

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

**August 27, 2014
5:30 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
 Mike McKenzie, Member
 Alfred Monteleone, Member
 William Sigurdson, Vice Chairperson/Member
 John Gauder, Chairperson

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

Chairperson Gauder apologized to the applicant for having to attend the meeting.

OPEN FORUM:

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

NEW BUSINESS:

1. 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 (This is being re-heard due to advertising requirements.) (Thad Carroll)

Thad Carroll, Growth Management Director, thanked the members and the applicant for attending the meeting. He stated staff has to advertise variance resolutions seven days prior to the Planning and Zoning hearing, and the ad did not run in time.

Mr. Carroll reported that the Planning and Zoning Board heard Resolution No. 2014-113 for variance application by AA Castle, LLC requesting to be allowed to erect a freestanding sign 75 feet from the closest freestanding sign on August 11, 2014. He stated this application requires notices to the property owners, posting of property, and newspaper public advertisement; however, the newspaper public advertisement didn't take place. Due to the public advertisement requirements for variance applications pursuant to Chapter 3, Section 3-14).d).3), Town staff has to recreate the Planning and Zoning Board meeting again to meet all technical requirements.

Mr. Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He 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. He 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. He 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.

Mr. Carroll 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. He 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. He 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. Mr. Carroll 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. He 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.

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

Mr. Carroll 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. He 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.

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 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.

Mr. Carroll reported that 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. He stated 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. He stated that staff recommends approval.

Mr. Carroll 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, and the TRC report was included in the packet. The Planning and Zoning Board heard the application for Resolution No. 2014-113 at their regular meeting on Monday, August 11, 2014, and recommended approval by a 3-1 vote. The Town Commission will review the application for Resolution No. 2014-113 for first and final consideration at its special meeting on Wednesday, September 3, 2014 at 6:00 p.m.

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

CHAIRPERSON/MEMBERS' REPORT:

Chairperson Gauder asked the Board if they like the 5:30 p.m. meeting time. He asked Mr. Carroll if changing the regular meeting time from 6:00 p.m. to 5:30 p.m. would be a problem.

Mr. Carroll replied if the Board would like to entertain changing the meeting time, it could be added to the next agenda, and he would also need to consult with the Town Attorney to make sure it complies with their schedule.

ADJOURN:

With nothing further to discuss, the meeting was adjourned at 5:39 p.m.

Julia Wolfe, Staff Assistant to Town Clerk

John Gauder, Chairperson