

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

**June 12, 2017
5:30 p.m.**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.

CALL TO ORDER: Chairperson/Member Gauder

PLEDGE OF ALLEGIANCE

ROLL CALL: Carole Rohan, Member
William Sigurdson, Vice Chair/Member
Robert Conlin, Member
John Gauder, Chairperson/Member

ABSENT: Regis LeClerc, Member

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

Also Present: Attorney Sasha Garcia, BRS Legal, Commissioner Ruth Kussard and Commissioner Paul Hannan

OPEN FORUM: Chairperson/Member Gauder asked if anyone in the audience wished to speak. There were no comments.

NEW BUSINESS:

1. Approval of Minutes – May 8, 2017 Regular Meeting

Upon a motion by Vice Chair/Member Sigurdson and a second by Member Rohan, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board meeting of May 8, 2017 as presented by a vote of 4-0.

2. Ordinance No. 2017-22 – An Ordinance Providing for a Text Amendment to the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08) Chapter 5, Section 5-4, k.), 3.), D.); Removing the Wholesalers and Distributors Land Use from Uses Expressly Prohibited and Adding as a Permitted Use under Section 5-4, k).1). E). for the Commercial Tourist (CT) Zoning District (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that on Monday, May 8, 2017, a text amendment application was filed with the Town of Lady Lake by Grant Gore of Recreation Plantation. This application requests an amendment to the provisions of Chapter 5, Section 5-4).k). removing the "Wholesalers and

Distributors” land use from expressly prohibited land use, and adding it as a permitted use under the Commercial Tourist (CT) Zoning District.

The applicant, Grant Gore, provided a statement with the application indicating that he would like to be able to utilize the Recreation Plantation address at 609 Highway 466 to establish a wine import and distribution business to be operated under Flying Fish Import, LLC.

Mr. Gore received zoning clearance to operate the retail and sales part of the business in July of 2016 at the front sales/office building located in the front parcel of Recreation Plantation, which has Light Commercial (LC) zoning designation and allows the sale of packaged wine (2APS liquor license). 2APS liquor licenses permit owners to sell beer and wine in original packages to patrons for consumption away from the premises/retail area in which they are sold. To continue the flow of selling imported packaged wine, a physical address must be established on the State Distributor of Beer and Wine License (JDBW) for storing of the wine. The Growth Management Dept. cannot issue a zoning clearance on the JDBW State License since the “wholesalers and distributors” land use is currently prohibited within the CT Zoning District.

The applicant proposes to occupy a shed located within the maintenance area of Recreation Plantation Phase 1 to commence operations. Mr. Gore has already acquired a Federal Permit to import into the United States (Permit No. FL-I-21555), and now he needs a State Import Liquor License to distribute. In order for the applicant to process the JDBW State License, the land must meet and satisfy zoning requirements; thus the submittal of this application.

Town staff determined that removing the “wholesalers and distributors” land use from prohibited uses and adding it to permitted uses within the Commercial Tourist (CT) zoning district would not be in conflict with the Town of Lady Lake Comprehensive Plan, and would be consistent with some of the activities, amenities, and operations managing tourist related facilities.

Ms. Then noted that one other property will be affected by this LDR text amendment as the change would apply to all properties zoned Commercial Tourist (CT). If approved, aside from Recreation Plantation, the one other property zoned CT within the Town of Lady Lake is a 53.14-acre parcel known as the Sawmill Holdings site, which currently has Special Exception Use approval (Ord. 2015-07) for the development and operation of a 185-unit RV Park Facility with a 4,500 sq. ft. clubhouse, bathhouse, registration building and park at 3105 Hartsock Sawmill Road (Alternate Key 1771358), approximately 1,500 feet east of Highway 27/441.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-22, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-22 for first reading on Wednesday July 5, 2017 at 6:00 p.m. The second and final reading will be held on Monday, July 17, 2017 at 6:00 p.m.

Ms. Then stated a representative of Recreation Plantation is present.

Chairperson/Member Gauder asked if there were any questions or comments.

Chairperson/Member Gauder asked if the product will be sold on the property.

Nolan Ives introduced himself as Resort Manager of Recreation Plantation, and stated he was unable to answer this.

Thad Carroll, Growth Management Director, stated there is a clubhouse on the property and Mr. Gore will be able to sell the product on the premises. He stated this amendment will allow Mr. Gore to set up an operation as a distributor of the product.

Mr. Carroll stated for the record that, currently, this is the only property that would be utilizing this use. There is one other property in the Town that is zoned Commercial Tourist that is currently vacant.

Chairperson/Member Gauder asked how all of the safeguards for the public will be adhered to such as security of the products.

Ms. Then replied that the fire inspector will review the alcohol storage facility and indicate all necessary requirements per the building process.

Mr. Ives stated the owner will adhere to proper security and insure safety of the product.

Member Conlin clarified with Mr. Ives that the warehouse on the property will be the distribution point.

Mr. Ives stated Recreation Plantation’s address will be the distribution address.

Chairperson/Member Gauder asked if there were any further questions or comments, and hearing none, asked for a motion.

Upon a motion by Member Rohan and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-22 to the Town Commission for consideration by the following roll call vote:

<i>ROHAN</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

3. Ordinance No. 2017-23 – Annexation – The Villages of Lake-Sumter, Inc. – Annexing Three Lots (0.49+/- Acres Referenced by Alternate Key Numbers 1753601, 1482470, & 2701102) – Located within Orange Blossom Gardens Units 1 and 3.1B, Lake County, FL (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., Beth and Leonard Maiorani, Gail and Richard Smith, and Robert Sharpe, has filed an application to annex property consisting of three lots located within Orange Blossom Gardens Units 1 and 3.1B. The annexation application involves 0.49 +/- acres of property from unincorporated Lake County into the Town of Lady Lake, and the lots are addressed as follows:

- 1046 Aloha Way
- 1020 Aloha Way
- 716 Truman Avenue

Ms. Then presented a location map, survey maps of the subject properties and photographs of the properties with postings. She stated staff recommends approval of this ordinance.

The subject property lies in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the properties were included with the submitted application. The lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District’s Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex properties into the Town that are non-contiguous to the existing municipal boundary.

The annexation application was received on Tuesday, May 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Ms. Then reported that notices to inform the surrounding property owners (60) within 150 feet of the property proposed by the annexation request were mailed Thursday, May 25, 2017, and the properties were posted this same date. She stated there have been two telephone inquiries regarding this annexation.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-23, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-23 for first reading on Wednesday July 5, 2017 at 6:00 p.m. The second and final reading will be held on Monday, July 17, 2017 at 6:00 p.m.

Ms. Then stated the applicant is present if there are any questions.

Chairperson/Member Gauder asked if there were any questions or comments, and hearing none, asked for a motion.

Upon a motion by Member Sigurdson and a second by Member Rohan, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-23 to the Town Commission for consideration by the following roll call vote:

<i>ROHAN</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

4. Ordinance No. 2017-24 – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Three Lots (0.49+/- Acres Referenced by Alternate Key Numbers 1753601, 1482470, & 2701102) – Located within Orange Blossom Gardens Units 1 and 3.1B, Lake County, FL (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., Beth and Leonard Maiorani, Gail and Richard Smith, and Robert Sharpe, has filed an application to amend the future land use comprehensive plan designation for properties consisting of three lots located within Orange Blossom Gardens Unit 2, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves annexing 0.49 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. She stated staff recommends approval of this ordinance.

The proposed properties are addressed as follows:

- 1046 Aloha Way
- 1020 Aloha Way
- 716 Truman Avenue

Ms. Then presented a map showing the location of the subject properties and a map of the zoning of adjacent properties.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, May 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (60) within 150 feet of the property proposed by the SSFLUM Amendment request were mailed Thursday, May 25, 2017, and the properties were posted this same date.

Concurrency Determination Statement: A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment application, which the applicant submitted to explain expected impacts on Town services. The Villages proposes to remove the existing manufactured homes on the lots to construct conventional built homes. There will be no increase in utility services, traffic, population, or recreation use.

Ms. Then stated there will be no impact on Town services as described below:

Potable Water – No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer – No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools – Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation – No impact, the existing homes will be replaced with new homes. There will be no change in average daily trip generation.

Parks & Recreation – The small-scale future land use amendment will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject property involves approximately 0.49 ± acres and lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
East	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
North	Lady Lake Manufactured Home High Density/ Lake County Medium Urban Density
South	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density

Comments:

- 1.) Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
- 2.) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
- 3.) Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-24, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance No. 2017-24 on Monday, July 3, 2017 at 5:45 p.m. The Town Commission is scheduled to consider Ordinance No. 2017-24 for first reading on Wednesday, July 5, 2017 at 6:00 p.m. The second and final reading will be held on Monday, July 17, 2017 at 6:00 p.m. Ms. Then stated there have been two telephone inquiries regarding this annexation.

Ms. Then stated the applicant is present if there are any questions.

Chairperson/Member Gauder asked if there were any questions or comments, and hearing none, asked for a motion.

Upon a motion by Member Conlin and a second by Member Rohan, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-24 to the Town Commission for consideration by the following roll call vote:

ROHAN

YES

<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

5. Ordinance No. 2017-25 – Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Rezoning for Three Lots (0.49+/- Acres Referenced by Alternate Key Numbers 1753601, 1482470, & 2701102) – Located within Orange Blossom Gardens Units 1 and 3.1B, Lake County, FL (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk’s Office). She stated the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., Beth and Leonard Maiorani, Gail and Richard Smith, and Robert Sharpe, has filed an application to rezone property consisting of three lots located within Orange Blossom Gardens Units 1 and 3.1B. The application involves rezoning 0.49 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages that are presently in the Town of Lady Lake’s jurisdiction. She stated staff recommends approval of this ordinance.

The proposed properties are addressed as follows:

- 1046 Aloha Way
- 1020 Aloha Way
- 716 Truman Avenue

Ms. Then presented a zoning map showing the location of the subject properties and a zoning map of the adjacent properties.

The Rezoning application was received on Tuesday May 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (60) within 150 feet of the property proposed by the rezoning request were mailed Thursday, May 25, 2017, and the properties were posted this same date. Ms. Then stated there have been two telephone inquiries regarding this annexation.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)/ Lady Lake Mixed residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)/ Lady Lake Mixed residential Medium Density (MX-8)
North	Lady Lake Mixed residential Medium Density (MX-8)/ Lake County Residential Medium (RM)

South	Lake County Residential Medium (RM)/ Lady Lake Mixed residential Medium Density (MX-8)
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The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2017-25, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2017-25 for first reading on Wednesday, July 5, 2017 at 6:00 p.m. The second and final reading will be held on Monday, July 17, 2017 at 6:00 p.m.

Ms. Then stated the applicant is present if there are any questions.

Chairperson/Member Gauder asked if there were any questions or comments, and hearing none, asked for a motion.

Upon a motion by Member Rohan and a second by Member Sigurdson, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2017-25 to the Town Commission for consideration by the following roll call vote:

<i>ROHAN</i>	<i>YES</i>
<i>CONLIN</i>	<i>YES</i>
<i>SIGURDSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

CHAIRPERSON/MEMBERS' REPORT: There was no report.

ADJOURN: *With nothing further to discuss, the meeting was adjourned at 5:53 p.m.*

Carol Osborne, Staff Assistant to the Town Clerk John Gauder, Chairperson

Minutes transcribed by Carol Osborne, Staff Assistant to the Town Clerk