATE: APRIL 2014  
SCALE: AS SHOWN  
DESIGNED BY: KHA  
DRAWN BY: CPV  
CHECKED BY: RVE  
FLORIDA LICENSE NUMBER: 48158  
DATE: APR 28 2014

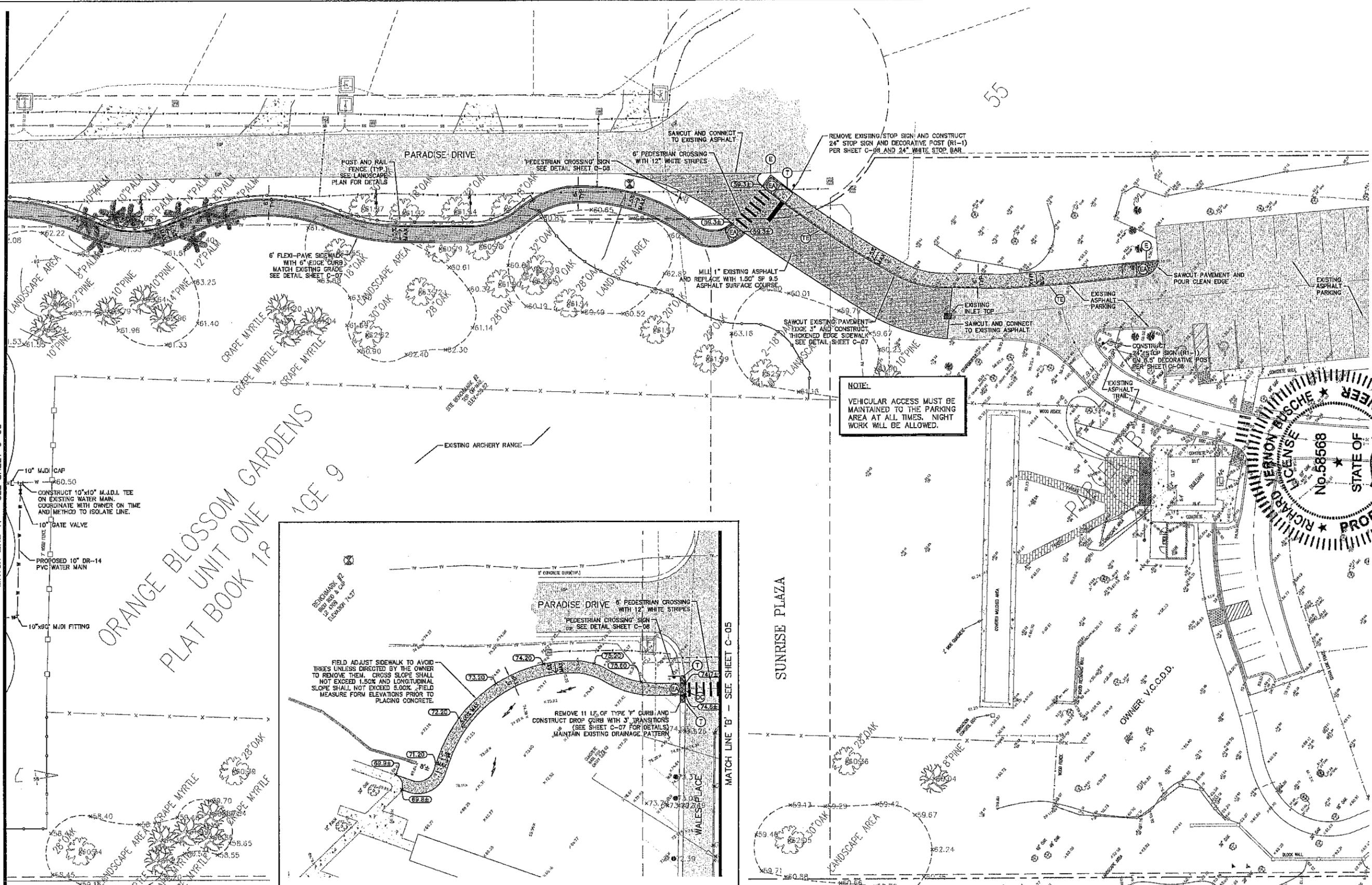


**Kimley-Horn and Associates, Inc.**  
© 2014 KIMLEY-HORN AND ASSOCIATES, INC.  
1923 SE FORT KING STREET, SUITE 200, OCALA, FL 34471  
PHONE: 352-438-3000  
WWW.KIMLEY-HORN.COM CA 00000998

No.	REVISIONS	DATE	BY
1	NOT FOR CONSTRUCTION	10-00-00	SPM

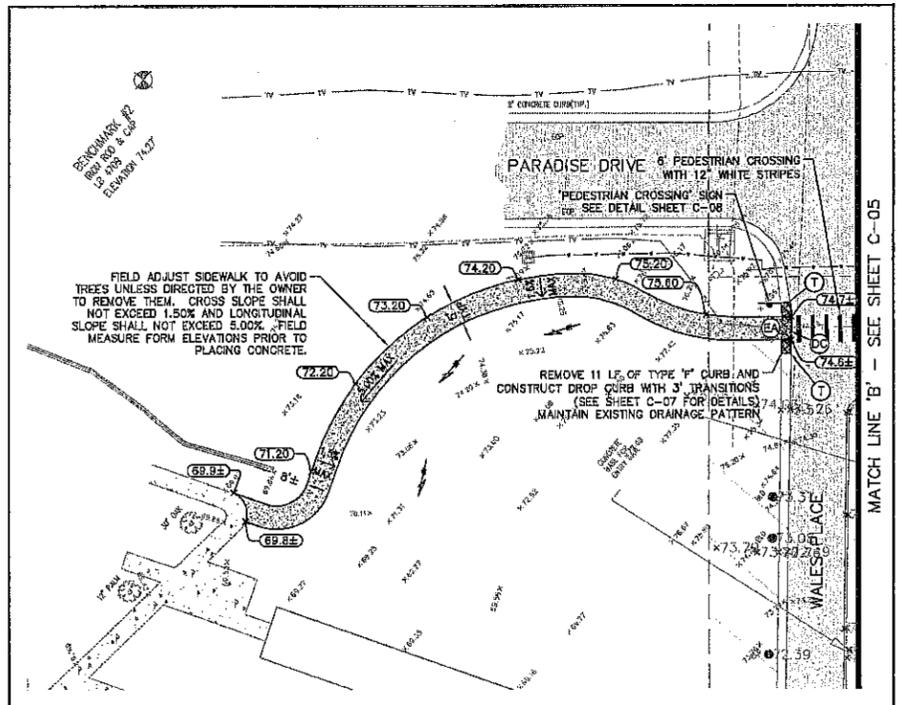


This document, together with the concepts and designs presented herein, is an instrument of service, is released only for the specific purpose and client for which it was prepared. Release of any portion of this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



ORANGE BLOSSOM GARDENS  
 UNIT ONE  
 PLAT BOOK 18  
 PAGE 9

**NOTE:**  
 VEHICULAR ACCESS MUST BE MAINTAINED TO THE PARKING AREA AT ALL TIMES. NIGHT WORK WILL BE ALLOWED.

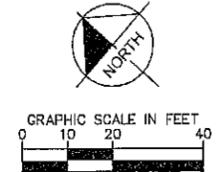


**EXISTING TREE NOTE:**  
 REFER TO LANDSCAPE PLANS FOR TREE REMOVAL AND PRESERVATION.

**CURB LEGEND (SEE SHEET C-07 FOR DETAILS):**  
 (D) 24" DROP CURB  
 (E) 6" EDGE CURB  
 (H) 6" HEADER CURB  
 (T) THICKENED EDGE SIDEWALK  
 (I) 3' CURB TRANSITION  
 (A) EXPOSED AGGREGATE DETECTABLE WARNING

**NOTES:**  
 1. ALL ELEVATIONS ARE TO THE EDGE OF PAVEMENT UNLESS OTHERWISE INDICATED.  
 2. ALL PAVEMENT MARKINGS ARE TO BE PAINTED WITH TWO COATS OF HIGH INTENSITY PAINT, UNLESS OTHERWISE INDICATED.  
 3. THE ALIGNMENT OF THE PROPOSED PATHS AND SIDEWALKS MAY BE MODIFIED IN THE FIELD BY THE ENGINEER AND/OR LANDSCAPE ARCHITECT TO AVOID IMPACTS TO EXISTING FEATURES.

**TRAIL GRADING NOTE:**  
 CONCRETE SIDEWALK WALKING TRAILS SHALL MEET THE GUIDELINES OF THE 2012 FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, INCLUDING:  
 - RUNNING SLOPE (LONGITUDINAL) NOT STEEPER THAN 1:20 (5% MAX.)  
 - CROSS SLOPE NOT STEEPER THAN 1:67 (1.5% MAX.)



**CONSTRUCTION PLAN**  
 PARADISE PARK AREA 'B'  
 LANDSCAPING AND RECREATION IMPROVEMENTS  
 PREPARED FOR  
 VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICTS  
 TOWN OF LADY LAKE  
 FLORIDA

Kimley-Horn and Associates, Inc.  
 © 2014 KIMLEY-HORN AND ASSOCIATES, INC.  
 1803 SE FORT KING STREET, SUITE 200, Ocala, FL 34471  
 PHONE: 352-439-3000  
 WWW.KIMLEY-HORN.COM CA 00000999

PROFESSIONAL ENGINEER  
 RICHARD VERNON BUSCHE  
 No. 58568  
 STATE OF FLORIDA

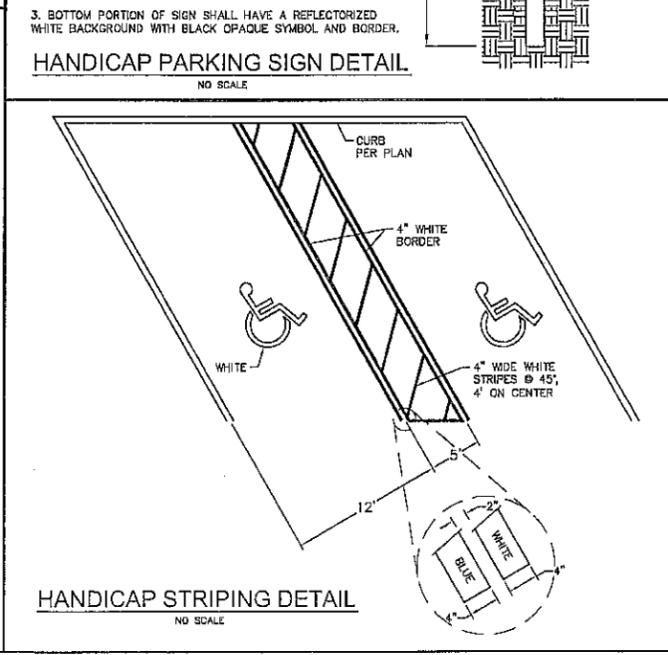
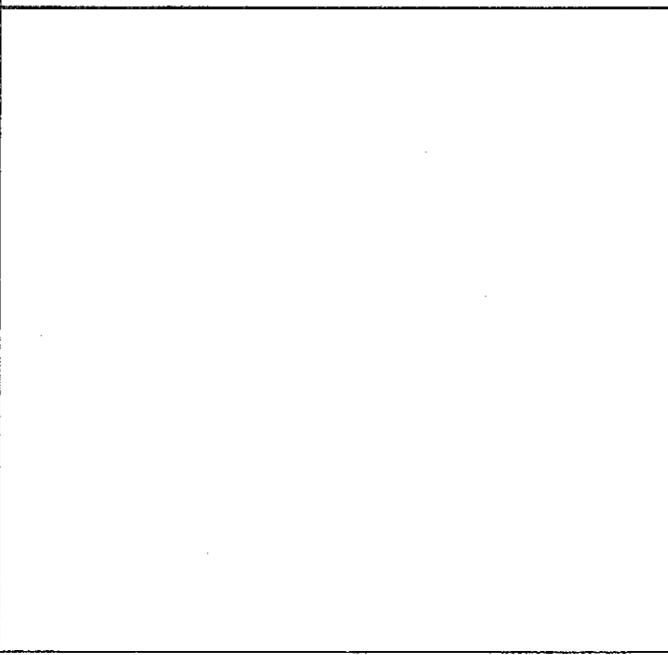
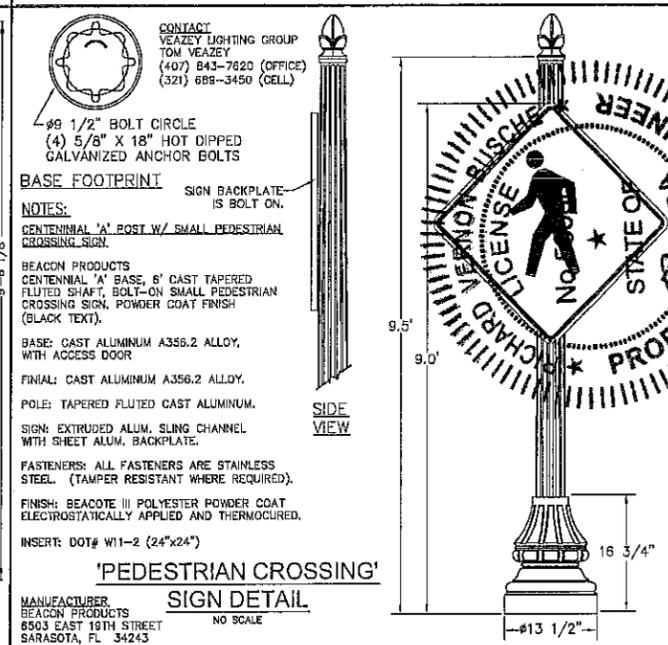
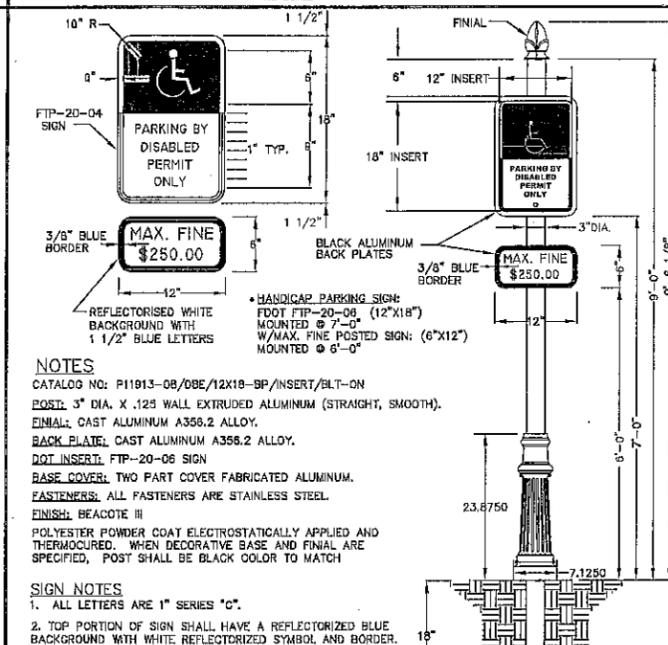
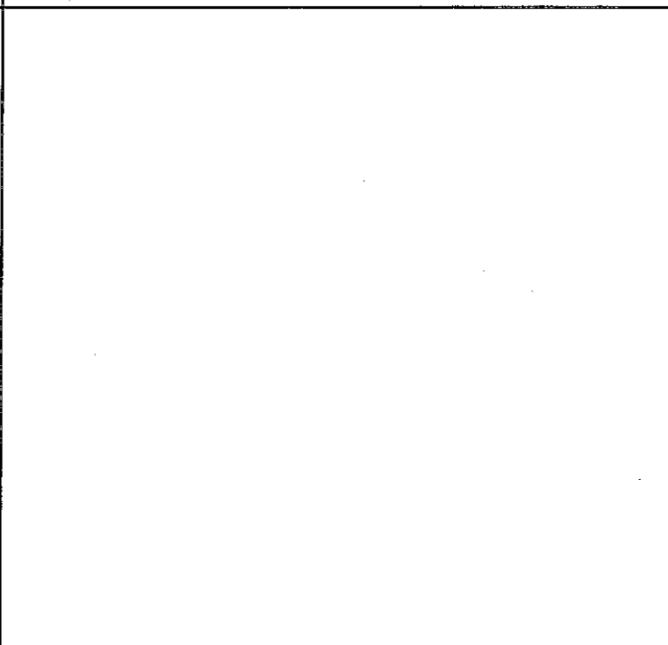
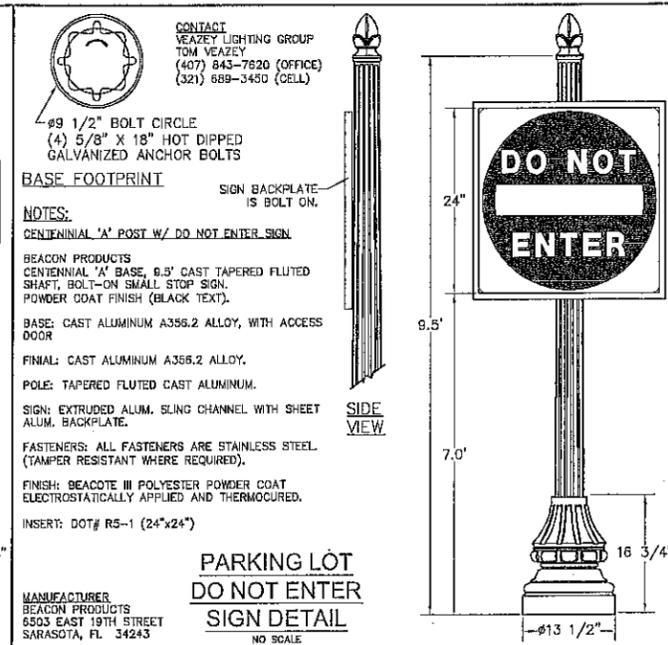
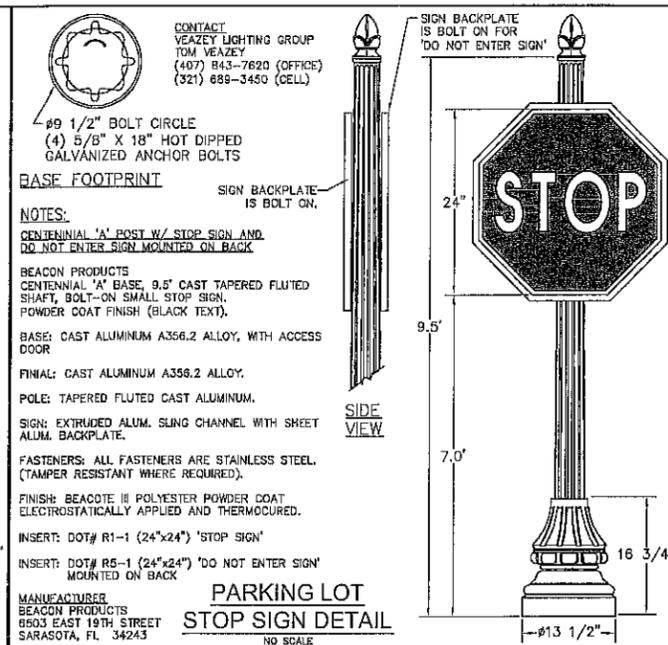
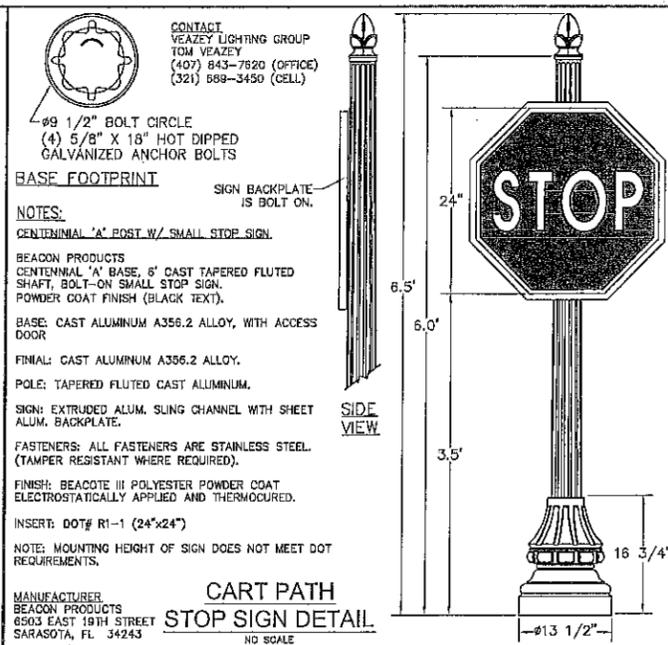
DATE: APRIL 2014  
 SCALE: AS SHOWN  
 DESIGNED BY: KHA  
 DRAWN BY: CPK  
 CHECKED BY: RVE

SHEET NUMBER  
**C-06**

No.	REVISIONS	DATE	BY
1	NOT FOR CONSTRUCTION	00-00-00	CPK



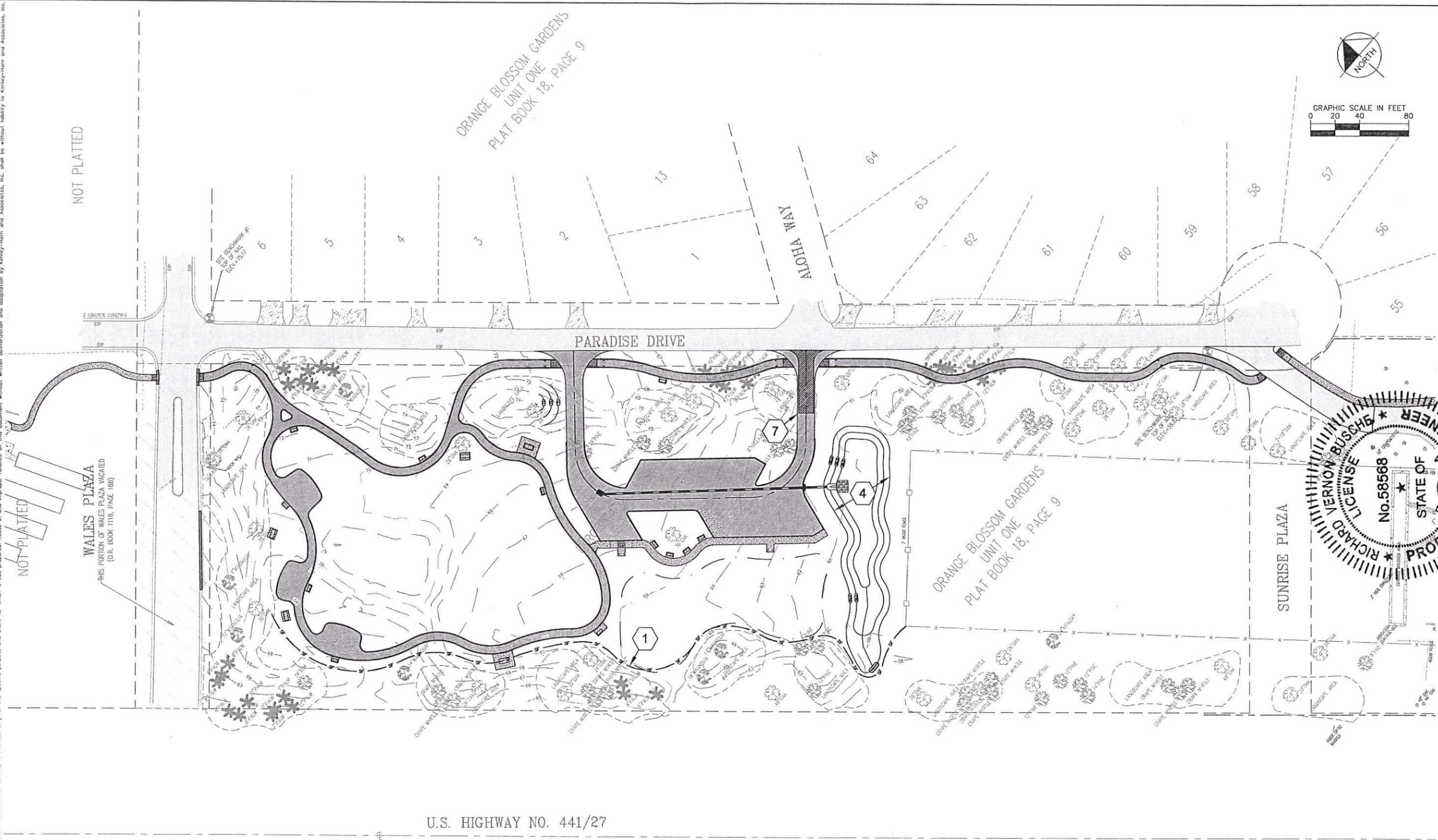
K:\DATA\DWG\11220201.dwg - Paradise Park Area Landscaping and Recreation Improvements - 07-08-08 CIV Details - 14220201.dwg, Layout: C-08 DWG DETAILS Apr 23, 2014 09:06:00 AM  
 XREFS: B:\cadd\14220201\14-08-08-08-08.dwg  
 This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client, for which it was prepared. Release of and employer reliance on this document without written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



PROJECT NO.	14220201	DATE	APRIL 2014	SCALE	AS SHOWN	DESIGNED BY	KHA	CHECKED BY	RVB	DATE	APR 20 2014
PROJECT NAME	PARADISE PARK AREA 'B' LANDSCAPING AND RECREATION IMPROVEMENTS PREPARED FOR VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICTS TOWN OF LADY LAKE FLORIDA										
CONTRACT NO.	C-08										
CONTRACT DESCRIPTION	LANDSCAPING AND RECREATION IMPROVEMENTS										
CONTRACT VALUE	\$1,500,000										
CONTRACTOR	KIMLEY-HORN AND ASSOCIATES, INC.										
CONTRACTOR ADDRESS	1023 SE FORT KING STREET, SUITE 200, OCALA, FL 34741										
CONTRACTOR PHONE	(352) 352-4350										
CONTRACTOR FAX	(352) 352-4350										
CONTRACTOR WEBSITE	WWW.KIMLEY-HORN.COM										
CONTRACTOR LICENSE NO.	14220201										
CONTRACTOR LICENSE STATE	FLORIDA										
CONTRACTOR LICENSE TYPE	PROFESSIONAL ENGINEER										
CONTRACTOR LICENSE EXPIRES	12/31/2016										
CONTRACTOR LICENSE ISSUED	12/31/2011										
CONTRACTOR LICENSE NO.	14220201										
CONTRACTOR LICENSE STATE	FLORIDA										
CONTRACTOR LICENSE TYPE	PROFESSIONAL ENGINEER										
CONTRACTOR LICENSE EXPIRES	12/31/2016										
CONTRACTOR LICENSE ISSUED	12/31/2011										

K:\VCA\_Civil\14220201 - Paradise Park Area B\CADD\Plan\Sheet\14220201.dwg, Layout: C-09 EROSION CONTROL PLAN Apr 25, 2014, chh, mcdone

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse or any improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



CALL TWO (2) BUSINESS DAYS BEFORE YOU DIG

**811**

IT'S THE LAW! Know what's below. Call before you dig.

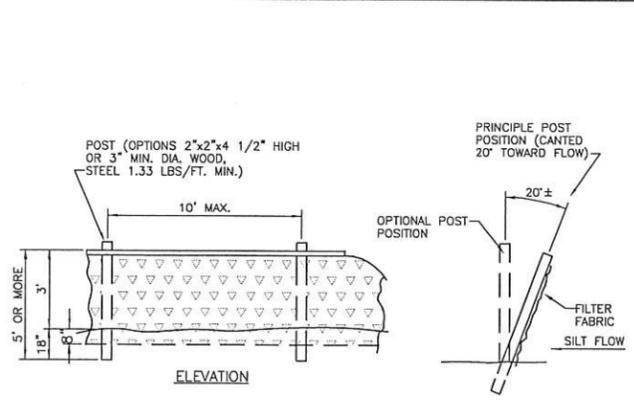
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

STORM DRAINAGE LEGEND

(X) EROSION CONTROL DETAIL SEE SHEET C-11

PARADISE PARK AREA 'B' LANDSCAPING AND RECREATION IMPROVEMENTS PREPARED FOR VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICTS TOWN OF LADY LAKE FLORIDA	EROSION CONTROL PLAN	KHA PROJECT 142202011	KIMLEY-HORN and Associates, Inc. © 2014 KIMLEY-HORN AND ASSOCIATES, INC. 1823 SE FORT KING STREET, SUITE 200, Ocala, FL 34471 PHONE: 352-438-3000 WWW.KIMLEY-HORN.COM CA 00000696
	SHEET NUMBER <b>C-09</b>	DATE APRIL 2014	SCALE AS SHOWN
DESIGNED BY KHA	FLORIDA LICENSE NUMBER APR 26 2014	DRAWN BY CPM	CHECKED BY R/VB
PROFESSIONAL ENGINEER RICHARD VERNON BUSCH LICENSE No. 58568 STATE OF FLORIDA	NOT FOR CONSTRUCTION	REVISIONS	DATE

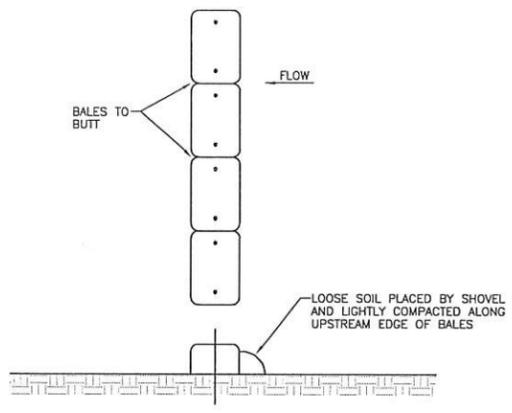




TYPICAL SILT FENCE  
N.T.S.

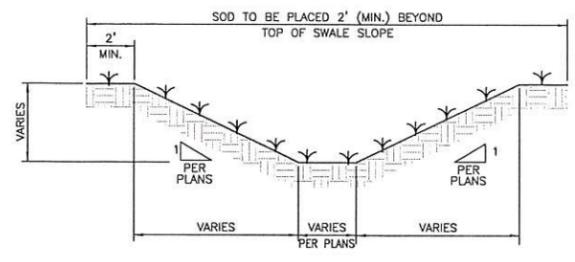
FILTER FABRIC  
(IN CONFORMANCE  
WITH SEC. 985 FDOT  
SPECIFICATIONS)

FIGURE 1



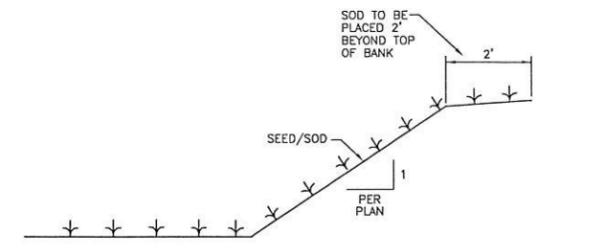
TYPICAL DITCH BARRIER  
N.T.S.

FIGURE 2



TYPICAL SWALE SECTION  
N.T.S.

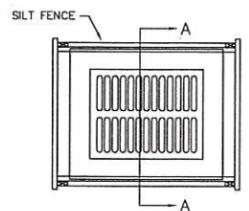
FIGURE 3



TYPICAL DRY DRAINAGE RETENTION AREA SECTION  
N.T.S.

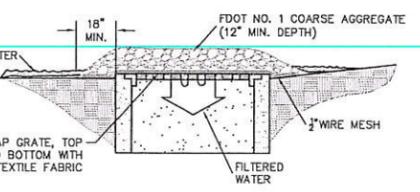
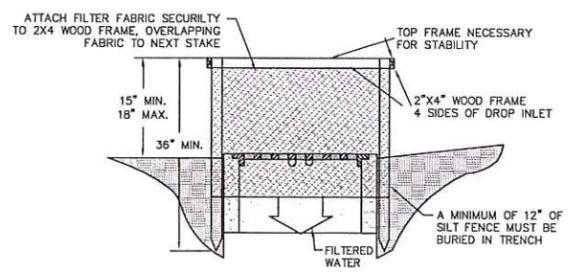
FIGURE 4

1. DROP INLET SEDIMENT BARRIERS ARE TO BE USED FOR SMALL NEARLY LEVEL DRAINAGE AREAS. (LESS THAN 5%).
2. USE 2"x4" WOOD OR EQUIVALENT METAL STAKES (3 FT. MIN. LENGTH).
3. INSTALL 2"x4" WOOD FRAME TO INSURE STABILITY.
4. SEE EROSION CONTROL PLAN FOR LOCATIONS AND APPLICABILITY.



SECTION A-A

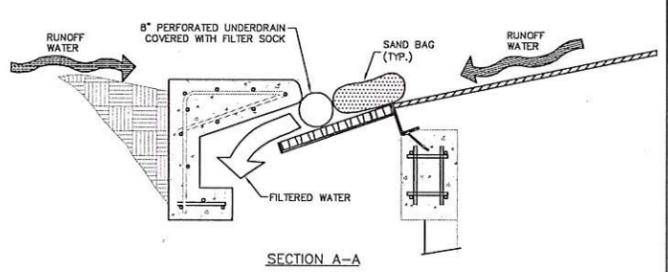
OPTION 1 SILT FENCE BARRIER



OPTION 2 GRAVEL AND WIRE MESH FILTER

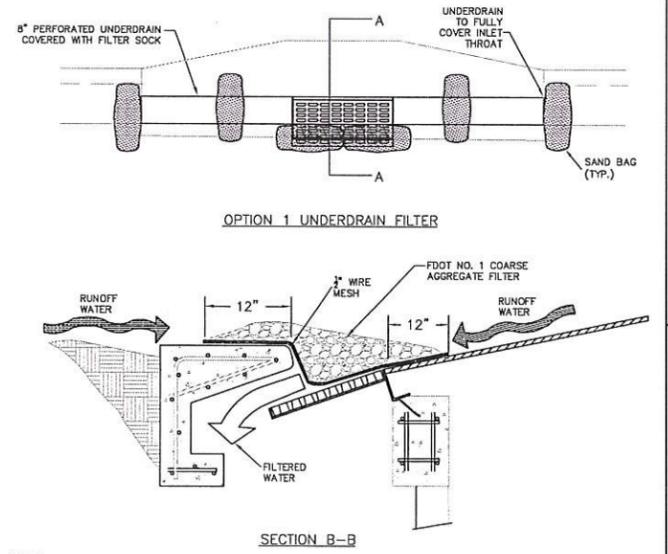
DROP INLET SEDIMENT FILTER DETAIL  
N.T.S.

FIGURE 5



SECTION A-A

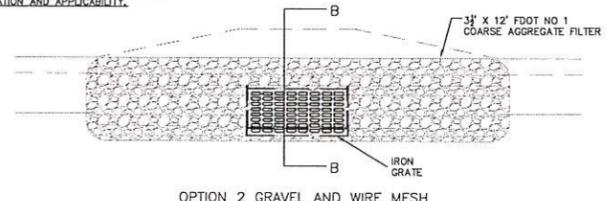
OPTION 1 UNDERDRAIN FILTER



SECTION B-B

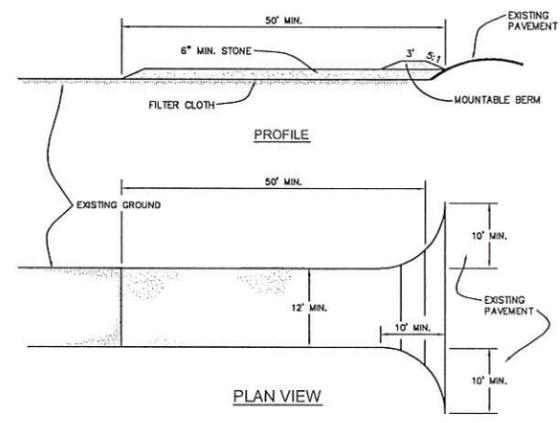
OPTION 2 GRAVEL AND WIRE MESH

- NOTES:
1. DIMENSIONS OF SEDIMENT FILTER DETAILS MAY BE ADJUSTED FOR TYPE "9" CURB INLET TOPS.
  2. PRE-MANUFACTURED INLET SOCK MAY BE SUBSTITUTED IF APPROVED BY THE ENGINEER.
  3. SEE EROSION CONTROL PLAN FOR LOCATION AND APPLICABILITY.



OPTION 2 GRAVEL AND WIRE MESH FILTER DETAIL  
N.T.S.

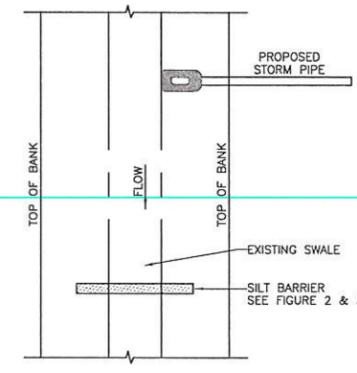
FIGURE 6



STABILIZED CONSTRUCTION ENTRANCE  
NOT TO SCALE

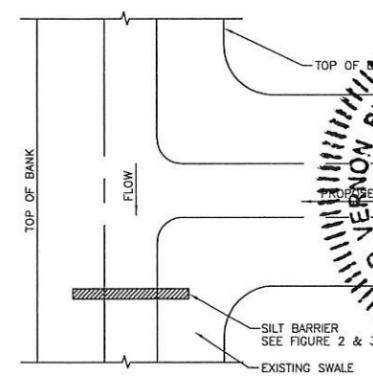
FIGURE 7

- STABILIZED CONSTRUCTION ENTRANCE
1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
  2. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.



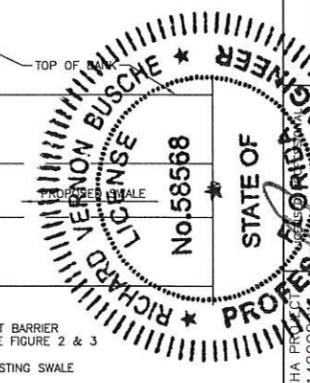
SILT BARRIER AT CONNECTION  
OF STORM PIPE TO EXISTING SWALE  
N.T.S.

FIGURE 8



SILT BARRIER AT CONNECTION  
OF SWALE TO EXISTING SWALE  
N.T.S.

FIGURE 9



NO.	REVISIONS	DATE
1	NOT FOR CONSTRUCTION	00-00-00 CPM

**Kimley-Horn and Associates, Inc.**  
 1823 SE FORT KING STREET, SUITE 200, OCALA, FL 34471  
 WWW.KIMLEY-HORN.COM CA 0000686

KHA PROJECT: 14220201  
 DATE: APRIL 2014  
 SCALE: AS SHOWN  
 DESIGNED BY: KHA  
 DRAWN BY: CPM  
 CHECKED BY: RVB  
 DATE: APR 28 2014

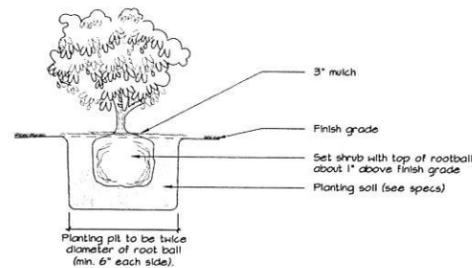
FLORIDA LICENSE NUMBER: 58568

**EROSION CONTROL DETAILS**

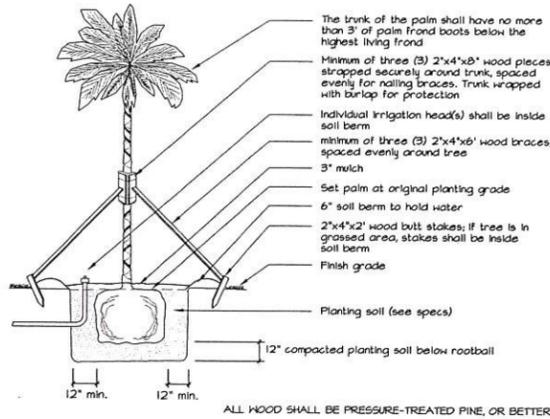
PARADISE PARK AREA 'B'  
 LANDSCAPING AND RECREATION  
 IMPROVEMENTS  
 PREPARED FOR  
 VILLAGE CENTER COMMUNITY  
 DEVELOPMENT DISTRICTS  
 TOWN OF LADY LAKE  
 FLORIDA

K:\NCA\_Civil\14220201 - Paradise Park Area Landscaping\Drawings\14220201.dwg, Layout: C-11 EROSION CONTROL DETAILS, Apr 25, 2014, cshamone  
 This document, together with the concepts and designs presented herein, is intended solely for the specific purpose and client for which it was prepared. House of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

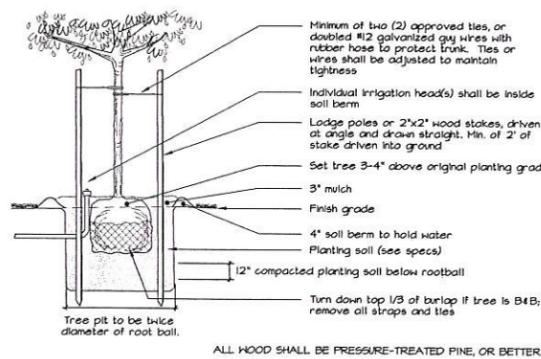




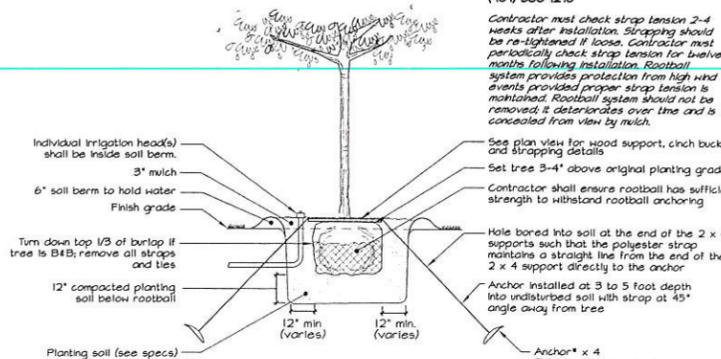
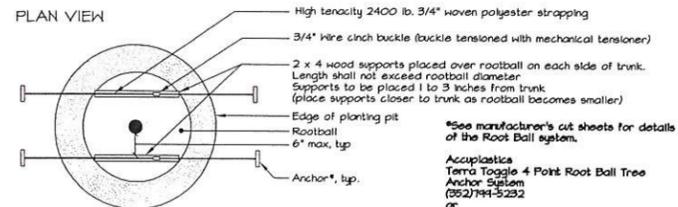
SHRUB INSTALLATION DETAIL



PALM INSTALLATION DETAIL



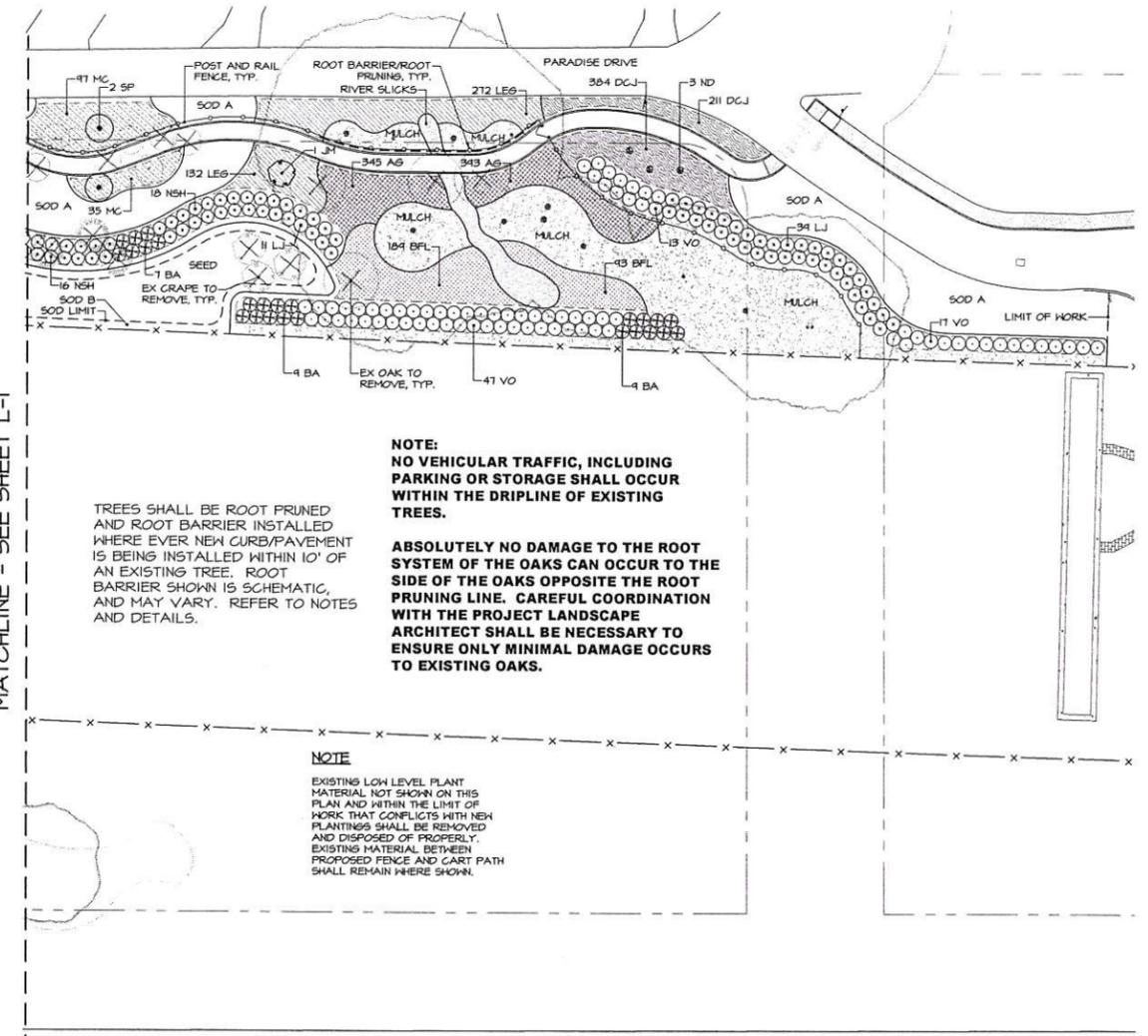
TREE INSTALLATION DETAIL FOR MULTI-TRUNK TREES, TREES LESS THAN 3" CAL., OR CONTAINER TREES UP TO 30 GAL.



TREE INSTALLATION DETAIL FOR 3-4" CAL., 45-100 GAL. TREES OR B4B TREES UP TO 40" DIAMETER ROOTBALL

PLANT SCHEDULE SEE SHEET L-1 FOR QUANTITIES

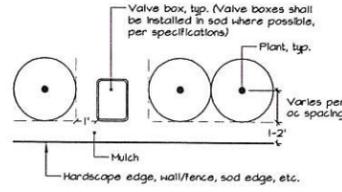
Key	Plant Name	Size and Spacing	Maintenance
AS	Lily-of-the-Nile <i>Agapanthus africanus</i>	#1; full; 3-4 ppp min; 18" oc	24" ht x full mass; remove dead flower stalks
ANN	Annals, seasonal	4" pot; full; 12" oc; #1428 install, submit available varieties for L-1's selection	Replace all seasonally
BA	Bamboo Bamboo multiplex 'Alphonse Karr'	#15; 8' ht; 20+ canes; full; 5' oc	15' ht x full mass; control encroachment
BAL	Bamboo Bamboo multiplex 'Alphonse Karr'	Cont./B4B; 12' ht; 30+ canes; full; 5' oc	15' ht x full mass; control encroachment
BFL	Blueberry Flax Lily <i>Dianella lasiocarpa</i>	#3; full; 30" oc	24" ht x full mass
CG	Cordgrass <i>Spartina bakeri</i>	#1; full; 30" oc	4' ht x full mass, allow natural growth; maintain informally
CM	Crape Myrtle, lavender <i>Lagerstrœmia indica</i> 'Mistake'	#30/B4B; 9' ht x 5' spr; multi-trunk	25' ht x 20' spr; prune no more than 1/2" wood
DCJ	Dwarf Confederate Jasmine <i>Trachelosperum asiaticum</i> 'Nina'	#1; full; 15" runners; 5-7 runners min; 18" oc	10-15' ht, full mass; prevent intrusion into other plants
EFP	European Fan Palm <i>Chorizanthe humilis</i>	Cont./B4B; 4' OA; multi-trunk; mature specimen	Allow natural growth; control encroachment
EH	Eagleston Holly <i>Ilex x attenuata</i> 'Eagleston'	Cont./B4B; 10-12' ht x 5' spr	20' ht x 10' spr; full mass; maintain informally, do not shear
HF	Hollyfern <i>Cyrtomium falcatum</i>	#1; full; 12" spr; 2" oc	Allow natural growth; remove frost damage in spring
JM	Japanese/Saucer Magnolia <i>Magnolia soulangeana</i>	#15; 6' ht x 3' spr	Allow natural growth; prune only for form or dead wood
LE6	Emerald Goddess Liriope <i>Liriope muscari</i> 'Emerald Goddess'	#1; full; 5-7 ppp min; 2" oc	18" ht x full mass
LJ	Ligustrum <i>Ligustrum japonicum</i>	Cont./B4B; 5' ht x 5' spr; full to ground	12' ht x 10' full hedge
L.L	Ligustrum <i>Ligustrum japonicum</i>	B4B; 8' ht x 8' spr; multi-trunk; full to ground	18' ht x 18'
MC	Muhly Grass <i>Muhlenbergia capillaris</i>	#3; full; 3' oc	Cut back each year after last frost to 8-10" ht.
ND	Heavenly Bamboo <i>Nandina domestica</i>	#7; 28" ht x 2' spr; 5 canes min	Allow natural growth
NP	Needle Palm <i>Rhapidophyllum hystrix</i>	Cont./B4B; 4' OA; mature specimen	Allow natural growth; prune only dead fronds
NSH	Nelle Stevens Holly <i>Ilex cornuta x attenuata</i> 'Nelle R. Stevens'	#30; 6-8' ht x 3-1/2-4' spr; full to ground	20' ht x 10' spr; full mass; maintain informally, do not shear
NSHL	Nelle Stevens Holly <i>Ilex cornuta x attenuata</i> 'Nelle R. Stevens'	Cont./B4B; 12' ht x 6' spr; full to ground	20' ht x 10' spr; full mass; maintain informally, do not shear
PM	Japanese Yew <i>Podocarpus macrophyllus</i>	Cont./B4B; 5' ht x 30" spr; lurgid, full and vigorous; 3" oc	8' ht x 8' full hedge; may be sheared
PHP	Pringles Dwarf Japanese Yew <i>Podocarpus macrophyllus</i> 'Pringle'	#3; 10-12" ht x 12-18" spr; 30" oc	30" ht x full mass; maintain informally may be sheared
PTG	Pittosporum, compact green <i>Pittosporum tobira</i> 'Compact'	#3; 18-24" ht x 18-24" spr; 3" oc	36" ht x full mass; maintain informally do not shear
QV	Live Oak <i>Quercus virginiana</i>	Cont./B4B; 14-16' ht x 7-4' spr; 4" cal min	Allow natural growth; prune only for form or dead wood
RI	Indian Hawthorn, white <i>Raphiolepis indica</i> 'Alba'	#3; 12" ht x 18" spr; 3" oc	30" ht x full mass; maintain informally do not shear
JM	Japanese/Saucer Magnolia <i>Magnolia soulangeana</i>	#30; 8-12' ht x 4' spr	Allow natural growth; prune only for form or dead wood
SP	Sabal Palm Sabal palmetto	B.R.; hurricane cut; 16-24' ct staggered	Allow natural growth; prune only dead fronds
VLE6	Variegated Giant Liriope <i>Ophiopogon interm.</i> 'Argenteomarginatus'	#1; full; 5-7 ppp min; 2" oc	18" ht x full mass
VO	Sweet Viburnum <i>Viburnum odoratissimum</i>	#30; 4-5' ht x 3' spr; 5" oc	8' ht x 10'; full hedge
VPT	Variegated Pittosporum <i>Pittosporum tobira</i> 'Variegata'	#3; 15" ht x 15" spr; 3" oc	3' ht x 30'; full hedge
VSG	Variegated Shell Ginger <i>Alpinia zerumbet</i> 'Variegata'	#3; 3' OA; shade-grow; 3" oc	Allow natural growth; maintain informally, remove dead foliage
SOD A	Zoylia Empire <i>Zoylia japonica</i> 'Empire'		
SOD B	Bermuda/Bahia Mix		
SOD C	St. Augustine Floratam <i>Stenotaphrum secundatum</i> 'Floratam'		
SEED	Bermuda/Bahia Mix		
MULCH	Pine Straw	3" depth	Refresh annually, or as needed



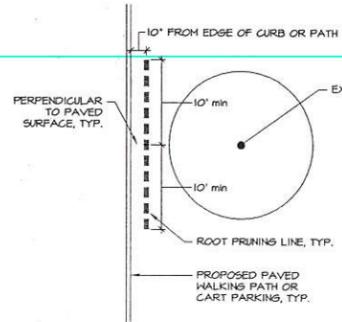
MATCHLINE - SEE SHEET L-1

NOTE:  
NO VEHICULAR TRAFFIC, INCLUDING PARKING OR STORAGE SHALL OCCUR WITHIN THE DRIPLINE OF EXISTING TREES.  
  
ABSOLUTELY NO DAMAGE TO THE ROOT SYSTEM OF THE OAKS CAN OCCUR TO THE SIDE OF THE OAKS OPPOSITE THE ROOT PRUNING LINE. CAREFUL COORDINATION WITH THE PROJECT LANDSCAPE ARCHITECT SHALL BE NECESSARY TO ENSURE ONLY MINIMAL DAMAGE OCCURS TO EXISTING OAKS.

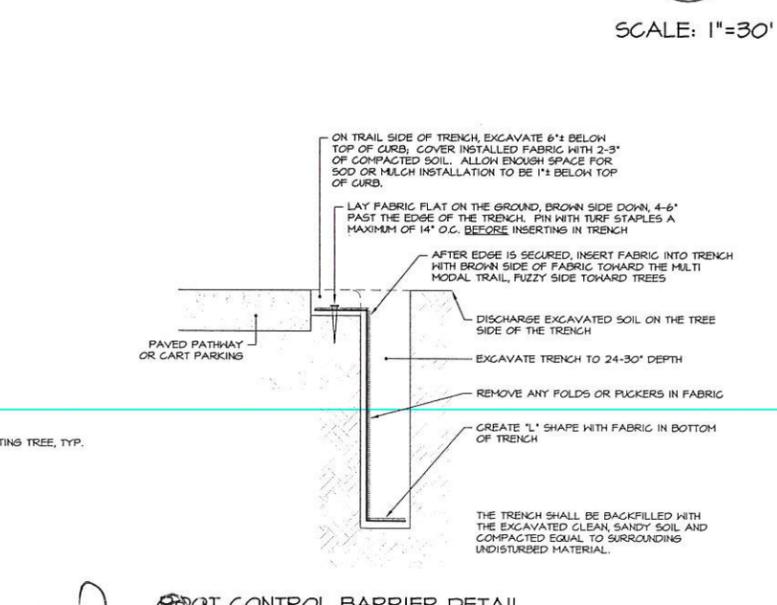
NOTE  
EXISTING LOW LEVEL PLANT MATERIAL NOT SHOWN ON THIS PLAN AND WITHIN THE LIMIT OF WORK THAT CONFLICTS WITH NEW PLANTINGS SHALL BE REMOVED AND DISPOSED OF PROPERLY. EXISTING MATERIAL BETWEEN PROPOSED FENCE AND CART PATH SHALL REMAIN HERE SHOWN.



OFFSET DETAIL NTS.



TYPICAL ROOT PRUNING PLAN SCALE: 1" = 10'



ROOT CONTROL BARRIER DETAIL

John O'Hew PLA  
4-14-28

SEE SHEET L-1 FOR NOTES AND DETAILS

REVISIONS

DATE

MPA  
MICHAEL PAPE & ASSOCIATES, P.A.  
LANDSCAPE ARCHITECTURE  
LAND PLANNING • SITE DESIGN • OCALA, FLORIDA 34471 • (852) 851-3500

PARADISE PARK LANDSCAPING AND RECREATION IMPROVEMENTS  
THE VILLAGES, FLORIDA  
LANDSCAPE PLAN

DATE 4/28/14  
JOB NO. 2045.648  
DNS NO. 2045.648 L5  
DWN BY ABT  
CHKD BY MEP

SHEET 2 OF 2

L-2



## TOWN COMMISSION AGENDA ITEM

REQUESTED MEETING DATE: May 5, 2014 – Continued from April 21, 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 approval of a motion to table Resolution 2014-102 to a date uncertain, as per the applicant's request, in an effort to allow more time to explore what other alternatives may exist to save the tree and provide adequate parking for the proposed building.

*Tabling the item will also provide additional time to formulate a site plan that would be suitable for presentation and approval by the Villages Development Review Committee (DRC) prior to bringing a final proposal to the Town Commission for their consideration. The applicant is tasked with providing all required spaces for approval by the Villages, as well as the other tenants of the professional park, even though the Town Commission may be willing to grant a variance to the parking requirements in an effort to preserve the tree.*

---

### 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.

### **New Findings:**

- A minor site plan (MSP #07/04-004) was approved on July 19, 2004, for the Allergy, Sinus and Asthma Center within the Plaza Professional Center (see plan attached and letter from Town Manager to Dr. Neuzil). On the plan it was indicated that on the subject parcel there was to be a future building; the conceptual location and parking area was on the plan. The future building was indicated to be 4,300 square feet. Ninety-nine (99) spaces would be the total parking provided for the professional park.
- The applicant has supplied a few alternatives since the last report. Alternative "A" was done in conjunction with Michael Pape, Registered Landscape Architect, shifting the building away from the tree; however only allowing 17 of the 22 necessary parking spaces.
- Alternative "B" was completed as a result of discussions with Town Staff to see if the provision of Golf Cart Parking will be sufficient to meet the 99 spaces count for the professional plaza. Though the Commission may be favorable to granting a parking variance in an effort to save the tree, the applicant contends that the landowners as well as the Villages will require the full provision of spaces.
- Alternative "C" was submitted on April 28<sup>th</sup>, 2014, and has not been reviewed by the Villages for comment; this alternative would put all of the parking on the area currently proposed for the new building and parking. Additional trees may need to be removed for this alternative, though of lesser diameter than the present proposal. There is utility between the "New Building" location and the golf cart path which access may need to remain open. The applicant is evaluating that with his engineer.
- Bill Jones, Villages Architect, has stated that he has no problem removing the tree if the square footage and parking requirements can be met; however, he has requested that a plan be approved by the Villages Development Review Committee (DRC) before the tree is removed (see e-mail 04/21/14).
- It has been recommended to the applicant to that he denote all of the Historic Trees within the professional park if he wishes to accurately detail the difficulty he claims to have with providing the adequate space for development within the property. In addition, it has also been recommended that he obtain a suitable plan from the property owners and the Villages, before presenting to the Commission for approval in an effort to avoid coming back to the Commission for other variances prior to development in the future.

### **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 where changed. At the April 7<sup>th</sup> Meeting, again Resolution 2014-02 was continued to the April 21<sup>st</sup> Meeting. At the April 21<sup>st</sup> Meeting, the item was again continued to a date certain; the purpose for the postponement is to verify whether the Town approved a previous site plan, and also to allow the applicant to make adjustments to the plan.

---

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.

At the April 21, 2014 meeting, the **Town Commission** approved tabling Resolution No. 2014-102 to the May 5, 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 4/29/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

TOWN MANAGER 

Approved Agenda Item for: 5/5/14

Date

4/29

---

BOARD ACTION:  Approved as Recommended  Disapproved

Tabled Indefinitely  Continued to Date Certain  Approved w/Modification

**RESOLUTION NO. 2014-102**

**A RESOLUTION GRANTING A VARIANCE TO AUTHORIZE THE REMOVAL OF ONE HISTORIC TREE IN ACCORDANCE WITH CHAPTER 10, SECTION 10-4).f.), OF THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS, ON PROPERTY OWNED BY BRIAN W. WARWICK, JANET R. VARNELL, AND ELLEN R. ROBARDS, LOCATED AT 302 LA GRANDE BLVD., WITHIN THE PLAZA PROFESSIONAL CENTER (ALTERNATE KEY 3808678), WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA.**

**WHEREAS**, Brian W. Warwick, Janet R. Varnell, and Ellen R. Robards, the property owners of certain real property located in the Town of Lady Lake, Florida, more particularly described in Exhibit "A", have petitioned for a variance from the provisions of Chapter 10, Section 10-4).f.), which requires a variance for the removal of historic trees; and

**WHEREAS**, the applicants are requesting to be allowed to remove one (1) historic tree on the property located at 302 La Grande Blvd., within the Plaza Professional Center (Alternate Key 3808678), within the town limits of the Town of Lady Lake, Florida; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Town Commission of the Town of Lady Lake, Florida, hereby grants a variance from the provisions of Chapter 10, Section 10-4).f). of the Town of Lady Lake Land Development Regulations, which requires a variance for the removal of historic trees, and to allow for the removal of one (1) historic tree on the property located at 302 La Grande Blvd., within the Plaza Professional Center (Alternate Key 3808678), within the town limits of the Town of Lady Lake, Florida.

This Resolution shall take effect immediately upon its final adoption by the Town Commission.

**RESOLVED** this 5th day of May, 2014, in Lady Lake, Florida, by the Lady Lake Town Commission.

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

---

Ruth Kussard, Mayor

ATTEST:

---

Kristen Kollgaard, Town Clerk

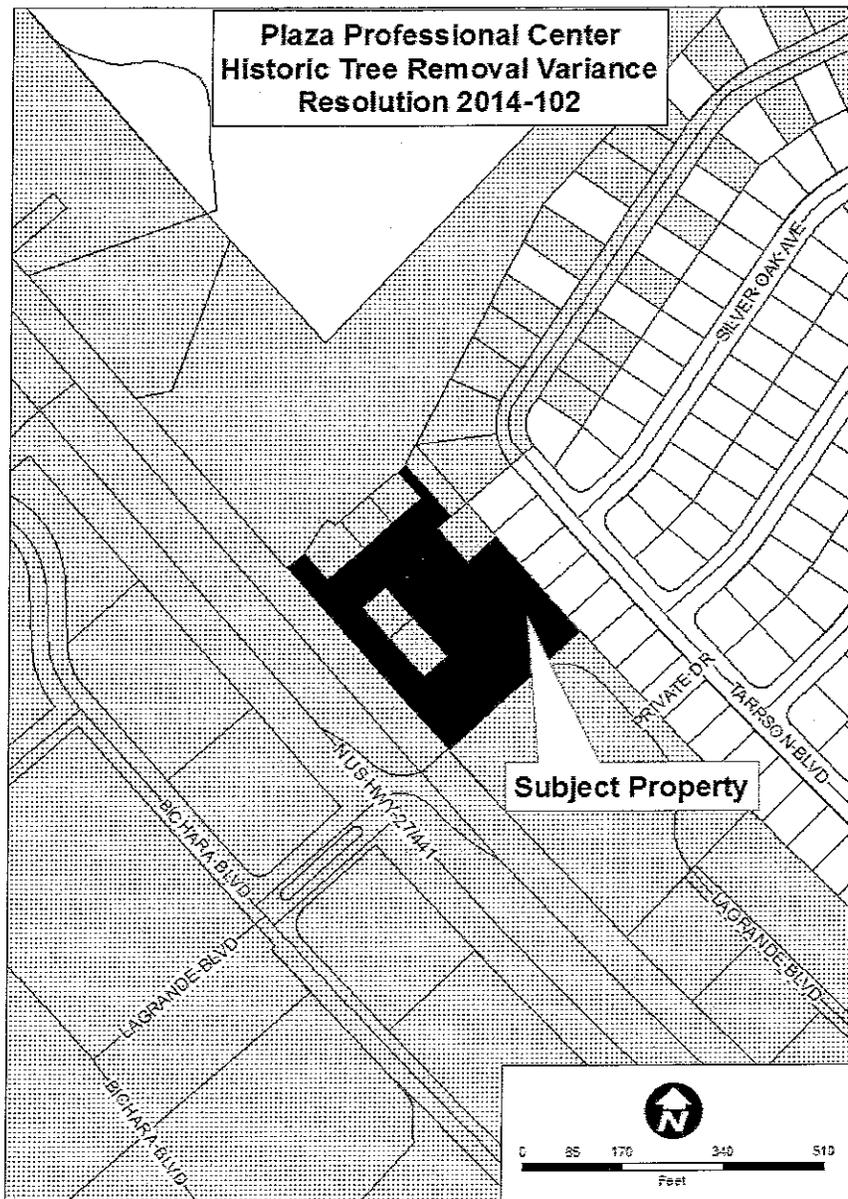
APPROVED AS TO FORM:

---

Derek Schroth, Town Attorney

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 PB 26 PG 55, RUN S 41-21-30 E 75 FT FOR POB, CONT S 41-21-30 E 38.32 FT TO THE BEGINNING OF A CURVE CONCAVE NE'Y & HAVING A RADIUS OF 11059.20 FT, THENCE SE'LY ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC LENGTH OF 182.19 FT, THENCE S 47-41-53 W 300 FT TO A POINT ON NE'LY R/W LINE OF US HWY 441, SAID POINT BEING ON A CURVE CONCAVED NE'LY & HAVING A RADIUS OF 11359.20 FT & A RADIAL BEARING OF S 47D-41-53 W, THENCE NW'LY ALONG THE ARC OF SAID CURVE & SAID NE'LY R/W LINE THRU A CENTRAL ANGLE OF 0-56-38, AN ARC LENGTH OF 187.13 FT TO THE END OF SAID CURVE, THENCE N 41-21-30 W ALONG SAID NE'LY R/W LINE 232.65 FT, N 48-38-30 E 36.02 FT, S 41-21-30 E 60 FT, N 48-38-30 E 208.93 FT, N 41-21-30 W 60.02 FT, N 48-38-30 E 20.12 FT, S 41-21-30 E 119.33 FT, S 48-38-30 W 30 FT, S 41-21-30 E 75 FT, N 48-38-30 E 65 FT TO POB--LESS FROM S'LY COR OF LOT 457 ORANGE BLOSSOM GARDENS UNIT 4 RUN S 48-30-30 W 199 FT, S 41-21-34 E 17.32 FT FOR POB, CONT S 41-21-34 E 157 FT, S 48-38-26 W 50.84 FT, N 41-21-34 W 157 FT, N 48-38-26 E 50.84 FT TO POB--ORB 2684 PG 22 |



## Thad Carroll

---

**From:** Brian Warwick [bwarwick@varnellandwarwick.com]  
**Sent:** Tuesday, April 29, 2014 6:53 PM  
**To:** Thad Carroll  
**Cc:** Wendy Then  
**Subject:** Warwick Tree Variance Application

Mr. Carroll,

Thank you for your time and attention these past two weeks as we attempt to work towards a solution regarding the development of our site. As you know, we are currently investigating two alternative plans for keeping the historic tree. At this point, there are three (3) issues that prevent us from being able to present the Commissioners with a definitive plan for moving forward.

First, there are several sewer, water and electric easements on the property that must be located and investigated to determine whether any of the alternative building sites would be feasible. Once located, an engineer will have to determine whether the lines can be moved and the costs associated. This process may also involve contacting several different utilities.

Second, and probably most importantly, the parking situation has to be addressed for any alternative site. I have received word from the current owners that the parking situation in its current form is often crowded already and that an alternative plan that does not include at least the 99 spaces initially contemplated would over-tax the existing parking and burden the existing businesses and their customers. Additionally, the doctors that are currently set to take over this proposed new building have approximately 10 full time employees and would see more than 100 patients a day. Finally, because this site is within the older section of The Villages, there are very few customers/patients that visit this location via golf cart. Any proposed plan that calls for golf cart parking would therefore not satisfy the parking requirements of the entire development.

Third, whatever we do should be approved by The Villages Commercial ARC. It seems irrational and a waste of everyone's time for us to move forward with an alternative plan that satisfies the concerns of the Commissioners but then fails to pass approval with ARC. Thus, we propose to have approval from ARC for whatever alternative plan that can be arranged before coming back to the Commissioners for final approval. The alternative may have us starting from scratch again shortly.

For all these reasons, I am respectfully requesting that the Town of Lady Lake allow me to table this Tree Variance to a future date uncertain so that we can investigate the alternative plans as set forth above.

Brian W. Warwick  
**VARNELL & WARWICK, P.A.**  
P.O. BOX 1870  
LADY LAKE, FL 32158  
TEL: (352) 753-8600  
[bwarwick@varnellandwarwick.com](mailto:bwarwick@varnellandwarwick.com)  
[www.varnellandwarwick.com](http://www.varnellandwarwick.com)

This email is covered by the Electronic Communications Privacy Act, 18 U.S.C §§2510-2521 and is legally privileged. This e-mail message and any files transmitted with it are also subject to the attorney-client

## **Thad Carroll**

---

**From:** Brian Warwick [bwarwick@varnellandwarwick.com]  
**Sent:** Wednesday, April 23, 2014 6:16 PM  
**To:** Thad Carroll  
**Subject:** RE: Tree Variance

Thad,

I have not heard back from the Villages. I took my dog to the Village Veterinarian who is located within the development this morning at 11 am. When I arrived, I had to park near my vacant lot because there were no parking spaces available. While I waited, I went out and counted the empty spaces and there were only 13 spaces unoccupied, and some of those were handicapped. (I have photos).

The doctors have 11 full time employees, including themselves, and they see approximately 120 patients per day, most of which do not travel by golfcart. By the way, there were no golf carts in the entire parking lot this morning when it was full. With 11 more vehicles parked in the lot full time (employees), the doctors are very concerned that there will simply be not enough full size parking to accommodate both their employees and their patients. I now have a third group that I am trying to accommodate. Just what I need, right?

I asked the vet whether parking was ever a problem and she said that it sometimes gets so busy that their patients have to park over near our lot and walk across the parking lot already. She said that many more visitors would likely over burden the entire parking lot. I am trying to obtain a letter from her.

Thank you again for your help. It's truly appreciated.

Brian W. Warwick  
VARNELL & WARWICK, P.A.  
P.O. BOX 1870  
LADY LAKE, FL 32158  
TEL: (352) 753-8600  
bwarwick@varnellandwarwick.com  
www.varnellandwarwick.com

This email is covered by the Electronic Communications Privacy Act, 18 U.S.C §§2510-2521 and is legally privileged. This e-mail message and any files transmitted with it are also subject to the attorney-client privilege and attorney work-product doctrine, and may contain confidential information intended only for the person(s) to whom this email message is addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. If you have received this e-mail message in error, please notify the sender immediately by telephone (352) 753-8600 or e-mail and destroy the original message without making a copy.

---

**From:** Thad Carroll [mailto:tcarroll@ladylake.org]  
**Sent:** Wednesday, April 23, 2014 5:55 PM  
**To:** Brian Warwick

**Cc:** Wendy Then  
**Subject:** RE: Tree Variance

Mr. Warwick,

This was in the file with the other plan. I would have to maybe see if other site plans specific to those buildings exist, but that would have to be tomorrow at least. I will also find out when we adopted our historic tree ordinance. Was the Villages not receptive to the golf cart parking alternative?

Thad Carroll, AICP, LEED Green Associate  
Growth Management Director  
Town of Lady Lake  
(352) 751-1521  
[tcarroll@ladylake.org](mailto:tcarroll@ladylake.org)

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm

Fla. Stat. 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."

---

**From:** Brian Warwick [<mailto:bwarwick@varnellandwarwick.com>]

**Sent:** Wednesday, April 23, 2014 5:26 PM

**To:** Thad Carroll

**Cc:** Wendy Then

**Subject:** RE: Tree Variance

Thad,

Thank you very much. This is exactly what I requested.

When I reviewed the 1990 approved plan it shows two smaller proposed buildings on the 441 side of the development. Because we know that two larger buildings were constructed at some point in this location, shouldn't there be another approved site plan somewhere in the records?

Also, do you know the date that the Ancient Tree ordinance was passed? I apologize for all these questions but I am trying to put something together before the deadline and, as you know, I have to be in Court tomorrow and Tampa on Friday.

Thanks again for all your work on this issue.

Brian W. Warwick  
VARNELL & WARWICK, P.A.  
P.O. BOX 1870  
LADY LAKE, FL 32158  
TEL: (352) 753-8600  
[bwarwick@varnellandwarwick.com](mailto:bwarwick@varnellandwarwick.com)  
[www.varnellandwarwick.com](http://www.varnellandwarwick.com)

This email is covered by the Electronic Communications Privacy Act, 18 U.S.C §§2510-2521 and is legally privileged. This e-mail message and any files transmitted with it are also subject to the attorney-client privilege and attorney work-product doctrine, and may contain confidential information intended only for the person(s) to whom this email message is addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. If you have received this e-mail message in error, please notify the sender immediately by telephone (352) 753-8600 or e-mail and destroy the original message without making a copy.

---

**From:** Thad Carroll [<mailto:tcarroll@ladylake.org>]  
**Sent:** Wednesday, April 23, 2014 5:13 PM  
**To:** Brian Warwick  
**Cc:** Wendy Then  
**Subject:** RE: Tree Variance

Mr. Warwick,

Please review the attachments to verify that they are consistent with your request.

Thad Carroll, AICP, LEED Green Associate  
Growth Management Director  
Town of Lady Lake  
(352) 751-1521  
[tcarroll@ladylake.org](mailto:tcarroll@ladylake.org)

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm  
Fl. Stat. 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."

---

**From:** Brian Warwick [<mailto:bwarwick@varnellandwarwick.com>]  
**Sent:** Wednesday, April 23, 2014 3:59 PM  
**To:** Thad Carroll  
**Subject:** RE: Tree Variance

Actually, both if they have the stamps of approval. I just want to show that the prior plans both provided for 99 total parking spaces. Thanks.

**\*\*\*PLEASE NOTE OUR NEW MAILING ADDRESS BELOW\*\*\***

Brian W. Warwick  
VARNELL & WARWICK, P.A.  
P.O. BOX 1870  
LADY LAKE, FL 32158  
TEL: (352) 753-8600  
[bwarwick@varnellandwarwick.com](mailto:bwarwick@varnellandwarwick.com)  
[www.varnellandwarwick.com](http://www.varnellandwarwick.com)

This email is covered by the Electronic Communications Privacy Act, 18 U.S.C §§2510-2521 and is legally privileged. This e-mail message and any files transmitted with it are also subject to the attorney-client privilege and attorney work-product doctrine, and may contain confidential information intended only for the person(s) to whom this email message is addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. If you have received this e-mail message in error, please notify the sender immediately by telephone (352) 753-8600 or e-mail and destroy the original message without making a copy.

**From:** Thad Carroll [<mailto:tcarroll@ladylake.org>]  
**Sent:** Wednesday, April 23, 2014 3:56 PM  
**To:** Brian Warwick  
**Subject:** Re: Tree Variance

The plan in 1986 or the 2004? Just confused when you said revised plan? But yes, I can send them.

*Sent from my Verizon Wireless 4G LTE DROID*

Brian Warwick <[bwarwick@varnellandwarwick.com](mailto:bwarwick@varnellandwarwick.com)> wrote:

Thad,

Can you send me a copy of the originally approved site plan that showed the revised parking area? Also, can you make that part of the meeting documents next week?

**\*\*\*PLEASE NOTE OUR NEW MAILING ADDRESS BELOW\*\*\***

Brian W. Warwick

**VARNELL & WARWICK, P.A.**

P.O. BOX 1870

LADY LAKE, FL 32158

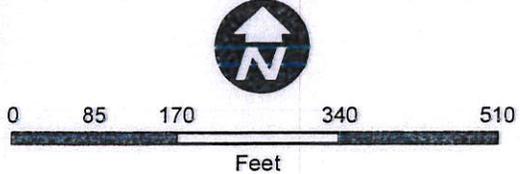
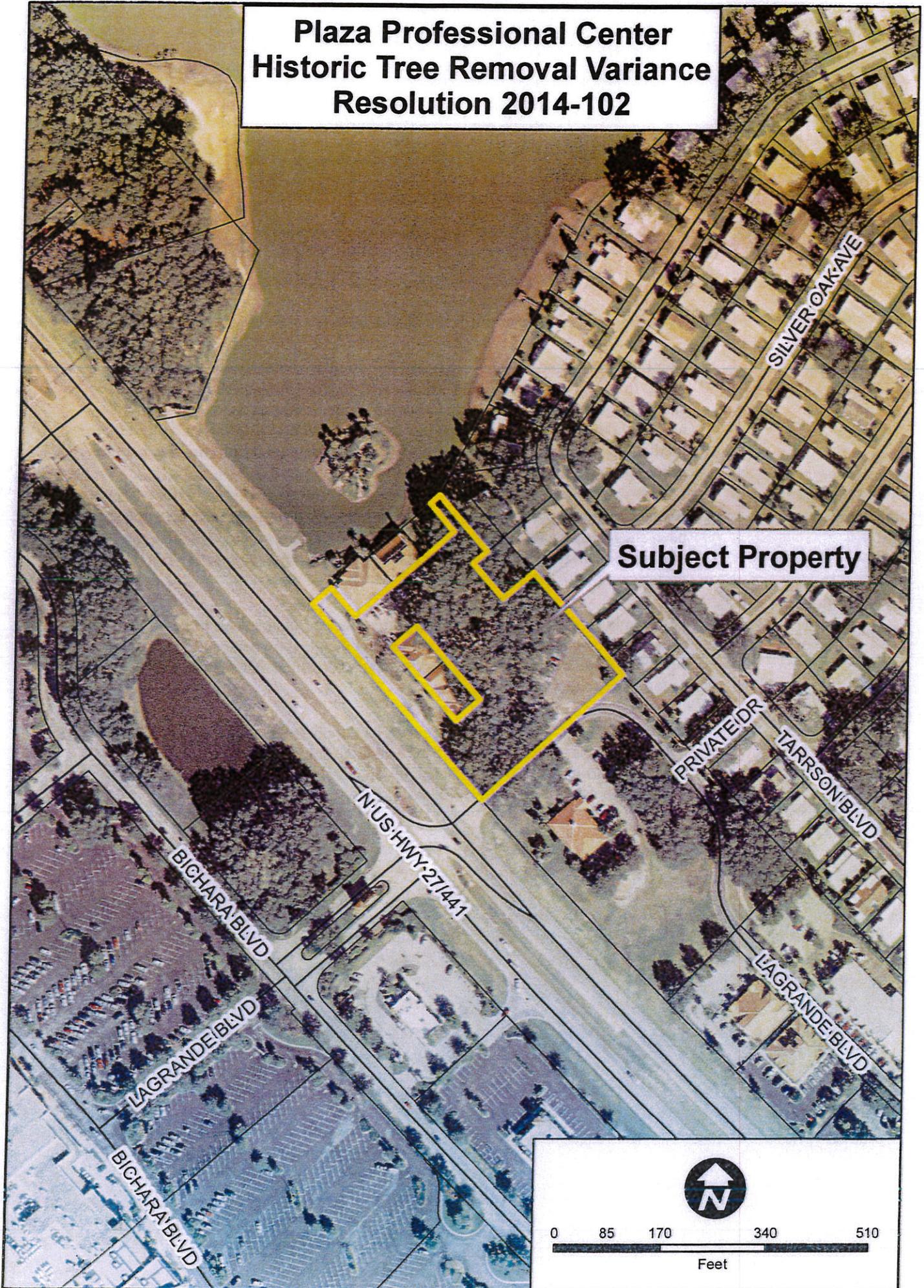
TEL: (352) 753-8600

[bwarwick@varnellandwarwick.com](mailto:bwarwick@varnellandwarwick.com)

[www.varnellandwarwick.com](http://www.varnellandwarwick.com)

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

**Subject Property**





April 23, 2014

To the Commissioners of the Town of Lady Lake,

The La Plaza Grande Center is a busy, successful medical and financial office park. In 2002, we relocated the Village Veterinarian into the plaza. Parking is satisfactory at this time because we have 2 vacant lots where our staff can park allowing the clients easy access to our buildings. When the Warwick's build their medical office, their clients and staff will reduce the number of available parking spaces in the community parking lot.

A tree can be removed which would allow for additional parking spaces. It has been suggested by the City Commission to save the tree and reduce the number of required and regulated parking spots. While I am a tree hugger at heart, I disagree with this opinion.

In my opinion, preventing the number of required parking spaces to be a disservice to the owners of the properties, the business owners, and the clientele. There are regulations governing parking spaces so all businesses can adequately accommodate their clientele and staff.

When we bought, I expected the regulations to remain in tact. The businesses do not have access to another parking lot where the staff can park. If the number of regulated parking spaces are reduced, it will adversely affect our businesses and services we can provide to the citizens of Lady Lake.

Respectfully submitted,

Anita Valdez

## Thad Carroll

---

**From:** Wendy Then  
**Sent:** Tuesday, April 22, 2014 7:23 AM  
**To:** Jones, Bill - Design  
**Cc:** Thad Carroll  
**Subject:** RE: Plaza Professional Center - Historic Tree Issue - Update

Good Morning Bill,

I will place this communication in the file. Thank you for your follow up.

Wendy Then  
Town Planner  
Town of Lady Lake  
409 Fennell Blvd.  
Lady Lake, FL 32159  
352-751-1582  
352-751-1514- Fax

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

**From:** Jones, Bill - Design [<mailto:Bill.Jones@thevillages.com>]  
**Sent:** Monday, April 21, 2014 10:05 AM  
**To:** Wendy Then  
**Subject:** FW: Plaza Professional Center - Historic Tree Issue - Update

Hey Wendy, I wanted to follow up on the Historic Tree Issue at Plaza Professional Center - the Warwick Property. We do not have an issue with removing the tree provided there is an approved site and building plan that meets the square footage and parking requirements. We feel that the parking count 5/1,000 SF is appropriate for this center. A 4,300 SF building with the required staff and patient load is most likely going to exceed the 22 parking spaces required.

I know there is a special meeting this evening and I wanted to know that we are not against the tree removal if there is a legitimate plan that works. Thanks as always. Bj

Bill Jones, A.I.A.  
Design Architect  
1020 Lake Sumter Landing  
The Villages, FL 32162

Phone: 352-753-6276  
Cell: 352-551-4804

---

**From:** Jones, Bill - Design  
**Sent:** Monday, April 21, 2014 9:41 AM  
**To:** Mark, Gary; Mathews, Tracy  
**Cc:** Dzuro, Marty  
**Subject:** Plaza Professional Center - Historic Tree Issue - Update

Hey guys, I got a call from Marty Dzuro last week stating that there is going to be a special meeting at the Town of Lady Lake tonight (4-21-14) to discuss the removal of the historic tree. Marty said that the doctors that want to purchase the property can not come up with a floor plan that works for them without removing the tree.

Mike Pape and I met with Ed Abshire (civil engineer for Warwick) on Friday to discuss the latest on the Warwick Property. We tried a couple different layout ourselves to get the right size building and parking count. We were unable to get both the building SF and the parking to work.

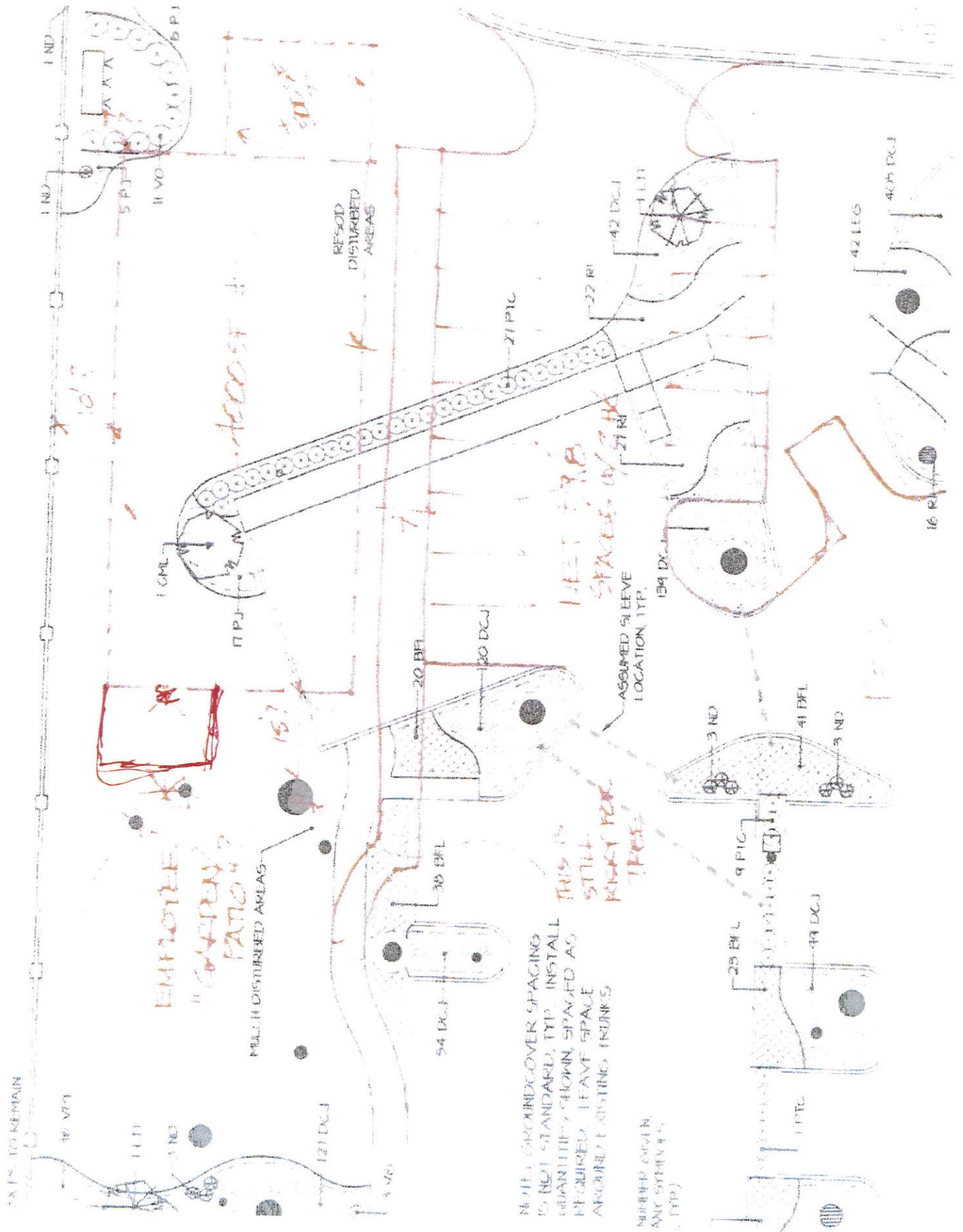
Our opinion is that even with the tree removed it would be difficult to meet the parking requirements and fit the 4,300 SF building. I think or position should be that if the tree must come down to make the site buildable to the allowable square footage, a plan proving that there is a design that will work and be approved by The Villages DRC before the tree is removed.

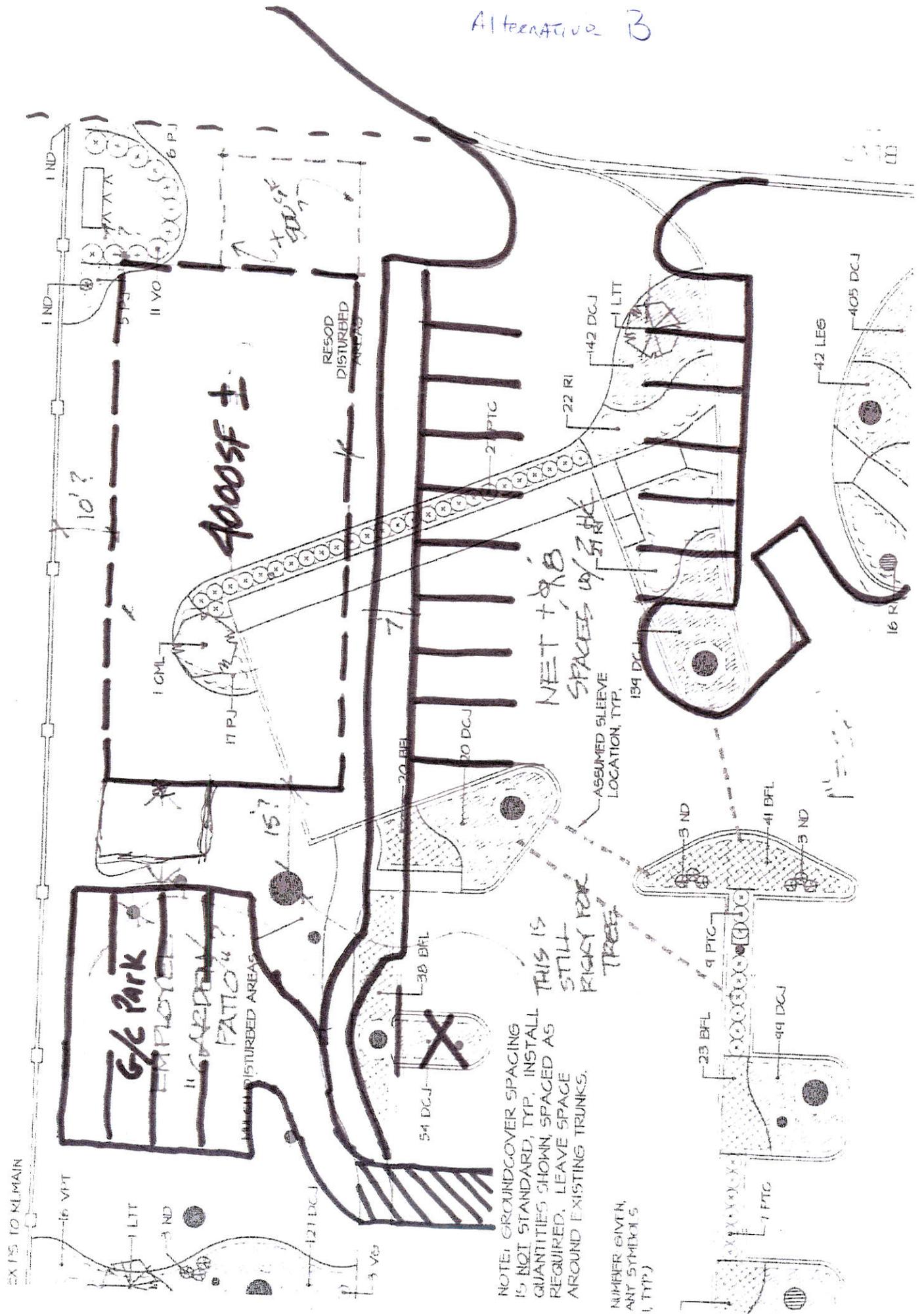
The question now is, should I attend the meeting this evening or just send Wendy Then our thoughts that a approved plan be submitted to the town and The Villages prior to the removal of the tree. Let me know your thoughts on this. Bj

Bill Jones, A.I.A.  
Design Architect  
1020 Lake Sumter Landing  
The Villages, FL 32162

Phone: 352-753-6276  
Cell: 352-551-4804

# Alternative A





NOTE: GROUND COVER SPACING IS NOT STANDARD, TYP. INSTALL QUANTITIES SHOWN SPACED AS REQUIRED. LEAVE SPACE AROUND EXISTING TRUNKS.

NUMBER GIVEN, ANY SYMBOLS (TYP)

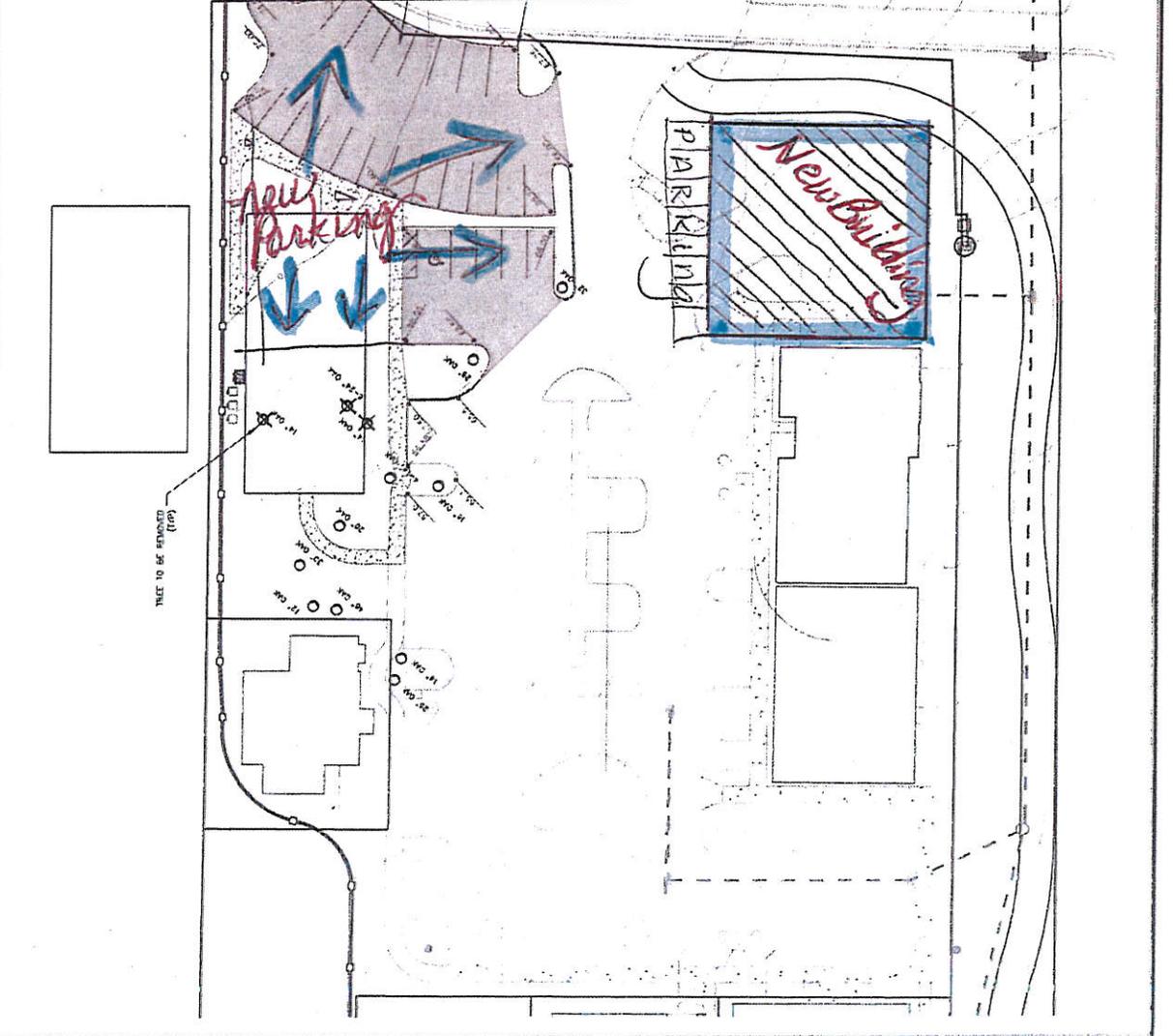
# ALTERNATIVE C

DATE: 7/20/07 DRAWN BY: J.E.A. CHECKED BY: J.E.A.	<b>WARWICK SITE PLAN</b> LADY LAKE, FLORIDA	5614 SE 11TH STREET, BELLEVERE, FLORIDA <b>BSHIER ENGINEERING, INC.</b> CAP 9930 P.O. BOX 2770 BELLEVERE, FL 34421-2770 PHONE: (352) 245-8592 FAX: (352) 245-8597
---	--	---

EXISTING		PROPOSED	
BUILDING	BUILDING AREA	BUILDING AREA	BUILDING AREA
BUILDING A	2,000 sf	BUILDING THIS PROJECT	4,300 sf
BUILDING B	2,482 sf		
BUILDING C	3,500 sf		
BUILDING D	3,650 sf		
ALLERGY CENTER	3,650 sf		
<b>TOTAL PARKING PROVIDED</b>		<b>TOTAL PARKING REQUIRED</b>	
99		99	

**NOTES:**

1. THE INFRASTRUCTURE FOR THIS PROJECT WAS APPROVED AS THE "BURNISHED OFFICE PARK" SITE PLAN DATED 3-17-86.
2. ALL UTILITIES SHOWN ARE EXISTING.





38' Tree Location

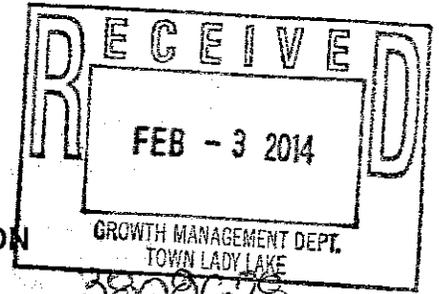
VARNON BLVD

SPANDE BLVD

N US HWY 284

N US HWY 284

TOWN OF LADY LAKE  
HISTORIC TREE VARIANCE APPLICATION



Tax Identification # 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 Hwy 27/441, Lady Lake, FL 32159  
Telephone/Email: 352-266-7795 Fran@VillageCommercialProperties.com
4. Applicant is: Owner:  Agent  Purchaser  Lessee  Optionee
5. Property Address/Location: 00 La Plaza Grande Blvd, The Villages 32159
6. Legal Description: See Attached.
7. The variance requested is as follows: Removal of trees as indicated in tree survey.
8. The variance is necessary for the following reasons: Insureability and 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~~ 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.

Marianna Arkin Marianna Arkin  
Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FORTY-TWO (42) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

**Office Use:**

Date Application Received: 02-3-2014 Received by: WThen

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE

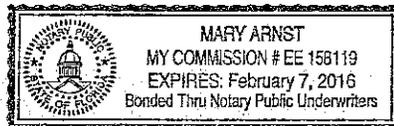
Before me, the undersigned authority personally appeared Brian Warwick, who being by me first duly sworn on oath, deposes and says:

- (1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.
- (2) That he desires approval for:  
Tree Variance
- (3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

Brian Warwick  
Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 18<sup>th</sup> 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



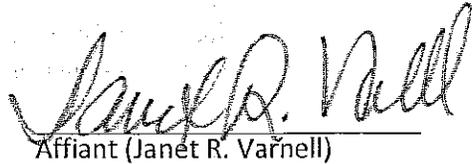
OWNER'S AFFIDAVIT

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:

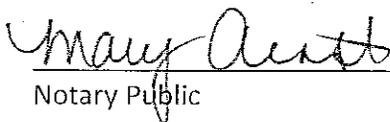
- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) That he desires approval for: Historic Tree Removal Variance.
- (3) That he has appointed Fran Dann-Akin to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

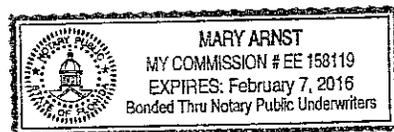
  
Affiant (Brian Warwick)

  
Affiant (Janet R. Varnell)

  
Affiant (Ellen Robards)

The foregoing instrument was acknowledged before me this 30<sup>th</sup> 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.

CFN 2004142683  
Bk 02684 Pgs 0022 - 23; (3pgs)  
DATE: 10/26/2004 09:34:59 AM  
JAMES C. WATKINS, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 27.00  
DEED DOC 1,505.00

This Document Prepared By and Return to:  
Robert Q. Williams  
Williams, Smith & Summers, P.A.  
380 West Alfred Street  
Tavares, FL 32778

Parcel ID Number: 07-18-24-0001-000-02300

# Warranty Deed

This Indenture, Made this 21st day of October, 2004 A.D., Between  
Kenneth F. Cohn, D.D.S.

of the County of Lake, State of Florida, grantor, and  
Brian W. Warwick and Janet R. Varnell, husband and wife, as to an  
undivided one-half (1/2) interest, and Ellen R. Robards, a single  
woman, as to an undivided one-half (1/2) interest, with the two one-  
half (1/2) interests being held as joint tenants with right of  
survivorship  
whose address is: 20 La Grande Boulevard, The Villages, FL 32159

of the County of Lake, State of Florida, grantees.

Witnesseth that the GRANTOR, for and in consideration of the sum of  
-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has  
granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Lake, State of Florida to wit:  
See Exhibit "A" attached hereto.

Neither grantor nor anyone dependent upon grantor resides upon the  
subject real property, which does not constitute the homestead of  
grantor within the meaning of the laws and constitution of the State  
of Florida.

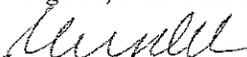
Transferred herewith to Grantee is the right to construct  
improvements on the property in the amount not previously used in the  
construction of a building transferred to Ross M. Valdez, as Trustee  
of the Ross M. Valdez Family Trust under trust dated February 18,  
1998, hereafter "Valdez" and recorded in O.R. Book 2062, Page 0158,  
Public Records of Lake County, Florida. These building rights were  
originally acquired by Grantor's Predecessor in title in the deed  
recorded in O.R. Book 1076, Page 632, Public Records of Lake County,  
Florida. the deed gave the Grantor therein the right to construct  
7826 square feet in accordance with the Declaration of Restrictions  
recorded in O.R. Book 923, Page 858, Public Records of Lake County,  
Florida. Those rights were transferred to Grantor herein by Mesne  
conveyances. The building transferred to "Valdez" contained

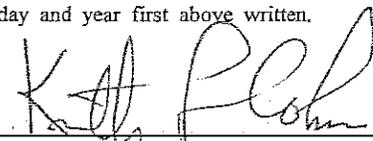
(Continued on Attached)

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Printed Name: Robert Q. Williams

  
Kenneth F. Cohn, D.D.S. (Seal)

**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

<b>Alternate Key:</b>	3808678	<b>Parcel:</b>	07-18-24- 000100002300
<b>Owner Name:</b>	WARWICK BRIAN W ET AL	<b>Millage:</b>	00LL (Lady Lake) : 17.6629
<b>Owner Address:</b>	20 LA GRANDE BLVD LADY LAKE, FL 32159	<b>Property Location:</b>	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
<u>2062 / 175</u>	1/18/2002	WD	Q	V	\$126,000.00
<u>2684 / 22</u>	10/21/2004	WD	Q	V	\$215,000.00
<u>3715 / 549</u>	8/2/2008	QC	M	V	\$100.00

**Value**

<b>Total Just Value:</b>	=	\$155,090.00
<b>Assessed Value:</b>	=	\$155,090.00
<b>Total Exempt Value:</b>	=	\$0.00
<b>Total Taxable Value:</b>	=	\$155,090.00
<b>Millage Rate:</b>	x	0.0176629
<b>Base Ad-Valorem Tax:</b>	=	\$2,739.35
<b>Non-Exempt School Levies:</b>	+	\$0.00
<b>Estimated Ad-Valorem Tax:</b>	=	\$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

## 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.

Bryan Stanga  
FL-5502AU



Tree #3

### TREE STRUCTURE EVALUATION

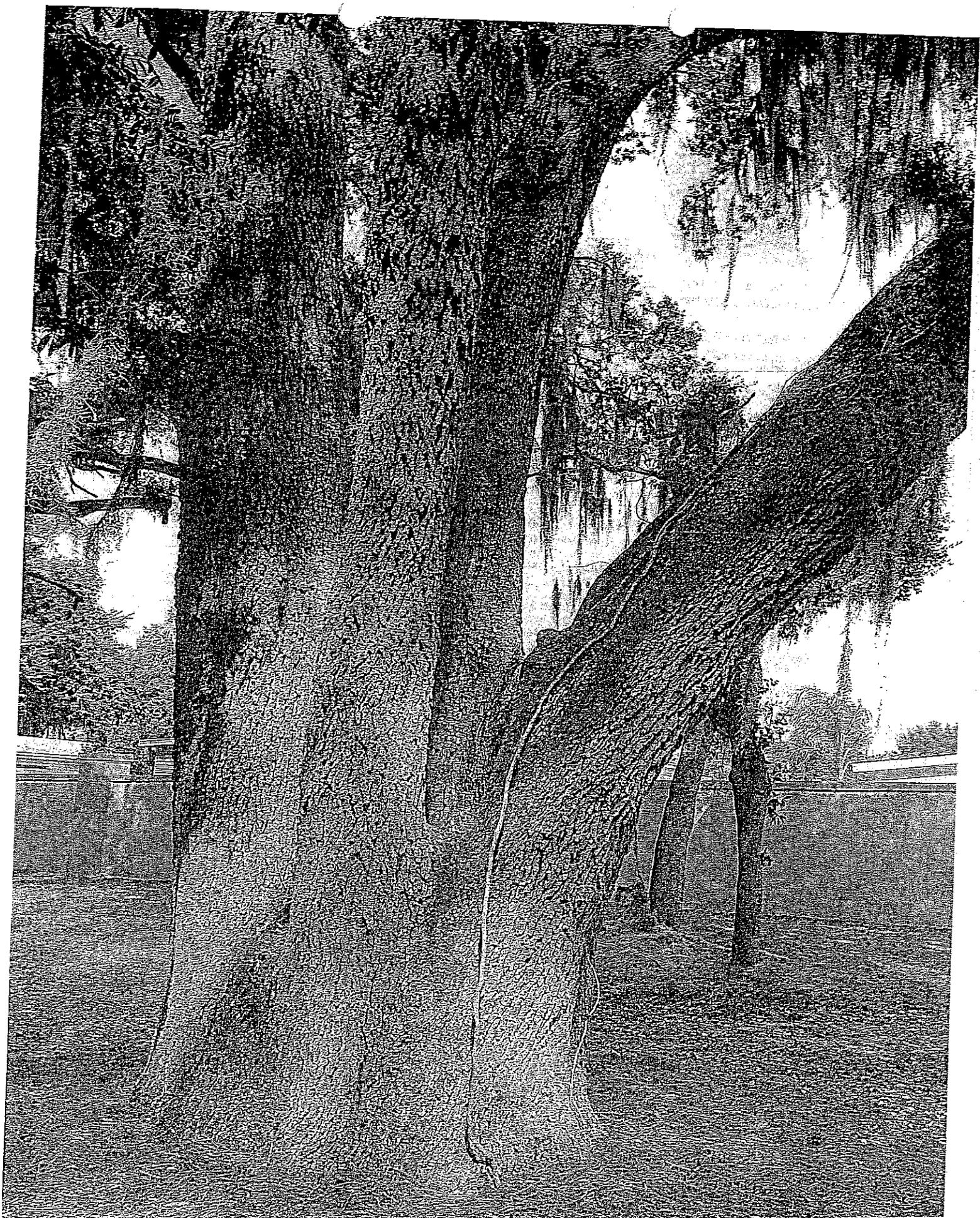
Property Owner & Address Tree evaluation for Foxfire Realty Date \_\_\_\_\_

Location in Landscape Largest Tree Inspection Goal Determine health  
Arborist(s) Bryan Stanga 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 \_\_\_\_\_  
Weedly Attached Sprouts \_\_\_\_\_ Notes Tree is healthy  
Scaffold Limbs Weedly Attached \_\_\_\_\_ Included Bark \_\_\_\_\_ Cracks \_\_\_\_\_ Seams \_\_\_\_\_ Sweet \_\_\_\_\_ Decay \_\_\_\_\_  
Cavity \_\_\_\_\_ Size \_\_\_\_\_ Prev. Failure \_\_\_\_\_ Lightning Inj \_\_\_\_\_ Notes low crotched tree  
Stem Lean \_\_\_\_\_ % Co-Dominant Stems # 6 Ht of crotch 4ft Stem Diams \_\_\_\_\_ Incl. Bark \_\_\_\_\_ Poor Taper \_\_\_\_\_  
Decay \_\_\_\_\_ Cavity Opening \_\_\_\_\_ Size \_\_\_\_\_ Conk \_\_\_\_\_ Dead Bark \_\_\_\_\_ Seam \_\_\_\_\_ Crack \_\_\_\_\_ Sweep \_\_\_\_\_ Lightning Inj \_\_\_\_\_

Notes \_\_\_\_\_  
Root Flare Exposed  Buried  Fill Depth \_\_\_\_\_ Mulch Depth \_\_\_\_\_ Soil Heaving \_\_\_\_\_ Missing Roots \_\_\_\_\_ Root Decay \_\_\_\_\_ Conks \_\_\_\_\_  
Notes \_\_\_\_\_  
Root Zone Cut within 3X DBH \_\_\_\_\_ Prev. Failures \_\_\_\_\_ Shallow Soil \_\_\_\_\_ Wet Soil \_\_\_\_\_ Soil Cracks \_\_\_\_\_ Grade Changes \_\_\_\_\_  
Root Cut \_\_\_\_\_ Distance From Stem \_\_\_\_\_ Notes \_\_\_\_\_

Decay Quantification: Diam \_\_\_\_\_ Bark Thickness \_\_\_\_\_  
Describe Condition/Concern: Large canopy tree, no sign of disease. Buyer is looking to remove tree and replace with canopy trees.



**Fran Dann**

**From:** Bryan Stanage <bryan@stanagetreeservice.com>  
**Sent:** Monday, January 27, 2014 4:19 PM  
**To:** Fran@FranDann.com  
**Subject:** Tree Evaluation for parcel # C20=069

Property owners are looking to build a professional building on this site, and there are 4 Live Oak Trees in the area where they look to build. Two of the smaller trees have been topped and have poor structure, one of the trees is a very large Live Oak Tree that has 6 low attached stems, and the last tree is located two feet away from sidewalk and surface roots will eventually be an issue. Customers are willing to mitigate this area, with small canopy trees. If these trees where saved, I don't think they would survive the construction damage, a sign of this damage can take up to 10 years to show up. There are many Large Live Oak Trees on the surrounding properties, their canopies will react to the new sunlight and fill the voids after these trees are removed. My professional opinion is that it wouldn't be wise to tree to preserve these trees, it would be better to remove all 4 trees, and replace with new canopy trees.

Thank You,  
Bryan Stanage  
Stanage Tree Service  
(352) 636-3527

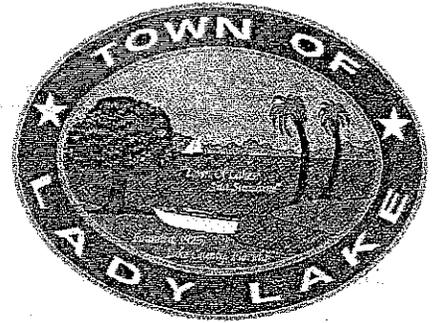
Check us out at:  
[www.StanageTreeService.com](http://www.StanageTreeService.com)

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](mailto:WThen@ladylake.org).

Sincerely,

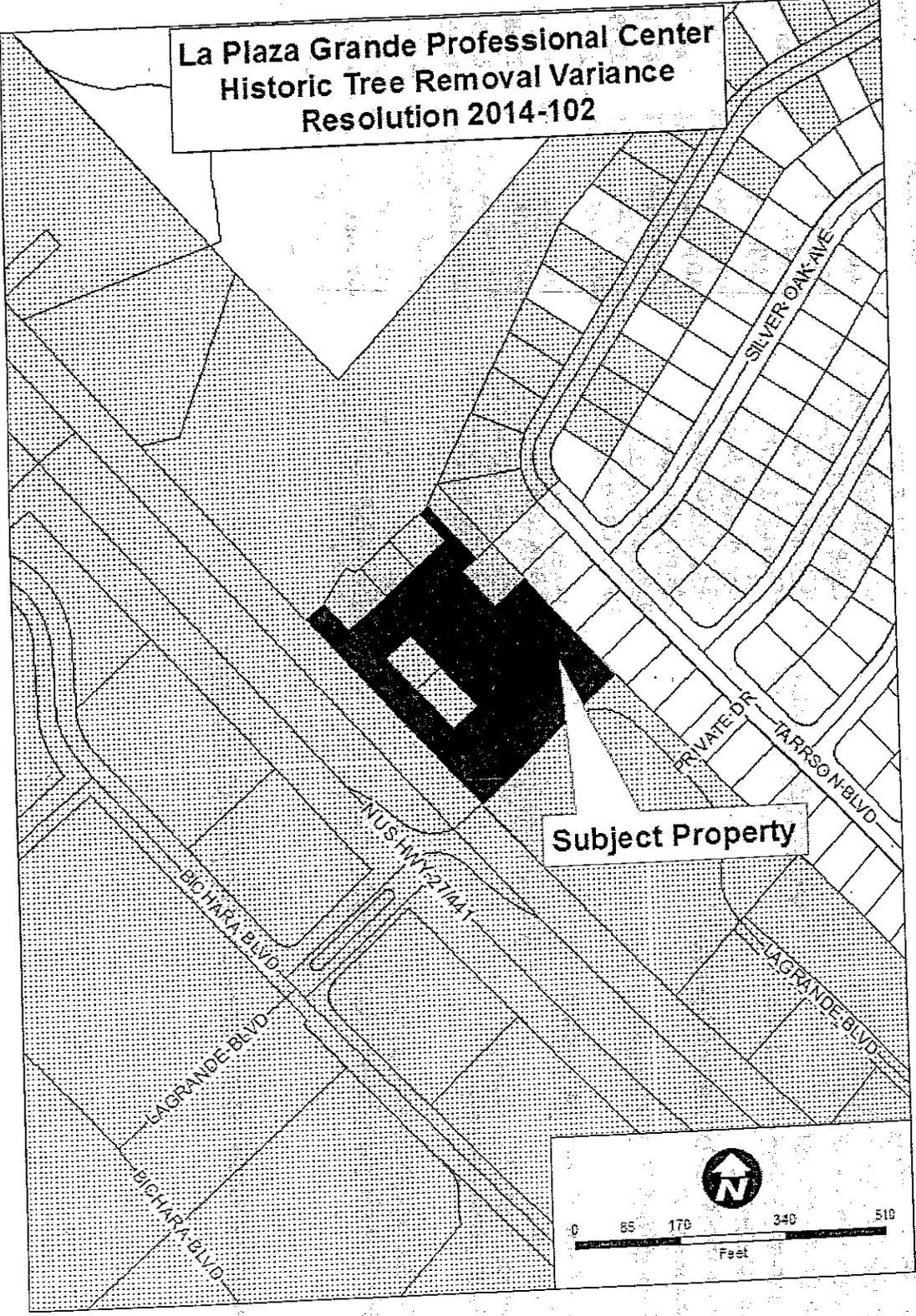
Growth Management Dept.

Town of Lady Lake

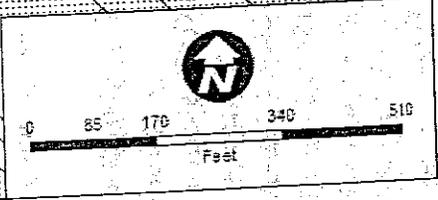
409 Fennell Blvd.

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		
1484049	TUCKER EARCILE ROBERT	2021 SW 1ST AVE	OCALA	FL	34471
1535956	BITTER 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	34731
2809213	ANDERSON INA	938 TARRSON BLVD	LADY LAKE	FL	32159
2888814	BURBANK LINDSEY D JR & JUDY C	307 LA GRANDE BLVD	LADY LAKE	FL	32159
2888873					
2889098	E T ENTERPRISES OF LADY LAKE LLC	PO BOX 1804	LADY LAKE	FL	32158
2897872	TUCKER MYRA	304 LA PLAZA GRANDE	LADY LAKE	FL	32159
304241	GTMJ INVESTMENT GROUP LLC	1020 LAKE SUMTER LNDG	THE VILLAGES	FL	32162
304390	VALDEZ ROSS M TRUSTEE	300 LAKE ELLA RD	FRUITLAND PAR FL	FL	34731
465091					
761075	LENNOX WILLIAM M & SHIRLEY ANN	936 TARRSON BLVD	LADY LAKE	FL	32159
748557	VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT	3201 WEDGEWOOD LN	THE VILLAGES	FL	32162

Plaza Grande Professional Center- Historic Tree Removal Variance Application



## 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 7<sup>th</sup> Meeting, again Resolution 2014-02 was continued to the April 21<sup>st</sup> 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: 4/21/14

Date

4/14

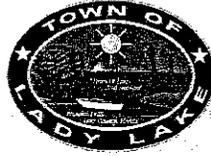
BOARD ACTION:  Approved as Recommended  Disapproved

Tabled Indefinitely

Continued to Date Certain  Approved w/Modification

CONSENSUS TO TABLE TO 5/5/14

cc: CHAD - b.m.



## 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

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.

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

*WJ*  
 3-31-14  
 3/31/14

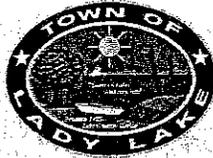
DEPARTMENT HEAD <i>[Signature]</i>	Submitted <i>3/31/14</i>	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER <i>[Signature]</i>	Approved Agenda Item for: <i>4-1-14</i>	Date

BOARD ACTION:  Approved as Recommended  Disapproved

Tabled Indefinitely  Continued to Date Certain  Approved w/Modification

*APRIL 21, 2014 @ 6PM*  
 - CONSENSUS APPROVAL

*CC: THAD - G.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.

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 *[Signature]*

Submitted 3/4/14

Date

FINANCE DEPARTMENT

Approved as to Budget Requirements

Date

TOWN ATTORNEY

Approved as to Form and Legality

Date

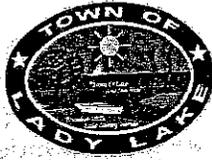
TOWN MANAGER *[Signature]*

Approved Agenda Item for: 3/10/14

Date 3/11/14

- BOARD ACTION:  Approved as Recommended  Disapproved  
*MORSE/3/10/14 3-1 (MORSE)*
- Tabled Indefinitely  Continued to Date Certain
- Approved with Modification

CC: THAD - G.M.



## 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 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.

R = 11,059.2'  
 A = 182.21'  
 $\Delta = 0^\circ 56' 38''$   
 CH = 182.21'  
 CH BRG = S 41° 49' 49" E

R = 11,359.20'  
 A = 187.13'  
 $\Delta = 0^\circ 56' 38''$   
 CH = 187.13'  
 CH BRG = N 41° 49' 49" W  
 T = 93.57'

DATE	REVISIONS
4-1-86	GRADE CHANGES
8-18-86	MOVE DELIST OFFICE
9-29-86	CITY COMMENTS

**Parker & Grant, Inc.**  
 Architecture & Engineering & Surveying  
 Lake County, 8407/85-485, Marion County, 84028-1152  
 10 Paradise Drive • Lady Lake, FL 32009

**BURNSIDE OFFICE PARK**

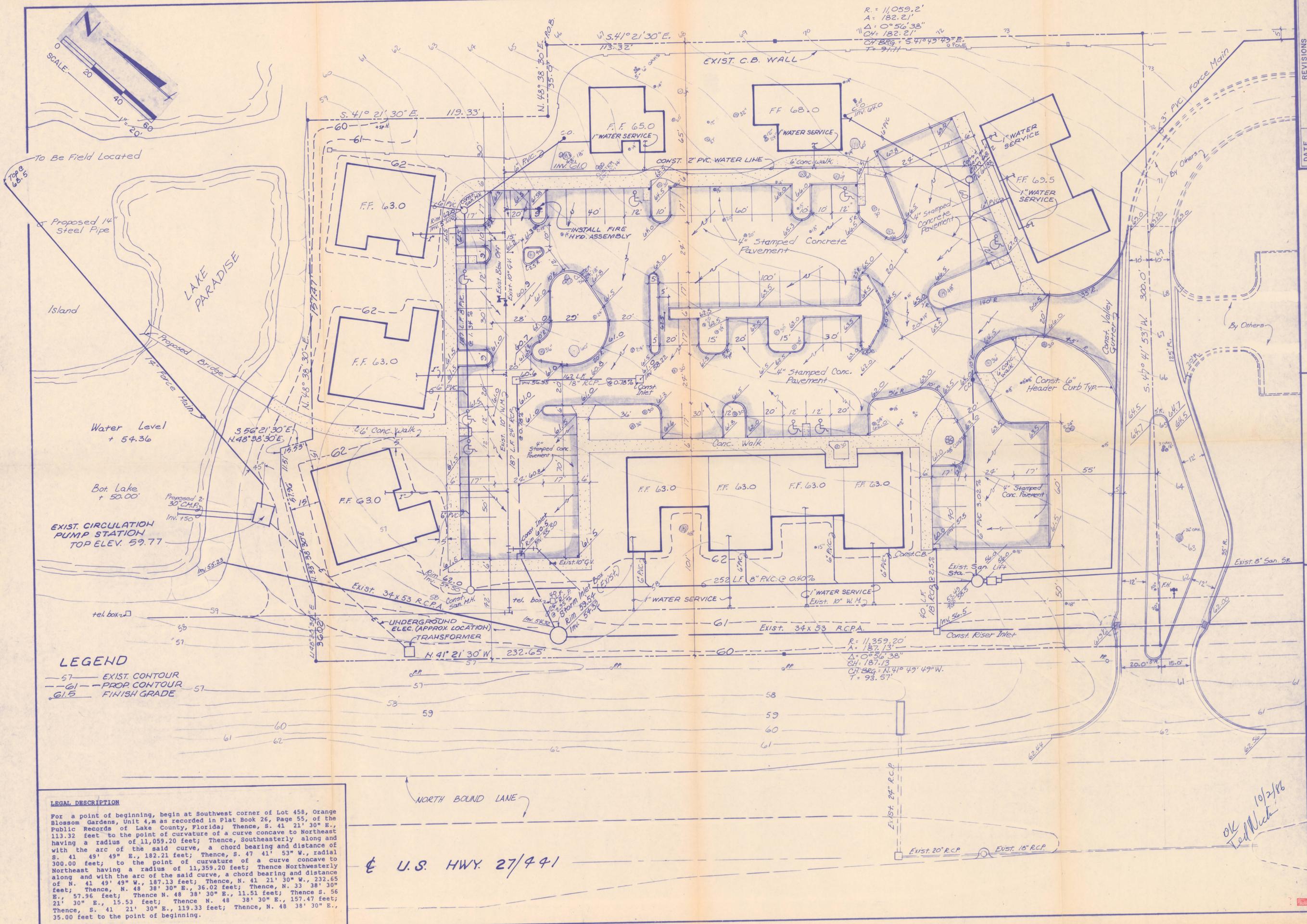
**SITE PLAN**

THESE DOCUMENTS AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF PARKER & GRANT, INC. AND NO PART THEREOF MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

DATE 3-17-86  
 JOB NO. 86053  
 FB. PG.  
 DRAWN BY  
 CHKD BY

SHT. / OF /

SEP 30 1986



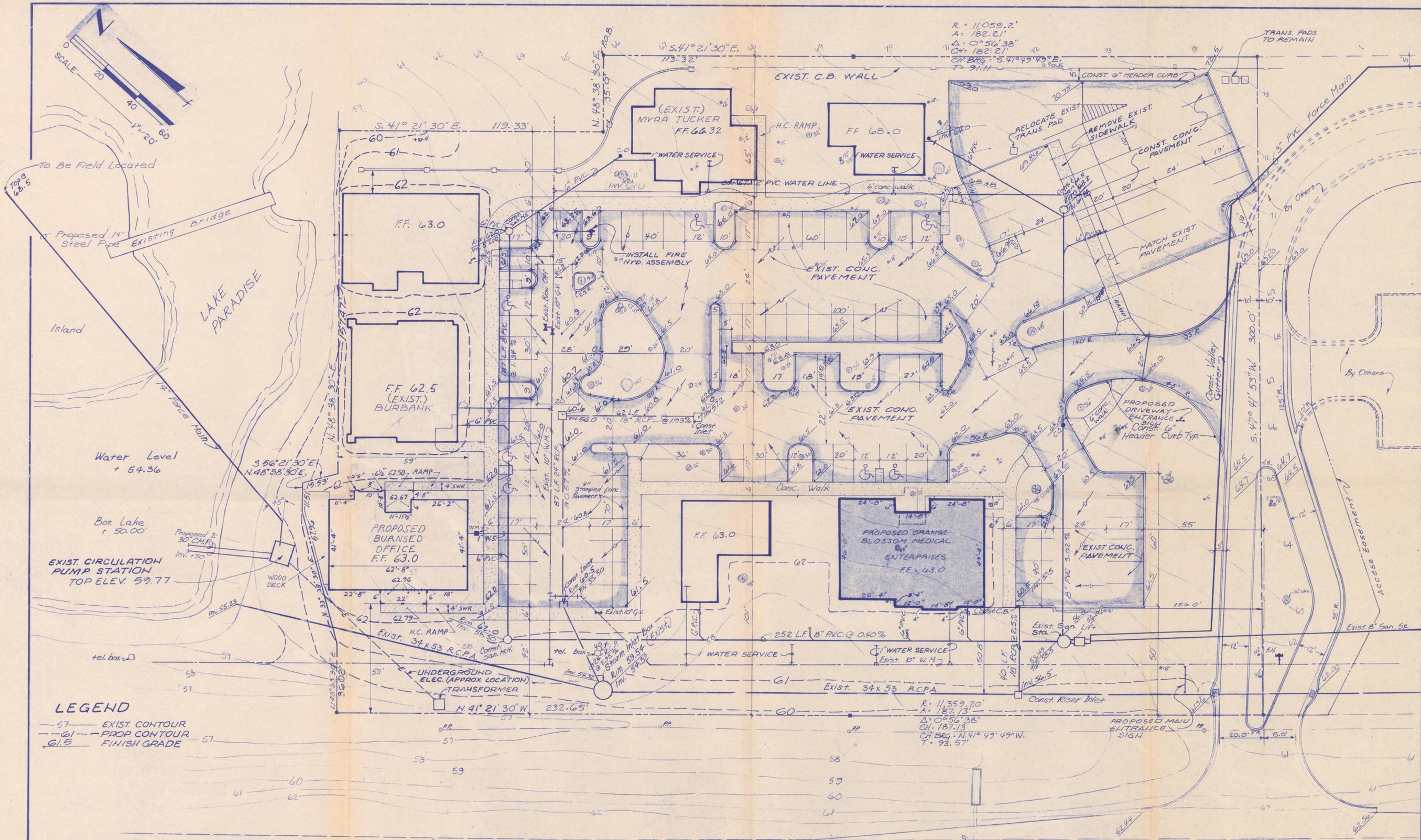
**LEGEND**  
 -57- EXIST. CONTOUR  
 -61- PROP. CONTOUR  
 -61.5- FINISH GRADE

**LEGAL DESCRIPTION**  
 For a point of beginning, begin at Southwest corner of Lot 458, Orange Blossom Gardens, Unit 4, as recorded in Plat Book 26, Page 55, of the Public Records of Lake County, Florida; Thence, S. 41° 21' 30" E., 113.32 feet to the point of curvature of a curve concave to Northeast having a radius of 11,059.20 feet; Thence, southeasterly along and with the arc of the said curve, a chord bearing and distance of S 41° 49' 49" E., 182.21 feet; Thence, S. 47° 41' 53" W., radial 300.00 feet; to the point of curvature of a curve concave to Northeast having a radius of 11,359.20 feet; Thence Northwesterly along and with the arc of the said curve, a chord bearing and distance of N. 41° 49' 49" W., 187.13 feet; Thence, N. 41° 21' 30" W., 232.65 feet; Thence, N. 48° 38' 30" E., 36.02 feet; Thence, N. 33° 38' 30" E., 57.36 feet; Thence N. 48° 38' 30" E., 11.51 feet; Thence S. 56° 21' 30" E., 15.53 feet; Thence N. 48° 38' 30" E., 157.47 feet; Thence, S. 41° 21' 30" E., 119.33 feet; Thence, N. 48° 38' 30" E., 35.00 feet to the point of beginning.

U.S. HWY. 27/941

OK  
 Ted W. [Signature]

[Signature]



**LEGEND**  
 57 — EXIST. CONTOUR  
 61 — PROP. CONTOUR  
 61.5 — FINISH GRADE

**LEGAL DESCRIPTION**  
 For a point of beginning, begin at Southwest corner of Lot 458, Orange Blossom Gardens, Unit 4, as recorded in Plat Book 26, Page 55, of the Public Records of Lake County, Florida; Thence, S. 41° 21' 30" E., 113.32 feet to the point of curvature of a curve concave to Northeast having a radius of 11,059.20 feet; Thence, Southeasterly along and with the arc of the said curve, a chord bearing and distance of S. 41° 49' 49" E., 182.21 feet; Thence, S. 47° 41' 53" W., radial 300.00 feet; to the point of curvature of a curve concave to Northeast having a radius of 11,359.20 feet; Thence Northwesterly along and with the arc of the said curve, a chord bearing and distance of N. 41° 49' 49" W., 187.13 feet; Thence, N. 41° 21' 30" W., 232.65 feet; Thence, N. 48° 38' 30" E., 36.02 feet; Thence, N. 33° 38' 30" E., 57.96 feet; Thence N. 48° 38' 30" E., 11.51 feet; Thence S. 56° 21' 30" E., 15.53 feet; Thence N. 48° 38' 30" E., 157.47 feet; Thence, S. 41° 21' 30" E., 119.33 feet; Thence, N. 48° 38' 30" E., 35.00 feet to the point of beginning.

NORTH BOUND LANE  
 U.S. HWY. 27/441

**Staff Development Review Committee**  
 Date: 09/26/90  
 Manager: [Signature]  
 Attorney: [Signature]  
 Planner: [Signature]  
 Clerk: [Signature]  
 Building: [Signature]  
 Survey: [Signature]

**NOTE:**  
 SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.

**PARKING DATA**

BUILDING AREA	PARKING SPACES REQUIRED
BURBANK	12
MYRA TUCKER	10
BURNSIED	13
O. B. MEDICAL	15
FUTURE	3000 (*)
FUTURE	3000 (*)
FUTURE	3000 (*)
TOTAL PARKING REQUIRED	96
TOTAL PARKING PROVIDED	99

(\*) Estimated only

**REVISIONS**

DATE	CHANGES	CITY COMMENTS
4-17-86	GRADE	
8-18-86	MOVE DENTIST OFFICE	
9-29-86	CITY COMMENTS	
10-10-86	Pavement & Bridge	
1-30-87	By P.V.C. San Sewer Storm Sew.	
2-10-87	PARKING LOT ELEV. & DIMENSIONS	
7-13-87	PARKING LOT LAYOUT	
1-25-88	ME. MYRA TUCKER BLDG. & SIGNS	
2-23-88	SIGNS LOT'S	
8-14-89	BURNSIED BUILDING	

**Parker & Grant**  
 Engineering • Surveying  
 1200 Avenida Central  
 Lady Lake, Florida 32159-5700  
 904/753-6280

**SITE PLAN FOR BURNSIED OFFICE PARK**

THESE DOCUMENTS AS INSTRUMENTS OF SERVICE REMAIN THE PROPERTY OF PARKER & GRANT AND NO PART THEREOF MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.

DATE 3-17-86  
 JOB NO. 86053  
 FB PG.  
 DRAWN BY  
 CHKD BY

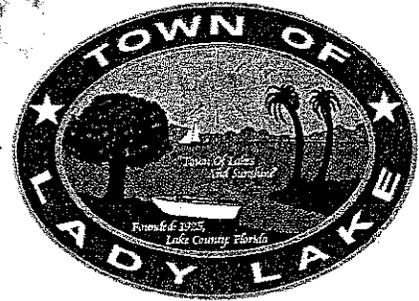
SHT. 1 OF 1  
 SEP 25 1990  
 PARKER & GRANT

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

352-751-1500

FAX 352-751-1510

www.ladylake.org



July 19, 2004

Ed Neuzil, PH.D.  
926 N. Highway 27/441  
Lady Lake, FL 32159

RE: MSP #07/04-004

Dear Dr. Neuzil:

On July 19, 2004, the Technical Review Committee approved a Minor Site Plan for the approval of the Allergy, Sinus and Asthma Center. This letter is to serve a formal communication providing final, minor site plan approval for the proposed Allergy, Sinus and Asthma Center.

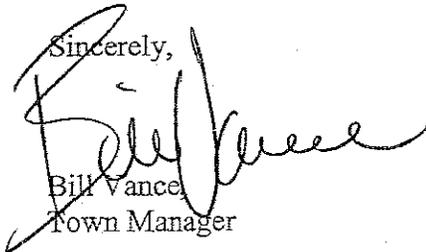
In accordance with Chapter 7, Section 10(a) of the Land Development Regulations (LDRs), this site plan will expire if construction has not commenced prior to July 19, 2005. You may request an extension of the approval for this site plan by submitting a written request to the Town Manager prior to the expiration date.

If development is continuously proceeding prior to July 19, 2005, the Town Manager may grant one or more extensions not to exceed two (2) years per Chapter 7, Section 10(b) of the LDRs.

If construction has not commenced prior to July 19, 2005 and an extension is requested, the request will be reviewed and considered following the same process as the original approval in accordance with Chapter 7, Section 10(B)(2,3) the LDRs.

If you find any question with any of the information, please contact this office at your earliest convenience.

Sincerely,



Bill Vance  
Town Manager

Cc: Ed Abshier  
File(s)





# K-5

## TOWN COMMISSION AGENDA ITEM

**REQUESTED COMMISSION MEETING DATE:** May 5, 2014

---

**SUBJECT:** Consideration of Appointment(s)/Reappointment to the Economic Development Advisory Committee

---

**DEPARTMENT:** Clerk's Office

---

**STAFF RECOMMENDED MOTION:** Appointment of One Member and Reappointment of One Member to the Economic Development Advisory Committee

---

**SUMMARY:** Currently, there is one member whose term expired last month and one member vacancy on the Economic Development Advisory Committee. Mr. Joe Quinn is currently a member of the Economic Development Advisory Committee and wishes to be reappointed. There is also one vacancy and there are three applications on file for consideration for this board: Mr. Frank Kirschenheiter, Mr. Alfred Monteleone, and Ms. Sue Nord.

---

**FISCAL IMPACT:** N/A  Capital Budget  
 Operating  
 Other

---

**ATTACHMENTS:**  Ordinance  Resolution  Budget Resolution  
 Other  Support Documents – Applications

---

DEPARTMENT HEAD <sup>(2)</sup>	Submitted	Date
HR	Approved as to form	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER <sup>(1)</sup>	Approved Agenda Item for: 5/5/14	Date 5/29/14

---

**COMMISSION ACTION:**

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

Town of Lady Lake  
Boards/Committees Application

3-9-2012

# Joseph M Quinn

533 Rainbow Blvd  
Lady Lake, FL 32159-6418

Within the Town Limits of Lady Lake, in Lake County, FL

352.350.7350 (Residence and Primary)  
Cell 352.205.6999  
[the.quinndom@gmail.com](mailto:the.quinndom@gmail.com)

## Economic Development Board

United States Citizen

Never convicted of a felony

### Retired Getting Older Person

- A. USMCR: Apr 1962 to Apr 1970 (5 years Active Reserves, 3 years Active Duty-Vietnam Service), SSgt (E-6)
- B. Federal Aviation Administration: Sep 1970 to Jan 2000
  - Flight Service Station Specialist (4 years)
  - Flight Service Station Air Traffic Facility Manager (1 year)
  - Central Region Training Specialist (4 years)
  - Air Traffic Controller (21 years)

### Training or Experience:

- A. None Specific, a Town Citizen desiring to serve as a concerned person in the growth of our town
- B. Education: BA in the Management of Human Resources

Professional Organizations

None

Town Board/Committee: Yes

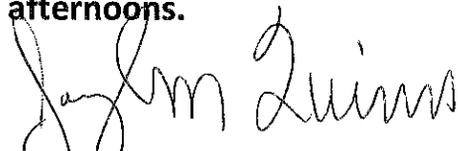
- A. Served on the Lake County Library Advisory-Liaison to Lady Lake Library Board (2009-2010)
- B. Currently on Lake County Board of Building Examiners

References:

- 1. Jerry Stevens, 631 Rainbow Blvd, Lady Lake, FL 32159 352.753.9268  
Neighbor and Friend
- 2. Jack Sgammato, 507 St. Andrews Blvd, The Villages, FL 32159 352.259.5664  
Friend and fellow Knight of Columbus (Past Grand Knight), Retired Sales
- 3. Larry Finneran, 896 Haynesville Way, The Villages, FL 32162 352.259.9483  
Friend and fellow Knight of Columbus (Grand Knight), Retired Banker

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.

**I am not available for meetings on Monday or Wednesday evenings, or Tuesday afternoons.**

  
Joseph M Quinn

----- Forwarded message -----

From: **LadyLake.org** <[ladylake@host103.hostmonster.com](mailto:ladylake@host103.hostmonster.com)>

Date: Thu, Feb 13, 2014 at 5:45 PM

Subject: New Board/Committee Application

To: [chr.ayres@gmail.com](mailto:chr.ayres@gmail.com)

Cc: [frank@acomputergeek.com](mailto:frank@acomputergeek.com)

Name: **Francis (Frank) Kirschenheiter**

Application Date: 2/13/2014

Address: 1449 W Schwartz Blvd

Location of residence: 1449 W Schwartz Blvd, Lady Lake, FL 32159

Business Location: 1449 W Schwartz Blvd, Lady Lake, FL 32159

Home Phone: 352-205-2332

Work Phone: 352-205-2332

Cell Phone: 352-205-2332

Email: [frank@acomputergeek.com](mailto:frank@acomputergeek.com)

Boards to serve on: Police Pension Board / LIBRARY BOARD / LIAISON TO LAKE COUNTY / ECONOMIC DEV. ADVISORY COMM.

Occupation: Computer and Networking technician and manager

Training or experience related to board sought: Used libraries somewhat extensively all of my life.

Installed some of the first CD-ROM reference networking in libraries in Illinois.

Besides 15 years in corporate IT systems development and programming, I had my own PC sales and service networking company in Illinois, Chicago suburbs since 1985 and purchased a computer repair company in Ocala and moved it to Lady Lake in 2013.

I have experience with and installed various PC accounting systems since 1985.

Member of professional/business organizations: none to speak of (mostly of a technical IT nature)

Served in past?: No

If yes, which one?:

Nationality:

Convicted of felony?: No

Reference 1: Dan Bard, 352-259-9433

Reference 2: Henryka Presinzano, 1448 W Schwartz Blvd, 352-871-1409

Reference 3: Dan Bard, 352-259-9433

Additional comments: I would like to get more involved in the town that we have recently relocated to and

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

Date: 1/27/14

Name: Alfred Monteleone

Mailing Address: 901 Stadler St.

Location of residence: Water Oak C.C.

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

Home Phone: 352-259-3924 Work Phone: \_\_\_\_\_

Cell Phone: 352-459-3626 E-Mail Address: AlMontele@embacqmail.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: Worked in Water & Wastewater for over 45 years. Built Water & Sewer Plants, Installed Water & Sewer Lines & etc.

Member of the following professional or business organizations: AWWA  
FW&PCA

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

If yes – name of committees/boards and dates Citizens Advisory Task Force – on going when needed, since 2012. & Water Conservation Committee.

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

Have you ever been convicted of a felony? (optional) NO

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

1. MR. FRANCIS TRAINQUE, 914 NELSON DR. L.L. 430-2886
2. MR. REGIS LECLERC, 904 ZOELLER ST. L.L. 751-7166
3. MR. BILL SIGURDSON, 907 E. NORMAN ST. L.L. 504-6242

*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**

----- Forwarded message -----

From: **LadyLake.org** <[ladylake@host103.hostmonster.com](mailto:ladylake@host103.hostmonster.com)>

Date: Tue, Jan 14, 2014 at 9:04 AM

Subject: New Board/Committee Application

To: [chr.ayres@gmail.com](mailto:chr.ayres@gmail.com)

Cc: [sue.minn@ymail.com](mailto:sue.minn@ymail.com)

Name: **Sue Nord**

Application Date: 1/14/2014

Address: 912 Tarrson Blvd, Lady Lake FL

Location of residence: Silver Lake Village

Business Location: I work out of my home

Home Phone: Same

Work Phone: [352-259-4900](tel:352-259-4900)

Cell Phone: [352-348-9712](tel:352-348-9712)

Email: [sue.minn@ymail.com](mailto:sue.minn@ymail.com)

Boards to serve on: Planning and Zoning Board

Occupation: Tom Grizzard ERA-Realtor

Training or experience related to board sought: 2term president of Big Lake Chamber of Commerce

Co-chair of Big Lake \"Dream Team\" for 5 years. We worked hand in hand with the EDA to create an overlay for the templates they would ultimately use for the renovation of the City.

Member of professional/business organizations: Local, state and national Association of Realtors

Served in past?: Yes

If yes, which one?: Served as Council person for City of Federal Dam-2005-2009.

Nationality:

Convicted of felony?: No

Reference 1: Dixie Hughes, 1708 Hilton Head Blvd, Lady Lake FL, [352-750-1226](tel:352-750-1226)

Reference 2: Deb Johnson 1525 Hillcrest Lady Lake FL [352-430-0257](tel:352-430-0257)

Reference 3: Shirley Houde 705 Marigold Lady Lake FL [603-380-5829](tel:603-380-5829)

Additional comments: I look forward to hearing from you and would be thrilled to help on one of your committees.

## Kris Kollgaard

---

**From:** Sue Nord [sue.minn@ymail.com]  
**Sent:** Thursday, February 13, 2014 10:33 AM  
**To:** Kris Kollgaard  
**Subject:** Re: Economic Advisory Committee

Thank you Kris. You have a good day also!

**Sue Nord, Realtor**  
Tom Grizzard ERA  
13710 S Hwy 441, Ste 200  
The Villages, FL 32162  
Cell: 352-348-9712  
Office:352-259-4900  
Fax: 352-319-9607

On Thursday, February 13, 2014 9:24 AM, Kris Kollgaard <[kkollgaard@ladylake.org](mailto:kkollgaard@ladylake.org)> wrote:  
Good Morning Ms. Nord,

I will be glad to put your application in for the Economic Development Advisory Committee. The Clerk's Office will contact you when it goes before the Town Commission. Thank you, and have a good day.

Sincerely,

Kristen

---

**From:** Sue Nord [<mailto:sue.minn@ymail.com>]  
**Sent:** Tuesday, February 11, 2014 6:38 PM  
**To:** Kris Kollgaard  
**Subject:** Economic Advisory Committee

Kristen:

I received your letter. I actually wanted to be considered for the EDA. I worked with them before in Minnesota. Please let me know if I will be considered and thank you for your time!

**Sue Nord, Realtor**  
Tom Grizzard ERA  
13710 S Hwy 441, Ste 200  
The Villages, FL 32162  
Cell: 352-348-9712  
Office:352-259-4900  
Fax: 352-319-9607

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

- VOTING FORM -

Date: May 5, 2014

Please mark your selections (2) and sign your name at the bottom.

**Reappointment:**

	<b>Yes</b>	<b>No</b>
Joe Quinn	<input type="checkbox"/>	<input type="checkbox"/>

**Appointment(s):**

Frank Kirschenheither	<input type="checkbox"/>	<input type="checkbox"/>
Alfred Monteleone	<input type="checkbox"/>	<input type="checkbox"/>
Sue Nord	<input type="checkbox"/>	<input type="checkbox"/>

Thank you.

Selections made by: \_\_\_\_\_  
(Name of Commissioner)