

**REGULAR MEETING  
TOWN OF LAKE PLACID LOCAL PLANNING AGENCY/  
BOARD OF ADJUSTMENT  
APRIL 16, 2007 4:00 P.M.**

Chairman Hoz Compton called the Town of Lake Placid Local Planning Agency/Board of Adjustment meeting to order on Monday, April 16, 2007 at 4:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

**ROLL CALL:**

Chairman Hoz Compton  
Commissioner Carol Smart  
Commissioner Richard McConnell  
Commissioner Steve Bastardi  
Commissioner Ray Royce

Alternate Robert Barger

Town Clerk Arlene Tuck  
Town Planner Sue BuChans  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman

**ABSENT:**

Commissioner Mason Smoak

**APPROVAL OF AGENDA**

Commissioner Smart made a motion the Agenda be approved as presented; motion seconded by Commissioner Bastardi. On roll call, motion carried unanimously.

**PUBLIC HEARINGS:**

- A. Site Plan Review – HIW Development – David Ballew – Mrs. BuChans stated the applicant was requesting a site plan approval for a proposed shopping center called “Lake Placid Village” in an area zoned C-1, located at the northwest corner of U.S. 27 and Heartland Boulevard. Commissioner McConnell made a motion to recommend the site plan approval to the Town Council with the development order stipulating the required landscaping maintained by the development and should any trees, shrubs, or other landscape material need replacement, this is the responsibility of the development not the Town and that the developer will plant at least two oak trees on the northeast corner and southeast corner of the property adjacent to U.S. Highway 27; and that all road right-of-ways will be dedicated prior to pulling permits; motion seconded by Commissioner Bastardi. On roll call, motion carried unanimously.
  
- B. Ordinance 07-550 – Large Scale Comp. Plan – Genor Farms – Mrs. BuChans stated the applicant is requesting an amendment to the Future Land Use Map (FLUM) to redesignate property with Highlands County Agriculture and the Town of Lake Placid’s Agricultural/Residential future land use categories to Town of Lake Placid Low Density Estate Residential future land use. The property has frontage on Catfish Creek Road. Based on the size of the property,

this application is considered a Large Scale Amendment to the Comprehensive Plan. The Applicant is also requesting a change to the Official Zoning Map from Highlands County Agricultural (AU) and Town of Lake Placid Agriculture (A-1) to Planned Development (PD) for the approximate 55.01 acres. Commissioner Royce made a motion to recommend to Town Council approval to transmit to DCA for the required State of Florida review of the large scale comprehensive plan amendment to amend the Future Land Use Map from Highlands County Agricultural and Town of Lake Placid Agricultural/Residential to Town of Lake Placid Low Estate Residential with the following conditions:

- a. Developer shall enter into a Capacity Agreement with Town for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer's payment of the System Development. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney.
- b. Provide sufficient right of way along Catfish Creek Road to total a minimum of 100 feet of right of way (but to contribute only their one-half), unless the road designation has been reduced prior to the preliminary plat.
- c. Development not to exceed 55 units.
- d. Provide external community park and recreation LOS. The community park LOS should be outside the development's boundaries. The developer can offer a fee in lieu to the Town for construction of a community park to satisfy the external community park and recreation LOS requirement.
- e. Install central wastewater collection lines within the project site at time of development from existing wastewater lines and agree to hook up when available.
- f. The zoning for this project will be a PD overlay and will be made a part of this Comprehensive Plan Amendment.

Motion seconded by Commissioner Bastardi. On roll call, Commissioner Bastardi, Commissioner Royce, Commissioner McConnell and Chairman Compton voted yes; Commissioner Smart voted no. Motion carried 4 to 1.

- C. Ordinance 07-551 – PD – Genor Farms – Mrs. BuChans stated the applicant is requesting a rezoning for the subject property described above from Highlands County Agriculture and Town of Lake Placid Agriculture to Planned Development Zoning District. Under the Agricultural zoning, development is limited. Under agricultural uses, restricted residential development and limited semi-public and recreational uses are currently permitted. It is the applicant's intent to develop a planned single-family development with recreational ancillary uses and amenities.

Currently, the 55.01 acres is designated with a small section as Highlands County Agricultural on the Highlands County Future Land Use Map and the majority as the Town of Lake Placid Agricultural/Residential on the Town of Lake Placid Future Land Use Map. The property has a Highlands County AU and Town of Lake Placid A-1 Zoning designation in which the development is severely limited. The applicant is hereby requesting a rezone to (PD) Planned Development. The

subject property is located off Catfish Creek Road. It is currently vacant agricultural land that at one time was cleared from citrus cultivation, with a small amount of frontage on Lake June.

The applicant would like to develop the property with 55 large single-family estates on  $\frac{3}{4}$  lots with provisions for recreational amenities. The applicant requests that the subject property be redesignated to the Town of Lake Placid's Low Estate Residential (LER) future land use category in order to accommodate the large estate single-family lots. Under the LER the lots can be developed at a maximum density of 1 dwelling unit gross acre and translates into 55 units for this 55.01 property.

Commissioner Royce made a motion to recommend to the Town Council that the rezone to amend the Town zoning map from AU to PD Ordinance/Development Order (DO) to implement and coordinate with the conditions contained in the Comprehensive Plan amendment. This DO shall include detailed zoning district conditions that include permitted uses, setbacks, and all other zoning conditions, preferably based on an existing district and shall be considered for adoption concurrent with the Large Scale Comprehensive Plan amendment and shall include the draft PD Ordinance attached with the following changes;

- a. Dock have a maximum length of 135 feet or not extend 10' beyond the weed line, whichever comes first. There shall be only six boat slips (three on each side of the dock). The dock area shall not contain any permanent electrical lighting and no long term docking or storage of boats shall be permitted. The dock shall be of a "T" configuration and not exceed six feet in width on any walkway area. The applicant shall not be permitted to apply for a dock permit in excess of ten square feet per front foot of lakefront.
- b. There shall be no Tiki Huts allowed in the park.
- c. A restroom facility will be allowed as depicted on the plan.
- d. Section 160-1.5. Public Facilities Requirements: Atty. Harris and Atty. John McClure will review sections A. Central Water Facilities and Section B. Wastewater Treatment and correct as to clarity.
- e. Amenities are to be improved prior to plat unless bonded.

motion seconded by Commissioner Bastardi. On roll call, Commissioner Royce, Commissioner Bastardi, Commissioner McConnell and Chairman Compton voted yes; Commissioner Smart voted no. Motion carried 4 to 1.

**Chairman Compton informed the Board he had a conflict of interest in this matter and would not be voting.**

D. Ordinance 07-548 – Large Scale Comp. Plan – Aravallia (Groves 27) Mrs. BuChans stated the applicant is requesting an amendment to the Future Land Use Map (FLUM) to redesignate property annexed into the Town of Lake Placid in November 2005 in accordance with the previous Highlands County designation, to the Town of Lake Placid's future land use categories. Currently, 9.56 acres is designated as Commercial and 47.99 acres as Medium Density Residential by the Highlands County Future Land Use Map. The applicant requests the commercially designated area expanded 9.28 acres to total 18.84 acres and designated the Town of Lake Placid's future land use category,

Commercial-General (CG). Additionally, the applicant requests the residentially designated area reduced by approximately 9.28 acres to a total of 38.71 acres and designated the Town of Lake Placid's future land use category Low Medium Density Residential (LMDR).

The commercial development has frontage on U.S. 27. The residential fronts on Aaron Drive.

Commissioner Royce made a motion to recommend to the Town Council approval to transmit to DCA for the required State of Florida review of the large scale comprehensive plan amendment to amend the Future Land Use Map from Highlands County Commercial and Highlands County Medium Density Residential to Town of Lake Placid Commercial General and Low Medium Density Residential with the following conditions:

1. Developer shall enter into a Capacity Agreement with the Town for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer's payment of the System Development. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney.
2. The residential property shall be capped at 157 residential units.
3. Commercial property shall be restricted to 153,000 square feet of commercial use.
4. The zoning for this project will be a PD overlay and will be made a part of this Comprehensive Plan Amendment.

Motion was seconded by Commissioner McConnell. On roll call, Commissioner McConnell, Commissioner Bastardi, and Commissioner Royce voted yes; Commissioner Smart voted no; and Chairman Compton abstained from voting due to a conflict of interest with a monetary gain. Motion carried 3 to 1.

- D. Ordinance 07-549 – PD – Aravallia Groves (Groves 27) – Mrs. BuChans stated the applicant is requesting a rezoning for the subject property from Agriculture to Planned Development zoning district. Under the Agricultural zoning, development is limited. Agricultural uses, restricted residential development and limited semi-public and recreational uses are currently permitted. It is the applicant's intent to develop a planned commercial village center and single-family development with recreational ancillary uses and amenities.

Currently 9.56 acres is designated as Commercial and 47.99 acres as Medium Density Residential on the Highlands County Future Land Use Map. The applicant request that the commercially designated area be expanded from 9.28 acres to 18.84 acres and redesignate to the Town of Lake Placid's Commercial-General (CG) future land use category. Additionally, the applicant requests that the residentially designated area be reduced by approximately 9.28 acres to a total of 38.71 acres and redesignate to the Town of Lake Placid's Low Medium Density Residential (LMDR) future land use category. The subject property is located in the northeast corner of U.S. 27 and Huntley Drive, west of Pendarvis Drive. It is currently under citrus cultivation, with a small amount of frontage on Lake Saddlebags.

The applicant wants to develop the west end of the property with commercial and retail as a Village Center development due to its frontage on U.S. 27. The applicant is proposing to expand the commercial area to 18.84 acres, and to allow a depth of 400 feet for greater flexibility in site planning considerations. The commercial development proposes two access points along U.S. 27. There are two different residential development concepts with identical commercial developments. The first residential proposal is a townhouse concept containing 20 single-family dwellings and 129 town homes clustered together in groups of three and six, forming a cul-de-sac with guest parking. This proposal totals 149 residential units. The second residential proposal is a zero lot line concept with 20 single-family dwellings and 137 town homes, with each town home on a separate lot, totaling 157 residential units. The applicant is hereby requesting a rezone to (PD) Planned Development.

Commissioner Bastardi made a motion to recommend the rezone to amend the Town zoning map from AU to PD Ordinance/Development Order (DO) to implement and coordinate with the conditions contained in the Comprehensive Plan amendment. This DO shall include detailed zoning district conditions that include permitted uses, setbacks, and all other zoning conditions, preferably based on an existing district and shall be considered for adoption concurrent with the Large Scale Comprehensive Plan amendment as drafted, subject to the amendments as discussed. Mr. Augie Fragala, applicant, shall revise the PD Ordinance including all amendments discussed and present to Mr. Mike Gallaher, Attorney for developers and Attorney Bert Harris, attorney for the Town of Lake Placid, for their review. Vice Chairman Royce shall then review the PD Ordinance for corrected revisions. Vice Chairman Royce shall present the recommended PD Ordinance to the Town Council for their review; motion seconded by Commissioner McConnell. On roll call Commissioner McConnell, Commissioner Bastardi and Commissioner Royce voted yes; Commissioner Smart voted no; and Chairman Compton abstained from voting due to a conflict of interest with a monetary gain. On roll call, motion carried 3 to 1.

At 10:20 P.M. Chairman Compton declared the meeting would reconvene Tuesday, April 17, 2007 at 5:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida.