REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE:	**Monday, June 1, 2015**
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[1]: Robert Ridgard – Central Florida Freethought Community

E. ROLL CALL

F. PUBLIC COMMENTS[2]

G. PRESENTATION:

1. Regarding New Animal Control Services (Chris McKinstry/Denise Williams)

H. CONSENT[3]:

2. Minutes – May 18, 2015 – Special Commission Meeting
   – May 18, 2015 – Commission Workshop Meeting
   – May 18, 2015 – Regular Commission Meeting

3. Consideration of Memorandum of Agreement for Polling Places – Pct. #11 to Allow the Lake County Supervisor of Elections to Hold the Presidential Preference Primary on March 15, 2016, the Primary Election on August 30, 2016, and the General Election on November 8, 2016 at the Community Building (Kris Kollgaard)

I. OLD BUSINESS:

J. NEW BUSINESS:

4. Consideration of the Purchase of Three FDLE FALCOM RapidID Edge Device Software and Fingerprint Scanners (Chris McKinstry)

5. Approval to Submit a Letter to the Florida Department of Transportation to Allow for the Application of a Building Permit for Bus Shelter #10 on Highway 27/441, at a Revised Location, Near the McDonald's Restaurant, Approximately 80 Ft. South of the Intersection with Fennell Boulevard (Thad Carroll)

K. TOWN ATTORNEY'S REPORT:

6. Ordinance No. 2015-02 – Second/Final Reading – Phillip and Donna Willman Center – Rezoning/CP MOA Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Use – Located at 917 Teague Trail/CR 25, North of Allstor Commerce (Thad Carroll)

L. TOWN MANAGER'S REPORT:

M. MAYOR/COMMISSIONER'S REPORT:

N. PUBLIC COMMENTS[4]

O. ADJOURN

***Back up for agenda items is available on the Town's website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk's Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

NS/Word/Town Clerk/Agendas - Commission Meeting – 06-01-2015

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[1] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

[2] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

[3] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

[4] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

There Is No

Packet Item

For Item G-1

H-2

MINUTES OF THE SPECIAL MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
May 18, 2015

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 4:00 p.m.

1. CALL TO ORDER

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; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

Others Present: Steve Cockerham of Neel-Schaffer Inc.; Keith Riddle of Riddle Engineering; George Lindsay-Highland Homes; Gordon Mock-Island Style Homes; Warren Lovell-Property Owner; Charles Melton of Melton Construction; and Paul Rogers

3. Public Comment

Mayor Kussard asked if there were any comments or questions. There were no comments or questions at this time.

4. Discussion/Direction Regarding the Development and Implementation of a Stormwater Funding Program (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary from the agenda item cover sheet which is on file in the Town Clerk's office. He stated that staff is seeking input from the Town Commission regarding the potential development of a Stormwater Funding Program. Mr. Eagle stated that the General Fund is currently the primary source of funding for most stormwater maintenance activities throughout the Town. He stated that the stormwater fund, if implemented, could fund certain mowing, maintenance, NPEDES permit compliance, and capital project activities as a supplement to the General Fund; and potential projects such as continuation of the recent CDBG Grant Skyline Stormwater Improvements Project could be funded via this program. Mr. Eagle introduced Steve Cockerham with Neel-Schaffer, Inc., Town engineer, to present more detailed information for consideration.

Mr. Cockerham thanked the Commission for renewing Neel-Schaffer's contract, and reviewed the Stormwater Utility Fund Program Development presentation as shown on the handout and PowerPoint presentation. He defined a stormwater utility as a business unit of local government dedicated to the provisions of stormwater management similar to water and sewer utilities with fundamental requirements being dedicated/sufficient revenues, equitable rate structure for customers, collectable/enforceable, and legally defensible by ordinances/resolutions. Mr.

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Cockerham stated that the stormwater rate is a mechanism to fund the stormwater utility versus funding from property taxes; being a dedicated funding source and reducing the burden on general funds, and facilitating planning and construction projects. He stated existing stormwater systems are curb-less roadway open swales and ditches, curb and gutters systems through piping, and retention and detention ponds. Mr. Cockerham stated that services and costs included in the utility could be enhanced operations, capital projects and MS4 permit compliance. He stated that estimated annual stormwater expenditures for labor, materials, street sweeping, and permit administration are $409,700 per Mr. Eagle. Mr. Cockerham reviewed the annual revenue generated by surrounding communities' stormwater rates, which varied from $21,000 for Fruitland Park to $4,245,131 for Ocala; with Leesburg being between that at $1,400,000. He asked if there were any questions.

Mayor Kussard asked if this would be an across the board fee; the same for every household. She asked how it would be billed.

Mr. Cockerham replied it could be done in different ways with different fees for apartment complexes versus residential homes and commercial buildings, etc. He stated that the Town could develop an equivalent residential unit (ERU) rate for stormwater per impervious area on a lot. He stated that the Town would need to figure out how to bill the stormwater rate because many of Lady Lake's residents receive their utilities through The Villages, so perhaps it could be billed on the tax bill or a separate bill instead. He stated the County does it through millage increases.

Town Manager Kris Kollgaard stated that if it was billed by the millage rate, it would not be a flat rate.

Commissioner Richards commented that the Town is responsible for all the pipes in The Villages as all the roads were dedicated to the Town, although we are not responsible for mowing the retention areas in The Villages.

Commissioner Hannan asked if the Finance Director had commented on the stormwater fund.

Ms. Kollgaard stated that she has not commented on it, but that the Town has considered this in past years. She stated the Town will eventually need to do something about this in order to recoup some of the money spent for stormwater upkeep. She suggested that it could be shown as a non-ad valorem rate on the tax bill the same as fire or solid waste.

Commissioner Richards stated he would assume that the mill rate would be reduced by the equivalent amount charged for the stormwater rate if this was put on the tax bill, although ERU's would still need to be figured out. He stated he would be in favor of this if it was a wash, but did not favor implementing a new tax to generate the funds for stormwater.

Mayor Kussard asked that the Town look at other options.

Ms. Kollgaard stated that the Town could put this off for another year or two, and either the Town could continue to absorb the costs for the stormwater maintenance or it can look at recouping some of the costs for it.

Commissioner Hannan stated he agrees with Commissioner Richards for a wash, but to let the residents know what the Town is doing.

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Commissioner Holden commented why add more beaurocracy.

Ms. Kollgaard stated that it would be less work to continue absorbing the costs rather than to do a wash. She asked Mr. Eagle if much of the funding comes from Utilities.

Mr. Eagle replied that some comes from the Utility fund, which is an enterprise fund.

Ms. Kollgaard stated that staff wanted to bring it before the Commission, but it is their decision on whether to implement it or continue on absorbing the costs as the Town is now, but that she did not recommend a wash.

Mayor Kussard agreed that the Town does not need more beaurocracy.

Mr. Eagle stated one of the reasons staff suggested implementing this stormwater fund was to centralize all the funds, as some currently comes out of Utilities, with the majority coming from the General Fund. He stated a fee like this could be dedicated to certain projects such as finishing out the Skyline project. Mr. Eagle stated that if the Commission is interested in it, a study would still have to be done to figure out how it would be implemented, but most likely it would be on the tax roll or on separate billing. He stated that staff could budget for the cost of the study on next year's budget if the Commission is interested, or wait until a later date. Mr. Eagle stated the Town is the only municipality in the area that does not have dedicated funds for this.

Commissioner Richards suggested that it might be a good idea to have a dedicated fund for stormwater, even if it is a wash.

Ms. Kollgaard stated she did not feel it was a good idea to reduce funds coming in to the General Fund from tax monies to fund a dedicated stormwater fund for a wash.

Commissioner Vincent asked Mr. Eagle about the maintenance costs for the stormwater system.

Mr. Eagle replied that the current annual cost was estimated at $409,700, although some costs are shared costs with General Fund maintenance.

Commissioner Holden stated that he feels the ad valorem tax would be the way to go so The Villages residents could share in the cost.

Commissioner Hannan stated he felt a dedicated fund would be a good idea for stormwater and fund it from existing Utilities and General funds.

Ms. Kollgaard stated the Town would have to be careful doing something like that as the Utilities fund is an enterprise fund. She asked how long a study would take.

Mr. Cockerham stated the study would take three to four months.

Ms. Kollgaard stated she is concerned about the repayment of the Communication Services Tax as the Town currently only has a general idea of the amount. She stated she would be more comfortable at this time if just the study were done now, and then implement the stormwater fund program in the next tax year and lower the ad valorem tax so it comes out as a wash if the Commission approved.

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After learning the study would cost approximately $50,000 to $60,000, and after some further discussion, ***it was the consensus of the Commission that they did not want to fund a study for the development of a stormwater fund at this time.***

5. Conceptual Plan Presentation for the Stonewood Village Subdivision Plat Plan - Proposal to Submit a Subdivision Plat Plan with a Waiver Request for a Minimum Lot Width Reduction from 75 Ft. to 70 Ft. and Two Variances Requests for Reduction of Side-Yard Setbacks for All Structures and Rear-Yard Setback Reduction for Accessory Structures Respectively – Located Along Highland Trail and Woodland Trail (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary from the agenda item cover sheet which is on file in the Town Clerk's office. He stated that the applicant, Keith E. Riddle of Riddle Newman Engineering, Inc., on behalf of Stonewood Village, LLC, is ready to proceed with a Subdivision Plat Plan application for a 40.05 ± acres property located along Highland Trail and Woodland Trail, approximately 1300 lineal feet west of Arlington Avenue within the Town of Lady Lake. He stated Mr. Riddle is present, as is George Lindsay of Highland Homes, developer.

Mr. Carroll showed aerial views of the subject property which is currently a wooded vacant residential parcel with the zoning designation of Single Family Medium Density (RS-6). The Future Land Use of the property is Single Family Medium Density (SF-MD). The developer is ready to move forward with the subdivision platting process, and they would like to present a conceptual layout to showcase the development at this time.

Mr. Carroll stated that the conceptual plat plan highlights a complete stand-alone residential subdivision incorporating 25% open space area as required by **Chapter 8, Section 8-5).f).1)** . The projected density for the plan is 2.7 units/acre with a typical lot size of 7,700 sq. ft., having a minimum depth of 110 ft. and minimum width of 70 ft.; which meets code. He stated that the applicant would like to receive input and comments regarding applying for two subdivision-wide variances to allow for side-yard setback reduction for all structures and rear-yard setback reduction only for accessory structures to include pools and pool screen enclosures.

Mr. Carroll reviewed the variances requested by the applicant as follows:

- In accordance with the provisions of **Chapter 5, Section 5-4).d).4).C).2).**, the side-yard setback for the RS-6 Zoning District is required to be six ft. to another lot; however, the applicant would like to propose five ft. side-yard setback for all structures. The applicant indicated that although not all homes will be built up to the 5 ft. setback line, the adjustment allows for greater variety of home floor plans.

- As per **Chapter 5, Section 5-4).d).4).C).3).**, the rear-yard setback for the RS-6 Zoning District is required to be 20 ft.; however, the applicant would like to propose five ft. rear-yard setback for accessory structures only, to include pool and pool enclosures. The applicant indicated that with the current 20 ft. rear setback, there is not adequate room to construct a pool enclosure. Additionally, it was pointed out that the addition of a pool and/or pool enclosure has the potential to increase the taxable value of each home by nearly $40,000.00.

- Lastly, the applicant would like to request a waiver to reduce the minimum lot width from 75 ft. to 70 ft. wide based on the provisions of **Chapter 5, Section 5-4).d).4).B).** As per **Chapter 8, Section 8-5). f).1),** the applicant has provided the required 25% open space and has clustered

the lots together in order to provide more usable recreational space in a concentrated area. He added that slightly smaller lots allow for a few additional lots to spread out the development costs over a greater number of lots, allowing for more affordability to pass on to the consumer, and the overall density of 2.7 is still far below the allowable 6.0 units/acre.

The following items were included in the agenda packet:

- Project Introduction Statement
- Conceptual Subdivision Plan Layout
- Photographs of Activity-Based Recreational Area (Tot Lots/Parks)

Mr. Carroll introduced Mr. Lindsay to give a presentation and stated Mr. Riddle, engineer, is also present if there are any questions after the presentation.

Mr. Lindsay stated he represents Highland Homes, a family owned business of over 40 years, and operating in eight counties in Florida; headquartered in Lakeland in Polk County. He reviewed their reasons for the three variance requests as stated above, and showed photos of Highland Homes' models, some of their subdivisions, and a sample of a passive park/tot lot.

Commissioner Richards asked Mr. Carroll if the original reason for the six foot side setback was for access between the buildings.

Mr. Carroll replied that he did not recall the reason for the six foot side setback, and there is a five foot side setback in the MX-8 district which allows for the five feet on each side for the fire separation requirement.

Commissioner Holden stated that he is not in favor of any variances and that he feels it is a perfect example of urban sprawl.

Mr. Lindsay remarked that this would be contrary to urban sprawl by getting more density in a smaller area.

Mayor Kussard stated she is in favor of reducing the minimum lot width and increasing the depth, and reducing the side setback to five feet, however she is not in favor of reducing the rear setback from 20' to five feet. She stated that it is too close to the yard behind. Mayor Kussard also commented she is concerned that the tot lot was placed too close to the retention pond.

Mr. Lindsay replied that the tot lot can be placed in another location on the north or south side; they were just showing there is an accommodation for it on the property.

Commissioner Hannan stated he is not in favor of the side and rear setback variance requests.

Commissioner Holden voiced his objections to the project and stated he believed it would turn into a slum.

Mr. Lindsay stated he took issue with some of Commissioner Holden's comments and that there would be strict homeowners' association rules and management of same. He stated they are cautious when they turn it over to the homeowners to be sure they are adequately funded and understood. Mr. Lindsay stated the homes are built for families and models are available for

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viewing. He stated the setback variance requests are an accommodation of the market and they are nice homes in the $200,000 range.

Commissioner Holden stated that he visited the model and felt it was nice, and that if these homes were built on nice size lots like those, he would have no complaints. He stated there is no building for the homeowners' association to meet in and it may fall apart once the developer pulls out.

Commissioner Hannan asked if the developer will run the homeowners' association.

Mr. Lindsay replied that they run it until about 80% home ownership is achieved, and then the law requires them to turn it over to the homeowners. He stated they contract with a homeowners' association management company to run it for the homeowners. He also reiterated that 2.7 units per acre is not high density, but does not accommodate urban sprawl either.

Commissioner Richards asked how the water runoff will be considered if all the homeowners had pools and these requested setbacks.

Mr. Lindsay stated the ratio of impervious surface and the soil quality dictates the size and depth of the retention pond. He asked Mr. Riddle for his input on this question as well.

Keith Riddle of Riddle Engineering replied that they have not gotten into the detailed engineering calculations, but that he has developed thousands of homes and subdivisions with five foot setbacks, and there is adequate room to swale the water to the street and then to the stormwater retention ponds. He stated impervious areas to include pools and concrete areas would be taken into account in the permitting process.

Commissioner Hannan asked what percentage of homeowners want pools; stating his guess is that one out of every 15 would have a pool.

Mr. Lindsay agreed with that estimate.

Commissioner Richards stated the Commission could look at each individual variance request for a pool as it is requested.

Mr. Lindsay stated that it could become a problem to every second or third owner if a first owner was accommodated.

Mayor Kussard allowed public comment on this agenda item.

- Charles Melton of Melton Construction stated he lives in the Stonewood Estates subdivision which is directly across from the entrance of this proposed subdivision. He stated this developer just bought the development his house is in and although the deed restrictions state a home's minimum is 2,000 sq. ft., they just built a 1,600 sq. ft. home which sold for $162,500 with no sidewalks. Mr. Melton stated he feels the Town should stay with the RS-6 zoning for 75 ft. lot width.

Mr. Lindsay stated the previous developer changed the home size restrictions prior to them purchasing the subdivision.

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- Mr. Melton stated that the existing deed restrictions were recorded with this home sale. He stated that traffic issues will arise because of the subdivision.

Mr. Carroll stated the matter before the Commission today is the lot width and setback requests and that updated traffic studies will be required at a later stage if this proceeds.

Commissioner Richards stated he is not inclined to go outside the RS-6 standards for this property.

- Paul Rogers of 383 Carriage Lane stated this property backs up to his property line and is nicely wooded. He stated he believes these variance requests will devalue his property and believes this goes against the Town's code. He stated an impact study needs to be done.

Ms. Kollgaard reiterated that this is a conceptual presentation, and there is no vote or decision to be made today. She stated that if this moves forward, other public hearings will be noticed and held, and an impact study would be needed.

After further discussion, it was the consensus of the Commission that they were not in favor of advancement of the conceptual presentation of the Stonewood Village Subdivision Plat Plan with the variance requests as presented.

Mr. Lindsay asked what public hearings are necessary if no variances are requested.

Mr. Carroll replied that it will just go through the plat process without the variances.

6. Conceptual Plan Presentation for Garden Village - A Proposed Traditional "Old Florida" Village Style Development Consisting of Restaurants, Shops, Homes, and Apartments on an 18.51 +/- Acre Parcel Facing Rolling Acres Road, Approximately 1,295 Lineal Feet South of the Intersection of Hwy 466 and Rolling Acres Rd. (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary from the agenda item cover sheet which is on file in the Town Clerk's office. He stated that the applicant, Gordon Mock with Island Style Homes, on behalf of property owner, T. Lovell Alpha, LP, would like to present a conceptual development plan on a 18.51-acre parcel located at 38624 Rolling Acres Road, approximately 1,295 ft. south of the intersection of Highway 466 and Rolling Acres Road (Alternate Keys 2908645, 1454735, and 3565517). The property was annexed into the Town in April, 2007, and adopted a zoning designation of Lady Lake Mixed Use Planned Unit Development "PUD" under Ordinance No. 2006-50 as part of a project known as the Rolling Acres Mixed Use Complex.

At this time, the applicant has been retained by Mr. Lovell to receive input and comments regarding a conceptual development plan proposing restaurants, shops, homes, and apartments. The density is projected to be +/- 11 units/acre. The proposal for the Lady Lake Mixed Use PUD incorporates the following development mix:

Development Type	Number of Units
Commercial Area	+/- 70,000 sq. ft.
Single Family Homes	+/- 66 units
Apartments	+/- 140 units

The conceptual plan highlights the different components of the proposal labeled A through G as follows:

A) Commercial buildings/apartments over shops
B) Community vegetable gardens/plots
C) Citrus groves and orchards
D) Required landscape buffer
E) Walking trail
F) 40 ft. wide lots
G) 50 ft. wide lots

The following items were included in the packet:

- Conceptual plan
- Renderings of similar home designs
- Architectural exterior elevations of similar proposals

Mr. Carroll stated that this is something new to the Town as there is no comparable projects that he can point out. He stated it is a bit of a higher density for Lady Lake. Mr. Carroll stated that prior to submitting the site plan application, the applicant would like to seek input and feedback with the understanding that the conceptual workshop only offers non-binding guidance.

Gordon Mock of Island Style Homes passed out a hand out showing his concept and similar types of homes. He stated he is from Vero Beach and is an architect, general contractor and small developer. He stated he created a prefabricated building system 25 years ago and some of their work is in the Caribbean, Hawaii, the Bahamas and the Florida Keys. Mr. Mock stated his goal is to build higher quality Florida homes and is modeled after traditional neighborhood developments (TNDs), or new urbanism. He introduced his client, Warren Lovell, who has owned the property for eight years and was approved with a PUD zoning.

Mr. Mock pointed out that Rolling Acres Road is heavily trafficked and will get more. He stated that the type of development they are proposing will hopefully include shops, restaurants, and offices in a neighborhood setting off of this roadway, or a mixed use development, with a sense of a village with grids of streets with off-street parking rather than parking lots.

Ms. Kollgaard stated that in a meeting several years ago to discuss how the public would like to see the Highway 466 and Rolling Acres Road area developed, this was what they came up with.

Commissioner Richards stated he liked the mixed unit development idea which will result in a lot of internal capture.

Mayor Kussard stated this reminds her of Lake Sumter Landing in The Villages and Sanibel Island.

Commissioner Vincent expressed his concerns about the traffic on Rolling Acres Road and that he hoped the infrastructure of the roads will keep up with development.

Mr. Mock stated that he feels something will be done to alleviate traffic. He stated his proposal is for a development that will be loved 100 years from now. He mentioned that Haile Village in Gainesville, Florida is also this same type of development.

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Commissioner Holden asked if four lane frontage would fit into his plan.

Mr. Mock stated he is envisioning an orange grove or something of this nature as frontage as you turn into the development.

After further comments, it was the consensus of the Commission that they were in favor of advancement of the conceptual presentation for Garden Village as presented.

8. ADJOURN: There being no further discussion; the meeting was adjourned at 5:12 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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MINUTES OF THE SPECIAL WORKSHOP MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
May 18, 2015

The Special Workshop 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 5:15 p.m.

1. CALL TO ORDER

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; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

Others Present:

3. Public Comment

Mayor Kussard asked if there were any comments or questions. There were no comments or questions.

4. Discussion/Direction Regarding a Request from The Villages to Allow the Building Permits and Inspections on the Lots Either Owned by or Under Contract with The Villages in the Enclaves to be Permitted Through the Town and Discussion of Possibly Annexing in These Homes (Kris Kollgaard)

Kris Kollgaard, Town Manager, stated that The Villages has approached her and she has spoken with Gary Lester and Steve Roy regarding the new homes they are rebuilding in the east side of The Villages, many of which are in the enclaves. She stated they would like to permit through the Town of Lady Lake and annex them into the Town in that process. Ms. Kollgaard pointed out the locations of the homes in the enclaves on the map that was included in the packet. She stated that years ago, the citizens in that area were given the option to annex into Lady Lake or stay in the County; many of the people in the enclaves do not want to annex in as they are receiving Town services but are paying no taxes to the Town. Ms. Kollgaard reported that the state is trying to eliminate enclaves in communities. She stated the Town could do an involuntary annexation, although she understands that the Commission does not want to do that.

Ms. Kollgaard stated the homes that The Villages are rebuilding are circled in red on the map and amount to approximately 20 homes, but may turn into 300 homes being annexed in over the next ten years. She stated an interlocal agreement between the County and the Town to allow the Town to permit, inspect, and annex these homes in the enclaves has been drawn up and reviewed by the attorneys and is on the agenda for approval at the regular Commission meeting if approved at this meeting. Ms. Kollgaard reported that the Finance Department estimated the revenue potential (ad

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valorem taxes, CST revenue, state sales tax, local gas tax) of each home being annexed in at $848.96 per year.

Ms. Kollgaard stated that the Town currently patrols in that area and responds to calls already. She stated that residents in the enclaves currently pay Lake County Fire Assessment on their tax bill, although The Villages will still respond if they are closer than Lake County, and will get reimbursed by Lake County if they do. She stated they use pumper trucks, although some fire hydrants have been put in some areas.

Commissioner Richards stated that some fire hydrants were installed when The Villages redid some of the side streets with new water lines last summer. He stated he is in favor of it.

Commissioner Hannan asked why The Villages wants to annex in these homes and why they want to permit through the Town. He stated he is in favor of it as long as it does not cost the Town.

Ms. Kollgaard replied that it is easier for The Villages to permit through the Town and they do not have to go to Tavares. She stated that when this was brought up, she suggested that they annex the homes into the Town as they are being permitted, and the County agreed that it would allow the Town to enforce the codes. Ms. Kollgaard stated that at this point, it will not cause increased services, but if 400 to 500 homes were added, another police officer might be needed.

Commissioner Holden commented that additional staffing may be needed in Growth Management and Public Works as well.

Commissioner Hannan asked how the work load is now.

Ms. Kollgaard replied that Growth Management is busy, but that they are handling the work load and they are a good team. She stated years ago, The Villages used to come in with permits for 200 to 300 homes at a time.

Commissioner Holden asked if the area included Units 4 and 5 only, or if it also included Units 6, 12 and Silver Lake.

Ms. Kollgaard replied that only the homes encircled in red are to be rebuilt, and Commissioner Richards pointed out that the areas in white are already in the Town, and only the yellow areas are enclaves.

Commissioner Holden confirmed that the entirety of Unit 6 was already in the Town. He commented that the enclaves must be hard for Public Works, and that he is worried about the beaurocracy involved with road maintenance, street lights, etc.

Ms. Kollgaard replied that the Town can notify them within 90 days if we do not want to do it anymore if that becomes the case. She stated if and when the Town obtains 51% ownership, we can then notify the County that they must bring the roads up to standard before the Town takes them over. She stated the Town can collect more revenue for roads added to the Town. Ms. Kollgaard stated that The Villages puts in street lights and Lady Lake will maintain them.

Mayor Kussard pointed out that the Town will be able to collect more gasoline taxes and road mileage based on added population. She stated it is a win/win situation annexing in the homes one at a time.

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Ms. Kollgaard reiterated that the state is pushing to get rid of enclaves and may mandate it in the future.

Commissioner Holden stated that subdivisions are not a money maker for the Town.

Commissioner Richards replied that the Town is not allowed to make money from them.

Ms. Kollgaard agreed, and stated that the Town already services this area and it will not cost the Town anymore to do this.

After further discussion, it was the consensus of the Commission that they were in favor of allowing building permits and inspections to be permitted through the Town on lots either owned by or under contract with The Villages in the enclaves, with the possibility of annexing in these homes.

5. <u>Discussion/Direction Regarding When Water and Sewer Agreements are Needed (Kris Kollgaard)</u>

Town Manager Kris Kollgaard stated that the Town is currently drawing up a water and sewer agreement for any new development using over three ERU's (equivalent residential units). She stated that the Town really does not need a water and sewer agreement unless a developer is serving an unincorporated area or is due some recapture (reimbursement) for infrastructure, and that it takes a lot of unnecessary staff time and review by the Town Attorney. Ms. Kollgaard asked the Commission for their opinion on it.

Mayor Kussard asked if Ms. Kollgaard was talking about current or new development.

Ms. Kollgaard replied that the agreements are for new development. She stated that the Town does not currently require a water and sewer agreement for a store or anything that comes in needing three ERUs or less, but if it is over three ERUs, we do. She clarified that she is asking the Commission if they would agree to the Town only having water and sewer agreements for any type of development where there is special circumstances or anything out of the ordinary, or if recapture is needed.

It was the consensus of the Commission that they were in favor of utilizing water and sewer agreements if there are special circumstances or recapture necessary, rather than the current process of drawing up an agreement for any development using over three ERUs.

6. ADJOURN: There being no further discussion; the meeting was adjourned at 5:30 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
May 18, 2015

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: Led by Joe Quinn.

D. INVOCATION[i]**:** Pastor James Keough – Congregational Church of The Villages

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; Marsha Brinson, Director of Library Services; John Pearl, IT Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS[ii]

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

Mayor Kussard mentioned that Chief Chris McKinstry gave a wonderful speech at this past weekend's Police Memorial event. She stated she has asked that it be included in the newsletter so everyone can read it.

G. PROCLAMATION:

1. **<u>Proclaiming May 22nd and May 23rd, 2015 as Poppy Days (Mayor Kussard/Ruth Sovern-American Legion Auxiliary Unit 347)</u>**

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Mayor Kussard proclaimed the dates of May 22nd and 23rd, 2015 as Poppy Days in the Town of Lady Lake. She read the proclamation and presented it to Ruth Sovern of the American Legion Auxiliary Unit 347.

H. CONSENT[iii]:

Mayor Kussard asked if the Commissioners would like to pull any Consent items for discussion. No items were pulled for discussion.

2. Minutes – April 20, 2015 – Special Commission Meeting
– April 20, 2015 – Regular Commission Meeting

3. Consideration for the Lady Lake Soccer Association to Host Their Annual British Soccer Camp on June 8-12, 2015 at the Rolling Acres Sports Complex Soccer Fields and to Donate the Field Rental Fees to the Lady Lake Soccer Association for Scholarships for the Fall Season (Mike Burske)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Lady Lake Soccer Association is seeking permission to once again host their summer British Soccer Camp through Challenger Sports. This camp gives area children the opportunity to learn soccer skills from very skilled coaches. At the camp, all participants are given a ball, and if they sign up early, are given a shirt for the camp. The camp varies from 30 to 80 participants. In watching the camp and how it has been coordinated through the years, The Parks and Recreation Director believes it to be a benefit to the community.

The Challenger Sports website is available for viewing at www.challengersports.com to better understand who they are and what they teach. Challenger Sports provides their own insurance and background checks for all of the coaches, and will once again rent the fields. Last year, the Town donated the field rental fee to the Lady Lake Soccer Association to assist those who are unable to pay to play soccer, as the funds would come in too late to help those who are unable to pay for this camp.

4. Consideration to Accept the Title VI/Nondiscrimination Assurance Form with F.D.O.T. for Phase II of the Rolling Acres Sidewalk Project (Mike Burske)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Town of Lady Lake needs to enter into this assurance agreement with F.D.O.T. District 5 for Phase II of our sidewalk project. As noted in the document, this assures F.D.O.T. that the Town will not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status.

5. Interlocal Agreement between Lake County, the Municipalities, and Lake County School Board Regarding the Distribution of the Local Government Infrastructure Surtax (Kris Kollgaard)

The background summary for this agenda item is on file in the Town Clerk's office. It states that if the referendum is passed this November to extend the one cent surtax for an additional 15 years (2018-2032), the county, municipalities, and Lake County School Board have to have an agreement in place regarding the distribution of the funds. The distribution for this agreement is the same as the previous agreement done in 2002, which was 33.3% to the School Board, 33.3% to the county, and 33.3% to the municipalities to be divided among them based on population. The interlocal agreement has been reviewed and approved by the Town Attorney.

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6. Consideration of the Revised Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT) (C.T. Eagle)

The background summary for this agenda item is on file in the Town Clerk's office. It states that the Florida Department of Transportation (FDOT) has revised the Traffic Signal Maintenance and Compensation Agreement previously approved via Resolution No. 2014-112. The revised agreement does not change the scope of the agreement, but does raise the reimbursement funds given to the Town. The attached resolution authorized the Town Manager to execute and sign said agreements.

7. Consideration to Renew the ESRI Small Municipal and County Government Enterprise License Agreement for GIS Software (John Pearl)

The background summary for this agenda item is on file in the Town Clerk's office. It states that in 2009 and 2012, the Town Commission approved staff's recommendation to accept the ESRI Small Government Enterprise License Agreement proposals to enter into three year software licensing agreements. ESRI provides Geographical Information System (GIS) software used by Growth Management and Public Works staff. The 2012 agreement is now expiring and staff recommends renewing the agreement for another three year term. The cost for this license agreement has been included in the 2014/15 fiscal budget and is to be shared equally between the I.T. and Public Works departments.

8. Consideration of Fixed Asset Disposal – Four Items from Parks & Recreation (Kris Kollgaard)

The background summary for this agenda item is on file in the Town Clerk's office. It states that four items from the Parks and Recreation Department are no longer operable or useful to the Town. They include a Kubota tractor (Ser. #0572), a 1987 John Deere 1050 tractor (Ser. #7648), a 1976 John Deere 400 tractor (Ser. #2640), and a Kubota Loader (Ser. #50103). Staff is requesting to remove these items from the Fixed Asset list and have them taken to auction. The monies received from these items will go back into the General Fund.

9. Consideration of Approval to Sign the Media Sonar Agreement (Chris McKinstry)

The background summary for this agenda item is on file in the Town Clerk's office. It states that social media monitoring tools streamline the work of searching social media for intelligence information that facilitates pro-active law enforcement efforts to insure the safety of our community. Without these tools, analysts would need numerous hours to aggregate what could be thousands of social media pages and feeds. Media Sonar provides this service. All expenses required for this fiscal year have already been budgeted and no further funding is required. This expenditure will provide the time to evaluate the service to determine if this will become a budgeted item next fiscal year. Town Attorney Derek Schroth has reviewed this agreement.

10. Consideration of Approval of the Donation from the Town Forfeiture/Law Enforcement Trust Fund to Assist Funding for the Florida Missing Children's Day (Chris McKinstry)

The background summary for this agenda item is on file in the Town Clerk's office. It states that as proclaimed by resolution of the Florida Legislature, Florida Statute 683.23, the "first ever" Florida Missing Children's Day was held on Monday, September 13, 1999. Each year, parents, children law enforcement officers and citizens gather to remember Florida's children who are still missing and those who will never come home again. The Governor, Lieutenant Governor, and FDLE's Commissioner all participate as speakers. The main objective of this day is to raise awareness of

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Florida's currently missing children, to educate the public on child safety and abduction prevention, and to recognize those individuals and law enforcement officers who have made outstanding contributions in the missing children issue. The Florida Police Chiefs Association and the Florida Sheriffs Association have again united in their support of this event and have asked for statewide participation.

11. Consideration of Approval to Apply for the Bulletproof Vest Partnership Initiative for Sworn Police Personnel Vest Purchases and Replacements (Chris McKinstry)

The background summary for this agenda item is on file in the Town Clerk's office. It states that staff is requesting approval to apply for, and accept if awarded, the 2016 U.S. Department of Justice Bulletproof Vest Partnership Initiative. 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 five year warranty. The Police Department anticipates the need to purchase 12 new/replacement vests. The average cost per vest is $810.00 plus shipping (estimated at $30 per vest), for an estimated total of $10,440. Funding decisions are made within three months after the application period closes.

12. Consideration for the Town to Submit a Letter of Approval and Support for the Daughters of the American Revolution to Place a Plaque at the Train Depot/Museum (Mike Burske)

The background summary for this agenda item is on file in the Town Clerk's office. It states that The Lady Lake Historical Society has been working with the Daughters of the American Revolution to place an historical plaque at the Train Depot designating the Train Depot as a historic building. To proceed with the marker, the D.A.R. will need a letter from the Town allowing the plaque to be placed at the building. As this agenda item is being prepared before the Parks, Recreation and Tree Advisory Committee vote on this item, the Parks and Recreation Director will have their findings available at the meeting.

Upon a motion by Commissioner Vincent and seconded by Commissioner Richards the Commission approved Consent Items #H-2 through H-12, by a vote of 5 to 0.

I. OLD BUSINESS: No old business.

J. NEW BUSINESS:

13. Kohl's Outparcel MJSP 03/15-001 – A Development Proposing the Construction of a 4,500 Sq. Ft. Retail Building – To be Located at the SW Corner of N. Hwy 27/441 and Fennell Blvd., Addressed as 472 N. Hwy 27/441 (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin DelleBovi, representing SRK Lady Lake 43 Associates, LLC, property owner, has submitted a Site Plan application proposing approximately 4,500 sq. ft. of retail space to be built in the last outparcel (Outparcel M) of the Lady Lake Crossing Plaza, on a .95-acre parcel located at the southwest corner of North Highway 27/441 and Fennell Blvd; addressed as 472 North Highway 27/441. Recent developments within the Lady Lake Crossing include the SteinMart building and the outparcel development between the McDonald's restaurant and the Tire Kingdom shop to feature a 4,000 sq. ft. retail building. Mr. Carroll stated that Owen Mietus is present on Mr. DelleBovi's behalf.

Aerial renderings and photos of the site were shown, as well as the site plan, elevations, and landscaping plan. Mr. Carroll noted that no waivers have been requested.

The property has a zoning designation of PUD-Planned Unit Development, which is governed under the Memorandum of Agreement (MOA) of Ordinance No. 2006-04. The requested uses are consistent with the directives of the Comprehensive Plan, adopted Land Development Regulations, and Ordinance No. 2006-04.

Site plans have been submitted by Jay R. Jackson, Professional Engineer with Kimley-Horn and Associates, Inc. The landscaping and irrigation plans have been prepared and certified by Jay Brown, Registered Landscape Architect with Cuhaci & Peterson. For the proposed Mediterranean retail building, the architectural exterior elevations were drawn by Cuhaci & Peterson. The applicant has complied with requirements pursuant to the Land Development Regulations (LDRs) for site plans, including Chapter 7-Site Plan Development Regulations, Chapter 10–Landscaping & Tree Protection, Chapter 14-Water, Reuse Water, and Sewer Standard Specifications, and Chapter 20-Commercial Design Standards of the LDRs. Reviews were completed for the Town of Lady Lake by Town staff, Neel-Schaffer Engineering, and Fire Inspector Kerry Barnett for compliance with the Florida Fire Prevention Code. The following reviews were included in the packet:

a. Town Engineer comments for the site plan dated April 27, 2015 (Satisfied).
b. Fire Review comments dated April 13, 2015 (Satisfied).
c. Waste Management comments dated March 26, 2015 (Satisfied).
d. Lady Lake Building Official comments dated March 16, 2015 (Satisfied).
e. Lake-Sumter MPO comments dated January 27, 2015 (Satisfied)
f. Lady Lake Public Works comments dated May 6, 2015 (Satisfied).

It is anticipated that the applicant will receive the St. John's River Water Management District Individual Environmental Resource permit in the coming days; however, in accordance with Florida Statute 166.033, Paragraph 4, this permit may not be a requirement for development approval. The applicant shall provide all required state permits prior to commencing construction.

Commercial Design Standards: The project will exhibit exterior building designs in accordance with the Mediterranean Architectural Style. No waivers are needed and none have been requested.

Tree Requirements: As per Chapter 10, Section 10-3,a).2)., all non-residential properties are required to provide 160 tree caliper inches per acre. The site is required to provide 152 tree caliper inches based upon its .95-acre area (160"x 7.71). The landscaping tree proposal breakdown is as follows, which is more than the caliper inches required:

Existing trees on site	0	tree caliper inches
Proposed trees for the site	183.5	tree caliper inches
Total tree caliper inches	183.5	tree caliper inches

No trees removals have been proposed for this project as part of the application.

Mr. Carroll reported that the Special Town Commission Conceptual Workshop took place on Monday, February 18, 2015, at which time the consensus of the Commission was to advance the development plan as presented. The Technical Review Committee members individually reviewed the application and provided all final comments regarding the Site Plan application on April 27, 2015. It was noted that the Planning and Zoning Board does not review Site Plan applications. The Parks,

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Recreation and Tree Advisory Committee did not review the site plan application as the plan meets all requirements of the code and no landscaping waivers were requested.

Commissioner Hannan asked if there will be a sign on the fascia board and if a sign will be on both the front and side, since the building is on two different streets.

Mr. Owen Mietus with Benchmark replied that there will be signs on both the Fennell Blvd. and US Hwy 27/441 side of the building.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved Kohl's Outparcel MJSP 03/15-001, as presented, by a vote of 5 to 0.

14. <u>Auto Zone Store Major Modification - MJM 03/15-002 – Consideration for a Development Consisting of a 6,815 Sq. Ft. Automotive Parts Retail Building – To be Located at 213 West Hermosa Street (Formerly the Northcott Center Site) (Thad Carroll)</u>

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Wade Davis with AutoZone Stores, Inc., submitted a site plan application for a 1.97 +/- acre parcel located at 213 West Hermosa Street. He stated that the parcel originally received Major Site Plan approval on July 7, 2008 by the Town Commission for the construction of 11,880 sq. ft. of medical and professional offices under the project name of Northcott Center. At this time, the new applicant proposes the construction of a 6,815 sq. ft. automotive parts retail building. The property is zoned Heavy Commercial (HC) and permits retail sales and services on this site. The Future Land Use Map designation for the site is RET – General Commercial Retail Sales & Services. The use is consistent with directives of the Comprehensive Plan.

Mr. Carroll stated that under the Northcott Center development, the applicant was granted site plan approval with landscaping buffers along the east elevation for the site due to a retaining wall and overhead power utility lines. He stated the same waiver requirement is being sought this evening.

The traffic impacts of this proposed development has been documented through a Tier 1 Traffic Analysis which was submitted to the Metropolitan Planning Organization (MPO). The MPO reviewed the traffic analysis and indicated that all necessary information to support the project has been provided and that no further analysis is required. The proposed automotive parts retail building is expected to generate 422 daily trips, with 41 pm peak hour trips (20 entering and 21 exiting).

The following reviews were included in the packet:

a) Town Engineer comments for the site plan dated April 27, 2015 (Satisfied).
b) Fire Review comments dated April 15, 2015 (Satisfied).
c) Waste Management comments dated April 2, 2015 (Satisfied).
d) Lady Lake Building Official comments dated March 16, 2015 (Satisfied).
e) Lake-Sumter MPO comments dated April 10, 2015 (Satisfied).
f) FDOT comments dated April 2, 2015.
g) Lady Lake Public Works comments dated April 7, 2015 (Satisfied).

It is anticipated that the applicant will receive the St. John's River Water Management District Individual Environmental Resource permit in the next coming days; however, in accordance with Florida Statute 166.033, paragraph 4, this permit may not be a requirement for development approval. The applicant shall provide all required state permits prior to commencing construction.

Renderings of the site plan and landscaping plan were shown. Photos of the property in its existing condition were also shown, along with the proposed elevations of the AutoZone store.

Commercial Design Standards: In accordance with the Land Development Regulations, Chapter 20, Section 20-3C).3).A), new buildings should adopt one of the four recommended architectural styles: Frame Vernacular, Craftsman/Bungalow, Mediterranean, or Mission.

Mr. Carroll reported that the applicant is proposing a mix of styles combining modern style with some Mediterranean style elements. Consistency with adjacent architecture on a case-by-case basis has been allowed for other outparcel projects along this corridor in the past (i.e. McDonalds, Mattress Firm, etc.); exterior building elevation compatibility in accordance with Chapter 20, section 20-3C).3).B). has been reviewed and met.

Tree Requirements: In accordance with Chapter 10-Landscape and Tree Protection, the site is required to provide 315.2 tree caliper inches based on its 1.97-acre area (160"x 1.97).

Mr. Carroll reported that the landscaping tree proposal breakdown is as follows:

Existing trees to remain	222 tree caliper inches
Proposed canopy & understory trees	130 tree caliper inches
Total tree caliper inches	352 tree caliper inches

The applicant is providing more than the required on-site tree caliper inches. Mr. Carroll noted that no historic trees will be removed for this development.

Mr. Carroll stated the applicant is pursuing one *landscaping waiver* as follows:

- In accordance to Chapter 10, Section 10-3. b).B).2)., the east elevation buffer requires 20' minimum width with four canopy trees, three understory trees and a continuous hedge or an approved fence or wall.

It was noted that the applicant is required to provide 17 canopy trees and 13 understory trees. The applicant is requesting a waiver of 16 canopy trees and 13 understory trees. Justification: Due to a retaining wall and overhead power utility lines along the elevation facing N Hwy 27/441, this buffer cannot be accommodated.

Mr. Carroll reported that the Technical Review Committee members individually reviewed the application on Thursday, April 2, 2015, and provided outstanding comments regarding the Site Plan application. The Special Town Commission Conceptual Workshop took place on Monday, April 20, 2015, and it was the consensus of the Commission that they were in favor of the Conceptual Presentation for the AutoZone Store Major Modification MJM 03/15-002, to be located at 213 West Hermosa Street (formerly the Northcott Center Site), and to include the waivers requested as presented. The Parks, Recreation and Tree Advisory Committee reviewed the application at their regular meeting on Wednesday, May 13, 2015 and voted 4-1 to recommend approval of this application for the landscaping waiver.

Mr. Carroll stated that the applicant's engineer, Mr. Jason Kinney, is present if there are any questions.

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Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the AutoZone Store Major Modification - MJM 03/15-002, as presented, by a vote of 5 to 0.

15. Consideration of Approval to Repair the Roof of the Youth Library (Old Side of the Building) at the Lady Lake Library (Marsha Brinson)

Library Director Marsha Brinson gave the background summary for this agenda item (on file in the Clerk's office). She stated that the Lady Lake Library moved from the train cars to the Guava Street location in 1992, 23 years ago, and that the roof over the old part of the building is original and there are several serious leaks which if left unchecked will begin to create property damage. One leak is over a desk and work station where acquisitions and holds are processed. Ms. Brinson stated that water had previously pooled in a light fixture and it fell from the ceiling onto the desk, and the desk has to be covered with a tarp to protect equipment when it rains hard. Another section has also leaked repeatedly and buckets have to be placed under the leaks to collect the water. Several other locations also have leaks, leaving the ceiling tiles discolored. There is a concern that mold and mildew will form.

Ms. Brinson stated the approximate cost of repair will be $7,000 to temporarily fix the leaks, and an additional $400 is requested as damage to the plywood under the roof is undetermined and may need to be replaced. She stated that in the next fiscal year (2015/16), monies will be budgeted to apply a spray polyurethane roofing system over the existing rubber roof for an approximate cost of $20,000.

Town Manager Kris Kollgaard clarified that there is a quote for $6,600 for the repair, with an additional estimate of $400 added to replace the plywood underneath, if necessary, for a total of $7,000. She passed out a third estimate that was received earlier today in the amount of $10,000 to repair the roof, or $27,000 to re-roof a portion, and a total of $55,000 to replace the whole roof.

Commission Hannan commented that this has been leaking for a long time and there may be more hidden damage, and made need major reconstruction or elimination.

Mayor Kussard stated she was astounded by the damage and work conditions for staff, and agrees this needs to be repaired as soon as possible before the rainy season starts. She asked if monies could be found from contingency to go ahead and install the spray polyurethane roofing to extend the life of the roof for another 10 years or so.

Commissioner Vincent commented that there may be a mold issue once everything is opened up, and agreed it needs to be looked at.

Commissioner Richards stated he is in favor of the roof repair and that mold may indeed be found and need to be remediated at that time. He noted that the funds for this repair is coming out of contingency and asked what the current balance is in contingency, as another item on the agenda is also proposed to come out of contingency.

Ms. Kollgaard replied that she believes there is $50,000 in contingency, as these are the first two items proposed to come out of contingency.

Commissioner Richards asked when the roof leaks first showed up.

Ms. Brinson stated that the bad leak first showed up in January, but that there have been many discolored tiles signifying leakage, and an area that has been patched numerous times.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the repair of the roof of the Youth Library in the amount of $7,000, by a vote of 4 to 1 (Hannan).

Ms. Kollgaard stated staff will ask Mason-Dixon for a report once they open up the roof, and whether there is mold.

16. Consideration to Increase the Fixed Asset Capitalization Threshold from $1,000 to $3,000 Effective October 1, 2015 (Jeannine Michaud)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's office) in place of Finance Director Jeannine Michaud, who is absent this evening. She stated that the Town has been using a capitalization threshold of $1,000 since October 1, 2008. She stated that this low threshold becomes very costly in time spent by staff to put the asset into the fixed asset records, copy the purchase documentation, and then to maintain the same record every year through depreciation calculations and review by the department heads and the auditor. Ms. Kollgaard stated that the Town's auditor, Chet Ross, recommended that the Town increase its Fixed Asset threshold as IRS regulations allows expense up to $5,000, and that the Town have a written capitalization threshold policy in place. By increasing the threshold to $3,000 effective October 1, 2015, it will eliminate small equipment items from showing up on capital requests for new fixed asset additions during the FY2016 budget discussions.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the consideration to increase the Fixed Asset Capitalization Threshold from $1,000 to $3,000 effective October 1, 2015, by a vote of 5 to 0.

17. Consideration and Approval to Purchase a Remote Desktop Server (John Pearl)

I.T. Director John Pearl gave the background summary for this agenda item (on file in the Clerk's office). He stated that the current Enterprise Resource Planning (ERP) software used by the Clerk's Office, Finance, Growth Management, and Utilities departments is dependent upon Oracle's Java Virtual Machine software. He stated that Java has become a common target for malware developers over the past several years, and in response to this, Oracle regularly releases security patches for Java. He stated an example is that the current Java versions, Java 8 Update 45, was released April 14th and included 98 security fixes, and Oracle strongly recommends that "customers remain on actively-supported versions and apply Critical Patch Update fixes without delay".

Mr. Pearl reported that the Towns' ERP vendor is unable to maintain the pace of the Java software security patches and has consistently required the Town to run older, insecure versions of the Java software. He stated that the most updated version supported by the Town's vendor is Java 7 Update 45, and this version is 18 months old and has several known security vulnerabilities.

Mr. Pearl stated that this proposal is to purchase a dedicated Remote Desktop Server and the necessary Microsoft licensing to provide the ability to isolate the ERP client and associated Java software in a more secure environment. He stated that this is not a budgeted item, and that staff requests funding to be transferred from Contingency to the Capital account.

Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved the purchase a Remote Desktop Server by a vote of 5 to 0.

18. Consideration of an Interlocal Agreement between Lake County and the Town Regarding Building Permits and Inspections for The Villages (Kris Kollgaard)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's office). The Villages either has or intends to purchase lots located in the older section of The Villages east of US Highway 27/441 and intends to replace the existing mobile homes with new, conventionally built homes. She stated that as discussed in the previous workshop meeting, this is the formalized agreement which will allow the building permits and inspections on the lots either owned by or under contract with The Villages to be permitted through the Town as long as The Villages, or the owner under contract with The Villages, has applied for annexation into the Town.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the Interlocal Agreement between Lake County and the Town Regarding Building Permits and Inspections for The Villages by a vote of 5 to 0.

K. TOWN ATTORNEY'S REPORT:

19. Resolution No. 2015-102 – First/Final Reading (Continued from the April 20, 2015 Meeting) – Paramount Urgent Care, Inc., JD Orias Novis Partnership Company LLC, and TWVH LLC for the Sunset Professional Plaza – Variance Request Pursuant to Chapter 17, Section 4.b.2.E. to Allow Secondary Wall Signs to be Placed on the South Elevation of Buildings "A" and "B" Located within the Sunset Professional Plaza Which Do Not Have a Public Entrance, Addressed as 801 and 805 Highway 466 (Thad Carroll)

Town Attorney Derek Schroth read the resolution by title.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that this was continued from the April 20th meeting where it was reported that on March 5, 2015, Town staff received a variance application for secondary wall signage along the façade of two buildings facing Highway 466. He stated that the applicant, Jay Berry with Berry's Signs, has filed the variance application for the Sunset Professional Plaza on behalf of owners Paramount Urgent Care, Inc., JD Orias Novis Partnership Company LLC, and TWVH LLC, for properties addressed as 801 and 805 Highway 466. The variance request has been made pursuant to the provisions of Chapter 17, Section 4.b.2.E., of the Town of Lady Lake Land Development Regulations which only allows wall signs to be placed on the main façade of the business. Mr. Carroll stated that staff recommends approval.

A rendering and aerial view of the property was shown, along with the zoning of adjacent properties.

Mr. Carroll reported that a similar sign variance was granted under Resolution No. 2008-33 for the buildings whose primary entrance was the internal side of The Home Depot, and a photo of the buildings and signage was shown.

As required of this application, a Justification Statement has been submitted. The applicant stated that having the channel letter signs on the additional wall could help many businesses and offices in the plaza since the signs could attract drivers from Highway 466 who would not see the businesses otherwise. Additionally, the applicant insisted that due to the building design, there is not public entrance on Highway 466, which limits the wall signage placement in accordance to the current sign code.

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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 18, Township 18, Range 24, Lady Lake, Florida. The property is zoned "RP" Residential Professional, which permits the development in existence. The Future Land Use Map designation for the site is PS (Professional Services). The requested use is consistent with the directives of the Comprehensive Plan and adopted Land Development Regulations.

Mr. Carroll stated that notices to inform the surrounding property owners (8) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, May 30, 2015. No objections or letters of support have been received to date since the last public meeting. The property was posted on Wednesday, April 1, 2015.

Mr. Carroll stated that as requested by the Town Commission during the regular meeting on April 20, 2015, additional photos have been submitted of the Sunset Professional Plaza buildings and the applicant also included photos of the Howell Dental site across from these buildings showing their signage oriented toward Hwy 466. He stated that the applicant has incorporated wall signage options of all proposed tenants for the Town Commission's consideration. Renderings were shown of the proposed signage with blue channel lettering for daytime, which will be white at dark.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Resolution No. 2015-102 and provided comments on April 7, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and Town Commission. The Planning and Zoning Board heard the application for Resolution No. 2015-102 at their regular meeting on Monday, April 13, 2015, and recommended approval by a 4-0 vote. On April 20, 2015, the Town Commission heard Resolution No. 2015-102 at their regular meeting and elected to table the item to allow applicant to submit wall signage rendering options for the Town Commission's final consideration to be decided at this meeting.

Mr. Carroll stated that John Tosconi of the Sunset Professional Center is present, as is a representative from Berry's Signs if there are any questions.

Commissioner Hannan stated he liked what was shown tonight. He also commented that perhaps the Town should revise the LDRs to allow signs when on a major artery, as it almost looks unfinished when they do not have a sign.

Mayor Kussard asked if there were any questions or comments by the audience.

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Town Manager Kris Kollgaard asked if the client wanted to include Paramount Urgent Care or just Urgent Care on the sign. She stated that many insurances only cover certain urgent cares and it could be important to know which urgent care it is.

Mayor Kussard stated that she has heard from many people that Paramount is a wonderful urgent care facility, and that it is important to have the name on the building and that they should be lighted and big enough to be seen at night.

Mr. Tosconi stated he will let his client know and that he is sure they will be happy to put their name on the building along with urgent care.

Commissioner Holden mentioned that the current 18" lettering for urgent care could be reduced to 16" and have Paramount across the top.

Mr. Tosconi stated that he is sure Mr. Berry will come up with something that will meet the code.

Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved Resolution No. 2015-102 at first/final reading by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***NO***
KUSSARD	***YES***

20. <u>Ordinance No. 2015-02 – First Reading – Phillip and Donna Willman Center – Rezoning/CP MOA Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Use – Located at 917 Teague Trail/CR 25, North of Allstor Commerce (Thad Carroll)</u>

Town Attorney Derek Schroth read the ordinance by title.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that James Senatore has submitted an application on behalf of property owners Phillip A. and Donna D. Willman for property located along County Road 25 (Teague Trail), north of the Allstor Commerce Center, approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue. The property includes approximately 2.67 ± acres (referenced by Alternate Key numbers 2830476 and 3539605 respectively) currently in the Town of Lady Lake.

Mr. Carroll stated this ordinance is regarding the rezoning of 2.67 ± acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change language of the Memorandum of Agreement (MOA) to include new permitted uses and to establish new terms regarding landscaping buffers, new buildings, fencing, parking spaces, and hour of operation.

Mr. Carroll stated that the subject property is currently home to Water Wizard Irrigation. He stated that pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to use the property as a motor vehicle/RV and boat storage facility consisting of approximately 70 RV spaces with a typical dimension of 14'x56'.

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Mr. Carroll reviewed renderings and aerial views of the property, as well as photos of the property at present. As part of the application, the applicant has provided the new Memorandum of Agreement (MOA) ordinance terms (Exhibit "B") and bubble plan (Exhibit "C") showing the new proposed building, retention pond area, parking area, landscaping buffers, fence detail, and gate. For safety, security purposes, and in accordance with the land use, the applicant will be proposing a gate at the entrance and opaque fencing along the perimeter of the property to secure the RV storage facility. The application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs).

The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – General Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake- Commercial General-Retail and Sales Services (RET).
East	Lake County- Urban Low Density
North	Lady Lake- Commercial General-Retail and Sales Services (RET). Lake County- Urban Low Density Lady Lake- Single Family Low Density
South	Lake County-Urban Low Density

The subject property lies in Section 08, Township 18, Range 24, Lady Lake, Florida. The property is zoned "CP" Planned Commercial and the current Future Land Use Designation of the subject property (2.67 ± acres) Lady Lake Commercial General – Retail Sales & Services (RET) is compatible with the requested commercial uses. Therefore, the applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake – Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lady Lake-Light Commercial (LC)
East	Lake County- R1
North	Lady Lake-Light Commercial (LC) Lake County-R1 Lady Lake- RS-3
South	Lake County-R1

Comments:

- Permitted uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in Ordinance No. 2004-16 Memorandum of Agreement executed on November 1, 2004, as recorded in ORB. 2705, Pgs. 0141-147. Mr. Carroll reviewed the changes to the MOA shown in strikethrough/underline, as well as prior entitlements and the current proposed site plan.

- Should the amendment to the Memorandum of Agreement be approved, the applicant will be required to submit a site plan application to develop the site.

- In accordance with comments provided by Lake County Public Works, at the time that the developer proceeds with the site plan application, it will be required the submittal of a R.O.W. Vacation application for Oxford Avenue since the County does not want to have a platted right-of-way next to a future driveway for a commercial business as this practice would be against access management rules.

- Applicant will be seeking connection to the Town's potable water supply, central sewer system, as well as the Town's reclaimed water system for irrigation. Sufficient capacity exists for all utilities.

Mr. Carroll reported that the initial notices to inform the surrounding property owners (3) within 150' of the property of the proposed Rezoning-CP MOA Amendment were mailed by certified mail, return receipt on Monday, March 30, 2015. The property was posted on Wednesday, April 1, 2015. He stated additional notices were sent on April 28, 2015 to advice adjacent property owners of the application's public hearing date changes, and the property was re-posted as well. All receipts were received.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2015-02 and provided comments on April 7, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and Town Commission. The Planning and Zoning Board heard the application for Ordinance No. 2015-02 at their regular meeting on Monday, April 13, 2015, and recommended approval by a 4-0 vote. The Town Commission is scheduled to consider Ordinance No. 2015-02 on second/final reading at their regular meeting to be held on Monday, June 1, 2015 at 6:00 p.m.

Mr. Carroll stated that Chris Zipperer with James Senatore is present to answer any questions.

Commissioner Vincent stated he has looked at some RV parks with storage. He requested that all RVs stored must be registered, and stored in designated spaces with straight parking, not slanted, and that the grounds and vehicles be required to be maintained. He also stated that all the vehicles stored should be kept in good condition and not allowed to become moldy. Commissioner Vincent stated he does not want it to become junky as the Town could begin to grow down the CR 25 corridor.

Mr. Zipperer stated that the owners will retain possession of the property and will be responsible for maintaining the property. He stated that the different classes of motor homes are not inexpensive, and they will make sure that maintenance and registration of the vehicle are included as part of the lease agreement for storage. Mr. Zipperer stated the design layout shows spaces that are 14'x56' that are parallel, and should be sufficient for any type of vehicles. He stated that this is the MOA and final design of the site plan is still to come.

Commissioner Richards asked if the MOA should be amended to include Commissioner Vincent's concerns such as the vehicles would have to be maintained properly.

Mr. Carroll stated that the MOA can be amended prior to the second and final reading.

Commissioner Hannan commented that the major portion of the vehicles may be unregistered vehicles as they are being stored. He stated it may be unfair to require them to be registered for storage, but that they should be insured.

Commissioner Vincent stated that he is adamantly opposed to have unregistered vehicles stored there, and all the parks he visited required up to date registration.

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Mr. Zipperer stated he believed that many vehicles will have loans on them that would be required to have insurance and registration on them.

Mayor Kussard asked if there were any comments or questions from the audience, and hearing none, asked for a motion.

Mr. Schroth interjected that whoever makes the motion should include any restrictions to be included in the MOA.

Upon a motion by Commissioner Vincent and a second by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2015-02, contingent upon restrictions being included in the MOA that require all vehicles stored to have up to date registrations and to be maintained, and the property to be maintained by the owners as suggested by Commissioner Vincent, by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***NO***
RICHARDS	***YES***
KUSSARD	***YES***

Mr. Schroth stated he will work with Mr. Carroll on changing the language to include the above noted restrictions on the MOA for this ordinance prior to the second/final reading.

21. <u>Resolution No. 2015-105 – First/Final Reading – Establishing a Dedicated Fund for Reimbursement of the Communication Services Tax Overpayment to the Town of Lady Lake (Kris Kollgaard)</u>

Town Attorney Derek Schroth read the resolution by title.

Town Manager Kris Kollgaard gave the background summary for this agenda item. She stated that this resolution will establish a dedicated fund from which to reimburse the overpayment of the Communication Services Tax after the audit by the State has been completed. She noted the fund will only be used for this, and if any funds are left over after the reimbursement is made in full, it will revert back to the General Fund. Ms. Kollgaard stated the Town Commission may, by resolution, amend, alter, rescind or modify this resolution by majority vote at any time, for any reason.

Mayor Kussard clarified that the Town does not yet know the total amount that the Town was overpaid.

Ms. Kollgaard agreed, stating the amount is only estimated at this time. She stated that the Town is already putting monies aside in the General Fund reserves toward the repayment, and this resolution will dedicate the amount in a specific line item.

Mayor Kussard asked if there were any comments or questions from the audience, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and a second by Commissioner Richards, the Commission approved Resolution No. 2015-105 at first/final reading by the following roll call vote:

HOLDEN	***YES***

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VINCENT	*YES*
HANNAN	*YES*
RICHARDS	*YES*
KUSSARD	*YES*

L. TOWN MANAGER'S REPORT:

22. Consideration of an Appointment to the Police Pension Board (Kris Kollgaard)

Town Manager Kris Kollgaard reported that Board Member Van Reynolds has recently resigned from the Police Pension Board. She stated that there were five applications on file for this board for consideration and they included Frank Kirschenheiter, Rick (Doc) Jones, Peter Chiasson, Phil Mathias and Leonard Cieciek, but since the time the packets went out, Mr. Kirschenheiter and Mr. Jones have withdrawn their applications for this board.

Mayor Kussard asked those applicants present (Mr. Chiasson and Mr. Cieciek) to come up one at a time and introduce themselves, and disclose some of their backgrounds and why they would like to be on the Police Pension Board.

Mr. Chiasson stated he has been married for 51 years to his wife Mary Lou and has lived in Lady Lake for almost ten years. He stated he is retired from corporate life and a management, marketing and economics teaching position at Phoenix University, although he still occasionally does some consulting in strategic planning and marketing. Mr. Chiasson stated he has a degree in mechanical engineering and an MBA degree earned by night courses. He stated he previously served on the Planning and Zoning Board in both Lady Lake and Durham, MA. Mr. Chiasson stated he has served in titled positions in numerous other companies. He stated he would like to help the talented people running Lady Lake using his skills and knowledge gained over the years, as he knows Ms. Kollgaard, Chief McKinstry, and is a friend and neighbor of Mayor Kussard.

Mr. Cieciek stated he is also a neighbor of Mayor Kussard and has lived in Lady Lake since 2000. He stated he worked for over 35 years for the telephone company (AT&T at that time), and managed a technology center for a five state area in the mid-west. Mr. Cieciek stated he has been married for 49 years and is hoping to give back to the community by volunteering.

Commissioner Hannan asked that the voting wait until after any applicants present have had a chance to speak in the future.

Commissioner Holden asked Ms. Kollgaard if there is another position available on the Police Pension Board as he understood Ms. Rountree was resigning.

Ms. Kollgaard stated the other position is Board appointed, and any applicant not appointed tonight by the Commission will go before the Police Pension Board.

The Commissioners were asked to make their selections. The following results were read into the record and tallied:

Commissioner Vincent voted for Pete Chiasson.
Commissioner Holden voted for Pete Chiasson.
Commissioner Richards voted for Phil Mathias.
Commissioner Hannan voted for Pete Chiasson.
Mayor Kussard voted for Pete Chiasson.

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As a result, Pete Chiasson was appointed to the Police Pension Board by the Town Commission by a 4-1 vote.

Ms. Kollgaard informed Mr. Chiasson that the Clerk's Office will send him a packet regarding the Police Pension Board.

Ms. Kollgaard stated that Commissioner Hannan had mentioned at a previous meeting about vehicles being parked on both sides of the road, making it difficult for fire trucks to get through. She stated she spoke with Chief Kane regarding the issue and he informed her that if they came across this and it was not an emergency, they would make every effort to contact the vehicle owner to get it moved. However, if they were responding to an emergency, they would make their way through and may need a new paint job.

Ms. Kollgaard also followed up on the Florida Friendly landscaping mentioned by Commissioner Hannan at the last meeting. She stated that Mr. Schroth checked on it and stated that the Town cannot require removal of rocks or pebbles on private property, however, if portions of the property are in the Town's right-of-way, which is likely, then the Town can require grass in those portions.

Commissioner Hannan stated he thought the Town's code required the property line between houses to be grass.

Mr. Carroll stated the Town's code reads materials such as rocks can abut your house, but there must be some kind of grass from property line to property line per an ordinance that came before the Commission a couple of years ago so that rocks or pebbles would not be projected into a neighbor's property when mowing. He stated he does not know if that would stand up in light of the information imparted by Mr. Schroth.

Mr. Schroth stated the model ordinance stated property owners are allowed to have pebbles and rocks period, although it has not been tested, and could be a preemption issue. He stated he thought Commissioner Hannan's issue was with the road.

Commissioner Hannan clarified that his issue was for between the properties and if the Town could be pro-active and require the owner to put grass back where they have rocks now against the Town's code.

Mr. Schroth stated he believed it would be risky because of preemption with the Florida Friendly statutory verbiage which expressly says that pebbles and rocks are part of landscaping.

M. MAYOR/COMMISSIONER'S REPORT:

Commissioner Richards commented that Chief McKinstry's speech at the Police Service Officers' Day on Friday morning was very nice.

Mayor Kussard passed out a copy of a letter she received from Mr. Hennessy, who represented St. Alban's Church at a previous meeting where they requested the Commission's opinion regarding a variance request for a sign to be placed on the back (Highway 466) side of the church. It was the consensus of the Commission that they were not in favor of this request by a 4-1 vote.

Mayor Kussard stated that she attended the dedication ceremony for the church and spoke to a number of church leaders who came from out of town and they reported they had a hard time finding

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the church because W. Lady Lake Blvd. does not go through and many GPS devices direct them that way, and there is no indication on Highway 466 on how to get to the church. She stated that the Commission needs to give reasons why they turn down requests.

N. PUBLIC COMMENTS[iv]

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

- Joe Quinn of 633 Rainbow Blvd. stated he was glad the Commission is so strict about the signage and pointed out that Berry's Signs came back tonight with extremely attractive and sensible sign designs for the Sunset Professional Plaza buildings.

  He also expressed his concern that the Youth Library's roof leak has been going on since January, and feels it should have been taken care of earlier. He stated that anyone in charge of any of the Town's properties should be informed that these things must be taken care of promptly.

O. ADJOURN: There being no further discussion, the meeting was adjourned at 7:19 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

[i] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

[ii] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

[iii] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

[iv] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

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H-3

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: June 1, 2015

SUBJECT: Consideration of the Lake County Supervisor of Elections' Request to Use the Community Building as a Polling Place for Precinct #11 for the Presidential Preference Primary on March 15, 2016, the Primary Election on August 30, 2016, and the General Election on November 8, 2016.

DEPARTMENT: Clerk's Office

STAFF RECOMMENDED MOTION: Approve the Lake County Supervisor of Elections' Request to Use the Community Building as a Polling Place for Precinct #11 for the Presidential Preference Primary on March 15, 2016, the Primary Election on August 30, 2016, and the General Election on November 8, 2016.

SUMMARY: The Lake County Supervisor of Elections is requesting to utilize the Town's Community Building as a Polling Place for Precinct #11 for the Presidential Preference Primary on March 15, 2016, the Primary Election on August 30, 2016, and the General Election on November 8, 2016.

FISCAL IMPACT: N/A

[ ] Capital Budget
[ ] Operating
[ ] Other

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

[X] Other/Memorandum of Agreements

[ ] Support Documents

DEPARTMENT HEAD	**Submitted** 5-27-15	**Date**
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 6-1-15	**Date** 5-27-15

COMMISSION ACTION:

[ ] Approved as Recommended **[ ] Disapproved** **[ ] Tabled Indefinitely**

[ ] Continued to Date Certain **[ ] Approved with Modification**

Memorandum of Agreement for Polling Places - Pct # 11

The Owner (Occupant) agrees to provide a polling place for the following elections:

Presidential Preference Primary:	Tuesday, March 15, 2016
Primary Election:	Tuesday, August 30, 2016
General Election:	Tuesday, November 8, 2016

Received
MAY 6 2015
Town of Lady Lake
Town Manager's Office

At the following location: Community Bldg., 237 W. Guava St.

POLLING PLACE TELEPHONE NUMBER: (352) 753-2957

To the extent permitted by Section 768.28, Florida Statutes, the County of Lake agrees to indemnify and hold harmless the owner for any claims for bodily injury or property damage occurring on the occupied premises arising from negligent acts of the County or any of its agents or employees. Supervisor of Elections agrees to pay the amount of $ — for the elections held at the above location.

Please send an invoice for payment to the Supervisor of Elections after each election.

CHECK SHOULD BE MADE PAYABLE TO: _____

MAILING ADDRESS: _____

Do you have Tables and Chairs available for the election board members to use on election day? Yes x No ____

YOUR SPECIAL INSTRUCTIONS regarding use of building, delivery of equipment, election day, pickup of equipment and any other instructions you may have. _____

Person(s) to contact for access to building preceding election for delivery of voting equipment, 6:00 A.M. election day for poll workers and after the election to pick up voting equipment.

IF POSSIBLE PROVIDE TWO CONTACT PEOPLE

Name Kristin Kollgaard	Name Nancy Slaton
Phone Number (352) 751-1545	Phone Number (352) 751-1501
Cell Number (352) 516-7018	Cell Number _____

24 Hour Emergency Contact Person and Cell Phone Number: Kristin Kollgaard (352) 516-7018

A KEY CAN BE OBTAINED FROM Name Nancy/Julia-Clerk's Office Phone Number 751-1501

PLEASE FILL IN ALL INFORMATION AND RETURN IN THE ENCLOSED ENVELOPE. PLEASE KEEP A COPY FOR YOUR RECORDS.

_____
Signature of Owner (Occupant)

409 Fennell Blvd. Lady Lake, FL 32159
Address

(352) 751-1545
Phone Number

Supervisor of Elections 352-343-9734
elections@lakecountyfl.gov
Elections Support Center 352-383-1290
Duke Jackson 352-551-0672
tjackson@lakecountyfl.gov
Brian Sweezea 352-551-0676
bsweezea@lakecountyfl.gov

THANK YOU FOR YOUR COOPERATION
Emogene W. Stegall
Lake County Supervisor of Elections
P.O. Box 457
Tavares FL 32778

TOWN COMMISSION AGENDA ITEM J-4

REQUESTED COMMISSION MEETING DATE: June, 1, 2015

SUBJECT: Consideration of the purchase of three (3) FDLE FALCON RapidID Edge Device Software and fingerprint scanners.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION: Approval of the purchase of three (3) FDLE FALCON RapidID Edge Device Software and fingerprint scanners.

SUMMARY: DataWorks Plus' SAF-ID (also known as RAPID-ID) is an extremely fast and accurate solution that uses advanced fingerprint matching techniques to provide positive identification of an individual. SAF-ID allows an officer to scan a person's finger on any FBI-approved fingerprint scanner and search a database for a positive match. SAF-ID searches RISC, state, and local AFIS using a variety of fingerprint capture solutions. Search results include FCIC/NCIC history, mugshots (when on file), and active warrants.

The police department currently has one RapidID device and it has proven extremely successful since it was put into service in April 2015. We would like to expand our efficiency to issue one device to each shift.

DataWorks Plus is certified by FDLE to connect to and register with the Falcon Rapid ID system. They are also the sole source retailer in the State of Florida.

FISCAL IMPACT: $6117.00

[ ] Capital Budget
[X] Operating
[ ] Other

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

[ ] Other

[X] Support Documents – Quote from vendor DataWorks Plus/Sole Source Letter

DEPARTMENT HEAD	Submitted		Date 05/19/2015
HR	Approved as to Form		Date
FINANCE DEPARTMENT	Approved as to Budget Requirements		Date 5/14/2015
TOWN MANAGER	Approved Agenda Item for: 6/1/15		Date 5/18/15

Reviewed

COMMISSION ACTION:

[ ] Approved as Recommended [ ] Disapproved [ ] Tabled Indefinitely

[ ] Continued to Date Certain [ ] Approved with Modification

1.0 Cover Letter

DataWorks Plus
728 North Pleasantburg
Greenville, SC 29607
ph: 864-672-2780
fax: 864-672-2787
www.dataworksplus.com

April 20, 2015

Lieutenant Jason Brough
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Florida 32159
(352)751-1567

Proposal #150420-01

Ref: RapidID Device

Dear Lieutenant Brough:

Dataworks Plus is pleased to provide the following proposal for FDLE FALCON RapidID Edge Device (RID) Software and fingerprint scanner.

The RID edge devices detailed in this proposal have been certified by FDLE to connect to and register with the Falcon Rapid ID system. Dataworks is the exclusive provider in Florida for the proposed RapidID fingerprint scanner.

Order Information: Please fax your purchase order to 864.672.2787 attn: Lisa Cole. Also please mail to 728 N. Pleasantburg Drive, Greenville, SC 29607: Attn: Lisa Cole.

Please call if I can help in any way! My mobile telephone number is 864.430.7981.

Sincerely,

Rick Johnson
Vice President

3.0 Configuration and Price Schedule

FDLE FALCON RID Device(s)	Qty	Unit Cost	Total Price
FALCON Rapid ID Edge Device Software with Cogent BlueCheck Finger Scanner • DataWorks Plus Edge Device Software • Cogent Bluetooth Wireless Single Fingerprint Scanner (500dpi) Version II U (Capacitive Scanner with display screen) • USB Cable • Wall Charger • Belt Case • System Administrator Documentation • User Documentation	3	$2,039.00	$2,039.00
Professional Services: • Project Management • Delivery • **Two Year Warranty Standard Warranty** **NOTE: Customer is responsible for installing the Wireless Fingerprint Scanners and providing user training.**	1	Included	Included
TOTAL			$6,117.00

Payment Terms:

- **100% due at delivery**
- **Net 45**

System Prices DO NOT INCLUDE:

- Customer provided workstations for RapidID device. Must have an available USB 2.0 slot.
- Optional Black Berry Smart Phone Software License. Price $175.00 per unit. This option pairs the BlueCheck fingerprint scanner with a Black Berry cell phone. RapidID responses are viewed on the Black Berry phone.
- DataWorks Plus technology uses the existing Agency Network. Networking will be the responsibility of your agency.
- Installation and end user training for the RapidID Single Fingerprint Scanners.

- Customer provided hardware and software for network connectivity to each workstation and to FDLE.
- Data Encryption Certificates to meet FBI CJIS Requirements

Warranty and Maintenance

The RapidID devices come with a two year standard warranty (Monday through Friday, 8:00am to 5:00pm Eastern time zone). Following the warranty period, a maintenance contract can be purchased. A standard maintenance contract can be purchased for 12% of the sales price detailed in this proposal. A twenty-four by seven (24/7) maintenance contract can be purchased for 14% of the sales price detailed in this proposal.

If an agency wants to upgrade the two year standard warranty to 24/7 coverage, the price is 4% (2% for first year and 2% for the second year) of the sales price detailed in this proposal.

J-5

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: June 1, 2015

SUBJECT: **Approval to Submit a Letter to the Florida Department of Transportation to allow for the application of a Building Permit for Bus Shelter #10 on Highway 27/44, at the amended location, approximately eighty (80) feet south of the intersection of Fennell Boulevard and Highway 27/441, near the McDonald's Restaurant (Lady Lake Crossing Shopping Center).**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTIONS:

1. **Approval to Submit a Letter to the Florida Department of Transportation to allow for the application of a Building Permit for the transit shelter at the amended location, approximately eighty (80) feet south of the intersection of Fennell Boulevard and Highway 27/441.**

2. **Approval to Submit a Letter to the Florida Department of Transportation to allow for the application of a Building Permit for the transit shelter with an appeal to not change the proposed location, rather requesting that the shelter be constructed near the Kohl's Department Store as originally proposed.**

SUMMARY:

On March 16, 2015, the Growth Management Department brought plans for the proposed construction of the Lake Express Bus Shelter #10, to be constructed near the Kohl's Department Store (Lady Lake Crossing Shopping Center), before the Town Commission for their review and approval to submit a letter to the Florida Department of Transportation to allow for the application of a Building Permit. Since that time, a request has been made from the FDOT to move the shelter location to eighty (80) feet southeast of the intersection of Fennell Boulevard. This change would keep the bus in the traffic lane during stops, rather than in the right turn lane as formerly proposed.

Attached is e-mail correspondence between FDOT and Lake County staff pertaining to why the request has been made to move the shelter location. Also contained in the correspondence are Chief McKinstry's concerns with relocating the shelter to the newly proposed location. Within the e-mail, FDOT staff states that, "Being on the far-side of the intersection minimizes potential right-turn conflicts that would occur if the bus were to stop in the right-turn lane and would encourage pedestrians to cross behind the bus if they wanted to go across US 27 since the intersection is close. This location is central to important land uses such as shopping on the south as well as the Town Hall, multi-family housing, and Post Office along Fennell to the north. It is also closer to the Mc Donald's access discouraging pedestrians from cutting sidewalk corners if their destination is that restaurant or the developing shopping center around it."

At this time, the Growth Management Department respectfully requests an approval from the Town Commission to transmit an amended letter to the Florida Department of Transportation regarding the Commission's preference as to where the bus shelter should be constructed.

FISCAL IMPACT: $ -0- **[ ] Capital Budget**
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[X] Other

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

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DEPARTMENT HEAD 5-26-15	**Submitted** 5/26/15	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 6-1-15	**Date** 5/26/15

COMMISSION ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

From: Keedy, Dorothy [mailto:DKeedy@lakecountyfl.gov]
Sent: Wednesday, May 13, 2015 10:49 AM
To: Acosta-Anderson, Libertad
Cc: Land, Logan; Boncore, Brett; Tyrone, Deborah; Cairns, Christopher; Sanders, Michael; Tefft, Clipper; Dawson, Carlos; Young, Brenda
Subject: RE: Lake County bus stop locations

Good morning Libertad:

Is the red arrow on the attachment to your email where you are recommending the shelter be placed? If so, it appears to be northwest of Fennel Blvd. unless I am looking at it incorrectly. From reading your email, it sounds like you are recommending the stop be located south of the intersection of Fennel and US 441. Just wanted to confirm the location before I get back to my staff. Thanks...

Dottie

From: Acosta-Anderson, Libertad [mailto:Libertad.Acosta-Anderson@dot.state.fl.us]
Sent: Tuesday, May 12, 2015 6:54 PM
To: Keedy, Dorothy
Cc: Land, Logan; Boncore, Brett; Tyrone, Deborah; Cairns, Christopher; Sanders, Michael; Tefft, Clipper; Dawson, Carlos; Young, Brenda
Subject: RE: Lake County bus stop locations

Good evening Dottie,

I hope this e-mail finds you well. It has been a little while since we'd had a chance to talk.

I'm writing in reference to the location of a proposed bus stop on US 27 by the Kohls. After some discussion between our office and the Traffic Operations Unit, we would like to ask the stop be located approximately 80 ft southeast of Fennel Boulevard. Being on the far-side of the intersection minimizes potential right-turn conflicts that would occur if the bus were to stop in the right-turn lane and would encourage pedestrians to cross behind the bus if they wanted to go across US 27 since the intersection is close. This location is central to important land uses such as shopping on the south as well as the Town Hall, multi-family housing, and Post Office along Fennell to the north. It is also closer to the Mc Donald's access discouraging pedestrians from cutting sidewalk corners if their destination is that restaurant or the developing shopping center around it.

Please don't hesitate to contact us if you have questions or comments.

Sincerely,

Libertad

Libertad Acosta-Anderson, P.E.
Transit Intermodal Supervisor

Florida Department of Transportation, District 5
133 South Semoran Blvd ♦ Orlando, Florida 32807
P: (407) 482-7861
F: (407) 275-4188
Email: libertad.acosta-anderson@dot.state.fl.us

From: Brett Boncore [mailto:bboncore@kittelson.com]
Sent: Monday, March 30, 2015 1:52 PM
To: Keedy, Dorothy; Tyrone, Deborah
Cc: Land, Logan; Acosta-Anderson, Libertad; Weekley, Samuel; Santiago, Jo
Subject: RE: Lake County bus stop locations

Hi Dottie,

After looking back at the comments we sent you, we have a correction to the first one (mentioned below). It should say "Can this stop be moved to just *south* of 2nd St" not north. Relocating it to the south of the 2nd St intersection would move it out of the right-turn lane (avoid right-turn conflicts), and locate it nearer to the access point for uses in the large WalMart plaza to the south.

Please let us know if you have any questions or comments. Thanks!

Brett Boncore
Engineering Associate

Kittelson & Associates, Inc.
Transportation Engineering / Planning
407.373.1112 (direct)
407.467.0979 (cell)

From: Keedy, Dorothy [mailto:DKeedy@lakecountyfl.gov]
Sent: Thursday, March 26, 2015 3:49 PM
To: 'Tyrone, Deborah'
Cc: Land, Logan; Brett Boncore; Acosta-Anderson, Libertad; Weekley, Samuel; Santiago, Jo
Subject: RE: Lake County bus stop locations

Hi Deborah:

We will review your comments and get back to you shortly. Thanks..

Dottie

From: Tyrone, Deborah [mailto:Deborah.Tyrone@dot.state.fl.us]
Sent: Thursday, March 26, 2015 3:06 PM
To: Keedy, Dorothy

Cc: Land, Logan; Boncore, Brett; Acosta-Anderson, Libertad; Weekley, Samuel; Santiago, Jo
Subject: Lake County bus stop locations

Hi Dottie,

The FDOT Operations division received notification of this proposed bus stop location on US27.

Brett recently reviewed Lake County's proposed bus stop sites that were given to me when we meet last month. He had the following comment regarding this site:

1) *Can this stop be moved to just north of 2nd St? This is a more central location to surrounding land uses and provides an opportunity to connect sidewalk on both sides with crosswalk at signal. Need solution to accessing sidewalk from bus stop across drainage swale. Possibly connect at ped countdown signal?*

Possibly the information from Brett, as well as, the direction provided in the transit stop siting training offered by FDOT came after this stop location was selected. I would like to revisit this location, and its companion stop, to ensure they are providing the safest and most efficient locations for all roadway users, especially pedestrians.

I would appreciate it if you or your staff would contact Brett or me to discuss.

Thank you for your consideration.

Deborah Tyrone
Bicycle/Pedestrian Coordinator
Florida Department of Transportation
133 S Semoran Blvd
Orlando, Florida 32807
(407) 482-7897 telephone

Move with purpose.

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

352-751-1500 FAX 352-751-1510 www.ladylake.org

March 17, 2015

Logan Land
Permits Manager
FDOT Leesburg Operations
1405 Thomas Avenue
Leesburg, FL 34748-5603

RE: Bus Shelter Site #10 Lady Lake Kohl's - Highway 27/441

Dear Mr. Land,

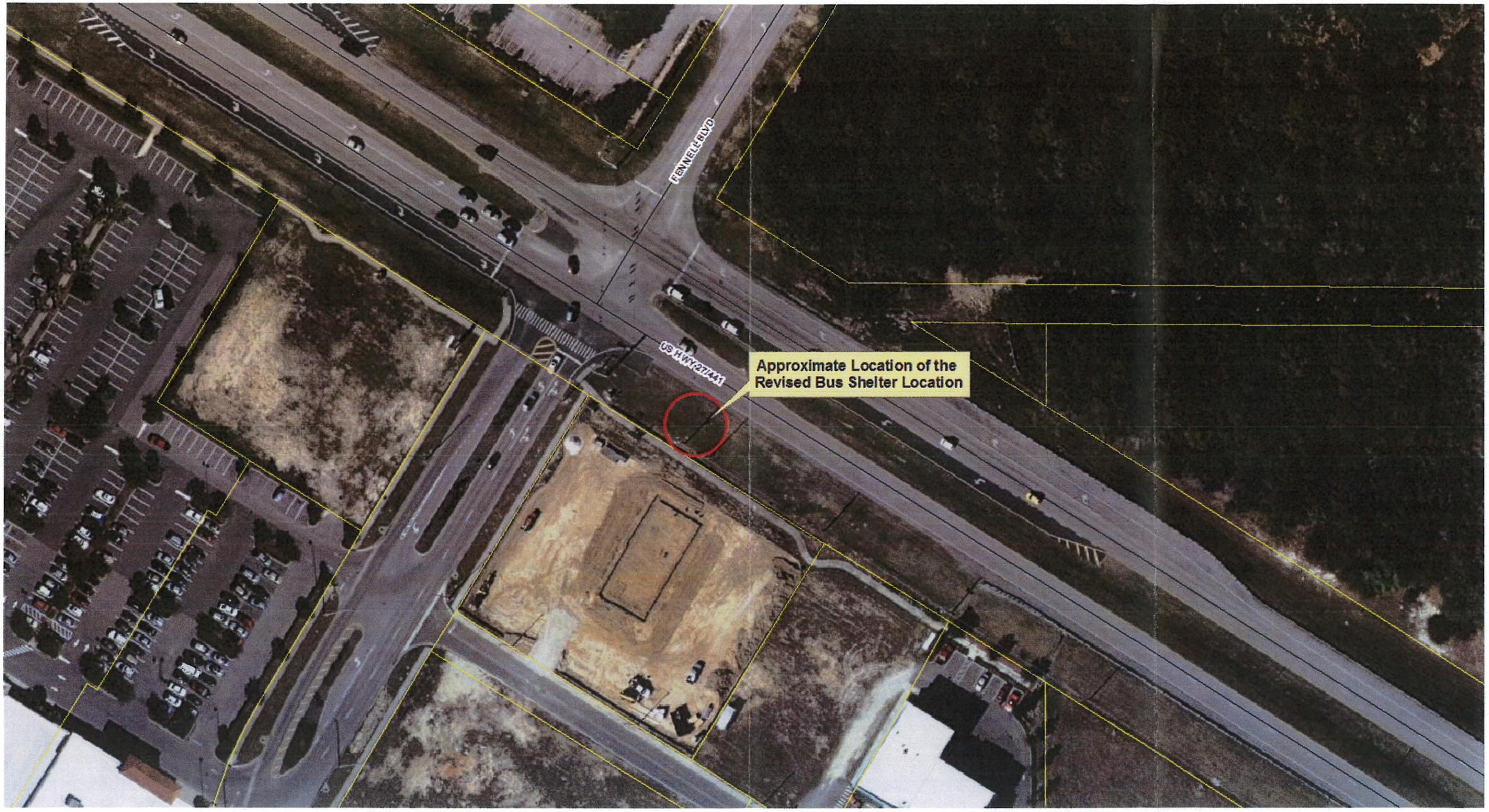
By copy of this letter, the Town of Lady Lake Town Commission hereby attests that the Bus Shelter Site Plan for Site #10– Lady Lake Kohl's, as prepared by Don Griffey, P.E. of Griffey Engineering, has been reviewed and approved by the Town Commission on March 16, 2015. The Town of Lady Lake looks forward to the construction of this facility in partnership with FDOT and LakeXpress.

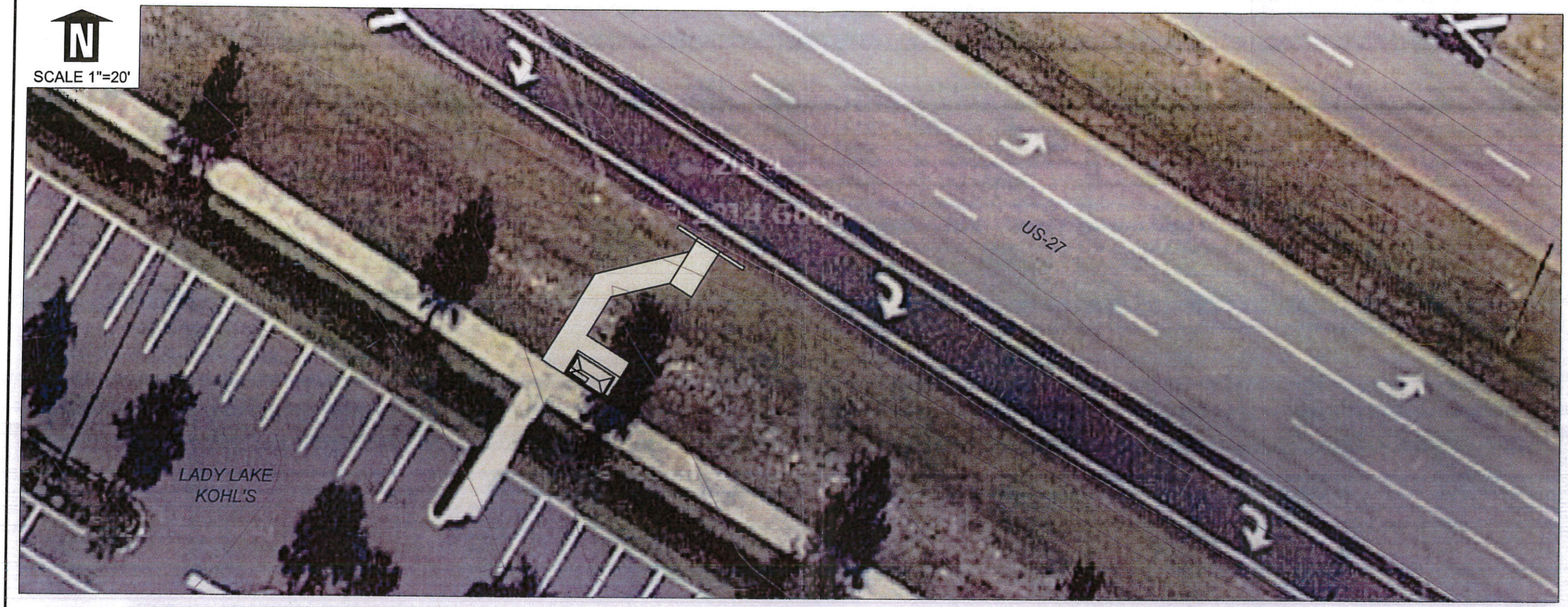
If you have any further questions, please contact Thad Carroll of the Growth Management Department at (352)751-1521 for assistance.

Sincerely,

Kristen Kollgaard
Town Manager

Cc: Lady Lake Town Commission
Thad Carroll, Growth Management Director


FENNELL BLVD
US HWY 27/441
Approximate Location of the
Revised Bus Shelter Location



DATE		Engineer of Record: DONALD A. GRIFFEY, P.E. PE No. 036799		GRIFFEY ENGINEERING 406 N. CENTER STREET EUSTIS, FLORIDA 32726 PHONE (352) 357-3528 FAX (352) 357-3219 FLORIDA CERT. OF AUTH # 8082	SITE 10 - LADY LAKE KOHL'S			BUS SHELTER CONCEPTUAL	SHEET NO.
01-27-2015	DAG/DMK CONCEPTUAL				ROAD NO.	COUNTY	-		C-1
						LAKE	-		

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: March 16, 2015

SUBJECT: **Approval to Submit Letter to the Florida Department of Transportation to allow for the application of a Building Permit for Bus Shelter #10 on Highway 27/441 near the Kohl's Department Store (Lady Lake Crossing Shopping Center).**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Approval to Submit Letter to the Florida Department of Transportation to allow for the application of a Building Permit.

SUMMARY:

On March 19, 2012, the Growth Management Department brought plans for the proposed construction of the Lake Express Bus Shelter #12, to be constructed near the Lady Lake Public Library, before the Town Commission for their review and approval to submit a letter to the Florida Department of Transportation to allow for the application of a Building Permit. At this time, it has again been requested by the Florida Department of Transportation (FDOT), via Lake County Community Services, that the Town of Lady Lake issue a letter indicating that the Town is in approval of the construction of Bus Shelter #10 to be constructed on Highway 27/441 near the Kohl's Department Store (Lady Lake Crossing Shopping Center). Because the property the shelter will occupy is located within the FDOT right-of-way, formal site plan approval as per our Land Development Regulations is not required; however, consensus from the Commission is being sought in an effort to forward the letter to FDOT so that the construction of the shelter can commence. Permitting for the structure will be submitted to the Town of Lady Lake for review by the Building Official.

At present, the Town currently has a Highway Maintenance Memorandum of Agreement with FDOT for Highway 27/441 from Lake Ella Road to Griffin Avenue; therefore, debris around this facility can be collected under the current work program of the Public Works Department. In addition, the following language was also incorporated into the Interlocal Service Boundary Agreement with Lake County, adopted August 5, 2013:

10. <u>TRANSIT SHELTERS</u>. Upon the erection of any transit shelter in association with Lake Express and the Lake County Public Transit System which is placed within the municipal boundary of the Town of Lady Lake, the TOWN shall assume maintenance duties associated with removal of the debris in the trash canisters should one be located at the shelter. This shall be the extent of the TOWN's responsibility at each facility; damage to the shelters or acts of vandalism which require painting, cleaning, or repair through construction activities shall be the sole responsibility of Lake Express/Lake County.

At this time, the Growth Management Department respectfully requests an approval from the Town Commission to transmit the attached letter to the Florida Department of Transportation, so that permits may be

submitted for the construction of Bus Shelter Site #10 – on Highway 27/441 near the Kohl's Department Store (Lady Lake Crossing Shopping Center). The Technical Review Committee has provided a courtesy review of the proposal; comments are attached.

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

ATTACHMENTS: [ ] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[X] Other

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

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3-9-2015

DEPARTMENT HEAD Submitted 3/9/15 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for: 3/16/15 Date 3/9/15

COMMISSION ACTION: [✓] Approved as Recommended HOLMAN 5-0 [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: THAD - G.M. ✓

K-6

TOWN COMMISSION BOARD AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: June 1, 2015 - 2nd/ Final Reading

SUBJECT: **Ordinance 2015-02- Second and Final Reading- The Phillip and Donna Willman Center –Rezoning/Planned Commercial Memorandum of Agreement Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Uses on Property Identified by Alternate Key #2830476 and #3539605 – Located Along County Road 25, North of the Allstor Commerce Center.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

Staff recommends approval of Ordinance 2015-02 for the rezoning/CP MOA Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Uses on Property Identified by Alternate Key #2830476 and #3539605 – Located along County Road 25, North of the Allstor Commerce Center.

SUMMARY:

Applicant, James Senatore, has submitted an application on behalf of property owners Phillip A. and Donna D. Willman for property located along County Road 25, north of the Allstor Commerce Center, approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue. The property includes approximately 2.67 ± acres (referenced by Alternate Key numbers 2830476 and 3539605 respectively) currently in the Town of Lady Lake. The applicant has filed the following application for this property:

- Rezoning of 2.67 ± acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change language of the Memorandum of Agreement (MOA) to include new permitted uses and to establish new terms regarding landscaping buffers, new buildings, fencing, parking spaces, and hour of operation.

The subject property is currently home to Water Wizard Irrigation. Pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to use the property primarily as a RV storage facility consisting of approximately

70 RV spaces with a typical dimension of 14'x56'. As part of the application, the applicant has provided the new Memorandum of Agreement (MOA) ordinance terms (Exhibit "B") and bubble plan (Exhibit "C") showing the new proposed building, retention pond area, parking area, landscaping buffers and fence detail, and gate. For safety, security purposes, and in accordance with the land use, the applicant will be proposing a gate at the entrance and opaque fencing along the perimeter of the property to secure the RV storage facility.

The application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and they are ready for transmittal to the Planning & Zoning Board.

The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – General Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake- Commercial General-Retail and Sales Services (RET).
East	Lake County- Urban Low Density
North	Lady Lake- Commercial General-Retail and Sales Services (RET). Lake County- Urban Low Density Lady Lake- Single Family Low Density
South	Lake County-Urban Low Density

The subject property lies in Section 08 Township 18 Range 24, Lady Lake Florida. The property is zoned "CP" Planned Commercial and the current Future Land Use Designation of the subject property (2.67 ± acres) Lady Lake Commercial General – Retail Sales & Services (RET) is compatible with the requested commercial uses. Therefore, the applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake – Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lady Lake-Light Commercial (LC)
East	Lake County- R1
North	Lady Lake-Light Commercial (LC) Lake County-R1 Lady Lake- RS-3
South	Lake County-R1

Comments:

1.) Permitted Uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in Ordinance 2004-16 Memorandum of Agreement executed on November 1, 2004, as recorded in ORB. 2705 PGS. 0141-147.

2.) Should the amendment to the Memorandum of Agreement be approved, the applicant will be required to submit a site plan application to develop the site.

3.) In accordance with comments provided by Lake County Public Works, at the time that the developer proceeds with the site plan application, it will be required the submittal of a R.O.W. Vacation application for Oxford Avenue since the County does not want to have a platted right-of-way next to a future driveway for a commercial business as this practice would be against access management rules.

4.) Applicant will be seeking connection to the Town's potable water supply, central sewer system, as well as the Town's reclaimed water system for irrigation. Sufficient capacity exists for all utilities.

The initial notices to inform the surrounding property owners (3) within 150' of the property of the proposed Rezoning-CP MOA Amendment were mailed by certified mail return receipt on Monday, March 30, 2015. The property was posted on Wednesday, April 1, 2015. Then additional notices were sent on April 28, 2015, to advice adjacent property owners of the application's public hearing date changes, and the property was re-posted as well.

The following conditions have been added to the Ordinance since First Reading:

- Vehicle Registration. Owner shall ensure all recreational vehicles, boats, and/or other vehicles must maintain proper registration at all times while parked within the storage facility.

- Designated Spaces. Each leasable space within the facility shall be clearly marked by a post and numbering system. The contents of each space must remain entirely within the area designated for the lessee of the assigned space.

- Maintenance Standards. Owner shall ensure all vehicles within the facility shall be properly maintained as to not exhibit mildew, broken windows, discoloration, or cracking and/or chipped paint. Owner shall ensure any covers used in conjunction with boat storage or other vehicles shall be properly secured and shall also be absent of tears and mildew. The property owner shall bear the responsibility of adherence to these standards.

- High Grass. Owner shall maintain the property to ensure the height of the grass does not exceed a maximum of ten inches (10"), under, around, or between vehicles and/or boats, as well as on all other portions of the property.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed the application for Ordinance 2015-02 and provided comments on 04/07/2015 that determined the application complete and ready for transmittal to the P&Z Board and Town Commission.

The **Planning and Zoning Board** heard the application for Ordinance 2015-02 at their regular meeting on Monday, April 13, 2015, and recommended approval with a 4-0 vote.

The **Town Commission** voted to approve Ordinance 2015-02 on its first reading at their regular meeting held on Monday, May 18, 2015, with a vote of 4-1, with additional conditions to be added to the ordinance prior to final approval.

FISCAL IMPACT: $ -0- **[ ] Capital Budget**

[ ] Operating **[ ] Other**

ATTACHMENTS: **[X] Ordinance** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

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

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5-26-15 **DEPARTMENT HEAD**	**Submitted** 5/26/15	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 6/1/15 ~~5/26/15~~	**Date** 5/26/15

COMMISSION ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE TOWN OF LADY LAKE AMENDING ORDINANCE NO. 2004-16 REQUESTING AMENDMENT OF THE MEMORANDUM OF AGREEMENT (MOA) FOR CERTAIN PROPERTY OWNED BY PHILLIP AND DONNA WILLMAN, LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA; IDENTIFIED BY ALT. KEY #s 2830476 & 3539605, WITH A ZONING DESIGNATION OF LADY LAKE PLANNED COMMERCIAL "CP"; PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was-in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, on March 16, 2015, pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the Planning and Zoning Board of the Town of Lady Lake reviewed the proposed amendment to the Memorandum of Agreement which is attached hereto as Exhibit "B" and recommended to the Town Commission of the Town of Lady Lake that said amendment be adopted, and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE THAT:

Section 1. Amendment for Changes within the Site. Based upon the petition of certain landowners of property, which is located in the Town limits of the Town of Lady Lake, and described in Exhibit "A" hereto, a request has been made to modify and amend the existing "Planned Commercial" Memorandum of Agreement to include and establish new permitted uses, as well as other terms pertaining to offsite roadway improvements and water and sewer connections, as described in the Memorandum of Agreement "Exhibit B", and shown on the Bubble Plan "Exhibit C".

Section 2. Conflict. The prior agreement adopted under Ordinance No. 2004-16 is hereby deleted in its entirety and is replaced in its entirety by Exhibit "B."

Section 3. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portions of this Ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall become effective immediately upon final reading and adoption by the Town Commission of Town of Lady Lake, Florida in accordance with Florida law.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this ___day of _____, **2015**.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION: LOTS 2, 3, 4, AND 5, BLOCK OF 16 OF THE PLAT OF CONANT, FILED AUGUST 13, 1885, IN THE RECORDS OF SUMTER COUNTY, NOW LAKE COUNTY, FLORIDA.

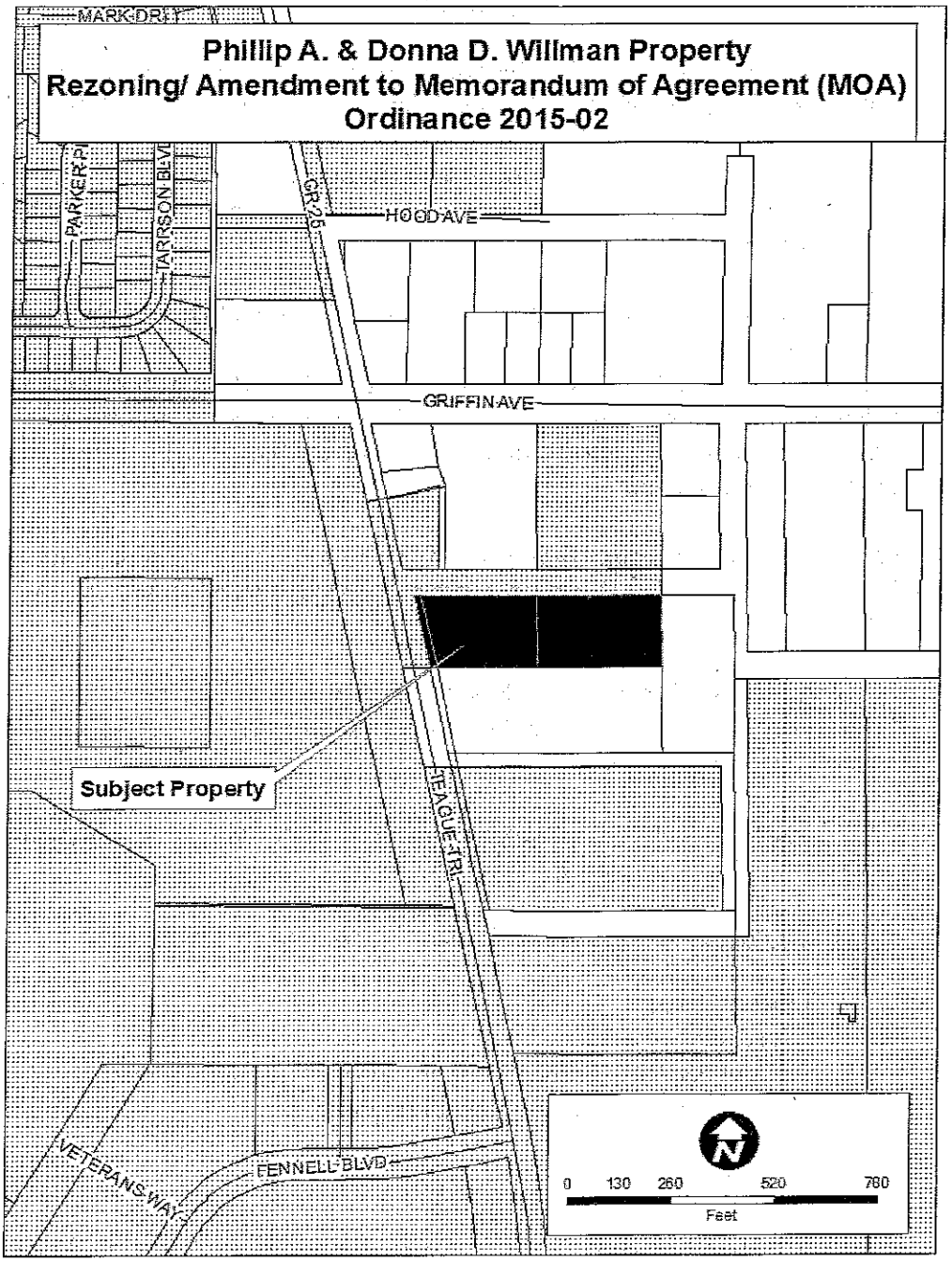


EXHIBIT "B"
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is dated this ___ day of ____, 2015 between the Town of Lady Lake, Florida (the "Town") and Phillip Allan Willman and Donna Denese Willman ("Property Owners").

RECITALS

1. The Property Owners are the fee simple owners of certain real property in Lady Lake, Florida, as described in the legal description attached as Exhibit "A".

2. The real property described in the legal description is zoned "CP" "Planned Commercial" pursuant to the Ordinance No. 2004-16, November 1, 2004 in the Town of Lady Lake.

3. The applicant wishes to amend the existing MOA to include additional uses.

4. On November 1, 2004, the Town and the Property Owners entered into a Memorandum of Agreement ("MOA") pursuant to the provisions of Chapter 5, Section 4) under the Planned Commercial Zoning District (CP) of the Town's Land Development regulations

NOW THEREFORE, In recognition of the foregoing, the parties agree to the following terms and conditions as part of the CP zoning for that property described in the attached legal description, Exhibit "A".

1. Permitted Uses. Retail Sales & Services, Offices, Office/Warehouse Facilities, Contractor's Office, Mini-Storage Warehouse and Motor Vehicles, Recreational Vehicles or Boat Storage Facilities.

2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as "permitted uses" shall be expressly prohibited.

3. Hours of Operation. The hours of operation shall be as follows:

   A. Open at 8 a.m.
   B. Close at 5 p.m.
   C. Unattended 24hr access to the facilities. Access shall be with coded key pad and automatic horizontal sliding gate

4. Design Standards.

   A. The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty percent (80%).
   B. Maximum building height is thirty-five feet (35') unless adequate fire protection measures are provided.

C. Setback requirements shall be:

1) Front Yard Setback:
   a) Local roadway - twenty-five (25) feet minimum
   b) Collector roadway - thirty-five (35) feet minimum
2) Rear Yard Setback: twenty (20) feet minimum
3) Side Yard Setback When Adjoining:
   a) Another lot - twenty (20) feet
   b) Local roadway - twenty-five (25) feet minimum

5. Parking and Accessibility. Parking requirements shall be as required pursuant to Chapter 7 of the Town's Land Development Regulations for the specific use. All regular parking spaces shall be ten by twenty (10 x 20) feet in size. Florida Accessible parking spaces should be twelve by twenty (12x20) feet in size with 8 feet wide minimum Van Accessible access aisle.

6. Landscaping. Landscaping requirements shall be Landscape Buffers Class B" around the perimeter of the subject property line as delineated in Chapter 10, Landscaping section of the Land Development Regulations. Owner shall install solid PVC fencing along CR 25 and first 200' along north and south property lines, then chain link fencing with PVC slats for the remaining property lines. Existing trees located within the buffer shall take the place of required trees with proper approvals. Owner shall maintain all landscaping in good order pursuant to all Town codes and shall maintain all fences in good order as determined by the Town. Maintain all fences in good order includes, but is not limited to, keeping fences clean with no mildew, repairing or replacing any breaks and ensuring fences are not stained, rusted or otherwise unsightly.

7. Vehicle Registration. Owner shall ensure all recreational vehicles, boats, and/or other vehicles must maintain proper registration at all times while parked within the storage facility.

8. Designated Spaces. Each leasable space within the facility shall be clearly marked by a post and numbering system. The contents of each space must remain entirely within the area designated for the lessee of the assigned space.

9. Maintenance Standards. Owner shall ensure all vehicles within the facility shall be properly maintained as to not exhibit mildew, broken windows, discoloration, or cracking and/or chipped paint. Owner shall ensure any covers used in conjunction with boat storage or other vehicles shall be properly secured and shall also be absent of tears and mildew. The property owner shall bear the responsibility of adherence to these standards.

10. High Grass. Owner shall maintain the property to ensure the height of the grass does not exceed a maximum of ten inches (10"), under, around, or between vehicles and/or boats, as well as on all other portions of the property.

11. Heirs and Successors. The terms and conditions as set forth in this Memorandum of Agreement shall insure to the benefit of, and shall constitute a covenant running with the land and under the terms, conditions and provisions hereof, and shall be

legally binding upon any heirs, assigns and successors in title or interest, and shall be subject to each and every condition herein set out.

12. The property shall be developed in substantial accordance with an approved site plan incorporating all conditions of this Memorandum of Agreement. Said plans shall be submitted for review and approval of the Technical Review Committee and Town Commission prior to authorization and issuance of a development order.

13. Water Retention Areas. The drainage and storm water retention requirements of the Town and the appropriate regulatory agencies shall be met and approved by the Town Consulting Engineer. These areas shall be properly maintained by the developer.

14. Lighting. All lighting for the proposed facilities shall be designed and located such that light and/or glare shall be directed upon the subject property only.

15. Infrastructure. The developer shall be responsible for the cost and installation of any required on-site and off-site infrastructure improvements necessitated by impacts of the project (i.e. Concurrency Management).

16. Signage. Owner will erect ground mounted sign to meet design standards with the Town's approval. Final design and layout shall be submitted for proper approvals.

17. Potable water & Sanitary Sewer. The property described in Exhibit "A'" shall connect to the Town of Lady Lake's potable water, central sewer, and reclaim/reuse systems at time of commencement.. All costs associated with design permitting, engineering, materials, construction and inspections shall be the sale cost of the developer

18. Compliance with All Requirements. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the subject property without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the Town of Lady Lake Land Development Regulations and Town Code of Ordinances. Nothing herein shall relieve the Developer or their successors or assigns from obtaining any local, regional, state or federal permits or compliance with any applicable ordinance, laws, rules or regulations necessary for the development of the property.

19. Recordation. The Memorandum of Agreement shall be recorded in the Public Records of Lake County, Florida.

20. Enforcement. In addition to any other remedies available under Florida law, the Town Commission may enforcement this Memorandum of Agreement through litigation or through the Code Enforcement proceedings. The Town shall be entitled to recover all attorney's fees and costs incurred in seeking enforcement of this Memorandum of Agreement. The Town is also entitled to rescission of this Agreement, if it desires, and any and all rights conferred under this Agreement in the event Owner violates this Agreement. Upon approval of this agreement, the aforementioned property shall only be used for the purposes described herein. No

change in the use, further expansion of the uses, additions to the uses, or additions to the facilities shall be permitted except as approved by formal amendment of this Memorandum of Agreement. Any other proposed use shall be specifically authorized by amendment and approval of the Town of Lady Lake Commission and shall be legally binding upon any heirs, assigns and successors in title or interest.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written.

OWNER

By: _____
Phillip Allan Willman

By: _____
Donna Denese Willman

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this ____ day of _____, 2015 by _____, Owner of the Property, who is personally known to me or has produced _____ as identification.

_____ My Commission Expires:

TOWN OF LADY LAKE, FLORIDA
LAKE COUNTY, FLORIDA

By: _____
Ruth Kussard, Mayor

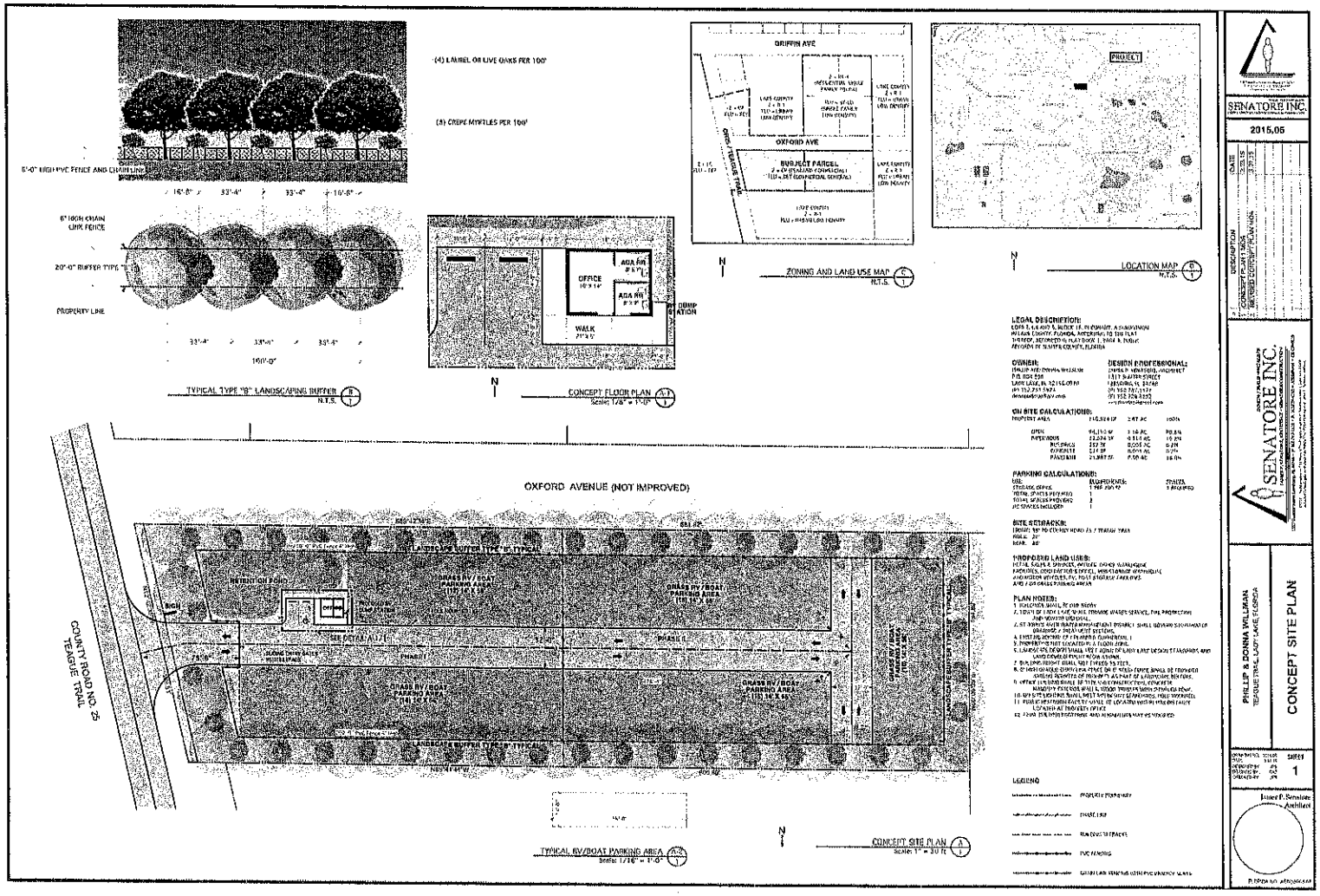
ATTEST:

_____
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

EXHIBIT "C" – BUBBLE PLAN



RECEIVED
FEB 12 2015
GROWTH MANAGEMENT DEPT.

TOWN OF LADY LAKE
REZONING APPLICATION

Alternate Key Number 2830476 / 3539605

1. Owner's Name: **Phillip and Donna Willman**

   Mailing Address: **P.O. Box 930, Lady Lake, FL 32158**

   Email Address: **donnawillman@aol.com**

   Telephone #: **Phillip Willman 267-1692**

2. Applicant's Name: **Senatore Inc**

   Mailing Address: **1317 Sumter Street, Leesburg, FL 34748**

   Email Address: **senatoreinc@gmail.com**

   Telephone #: **James Senatore 787-1121**

3. Applicant is: Owner ___ Agent X Purchaser ___ Lessee ___ Optionee ___

4. Property Address/Location: **917 Teague Trail, Lady Lake, FL 32159**

5. Legal Description of Property to be rezoned:
   Conant Lots 2,3,4 and 5 Blk 16

6. The property is located in the vicinity of the following streets:
   CR25 and Griffin Ave

7. Area of Property: _____ Square feet **108029** Acres **2.48**

8. Utilities: Central Water ____ Central Sewer ____ Well ____ Septic Tank ____

9. Existing zoning of property: **CP – Planned Commercial**

10. Requested zoning of property: **CP – Planned Commercial with RV / Boat Storage**

    Note: If the requested zoning is a Planned Unit Development (PUD), indicate type: ____ Residential, ___ Commercial, ____ Industrial, ____ Mixed Use, and refer to the requirements of the preliminary development plan and see Chapter ____ of the LDR Code. If the rezoning is to Manufactured Homes High Density (MH-9), a Master Park Plan shall be submitted.

11. Number, square footage and present use of the existing structures on the property;

12. Proposed use the property: RV / Boat Storage

13. Has any land use application been file within last year in connection with this property? ____Yes _X_No. If yes, briefly describe the nature of the request and the date when it was done:

_____

14. Attach a list of the owner's names and mailing addresses for all property lying within a one hundred fifty (150) foot radius surrounding the property legally described in this application.

Applications shall include a legal description of the property, sketch or survey of the property, Proof of ownership and authorization from if represented by an agent or contract purchaser. If the rezoning request is not consistent with the Future Land Use classification, a Comprehensive Plan Amendment must be approved prior to the rezoning.

Rezoning Fees:
Rezoning (except PUD, PFD, CP)
PUD
PFD/CP
Substantial Alterations (PUDS) Fees Paid: _____

I certify that the statements in this application are true to the best of my knowledge.

_____
Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FIFTY (50) 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: 02-12-15 Received by: Wthen

Fees Paid: $1,650.00

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared JAMES P. SENATORE, 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/her 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 the submittal requirements for the application have been completed and attached hereto as part of this application.

(3) That the applicant desires Rezoning to the CP zoning classification to allow: RV / Boat Storage

(4) That the sign cards will be posted at least seven (7) days prior to the Planning and Zoning Board hearing and will remain posted until final determination by the Town Commission after which time the sign cards are to be removed.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 12 day of FEBRUARY, 2015, by JAMES SENATORE, who is personally known to me or who has produced KNOWN as identification and who did (did not) take an oath.

Notary Public

NOTARY PUBLIC STATE OF FLORIDA
Notary Public State of Florida
Christopher A Zipperer
My Commission EE116651
Expires 07/28/2015

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared DONNA WILLMAN, 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 rezoning of said property with the classification of **CP** to allow:
RV / Boat Storage

(3) That he has appointed **Senatore Inc.** 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 11th day of February, 2015, by DONNA WILLMAN, who is personally known to me or who has produced KNOWN as identification and who did (did not) take an oath.

Notary Public

Notary Public State of Florida
Christopher A Zipperer
My Commission EE116651
Expires 07/28/2015

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.

PROPERTY RECORD CARD

General Information

Owner Name:	WILLMAN PHILLIP A & DONNA D	**Alternate Key:**	2830476
Mailing Address:	PO BOX 930 LADY LAKE, FL 32158-0930 *Update Mailing Address*	**Parcel Number:**	08-18-24-015001600400
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	19.04670
		Trash/Recycling/Water/Info:	*My Public Services Map*
Property Location:	LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	– *Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	CONANT, LOTS 4, 5 BLK 16 | ORB 1291 PG 1984 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		58806	SF	$0.00	$88,209.00

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	CARPORT/POLE SHED - UNFINISHED (UCP)	960	SF	1997	$1,505.00
0002	FENCING (FEN)	3996	SF	1997	$1,918.00

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
923 / 310	6/1/1987	WD	Q	V	$5,000.00
1291 / 1984	4/1/1994	WD	M	V	$1.00

Values and Estimated Taxes

Tax Authority	Just Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC	$91,632	$74,871	$74,871	5.38560	$403.23
LAKE COUNTY MSTU AMBULANCE	$91,632	$74,871	$74,871	0.46290	$34.66
LAKE COUNTY MSTU FIRE	$91,632	$74,871	$74,871	0.47040	$35.22
SCHOOL BOARD STATE	$91,632	$91,632	$91,632	5.74600	$526.52
SCHOOL BOARD LOCAL	$91,632	$91,632	$91,632	1.50000	$137.45
TOWN OF LADY LAKE	$91,632	$74,871	$74,871	3.75000	$280.77
ST JOHNS RIVER FL WATER MGMT DIST	$91,632	$74,871	$74,871	0.31640	$23.69
LAKE COUNTY VOTED DEBT SERVICE	$91,632	$74,871	$74,871	0.16000	$11.98
LAKE COUNTY WATER AUTHORITY	$91,632	$74,871	$74,871	0.25540	$19.12
NORTH LAKE HOSPITAL DIST	$91,632	$74,871	$74,871	1.00000	$74.87
				Total: 19.0467	Total: $1,547.51

The values displayed above may NOT reflect certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated

PROPERTY RECORD CARD

General Information

Owner Name:	WILLMAN PHILLIP A & DONNA D	**Alternate Key:**	3539605
Mailing Address:	PO BOX 930 LADY LAKE, FL 32158-0930 *Update Mailing Address*	**Parcel Number:**	08-18-24-015001600200
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	19.04670
		Trash/Recycling/Water/Info:	*My Public Services Map*
Property Location:	LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	*Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	LADY LAKE, CONANT LOTS 2, 3 BLK 16 | ORB 1291 PG 1984 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	PASTURE IMPROVED GOOD (6200)	0	0		1.32	AC	$495.00	$1,683.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
1291 / 1984	4/1/1994	WD	M	V	$48,000.00

Values and Estimated Taxes

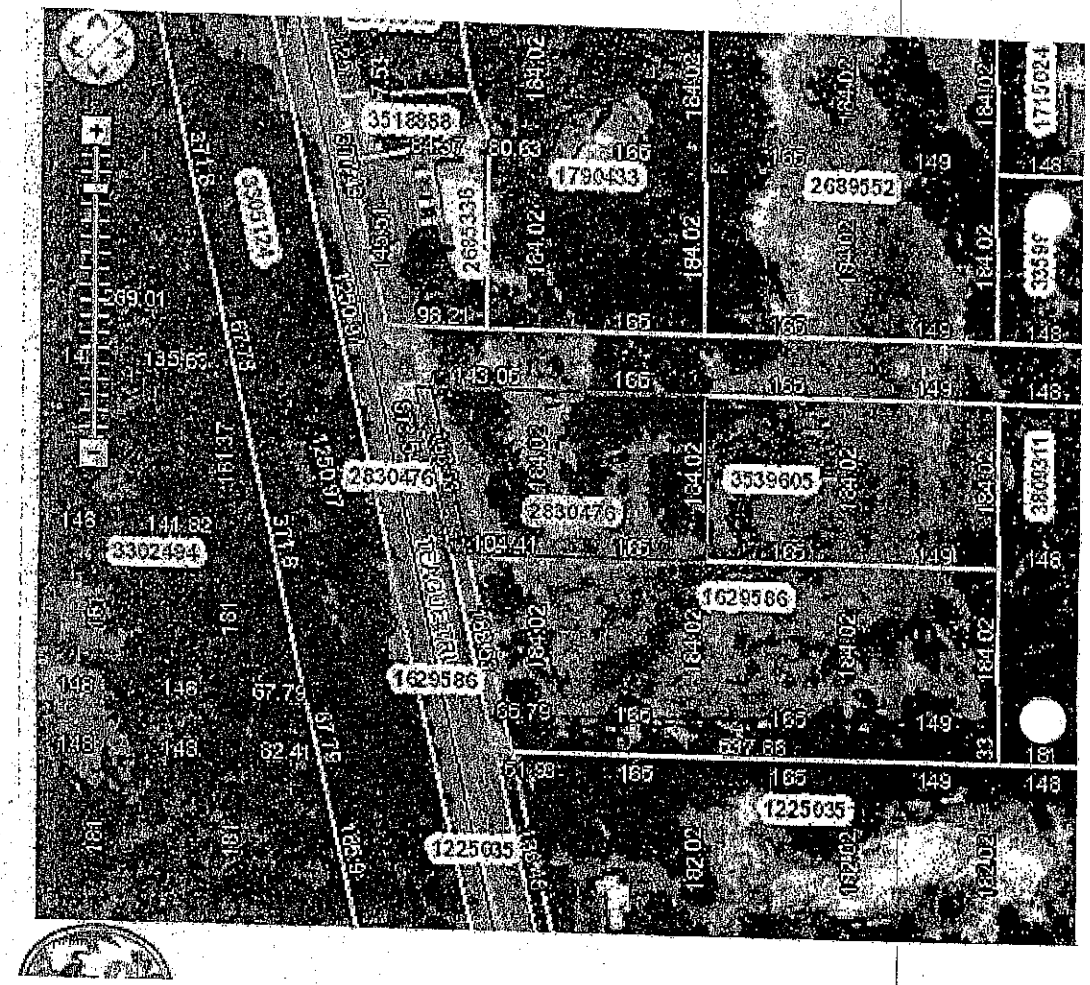
Tax Authority	Just Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC	$1,683	$495	$495	5.38560	$2.67
LAKE COUNTY MSTU AMBULANCE	$1,683	$495	$495	0.46290	$0.23
LAKE COUNTY MSTU FIRE	$1,683	$495	$495	0.47040	$0.23
SCHOOL BOARD STATE	$1,683	$495	$495	5.74600	$2.84
SCHOOL BOARD LOCAL	$1,683	$495	$495	1.50000	$0.74
TOWN OF LADY LAKE	$1,683	$495	$495	3.75000	$1.86
ST JOHNS RIVER FL WATER MGMT DIST	$1,683	$495	$495	0.31640	$0.16
LAKE COUNTY VOTED DEBT SERVICE	$1,683	$495	$495	0.16000	$0.08
LAKE COUNTY WATER AUTHORITY	$1,683	$495	$495	0.25540	$0.13
NORTH LAKE HOSPITAL DIST	$1,683	$495	$495	1.00000	$0.50
				Total: 19.0467	**Total:** $9.44

The values displayed above may NOT reflect certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated tax totals are based on prior year adopted millage rates until each taxing authority certifies proposed rates (annually in mid-August) and adopts final millage rates (late September) of each year. Estimated tax totals do not reflect non-ad valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

Parcel Details

ALT KEY:	2830476 [Property Appraiser, Tax Collector, Building Permits]
PARCEL NUMBER:	08182401500160040 0
PROPERTY ADDRESS:	LADY LAKE FL 32159
OWNER:	WILLMAN PHILLIP A & DONNA D
OWNER ADDRESS:	PO BOX 930 LADY LAKE, FL 32158
SUBDIVISION:	CONANT SUB, LADY LAKE
YEAR BUILT	
LAND VALUE	$88,209
TOTAL JUST VALUE	$91,632
LAST SALE PRICE	$5,000
LAST SALE DATE	6/1/1987
ACRES	1.15
SQUARE FEET	50094.00

« Back to Search Results



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

352-751-1500 FAX 352-751-1510 www.ladylake.org

March 30, 2015

RE: Ordinance #2015-02

Dear Property Owner:

Applicant, James P. Senatore, has submitted an application on behalf of Phillip A. & Donna D. Willman, for property located approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue, also known as the Water Wizard site. The property includes approximately 2.48± acres (referenced by alternate key numbers 2830476 and 3539605) in Section 08, Township 18 South, Range 24 East, currently in the Town of Lady Lake, Florida.

Pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to amend their existing Memorandum of Agreement (MOA) to add the following permitted use: *Motor Vehicles, Recreational Vehicles or Boat Storage Facilities*. The existing permitted uses of the property include Retail Sales & Services, Offices, Office/Warehouse Facilities, Contractor's Office, and Mini-Storage Warehouse. As part of the application, the applicant has provided a new MOA ordinance terms (Exhibit "B") and bubble plan (Exhibit "C") showing a conceptual plan for the parcel. With the *Motor Vehicles, Recreational Vehicles or Boat Storage Facilities* land use, the applicant will be required to install a landscaping buffer and the storage area shall be screened with a six (6) foot opaque fence or wall. The petition is scheduled for the following dates:

PLANNING AND ZONING BOARD - Monday, April 13, 2015, at 5:30 p.m.
COMMISSION MEETING (1st Reading) - Monday, May 4, 2015, at 6:00 p.m.
COMMISSION MEETING (2nd Reading) - Monday, May 18, 2015, 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 (7:30 a.m. to 6 p.m., Monday - Thursday) in the Growth Management Department. Any person wishing to appeal a decision of this public body should ensure themselves that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call me at (352) 751-1582 or via email at wthen@ladylake.org.

Sincerely,

Wendy Then, CFM
Town Planner

AltKey	OwnerName	OwnerAddre	OwnerCity	OwnerSt	OwnerZip
3359909	SMITHGALL KENNETH E III	1714 GRIFFIN AVE	LADY LAKE	FL	32159
3809311	SMITHGALL KENNETH E JR TRUSTEE	PO BOX 273	LADY LAKE	FL	32158
1790433, 2685336	GERMEROTH DANIEL & HEATHER G	15515 TROTTING HORSE LN	TAVARES	FL	32778
3305124	FENNELL INVESTMENTS LTD	PO BOX 690550	STOCKTON	CA	95269

TECHNICAL REVIEW COMMITTEE COMMENTS
FINAL COMMENTS 04/07/2015

Project: The Phillip & Donna Center
Proposal: Rezoning-CP/MOA Amendment- Ordinance 2015-02

Description:

On 02/12/2015, Town Staff received a Rezoning/CP MOA Amendment application from James Senatore, on behalf of property owners Phillip A. and Donna D. Willman for property located along County Road 25, north of the Allstor Commerce Center, approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue. The property includes approximately 2.67 ± acres (referenced by alternate key numbers 2830476 and 3539605 respectively) currently in the Town of Lady Lake.

The subject property lies in Section 08 Township 18 Range 24, Lady Lake Florida. The property is zoned "CP" Planned Commercial, which permits the development in existence. The Future Land Use Map designation for the site is RET (Commercial General-Retail Sales and Services). The requested use is consistent with the directives of the Comprehensive Plan and adopted Land Development Regulations.

GENERAL INFORMATION

Below are staff comments from the Town of Lady Lake regarding your development project. A hard copy via hand delivery and an electronic copy via e-mail are provided to the applicant. Comments are organized by department and must be sufficiently addressed before the proposal may proceed. If a re-submittal is warranted, the applicant shall provide written responses to each individual staff comment contained within this transmittal. **Re-submittals will not be accepted without bulleted written responses.**

Following submittal of any required revisions and responses, correspondence will be forwarded indicating the proposal's status, either: (1) requiring additional revision or documentations; or (2) ready for approval. Site plans are subject to public hearing, as well as plats, annexation requests, zoning requests, and comprehensive plan requests. When applicable, you will receive written notification that the item is scheduled for review by the Planning and Zoning Board or Town Commission. For additional information, contact Thad Carroll at (352) 751-1521.

GROWTH MANAGEMENT

Questions may be directed to Wendy Then, at wthen@ladylake.org

1. Permitted Uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in Ordinance 20064-16 Memorandum of Agreement executed on November 1, 2004, as recorded in ORB. 2705 PGS. 0141-147.

2. Should the amendment to the Memorandum of Agreement be approved, the applicant will be required to submit a site plan application to develop the site.

3. Applicant will be seeking connection to the Town's potable water supply, central sewer system, as well as the Town's reclaimed water system for irrigation. Sufficient capacity exists for all utilities.

POLICE

Questions may be directed to Chief Chris McKinstry at cmckinstry@ladylake.org

1. No comments at this time from the Police Dept. regarding this project as per email dated 4/1/2015.

BUILDING

Questions may be directed to Dallas Foss, Building Official at dfoss@usanova.com.

1. No comments at this time as per communication dated 04-07-2015. If approved, ADA compliance will be reviewed during site plan process

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PUBLIC WORKS

Questions may be directed to Butch Goodman, Utilities Supervisor at bgoodman@ladylakepw.org

1. No comments at this time from the Lady Lake Public Works Dept. Water, Sewer, and Reuse availability and allocation will be reviewed during the site plan process.

R- Town of Lady Lake

CFN 2004157205
Bk 02705 Pgs 0141 - 147; (7pgs)
DATE: 11/29/2004 10:09:01 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 61.00

ORDINANCE NO. 2004-16

AN ORDINANCE REDESIGNATING ZONING CLASSIFICATION FOR CERTAIN PROPERTY OWNED BY PHILLIP AND DONNA WILLMAN, LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF LADY LAKE, FLORIDA; REZONING SUBJECT PROPERTY LOCATED IN CONANT SUBDIVISION, BLOCK 16, LOTS 2 AND 3 FROM LADY LAKE SINGLE-FAMILY LOW DENSITY RESIDENTIAL "RS-3" AND LOTS 4 AND 5 FROM LADY LAKE LIGHT COMMERCIAL "LC" TO LADY LAKE PLANNED COMMERCIAL "CP"; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

Be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida.

Section 1. Based upon the petition of certain landowners of property, which is located in the Town limits of the Town of Lady Lake, and described in Exhibit "A" hereto, a request has been made that the property be zoned to "Planned Commercial", as described in the Memorandum of Agreement "Exhibit B", and shown on the Bubble Plan "Exhibit C". Said petition has been approved by the Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake and the Florida Statutes, the property described in Exhibit "A" hereto is hereby rezoned to "Planned Commercial".

Section 2. This Ordinance shall become effective immediately upon its passage by the Town Commission, except as limited by the provisions of Section 171.06, Florida Statutes, as said provisions pertain to newly annexed property and the final adoption of a Comprehensive Plan Amendment by the Town Commission.

Passed and ordained this 1st day of November, 2004.

Henryka Presinzano

Henryka Presinzano, Mayor

Sue Gay

Sue Gay, Town Clerk

ATTEST:

Leslie Campione

Leslie Campione, Town Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

LOTS 2, 3, 4, AND 5, BLOCK OF 16 OF THE PLAT OF CONANT, FILED AUGUST 13, 1885, IN THE RECORDS OF SUMTER COUNTY, NOW LAKE COUNTY, FLORIDA

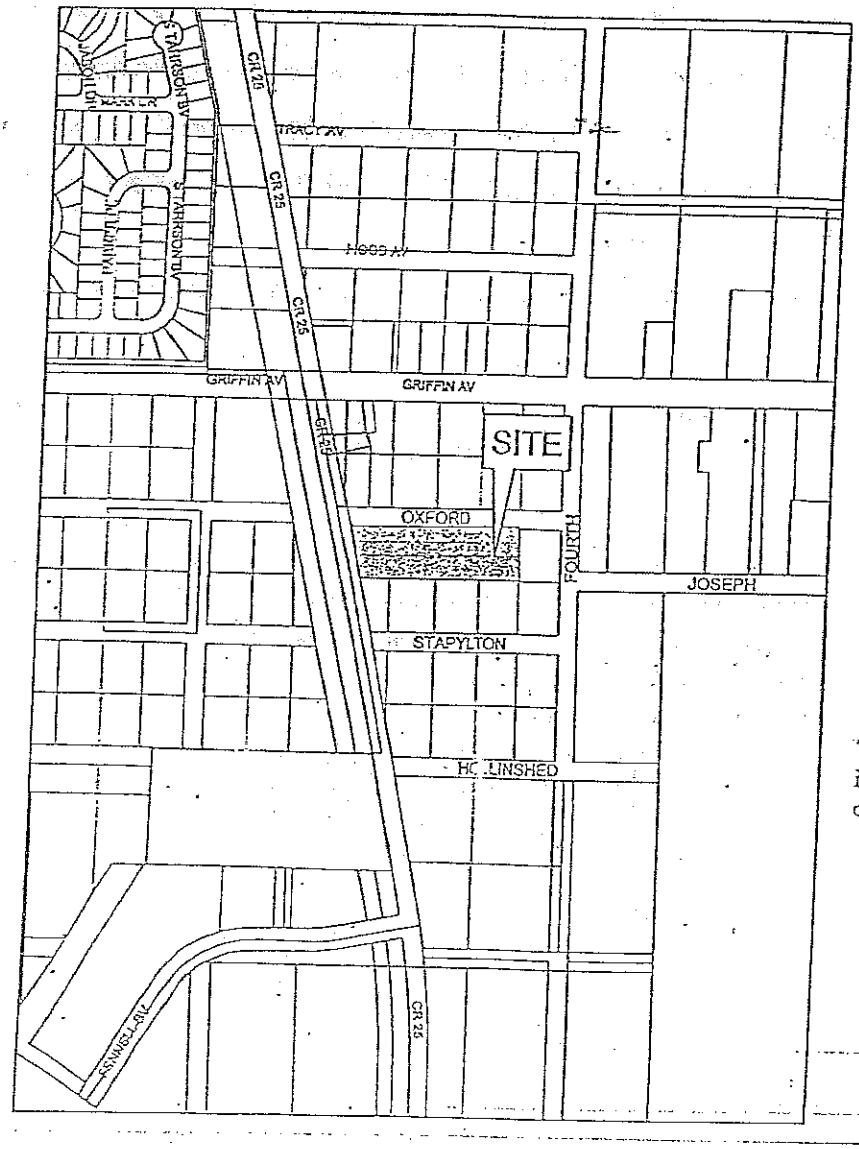

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EXHIBIT "B"

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is dated this 31st day of May, 2004 between the Town of Lady Lake, Florida (the "Town") and Phillip Allan Willman and Donna Denese Willman ("Property Owners").

RECITALS

1. The Property Owner is the fee simple owners of certain real property in Lady Lake, Florida as described in the legal description attached as Exhibit "1".

2. The real property described in the legal description is zoned RS-3 and LC in the Town of Lady Lake.

3. The applicant wishes to rezone the real property to Town of Lady Lake Planned Commercial (CP).

4. At this time, the parties wish to enter into a Memorandum of Agreement pursuant to the provisions of the "Town's Land Development Regulations.

NOW THEREFORE, In recognition of the foregoing, the parties agree to the following terms and conditions as part of the CP zoning for that property described in the attached legal description, Exhibit "1".

1. Permitted Uses. Retail Sales & Services, Offices, Office/Warehouse facilities, Contractor's Office, and Mini-Storage Warehouse.

2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as "permitted uses" shall be expressly prohibited.

3. Design Standards.
   a. The maximum impervious surface ration (which includes building coverage) shall be limited to eighty percent (80%).
   b. Maximum building height is thirty-five feet, 35'.
   c. Setback requirements shall be:
      1. Front Yard Setback
         a. Local Roadway-Twenty-five (25) feet.
         b. Collector Roadway – Thirty-five (35) feet.
      2. Rear Yard Setback: Twenty (20) feet.
      3. Side Yard Setback When Adjoining
         a. Another lot-Twenty (20) feet.
         b. Local Roadway – Twenty-five (25) feet.
   d. Parking requirements shall be as required pursuant to Chapter 7 of the Town's Land Development Regulations for the specific use.

e. Landscape requirements shall be Landscape Buffers Class "C" around the perimeter of the subject property line as delineate in Chapter 10, Landscaping section of the Land Development Regulations.

4. The terms and conditions as set forth in this Memorandum of Agreement shall insure to the benefit of, and shall constitute a covenant running with the land and under their terms, conditions and provisions hereof, and shall be legally binding upon any heirs, assigns and successors in title or interest, and shall be subject to each and every condition herein set out.

5. The property shall be developed in substantial accordance with an approved site plan incorporating all conditions of this Memorandum of Agreement. Said plans shall be submitted for review and approval of the Technical Review Committee and Town Commission prior to authorization and issuance of a development permit.

6. The drainage and stormwater retention requirements of the Town and the appropriate regulatory agencies shall be met and approved by the Town Consulting Engineer. These areas shall be properly maintained by the developer.

7. All applicable rules and regulations for development within the Town shall be met, including but not limited to, final site plan approval, landscaping, drainage, parking, sign regulations, and all yard setbacks.

8. All lighting for the proposed facilities shall be designed and located such that light and/or glare shall be directed upon the subject property only.

9. The developer shall be responsible for the cost and installation of any required on-site and off-site infrastructure improvements necessitated by impacts of the project (i.e. Concurrency Management).

10. Proposed offsite roadway improvements to Oxford Avenue shall be constructed in accordance with the adopted Lake County road standards as established in Lake County Land Development Code. All costs associated with design, permitting, engineering, materials, construction and inspections shall be the sole cost of the developer.

11. The property described in Exhibit "1" shall connect to the Town of Lady Lake's potable water prior to issuance of a Certificate of Occupancy (C.O.). Connection of the property to the Town of Lady Lake's sanitary sewer system shall be made within two months from the date the owner is notified of sanitary sewer becoming available consistent with directives of the adopted Land Development Regulations. Until such time, sanitary sewer service shall be septic tank. All costs associated with design,

permitting, engineering, materials, construction and inspections shall be the sole cost of the developer.

12. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the subject property without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the Town of Lady Lake Land Development Regulations and Town Code of Ordinances.

13. Enforcement of this Memorandum of Agreement shall be through the Town of Lady Lake Town Commission. Upon approval of this agreement the aforementioned property shall only be used for the purposes described herein. No change in the use, further expansion of the uses, additions to the uses, or amendment of this Memorandum of Agreement. Any other proposed use shall be specifically authorized by amendment and approval of the Town of Lady Lake Town Commission and shall be legally binding upon any heirs, assigns and successors in title or interest.

Owners

by: _____
Phillip Allan Willman

by: _____
Donna Denese Willman

The Town of Lady Lake, Florida
Lake County, Florida

by: _____

Attest:

_____

Approved as to Form:

_____

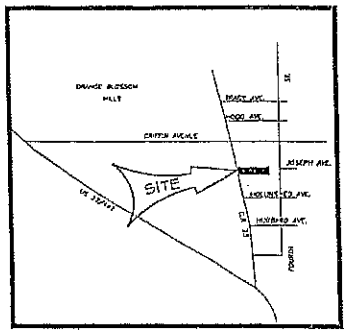
EXHIBIT "C"

LEGAL DESCRIPTION

LOTS 2, 3 4 AND 5, BLOCK 16 OF THE PLAT OF CONANT, FILED AUGUST 13, 1885, IN THE RECORDS OF SUMTER COUNTY, NOW LAKE COUNTY, FLORIDA.

SITE DATA

1. TOTAL ACRES = 7.67 ACRES
2. PROJECT ADDRESS – TO BE ASSIGNED
3. BUILDING TYPE – OFFICE = ONE STORY – CONCRETE BLOCK
   WAREHOUSE = PRE-ENGINEERED METAL
4. BUILDING HEIGHT – OFFICE = 20'
   WAREHOUSE = 30'
5. STANDARD PARKING SPACES:
   PROVIDED = 56 SPACES
6. HANDICAP PARKING SPACES:
   REQUIRED = 3 SPACES
   PROVIDED = 4 SPACES
7. OWNER – PHILLIP WILLIAM
   817 FEAGUE TRAIL
   LADY LAKE, FL. 32159
   (352) 753-5374
8. ENGINEER – EDWARD ABSHIER, ENGINEER
   P.O. BOX 107
   EAST LAKE WDR, FL 32133
   (352) 268-9553
9. SOIL TYPE – ASTATULA
10. PERMITTING AGENCIES:
    –TOWN OF LADY LAKE
    –S.J.W.M.D.
11. WATER AND SANITARY PROVIDED BY TOWN OF LADY LAKE
12. ELECTRICAL TRANSMISSION SYSTEM PROVIDED BY SUMTER ELECTRIC COOPERATIVE, INC.
13. SITE LIGHTING BY BUILDING MOUNTED FIXTURES.
14. LOCATED IN SECTION 8, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
15. AREAS FOR TOTAL SITE:
    OFFICE: 9,200
    WAREHOUSE: 8,000
    TOTAL PROPOSED BUILDING AREA = 17,200 SQ. FT.
    PROPOSED PAVED AREA = 58,518 SQ. FT.
    OPEN AREA = 40,557 SQ. FT. (35%)
16. PROPOSED PROJECT LOCATED IN FLOOD ZONE "C.



VICINITY MAP
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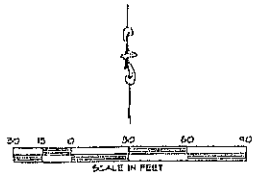

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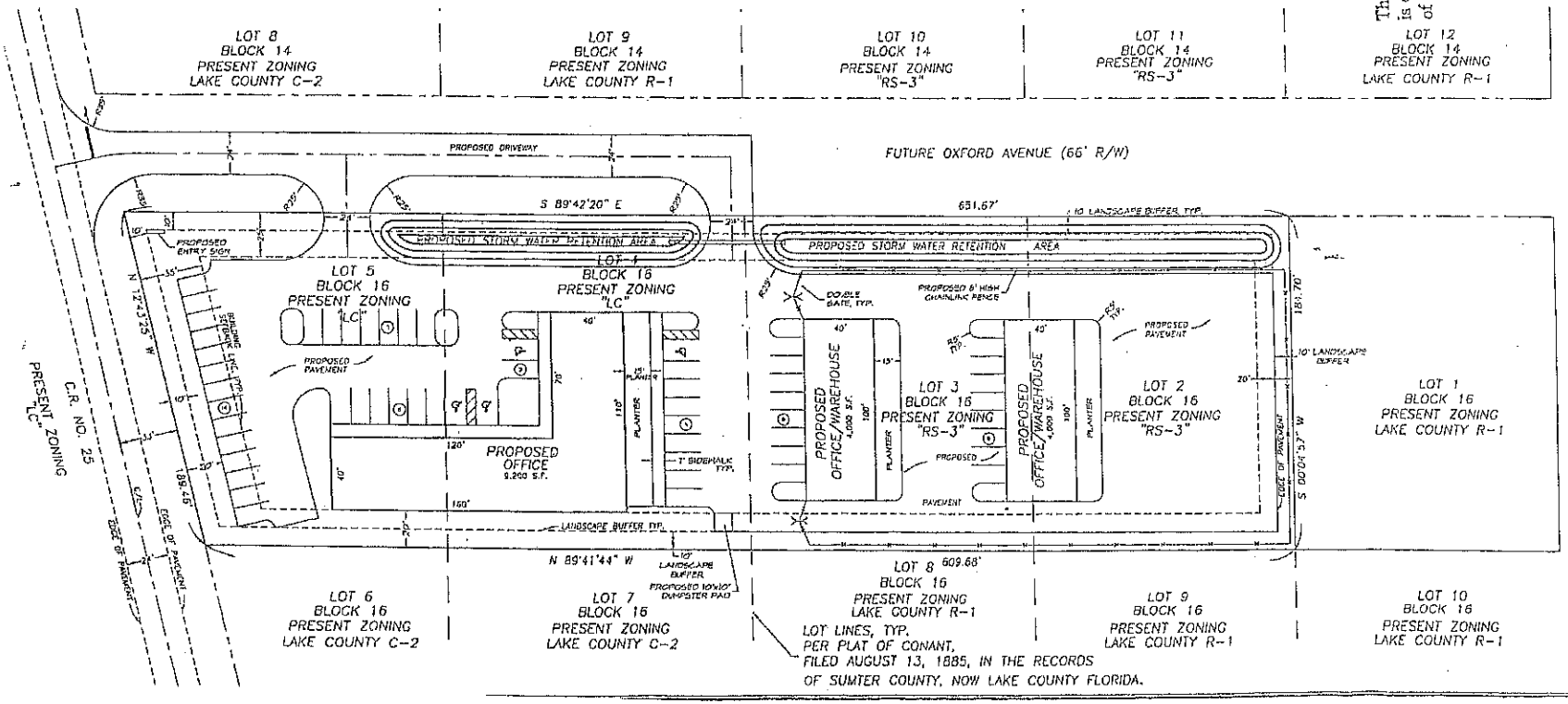

REVISIONS | DATE

ABSHIER ENGINEERING, INC.
6100B SE ABSHIER BLVD, BELLEVIEW, FLORIDA
CAA 99930
P.O. BOX 2770
BELLEVIEW, FL 34421-2770
PHONE: (352) 245-8592
FAX: (352) 245-8597

PHILLIP WILLIAM
LADY LAKE, FLORIDA

BUBBLE PLAN

DATE 02-12-04
DRAWN BY
CHKD BY P.F.A.

ENGINEER: EDWARD L. ABSHIER, P.E. #2341
DATE: September 15, 2004

SHT. 1 OF 1

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: April 13, 2015

SUBJECT: **Ordinance 2015-02 - The Phillip and Donna Willman Center – Rezoning/CP MOA Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Use and Set Up an RV Storage Facility on Property Identified Under Alternate Key #2830476 and #3539605 – Located Along County Road 25, North of the Allstor Commerce Center.**

DEPARTMENT: **GROWTH MANAGEMENT**

RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance 2015-02 to the Town Commission with the Recommendation of Approval.**

2. **Motion to forward Ordinance 2015-02 to the Town Commission with the Recommendation of Denial.**

   Staff is in support of Motion 1.

Applicant, James Senatore, has submitted an application on behalf of property owners Phillip A. and Donna D. Willman for property located along County Road 25, north of the Allstor Commerce Center, approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue. The property includes approximately 2.67 ± acres (referenced by alternate key numbers 2830476 and 3539605 respectively) currently in the Town of Lady Lake. The applicant has filed the following application for this property:

- Rezoning of 2.67 ± acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change language of the Memorandum of Agreement (MOA) to include new permitted uses and to establish new terms regarding landscaping buffers, new buildings, fencing, parking spaces, and hour of operation.

The subject property is currently home to Water Wizard Irrigation. Pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to use the property primarily as a RV storage facility consisting of approximately 70 RV spaces with a typical dimension of 14'x56'. As part of the application, the applicant has provided the new Memorandum of Agreement (MOA) ordinance terms (Exhibit "B") and bubble plan (Exhibit "C")

showing the new proposed building, retention pond area, parking area, landscaping buffers and fence detail, and gate. For safety, security purposes, and in accordance with the land use, the applicant will be proposing a gate at the entrance and opaque fencing along the perimeter of the property to secure the RV storage facility.

The application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and they are ready for transmittal to the Planning & Zoning Board.

The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – General Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake- Commercial General-Retail and Sales Services (RET).
East	Lake County- Urban Low Density
North	Lady Lake- Commercial General-Retail and Sales Services (RET). Lake County- Urban Low Density Lady Lake- Single Family Low Density
South	Lake County-Urban Low Density

The subject property lies in Section 08 Township 18 Range 24, Lady Lake Florida. The property is zoned "CP" Planned Commercial and the current Future Land Use Designation of the subject property (2.67 ± acres) Lady Lake Commercial General – Retail Sales & Services (RET) is compatible with the requested commercial uses. Therefore, the applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake – Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lady Lake-Light Commercial (LC)
East	Lake County- R1
North	Lady Lake-Light Commercial (LC) Lake County-R1 Lady Lake- RS-3
South	Lake County-R1

Comments:

1.) Permitted Uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in

Ordinance 2004-16 Memorandum of Agreement executed on November 1, 2004, as recorded in ORB. 2705 PGS. 0141-147.

2.) Should the amendment to the Memorandum of Agreement be approved, the applicant will be required to submit a site plan application to develop the site.

3.) Applicant will be seeking connection to the Town's potable water supply, central sewer system, as well as the Town's reclaimed water system for irrigation. Sufficient capacity exists for all utilities.

Notices to inform the surrounding property owners (3) within 150' of the property of the proposed Rezoning-CP MOA Amendment were mailed by certified mail return receipt on Monday, March 30, 2015. The property was posted on Wednesday, April 1, 2015.

Past Actions

The **Technical Review Committee (TRC)** members individually reviewed the application for Ordinance 2015-02 and provided comments on 04/07/2015 that determined the application complete and ready for transmittal to the P&Z Board and Town Commission.

Public Hearing Dates:

The **Town Commission** is scheduled to hear Ordinance 2015-02 for first reading on Monday, Monday 4, 2015, at 6:00 p.m.

The **Town Commission** is scheduled to consider Ordinance 2015-02 on second reading and final reading at their regular meeting to be held on Monday, May 18, 2015, at 6:00 p.m.

FISCAL IMPACT: $ -0- [ ] Capital Budget

[ ] Operating [ ] Other

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

[ ] Other

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

4-7-15

DEPARTMENT HEAD		Submitted 4/7/15	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date

TOWN MANAGER hk

Approved Agenda Item for: 4/13/15 Date 4/7/15

COMMISSION ACTION: [✓] Approved as Recommended [ ] Disapproved
4-0 Montelcone/McKenzie

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: T. Carroll

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

~~April 13, 2015~~
~~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~~
~~John Gauder, Chairperson~~

~~Members Absent:~~ ~~William Sigurdson, Vice Chairperson/Member~~

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

~~Also Present:~~ ~~Attorney Todd Mazenko, BRS Legal; Mayor Ruth Kussard; 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~~** ~~February 9, 2015 Regular Meeting~~

~~Upon a motion by Member McKenzie and a second by Member Monteleone, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board Meeting of February 9, 2015 as presented by a vote of 4-0.~~

2. Ordinance No. 2015-02 – Phillip and Donna Willman Center – Rezoning/CP MOA Amendment to Add the Motor Vehicle, Recreational Vehicle or Boat Storage Land Use and Set Up an RV Storage Facility on Property Identified Under Alternate Key #2830476 and #3539605 – Located Along County Road 25, North of Allstor Commerce (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, James Senatore, has submitted an application on behalf of property owners Phillip A. and Donna D. Willman for property located along County Road 25, north of the Allstor Commerce Center, approximately 440 lineal feet south of the intersection of County Road 25 and Griffin Avenue. The property includes approximately 2.67 ± acres (referenced

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by alternate key numbers 2830476 and 3539605 respectively) currently in the Town of Lady Lake. The applicant has filed the following application for this property:

- Rezoning of 2.67 ± acres from Lady Lake CP (Planned Commercial), to Lady Lake CP (Planned Commercial) to change the language of the Memorandum of Agreement (MOA) to include new permitted uses and to establish new terms regarding landscaping buffers, new buildings, fencing, parking spaces, and hour of operation.

Ms. Then stated the subject property is currently home to Water Wizard Irrigation. Pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the applicant is requesting to use the property primarily as a RV storage facility consisting of approximately 70 RV spaces with a typical dimension of 14'x56'. As part of the application, the applicant has provided the new Memorandum of Agreement (MOA) Ordinance terms (Exhibit "B") and Bubble Plan (Exhibit "C") showing the new proposed building, retention pond area, parking area, landscaping buffers and fence detail, and gate. For safety, security purposes, and in accordance with the land use, the applicant will be proposing a gate at the entrance and opaque fencing along the perimeter of the property to secure the RV storage facility.

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

The application has been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and they are ready for transmittal to the Planning and Zoning Board.

Ms. Then reviewed the main changes to the ordinance as listed below:

- Under permitted uses motor vehicles, recreational vehicles, or boat storage facilities.
- Hours of operation 8:00 am – 5:00 pm, with unattended 24 hour access to the facilities. Access shall be with coded key pad and automatic horizontal sliding gate.
- Buffer Class "B" - Owner shall install solid PVC fencing along CR 25 and first 200' along north and south property lines then chain link fencing with PVC slats for the remaining property lines. Existing trees located within buffer shall take the place of required trees with proper approvals.
- Signage- Owner will erect ground mounted sign to meet design standards. Final design and layout shall be submitted for proper approvals.
- Improvement to Oxford Avenue has been removed because it is a County road. Town staff has submitted the information to Lake County for them to provide the proper comments.

The Future Land Use and Zoning designations of the adjacent properties are as follows:

Future Land Use

Subject Property	Lady Lake – General Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	Lady Lake- Commercial General-Retail and Sales Services (RET)
East	Lake County- Urban Low Density
North	Lady Lake- Commercial General-Retail and Sales Services (RET) Lake County- Urban Low Density Lady Lake- Single Family Low Density
South	Lake County-Urban Low Density

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The subject property lies in Section 08, Township 18, Range 24, in Lady Lake, Florida. The property is zoned "CP" Planned Commercial and the current Future Land Use Designation of the subject property (2.67 ± acres) Lady Lake Commercial General – Retail Sales & Services (RET) is compatible with the requested commercial uses. Therefore, the applicant is not requesting any changes regarding the future land use designation with this application.

Zoning

Subject Property	Lady Lake – Planned Commercial (CP)
Zoning of Adjacent Properties	
West	Lady Lake-Light Commercial (LC)
East	Lake County- R1
North	Lady Lake-Light Commercial (LC) Lake County-R1 Lady Lake- RS-3
South	Lake County-R1

Comments for this application are as follows:

1) Permitted Uses and restrictions of the property will be governed by the attached Memorandum of Agreement, superseding all uses and prohibitions as stated in the Memorandum of Agreement of Ordinance No. 2004-16 executed on November 1, 2004, as recorded in ORB. 2705 PGS. 0141-147.

2) Should the amendment to the Memorandum of Agreement be approved, the applicant will be required to submit a site plan application to develop the site.

3) Applicant will be seeking connection to the Town's potable water supply, central sewer system, as well as the Town's reclaimed water system for irrigation. Sufficient capacity exists for all utilities.

Ms. Then reported that notices to inform the surrounding property owners (3) within 150' of the property of the proposed Rezoning-CP MOA Amendment were mailed by certified mail return receipt on Monday, March 30, 2015. The property was posted on Wednesday, April 1, 2015. To date, three certified mail receipts have been returned, and there have been no objections or letters of support regarding the application to date.

Ms. Then stated the application materials were circulated to members of the Technical Review Committee (TRC) on Tuesday, April 7, 2015. No comments were forwarded that would prohibit advancement of the application to the Planning and Zoning Board. She stated the Town Commission is tentatively scheduled to hear Ordinance No. 2015-02 for first reading at their regular meeting on Monday, May 18, 2015 at 6 p.m., and for second/final reading at the regular meeting to be held on Monday, June 1, 2015 at 6 p.m.

Ms. Then stated the applicant was present to answer any questions.

Member Monteleone asked if the two cows and the baby calf would be relocated.

Phillip Willman, property owner, replied that he would probably move the cows to his home.

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Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter. There was no one.

Upon a motion by Member Monteleone, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2015-02 to the Town Commission for consideration by the following roll call vote:

MCKENZIE	*YES*
MONTELEONE	*YES*
PIERSON	*YES*
GAUDER	*YES*

~~**3. Resolution No. 2015-102 – Paramount Urgent Care, Inc., JD Orias Novis Partnership Company LLC, and TWVH LLC for the Sunset Professional Plaza – Variance Request Pursuant to Chapter 17, Section 4.b.2.E. to Allow Secondary Wall Signs to be Placed on the South Elevation of Buildings "A" and "B" Located within the Sunset Professional Plaza Which Do Not Have a Public Entrance, Addressed as 801 and 805 Highway 466 (Wendy Then)**~~

~~Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Clerk's Office). She stated that on March 5, 2015, Town staff received a variance application for secondary wall signage along the façade of two buildings facing Highway 466. The applicant, Jay Berry with Berry's Signs, has filed the variance application for the Sunset Professional Plaza on behalf of owners Paramount Urgent Care, Inc., JD Orias Novis Partnership Company LLC, and TWVH LLC, for properties addressed as 801 through 805 Highway 466. She stated the variance request has been made pursuant to the provisions of Chapter 17, Section 4.b.2.E., of the Town of Lady Lake Land Development Regulations which only allows wall signs to be placed on the main façade of the business.~~

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

~~Ms. Then stated a Justification Statement has been submitted as required of this application. She stated the applicant has stated that having the channel letter signs on the additional wall could help many businesses and offices in the plaza since the signs could attract drivers from Highway 466 who would not see the businesses otherwise. Additionally, the applicant insisted that due to the building design, there is no public entrance on Highway 466, which limits the wall signage placement in accordance to the current sign code.~~

~~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.~~

WALTER W. TARD
352-753-5974