

## REGULAR MEETING OF THE LADY LAKE LOCAL PLANNING AGENCY

**DATE:** Monday, December 19, 2011  
**TIME:** 5:30 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

**CALL TO ORDER:** Jim Richards, Chairperson

**ROLL CALL:**

1. Approval of Minutes: October 17, 2011 Meeting
2. Ordinance No. 2011-30 – Small Scale Comprehensive Plan Amendment – J.T. Beahan IV & Sandra Rector – 1.81± Acres Located on the Northeast Corner of Hwy 27/441 & Hartsock Sawmill Road – Requesting a Change from Lady Lake Manufactured Home High Density (MH-HD) to Town of Lady Lake Commercial General – Retail Sales and Services (RET) (Thad Carroll)

**ADJOURN:**

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 five (5) calendar 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 accommodation at this meeting should contact the Clerk's Office at least five (5) calendar 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 which record 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.

JY/Word/Town Clerk/Agendas/Local Planning Agency Meeting – 12/19/11

1

**MINUTES OF THE LOCAL PLANNING AGENCY  
LADY LAKE, FLORIDA  
October 17, 2011**

The Local Planning Agency Meeting was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Chairperson Jim Richards presiding. The meeting convened at 5:30 p.m.

**CALL TO ORDER:** Chairperson/Member Jim Richards

**ROLL CALL:** Member Tony Holden  
Member Ty Miller  
Member Paul Hannan  
Member Ruth Kussard  
Chairperson/Member Jim Richards

**ABSENT:** Member Rosanne Brandeburg

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager/Town Clerk; Ed Nathanson, Police Chief; Thad Carroll, Growth Management Director; Derek Schroth, Town Attorney; and Jayne York, Deputy Town Clerk

1. **Approval of Minutes:** July 18, 2011 Local Planning Agency Meeting (on file in the Town Clerk's office)

*Upon a motion by Member Hannan and seconded by Member Miller, the Board approved the Minutes of the Local Planning Agency Meeting for July 18, 2011 as presented, by a vote of 5-0.*

2. **Ordinance No. 2011-24 – Small Scale Comprehensive Plan Amendment – Lake Recreational, LLC and Twofus Investments, LLC – 1.77± Acres Located Approximately 650 feet North of the Intersection of Griffin Road and County Road 25 – Requesting a Change from Lake County Urban Low to Town of Lady Lake Commercial General - Retail Sales and Services (RET) (Thad Carroll)**

Thad Carroll, Growth Management Director, gave the background summary for this agenda item which is on file in the Town Clerk's office. He stated that the applicant, Lawrence Breech, has filed an application for Small Scale Future Land Use Map Change on behalf of Lake Recreational, LLC and Twofus Investments, LLC for property being 1.77 +/- acres of land, located approximately 650 feet north of the intersection of Griffin Road and County Road 25.

The application was received on August 26, 2011 and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the adopted Comprehensive Plan Land Development Regulations, as well as the Land Development Regulations, and is ready for transmittal to the Town Commission for their review. The application has been found sufficient to satisfy criteria as required for small scale amendments

1 under Florida Statute 163.3187. The proposed uses for the property are commercial uses as  
2 proposed by Ordinance 2011-25.

3  
4 Mr. Carroll stated the applicant has supplied a justification statement as part of the application  
5 which is included in the supportive documents in the packet under Item H-12. Views of the  
6 property and adjacent properties were shown.

7  
8 The applicant has filed an annexation application for the property concurrent with the Small  
9 Scale Future Land Use Map Amendment request; when property is annexed, the Town must  
10 designate a land use classification that is consistent with the Comprehensive Plan. The applicant  
11 has received prior site plan approval with Lake County and the property is currently under  
12 construction. The applicant has also executed a Utility Agreement for provision of water to the  
13 property on August 11, 2011.

14  
15 Mr. Carroll stated that notices were sent to all property owners within 150 feet, and to date, no  
16 letters of support or opposition have been received. The property was posted on September 27,  
17 2011.

18  
19 **Impact on Town Services:**

20  
21 Potable Water: 500 Gallons per Day (2 ERUS)  
22 Sewer: On Septic, no impact to Town Systems.  
23 Schools: No impact to School Facilities, non-residential development.  
24 Transportation: Site Plan Has Been Approved in County (Traffic Analysis Attached)  
25 Parks & Recreation: No impact to Parks & Recreation facilities, non-residential development.  
26 Stormwater: Project has been design in accordance with SJRWMD guidelines.  
27

28 The subject property involving 1.77 +/- acres lies in Section 8, Township 18, Range 24 in Lake  
29 County, Florida. Appropriate legal descriptions and a survey of the subject properties have been  
30 submitted with the applications.  
31

<b>Subject Parcel</b>	<b>Lake County Urban Low</b>
<b>FLU of Adjacent Parcels</b>	
<b>North</b>	<b>Lake County Urban Low</b>
<b>South</b>	<b>Lady Lake Commercial General (RET)</b>
<b>East</b>	<b>Lake County Urban Low</b>
<b>West</b>	<b>Lake County Urban Low</b>

32  
33 Mr. Carroll reported that at the October 4, 2011 meeting of the **Technical Review Committee**  
34 (TRC), the Committee voted 5-0 to transmit Ordinance 2011-24 to the Planning and Zoning  
35 Board for their review; and at the October 10, 2011 meeting of the **Planning and Zoning Board**,  
36 the Board voted 4-0 to send Ordinance 2011-24 to the Town Commission with the  
37 recommendation of approval. He stated that the second and final reading of Ordinance 2011-24  
38 is scheduled for Monday, November 7, 2011 before the **Town Commission**.  
39

1 Mr. Carroll stated that Mr. Lawrence Breech is present to answer any questions.

2  
3 Commission Hannan asked if the County had done a road study on this; and was it mandatory.

4  
5 Mr. Carroll replied that the applicant had already been given site plan approval by the County,  
6 and an evaluation of the impact on traffic would have been considered as part of that site plan  
7 approval.

8  
9 Commissioner Hannan asked if the speed limit in that area is 35 mph or did it go up to 55 mph at  
10 that point.

11  
12 Mayor Richards stated that he knows the speed limit is still 35 mph in that area; it does not go up  
13 until you get past the Blue Parrot.

14  
15 Commissioner Hannan asked if population dictates the speed limit.

16  
17 Mayor Richards stated that population is considered as part of an engineering study along with  
18 other items such as density per mile, fixed objects, etc.

19  
20 Commissioner Hannan asked if this development would increase the population density.

21  
22 Mayor Richards and Mr. Carroll both replied that it would not as there were no residential units  
23 proposed, only commercial. Mr. Carroll stated that the commercial development is not affecting  
24 the level of service on the road at this time.

25  
26 Commissioner Kussard asked how close Town sewer is to this property.

27  
28 Mr. Carroll stated that Town sewer is near the end of Griffin Avenue at this time. He stated the  
29 Town only has a water agreement with the developer for an 8" line at this time, as the property is  
30 served by a septic system. He stated that when sewer becomes available in the future, the  
31 developer can then tie into the sewer system.

32  
33 Commission Kussard asked if it will be mandatory for the development to tie into the sewer  
34 system when it becomes available.

35  
36 Mr. Carroll stated the Town's water and sewer agreements state that when water and sewer  
37 becomes available, they will connect to them, although he stated there are some exemptions such  
38 as agricultural uses.

39  
40 Commissioner Hannan asked if people live in an area where the Town has installed water and  
41 sewer lines, are they forced to connect.

42  
43 Mr. Carroll replied that if they are annexed into the Town and have signed an agreement, then  
44 they will connect as part of their annexation agreement.

45

1 Commissioner Holden asked if the building shown in the documents outlined in red on the back  
2 side of the property is part of the development.

3  
4 Mr. Carroll replied that it is Wade Surveying and that it is included as part of the application.

5  
6 Chairperson Richards asked if there were any questions or comments from the audience.

- 7  
8 - Phil Mathias, Lakes of Lady Lake, asked if this development is in compliance with the  
9 Town's design standards.

10  
11 Mr. Carroll replied that it does not fully meet the commercial design standards, although they  
12 comply with some of them. He stated this property already had site plan approval from the  
13 County when it came before the Town for annexation.

- 14  
15 - Mr. Mathias asked if there was a well on the property.

16  
17 Mr. Breech replied that the water well permit on the property received from Lake County was  
18 vacated last week.

19  
20 *Upon a motion by Member Kussard and a second by Member Hannan, the Local Planning*  
21 *Agency recommended approval and transmittal of Ordinance 2011-24 to the Town*  
22 *Commission for consideration and approval. A roll call vote was taken and the motion passed*  
23 *by a vote of 5-0.*

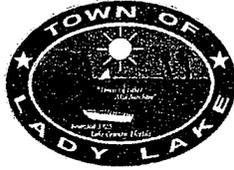
24  
25 **ROLL CALL:**            *Member Holden*            **YES**  
26                            *Member Miller*            **YES**  
27                            *Member Hannan*            **YES**  
28                            *Member Kussard*            **YES**  
29                            *Chairperson Richards*        **YES**

30  
31 **ADJOURN:** There being no further discussion; the meeting was adjourned at 5:40 p.m.  
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33  
34  
35  
36

37 \_\_\_\_\_  
38 Kristen Kollgaard, Town Clerk  
39

37 \_\_\_\_\_  
38 Jim Richards, Chairperson  
39

40 Minutes transcribed by Nancy Slaton, Staff Assistant to Town Clerk



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## LOCAL PLANNING AGENCY AGENDA ITEM

REQUESTED LPA MEETING DATE: December 19, 2011

**PLEASE REFER TO ITEM G-12 OF THE COMMISSION AGENDA PACKET FOR  
SUPPLEMENTAL MATERIALS**

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**SUBJECT:            ORDINANCE NO. 2011-30 – J.T. BEAHAN IV & SANDRA RECTOR  
– SMALL SCALE COMPREHENSIVE PLAN AMENDMENT – 1.81±  
ACRES LOCATED ON THE NORTHEAST CORNER OF HWY  
27/441 & HARTSOCK SAWMILL ROAD – REQUESTING A  
CHANGE FROM LADY LAKE MANUFACTURED HOME HIGH  
DENSITY (MH-HD) TO TOWN OF LADY LAKE COMMERCIAL  
GENERAL – RETAIL SALES AND SERVICES (RET)- ALTERNATE  
KEY #1771421.**

**DEPARTMENT:     GROWTH MANAGEMENT**

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**STAFF RECOMMENDED MOTION:**

**APPROVAL OF ORDINANCE NO. 2011-30 – J.T. BEAHAN IV & SANDRA RECTOR –  
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT – 1.81± ACRES LOCATED ON  
THE NORTHEAST CORNER OF HWY 27/441 & HARTSOCK SAWMILL ROAD.**

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**SUMMARY:**

Agent Betty Salas has filed applications on behalf of J.T. Beahan IV and Sandra Rector for property located on the northeast corner of the intersection of U.S. 27/441 and Hartsock Sawmill Road, which includes 39.04± acres (Alternate Key #1771421 – parent parcel) currently in the Town of Lady Lake. The applicant has filed the following application for this property:

1. Small Scale Comprehensive Plan Amendment of 1.81± acres to change from Future Land Use of Lady Lake Mobile Home High Density (MH-HD) to Lady Lake Commercial General (Retail Sales & Services) (RET).

The subject property is currently vacant. It is the applicant's intent to develop the subject parcel as commercial property consisting of a Health/Exercise Club, Condominium, and retail sales and services uses. The applicant would be required to file a site plan(s) for the buildings proposed if the small-scale comprehensive plan amendment is approved for the property.

Applications have been reviewed to determine if they are complete and have submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and if they are ready for transmittal to the Planning & Zoning Board. Additionally, the applications were reviewed to determine if they are in compliance

with the directives of the adopted Comprehensive Plan.

The subject property involving approximately 1.81± acres lies in Section 28, Township 18, Range 24 in Lake County, Florida. Appropriate legal descriptions, and a survey of the property involved, have been included

with the submitted applications. The subject property is located on the northeast intersection of U.S. Highway 441 and Hartsock Sawmill Road. The Future Land Use designations of the adjacent properties are as follows:

Future Land Use

Subject Property	<b>Lady Lake – Manufactured Home High Density (MH-HD)</b>
Future Land Use of Adjacent Properties	
West	<b>ROW/Lady Lake General Commercial (Retail Sales &amp; Services)(RET)</b>
East	<b>Lake County- Urban Medium Density (up to 7 du/acre)</b>
North	<b>Lady Lake – Manufactured Home High Density (MH-HD)</b>
South	<b>ROW/Lady Lake – General Commercial (Retail Sales &amp; Services)(RET), Lake County – Urban Medium Density (up to 7 du/acre)</b>

Note: The adjacent properties designations have been determined based on subject property location within the parent parcel.

The current Future Land Use Designation portion of the subject property (1.81 acres) is Lady Lake Manufactured Housing, which is not compatible with the requested Health/Exercise Club, Condominium, and Retail uses. Therefore, the applicant is requesting the future land use map amendment to reclassify it to General Commercial (Retail Sales & Services), which would make the proposed use consistent with the directives of the Comprehensive Plan. A justification statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted for justifying why the future land use should be amended for the development proposed.

**Comments:**

- 1.) Applicant must submit site plans for proposed buildings on site if the Town Commission approves the comprehensive plan amendment of the above property.
- 2.) Town of Lady Lake Commercial Design Standards outlined in Chapter 20 of the LDRs must be adhered to prior to any design of site plans for the proposed buildings.

Notices to inform the surrounding property owners (16) within 150' of the property of the proposed rezoning were mailed by certified mail return receipt on Tuesday, November 29, 2011. Subsequently, the property was posted also on Tuesday, November 29, 2011.

**Public Hearings**

At the December 6, 2011, meeting of the **Technical Review Committee (TRC)**, the Committee voted 5-0 to transmit Ordinance 2011-30 to the Planning and Zoning Board for their review.

At the December 12, 2011 meeting of the **Planning and Zoning Board**, the board voted 5-0 to send Ordinance 2011-30 to the Town Commission with the recommendation of approval.

The second and final **Town Commission** reading is tentatively scheduled for Wednesday, January 18, 2012.

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FISCAL IMPACT: \$ -0-  Capital Budget

Operating  Other

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ATTACHMENTS:  Ordinance(s)  Resolution  Budget Resolution

Other

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

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DEPARTMENT HEAD		Submitted	12/14/11	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements		Date
TOWN ATTORNEY		Approved as to Form and Legality		Date
TOWN MANAGER		Approved Agenda Item for:	12/19/11	Date 1/18/12

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COMMISSION ACTION:  Approved as Recommended  Disapproved

Tabled Indefinitely  Continued to Date Certain

Approved with Modification