

**MINUTES OF THE TOWN OF LADY LAKE
REGULAR PLANNING AND ZONING BOARD MEETING
LADY LAKE, FLORIDA**

**August 11, 2014
6:00 p.m.**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida.

CALL TO ORDER: John Gauder, Chairperson

PLEDGE OF ALLEGIANCE: John Gauder, Chairperson

ROLL CALL Gil Pierson, Member
 William Sigurdson, Vice Chairperson/Member
 John Gauder, Chairperson
 Mike McKenzie, Member

ABSENT: Alfred Monteleone, Member

STAFF MEMBERS PRESENT: Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Julia Wolfe, Staff Assistant to Town Clerk

Also Present: Attorney Todd Mazenko, BRS Legal, and Commissioner Paul Hannan

OPEN FORUM:

Chairperson Gauder asked if anyone in the audience had any comments or questions. There were no comments or questions.

NEW BUSINESS:

1. **Approval of Minutes:** July 14, 2014 Planning and Zoning Board Meeting

Chairperson/Member John Gauder asked if anyone had any corrections or deletions to the July 14, 2014 Planning and Zoning Board meeting minutes.

Upon a motion by Vice Chairperson/Member Sigurdson and a second by Member McKenzie, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board Meeting of July 14, 2014 as presented by the following roll call vote.

<i>MCKENZIE</i>	<i>YES</i>
<i>PIERSON</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

2. **Resolution No. 2014-113 – AA Castle, LLC – Variance Pursuant to Chapter 17, Section 17-3).e).1).A). to Allow a Freestanding Sign to be Erected 75 Feet from the Closest Freestanding Sign on Property Located at 108 N. Highway 27/441 (Wendy Then)**

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Clerk's Office). She stated the applicant, Tim Wainscott with Mid Florida Signs & Graphics, on behalf of AA Castle, LLC, has submitted an application for a variance from Chapter 17, Section 17-3).e.1).A). which requires that no freestanding sign shall be erected closer than 100 feet from any other freestanding sign. She stated the variance request is to allow a freestanding sign to be erected 75 feet from the closest freestanding sign on the property owned by AA Castle, LLC, located at 108 North Hwy 27/441 (AK #1723671) within the Town of Lady Lake, Florida. She stated the closest freestanding sign is located north of the subject parcel at Cindy's Place, addressed as 114 North Highway 27/441, Lady Lake, Florida 32159. The proposed monument sign is designed to be approximately 5' high by 9.7' wide with a five foot setback along North Highway 27/441, which meets sign code requirements therefore, Town staff is in support of the request.

Ms. Then stated that a Justification Statement has been submitted as is a requirement of the application. The site is home to Affordable Lock and Security Solutions, a business specialized in providing total security services to residential, commercial, and industrial customers. She stated services by Affordable Lock can range from basic lock and key residential locksmith service to large master key, access control systems, high security locks, closed circuit television networks, home automation systems and burglar alarms. She stated the owner is trying to promote his business and become more visible along North US Hwy 27/441 by bringing awareness to the community of the company's presence and available services via their proposed freestanding sign. Ms. Then stated the applicant elaborated that since the property owner took possession of the property last year, he has been gradually improving the appearance of the neighborhood, which has extended to the surrounding properties in a beneficial way. Adding the monument sign has been part of the improvement plans for the site to make it fully operational and attractive. She stated the applicant feels that a 75 foot separation still accomplishes the spirit of the code to the best extent practicable in that the site alone is only approximately 106 lineal feet of frontage.

Ms. Then stated the applicant pointed out that the sign height would not exceed five feet even when the Code allows eight feet, and that the installation of the sign would comply with all applicable requirements of the Florida Building Code, resulting in a new, safe, and attractive sign product to the area. She stated that the proposed sign location has also been deemed the best location for sign placement based on the existing concrete and electrical infrastructure to serve the proposed sign.

Aerial views of the property and photos of the property and postings were shown.

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

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

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Ms. Then stated the property was designed so that the driveway closer to where the sign is going to be located is an exit and it has been designed to show that with the arrow, and the driveway to the south is an entrance.

The subject property lies in Section 20, Township 18, Range 24, in Lady Lake, Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Heavy Commercial (HC). The application is complete and ready to be transmitted to the Planning and Zoning Board for their recommendation. Resolution No. 2014-113 was reviewed by Town Attorney Derek Schroth on Thursday, July 31, 2014, and was determined to be correct in form.

Comments for this application are as follows:

- Notices to inform the surrounding property owners (7) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, July 28, 2014. The property was also posted on Monday, July 28, 2014. Ms. Then reported that of the seven notices sent out, six return receipts were received back, and there have been no phone calls, or written communication in favor or opposition.

Ms. Then stated the members of the Technical Review Committee individually reviewed the application for Resolution No. 2014-113 and provided all comments by Monday, July 28, 2014. The TRC report was included in the packet. The Town Commission will review the application for Resolution No. 2014-113 for final consideration at its special meeting on Wednesday, September 3, 2014 at 6:00 p.m.

Ms. Then stated that the applicant and owner are present if there are any questions.

Member McKenzie asked what the sign setbacks from the road were.

Ms. Then replied the setbacks are a minimum of five feet from the road for a freestanding sign up to eight foot, and ten feet for anything taller.

Vice Chairperson/Member Sigurdson clarified that staff does not have any problems and he stated that it does fit in that area.

Ms. Then agreed, and stated the Building Official had no issues regarding visibility and no issues found based on the height of the building. She stated the new freestanding proposed sign would be in the area where the people would be coming out into southbound traffic, and it did not represent any significant obstruction of visibility based on the location and the height of the sign.

Vice Chairperson/Member Sigurdson stated there does not appear to be any alternative in placing the sign anywhere else on the property.

Ms. Then agreed, stating that was why the variance is before the Board as the applicant could not meet the 100 feet requirement.

Chairperson Gauder referred to the picture of the driveway and asked if the sign would be beside the exit driveway.

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Member Pierson stated he thought the sign would be located south of the exit. He asked if you would have to move out to see what is coming when exiting.

Ms. Then reviewed the picture of the driveway and the proposed sign location. She stated the cars will have a minimum of five to eight feet clearance to make a right turn only, heading southbound.

Chairperson Gauder stated the nose of the car would be in the road when exiting, and asked if the exit and entrance could be reversed.

Ms. Then stated it was safer to have the entrance further down because of the proximity to the intersection of Highway 466 and for the stacking of cars as they turn right heading south on US 27/441.

Thad Carroll, Growth Management Director, stated the orientation of all the parking spaces are already at a 45 degree angle with the flow of traffic, so it is not simply a matter of reversing the flow, it would be reversing all the angles of the parking. He stated all the parking in the rear and along the west boundary is at a 45 degree angle, and the sidewalk is within the right-of-way, so being five feet back from the right-of-way is providing five feet of clearance, plus the width of the sidewalk should give enough clearance to see the oncoming traffic.

Chairperson Gauder asked if anyone in the audience had any comments or questions. There were no questions or comments.

Upon a motion by Vice Chairperson/Member Sigurdson, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2014-113 to the Town Commission for consideration by the following roll call vote.

<i>MCKENZIE</i>	<i>YES</i>
<i>PIERSON</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>NO</i>

CHAIRPERSON/MEMBERS' REPORT:

Chairperson Gauder stated he would like a copy of the meeting procedures given to the Board members.

Mr. Carroll stated staff could provide a hard copy to the Board at the next meeting.

ADJOURN:

With nothing further to discuss, the meeting was adjourned at 6:20 p.m.

Julia Wolfe, Staff Assistant to Town Clerk

John Gauder, Chairperson