MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
January 2, 2020

The Lake County Planning and Zoning Board met on Thursday, January 2, 2020, in County Commission Chambers on the second floor of the Lake County Administration Building to consider petitions for rezoning requests.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners (BCC) for their public hearing to be held on Tuesday, January 28, 2020 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Sandy Gamble, Chairman	School Board Representative
Kathryn McKeeby, Secretary	District 1
Laura Jones Smith	District 2
Tim Morris, Vice-Chairman	District 3
Rick Gonzalez	District 4
Cori Todd	District 5
Jim Hamilton	At-Large Representative

Members Not Present:

Donald Heaton	Ex-Officio Non-Voting Military

Staff Present:

Tim McClendon, AICP, Director, Office of Planning & Zoning
Emily Johnson, Planner, Office of Planning and Zoning
Donna Bohrer, Office Associate, Office of Planning & Zoning
Diana Johnson, Deputy County Attorney
Josh Pearson, Deputy Clerk, Board Support

Chairman Sandy Gamble called the meeting to order at 9:00 a.m., noted that a quorum was present, and led the Pledge of Allegiance. He remarked that the Lake County Planning and Zoning Board was an advisory board to the Board of County Commissioners (BCC) and that this Board was responsible for reviewing proposed changes to the Lake County Comprehensive Plan (Comp Plan), zoning, conditional uses, mining site plans, and making recommendations on these applications to the BCC. He stated that the Board's recommendations would be sent to the BCC for their consideration at a scheduled public hearing and that the cases presented today were scheduled for the January 28, 2020 BCC meeting at 9:00 a.m.

TABLE OF CONTENTS

Agenda Update

Consideration of Minutes: November 26, 2019

Public Comment

CONSENT AGENDA

TAB NO:	CASE NO:	OWNER/APPLICANT/PROJECT
Tab 1	**2020-XX**	**Simulated Gambling Ordinance**
Tab 2	**RZ-19-04-2**	**Hammock Ridge PUD Amendment**
Tab 3	**FLU-19-04-2**	**Bella Collina FLUM Amendment - Adoption**
Tab 4	**RZ-19-21-2**	**Bella Collina PUD Amendment**
Tab 5	**FLU-19-05-1**	**RR & Sons Ventures FLU Amendment - Adoption**

REGULAR AGENDA

TAB NO:	CASE NO:	OWNER/APPLICANT/PROJECT
Tab 6	**RZ-19-22-5**	**G. Beliveau CFD Amendment**

Other Business

Adjournment

AGENDA UPDATES

Mr. Tim McClendon, Director, Office of Planning and Zoning, said that he had distributed a letter of support from the Lake County Sheriff pertaining to Tab 1.

Ms. Laura Jones Smith indicated that there were no land use or zoning maps in the Board's packet and she asked for them to be included in the future.

Mr. McClendon clarified that staff was attempting to solve this and that new legislation had

required the staff reports to be compliant with the Americans with Disabilities Act (ADA).

Mr. Gamble relayed that he had received a speaker card for Tab 4 and that it would be moved to the regular agenda, along with Tab 3 since it was related.

Mr. Tim Morris asked to pull Tab 2 to the regular agenda. He then read the definition of "sweepstakes" in the ordinance for Tab 1 and asked how the term "payoff" was defined.

Ms. Diana Johnson, Deputy County Attorney, said that staff had worked with the Sheriff on this ordinance and that other jurisdictions had been considered. She noted that in Section 2, subsection (7) of this ordinance, there was a definition for what was considered to be a payoff.

MINUTES

MOTION by Jim Hamilton, SECONDED by Kathryn McKeeby to APPROVE the Minutes of November 26, 2019 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: **Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton**

AGAINST: **None**

MOTION CARRIED: **7-0**

PUBLIC COMMENT

No one wished to address the Board at this time.

CONSENT AGENDA

TAB NO:	CASE NO:	OWNER/APPLICANT/PROJECT
Tab 1	**2020-XX**	**Simulated Gambling Ordinance**
Tab 5	**FLU-19-05-1**	**RR & Sons Ventures FLU Amendment - Adoption**

MOTION by Tim Morris, SECONDED by Kathryn McKeeby to APPROVE the Consent Agenda, Tabs 1 and 5, as presented, pulling Tabs 2, 3 and 4 to the Regular Agenda.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

REGULAR AGENDA

Tab 2 – HAMMOCK RIDGE PUD AMENDMENT

Ms. Emily Johnson, Planner, Office of Planning & Zoning, presented Tab 2. She said that the property was located southeast of the intersection of Hammock Ridge Road and Lake Louisa Road in the City of Clermont area, and the proposed planned unit development (PUD) was approximately 57.31 acres. She elaborated that the applicant was proposing to amend and replace the existing PUD ordinance with a new ordinance to rezone approximately 15 acres from PUD to Agriculture, to rezone slightly over 16 acres from Agriculture to PUD, and to bring the existing PUD into compliance with current Land Development Regulations (LDRs) and Comp Plan policies. She added that the application was proposing setback waivers, and she displayed the current Future Land Use (FLU) and zoning maps. She relayed these findings from the staff analysis: the uses and density of the proposed PUD were consistent with Comp Plan Policy I-1.3.2, Urban Low Density Future Land Use Category; the application was consistent with the Comp Plan with regards to central water and mandatory sewer connections; and the proposed request was consistent with the residential development standards contained within LDRs Section 4.03.00, Planned Unit Development District, including LDRs Section 4.03.01 regarding PUDs being allowed in all land use categories, and the section which stated that a PUD must be at least 10 acres in size.

Mr. Morris noted that there were already 120 homes approved and that they were increasing this to 157 homes, and he asked if this was because of setbacks.

Mr. Jimmy Crawford, an attorney representing the applicant, stated that the original PUD was under the old Comp Plan standards. He said that they would be implementing smaller lots and less side setbacks, which had been approved by the Lake County Public Works Department. He mentioned that the new PUD would require sidewalks, increased open space, and a water and sewer connection that was not required under the old ordinance. He remarked that smaller lots and more community open space was how they were proposing more lots on less acres.

Mr. Morris inquired if a traffic study had been conducted yet.

Mr. Brian Ashby, an engineer with Kimley-Horn, responded that they had conducted a tier two traffic study, and Mr. Morris asked about the results. Mr. Ashby responded that there would be an increased level of traffic on Hammock Ridge Road and Lake Louisa Road; however, there were no identified improvements that would be necessary due to the additional lots.

Mr. Morris asked about the current road rating, and Mr. Ashby thought that it was a "C" and that there would be no change in the level of service.

Mr. Crawford said that they would be improving east Lake Louisa Road to County standards near the development's back entrance up to Hammock Ridge Road. He also said that for the traffic study, the 120 units were counted as being there due to having already being approved, and that the current request was to approve the 32 unit increase.

Mr. Rick Gonzalez inquired about school concurrency.

Mr. Crawford submitted a one year school concurrency reservation letter for each school in the existing districts. He also said that they had water and sewer letters from the City of Clermont for water and Lake Utilities for sewer.

Mr. Gamble asked if the middle school for this development was Windy Hill Middle School, and Mr. Crawford thought that this was correct. Mr. Gamble expressed concern for the school being overpopulated due to having nearly 30 portable classrooms on site.

Mr. Crawford opined that this was an issue to be addressed with the State Legislature and said that portables were counted at 100 percent for capacity.

MOTION by Rick Gonzalez, SECONDED by Laura Jones Smith to APPROVE Tab 2, Hammock Ridge PUD Amendment.

FOR: **Gamble, McKeeby, Jones Smith, Gonzalez, Todd and Hamilton**

AGAINST: **Morris**

MOTION CARRIED: **6-1**

Tabs 3 & 4 – BELLA COLLINA FLUM AMENDMENT – ADOPTION & PUD AMENDMENT

Mr. McClendon presented Tabs 3 and 4 together. He explained that the subject property for Tab 3 was located on the east and west side of County Road (CR) 455, was within Commission District 2, was just under 2,000 acres in size, and that the request for the FLU amendment was to amend the Comp Plan policy for the Bella Collina FLU to include the use of a helicopter landing pad. He displayed a map showing the existing FLU and noted the

locations of the helipad tract and the Bella Collina community. He also showed the current zoning of the property. He relayed the following information from the staff analysis: the proposed FLU amendment sought to amend the Bella Collina FLU to add a helicopter landing pad; Bella Collina was a mixed-use community with almost 900 homes, commercial uses, a communications tower, a clubhouse, and a golf course onsite; the proposed amendment was consistent with all other elements of the Comp Plan; and the applicant had demonstrated their coordination with the Federal Aviation Administration (FAA). He showed the concept plan and said that the tract was identified as "O" on the plats, and the requested action for the FLU was to find the amendment consistent with the Comp Plan. He then said that Tab 4 was in the same location as Tab 3 and was to identify a helicopter landing pad use. He indicated that the requested action was for the Board to find both of these cases consistent with the Comp Plan and the LDRs and to approve the requested amendments.

Mr. Gamble asked if this would be in a 10 acre area and if the surrounding residents were part of the Bella Collina community.

Mr. McClendon clarified that it was less than 10 acres and that this was why it was considered to be part of a small scale amendment. He also confirmed that the neighbors were part of the Bella Collina community and added that for the notification of this public hearing, staff identified not only the surrounding residents but also each lot owner in Bella Collina.

Ms. Jones Smith asked about the previous use for this tract.

Mr. McClendon thought that it was an open space tract; additionally, the applicant demonstrated that they still met their open space requirements.

Ms. Kathryn McKeeby asked if the landing pad would only be for emergency use, and Mr. McClendon deferred this question to the applicant.

Mr. Gonzalez inquired if there was any attempt or suggestion to define the flight path to come in over Lake Apopka.

Mr. McClendon did not believe that the County had any regulatory standing regarding flight paths and indicated that this was instead determined by the FAA.

Mr. Jonathan Huels, an attorney representing the applicant, clarified that the helipad would serve as an amenity for Bella Collina but could also be utilized by emergency aircraft. He relayed his understanding that there had been three emergency landings at Bella Collina to evacuate individuals and that the proposed landing pad would reduce the time it would take for those flights to land. He stated that if the request was approved by the Board and the BCC, the landing pad would be certified by the FAA as a landing and a takeoff location for emergency flights. He stated that Bella Collina was over 1,900 acres with over 800 residences, was mixed use with a golf course and clubhouse, and was bisected by CR 455. He mentioned that the helipad would be located on the west side of the neighborhood just south of the clubhouse, and he showed a map of the area. He believed that tract "O" was 3.15

acres in size but that less than one acre would be utilized for the helipad. He noted that there would not be any vertical infrastructure or fueling and that there would only be the helipad with a driveway apron. He relayed that prior to submitting an application, the applicant had contacted the homeowners or lot owners immediately around the subject tract about the proposal and asked them to sign a letter indicating that they had no objection to it; furthermore, all but four of the twenty-seven lot owners sent a letter of no objection. He felt that these property owners saw the request as an amenity, and he asked that the Board recommend approval consistent with the findings and recommendations in the staff reports.

Mr. Gamble noted that the helicopters would not be stored there, and asked if it would be for transit to enter and leave the community or if it would be used for emergency cases.

Mr. Huels clarified that it would be used as an amenity for residents and guests of the club to enter and exit the community. He commented that most of the flight paths would be coming from the City of Orlando and south Florida.

Ms. Jones Smith relayed her understanding that if they would not have an area to store the aircrafts, they could only have one there at a time.

Mr. Huels stated that an individual could be dropped off and the helicopter could be stored elsewhere.

The Chairman opened the floor for public comment.

Mr. John Englehardt, a resident near the proposed helipad, opined that helicopters were noisy and that people did not want them in their neighborhood. He did not feel that there was a need for this request and opined that it would disrupt the area's peace. He also indicated an understanding that emergency aircraft could already land, and he thought that only Bella Collina had expressed a want for this request.

Mr. Greg Gensheimer, a resident near the subject property, thought that there had been a recent test flight at Bella Collina and he felt that it was noisy. He opined that the area was currently quiet and that noise was amplified more than it would be in a city setting. He asked if the Board could impose time restrictions so that helicopters could only fly there during business hours.

The Chairman brought it back to the Board for discussion.

Mr. Huels reiterated that the helipad was to be an amenity with the potential for emergency use. He thought that the Board could place a reasonable restriction on the time of use but opined that the flight paths would not be over the Town of Montverde; rather, they were predicting that most of the activity would be coming from the east or southeast. He felt that they met the criteria and stated that residents who would be most affected by this use had given a letter of no objection.

Mr. Gonzalez asked if there was an anticipated number of trips per day. He also asked if it could be recommended to Mr. Huels' client that the helicopters arrive from the lake side to minimize the impact to the Town of Montverde.

Mr. Huels thought that it would be on an as-used basis and that it would not be robust. He also opined that this would be the desired flight path due to there being a lack of obstructions over the water.

Mr. Jim Hamilton asked if this would be listed as a private or public landing pad on the FAA's map system for aircraft, and Mr. Huels confirmed that it would be private. Mr. Hamilton then indicated that the pad being private would remove many FAA restrictions and asked if they could currently land a helicopter on the property.

Mr. Huels confirmed this because it was a private use.

Mr. Hamilton inquired if they were considering having an approach to the helipad with the FAA.

Mr. Huels thought that this was correct and reiterated that the approach would be from the southeast; however, wind direction could influence this.

Mr. Hamilton relayed his understanding that for the FAA's noise abatement rules, they would search for the least affected area such as the lake.

Mr. Morris asked that for the approximately 85 percent of residents who supported the landing pad, how many were investors and builders.

Mr. Huels responded that it was more than half, with the others being represented by owners of lots or homes.

Mr. Gamble inquired if the comment about restricting the use to business hours would be amicable.

Ms. Jones Smith noted that there were other amenities planned that could be operating outside of business hours.

Mr. Huels proposed hours of 6:30 a.m. to 11:00 p.m.

Mr. Gonzalez thought that there should not be any restrictions because the clientele travelled at all hours of the day.

Mr. Huels said that this was also to accommodate events at Bella Collina. He did not think that the bulk of flights would be at either end of that timeframe.

Mr. Gamble opined that flights travelling over the lake could reduce the noise, and he repealed his earlier comment about there being a time restriction.

MOTION by Laura Jones Smith, SECONDED by Rick Gonzalez to APPROVE Tab 3, Bella Collina FLUM Amendment – Adoption.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

MOTION by Laura Jones Smith, SECONDED by Rick Gonzalez to APPROVE Tab 4, Bella Collina PUD Amendment.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

Tab 6 – G. BELIVEAU CFD AMENDMENT

Mr. McClendon presented Tab 6. He explained that the subject property was located within Commission District 5, that the tract size was approximately 10.5 acres, and that the requested action was to replace an existing ordinance from 2001 with a new ordinance to increase the number of temporary residents of the existing dormitory from 14 to 120, to add an animal shelter, and to request the use of an existing six foot solid fence in lieu of the required perimeter landscape buffer. He said that the subject property was originally zoned Community Facility District (CFD) in 2001 which allowed the dormitory-type facility for up to 14 individuals. He relayed that the request was consistent with Comp Plan Policy I.1.4.4, and that the Rural FLU designation of the property was limited to one dwelling unit per five net acres; however, the existing use was identified as a dormitory so that density did not necessarily apply to this request. He remarked that there were no Comp Plan provisions requiring buffering within the Rural FLU category or the Emeralda Marsh Rural Protection Area (RPA) and that the request was consistent with the CFD zoning district. He added that due to the capacity increase, staff was recommending some screening options within the proposed ordinance. He displayed the concept plan which indicated that this would be a three phase development program, and he read the requested action to find the request consistent with the LDRs and the Comp Plan and to approve the CFD rezoning with the conditions stated in the proposed ordinance.

Mr. Gonzalez mentioned a statement in the staff report indicating that the dormitory use was considered similar to the proposed non-permanent shelter/facility for domestic violence

victims and their families, which was protected under provisions contained in Section 39.908, Florida Statutes. He asked about this statute.

Mr. McClendon replied that it hid the location of the facility, among other provisions.

Mr. Hamilton thought that it was for the protection of the people who could be there.

Mr. Greg Beliveau, representing the applicant, stated that this application was for an existing CFD for a facility that had been on the property for 19 years. He relayed that when they held a community meeting with adjacent property owners, several residents asked if the facility could be relocated to an urban setting or split into multiple shelters in different cities. He felt that this would not be possible due to requiring counselors in each facility, and he said that relocating to an urban setting would require spending several million dollars to find a new multifamily facility to purchase. He added that the main reason that they were unable to move was because the property was purchased with a grant that had a 50 year clause requiring them to accept funds to purchase the property for this type of facility, and they had to stay there for 50 years unless they refunded the money. He commented that they were here to address and expand their user group in a better and more efficient manner. He indicated that the existing CFD was valid and in effect and that as long as they maintained the conditions, they could continue operating there. He remarked that over the past 19 years, the facility had addressed 2,741 residents and that aside from helping women and children, the facility had other functions such as counseling. He added that over the same period, the facility served 30,334 women and children. He opined that the facility was greatly needed and said that due to the unavailability of facilities, they had turned down 674 women and children in the past year. He stated that staff had addressed that the facility was in compliance with the Comp Plan and the LDRs, and he relayed that the original compliance citations had been addressed 19 years ago in the previous Comp Plan when it was originally approved. He elaborated that they had moved forward under the new Comp Plan and that they were in compliance again. He mentioned these issues that were discussed in meetings with the community which pertained to Griffin View Drive: some of the facility's residents and their children walking down the road in the morning and at night; women being picked up and dropped off on the road; delivery vehicles using the road for pickups and drop-offs; and County buses using the road for pickups rather than entering the facility's parking lot. He said that they would institute new processes and procedures to reduce the number of people that were not entering the facility for pickups to a manageable number. He mentioned the proposed animal shelter component of the facility and recalled that at the community meeting, there was discussion regarding if this component was necessary and if the animals could be controlled. He noted that these shelters had to be controlled, that there had to be a veterinarian on call, and that there had to be procedures to be followed and outlined. He also indicated that they may have multiple veterinarians on call for pet inspections. He remarked that they had statistics for why it was important to provide an animal shelter as part of this facility and relayed his understanding that there was a significant linkage between pets, abuse of children, and the use of pets to keep abuse consistent; additionally, they wanted to provide a shelter for the animals so that the families had a place to bring them. He indicated an interest in ensuring that this would be moderated

and controlled, as well as being a safe environment for the pets. He commented that there was a concern that the Town of Lady Lake would be extending water and sewer to the subject property and that the neighbors would have to use central utilities; however, he denied this and explained that the subject property would use an enhanced septic system. He added that they would also utilize well systems and that they would have to meet all requirements for health codes and the Florida Department of Environmental Protection (DEP), along with requirements from the St. Johns River Water Management District (SJRWMD) to keep their stormwater on site. He indicated that another concern was crime and he mentioned that over a one year period, there were forty calls for service from the facility. He elaborated that there were only eighteen calls that were an issue and that four of these calls were due to altercations that had occurred offsite; furthermore, there was only slightly over one onsite call per month. He noted that the individuals they worked with were under significant stress and that there could be some conflicts between them, and he felt that this number of calls per month was unsurprising. He opined that these issues were controllable and that they had a great relationship with the Lake County Sheriff's Office (LCSO) and police departments in the area. He added that law enforcement transported individuals to the facility and he thought that they would welcome being able to do this to a greater degree. He noted that another concern included property values, and he displayed a document indicating that according to the Lake County Property Appraiser's Office, the properties in the immediate vicinity had increased in value from 2015 to 2019.

Mr. Gonzalez asked if the offsite incidents were associated with individuals who were living at the facility. He also inquired if there was information for the 19 year period that the facility had been there.

Mr. Beliveau explained that there had been four altercations at the nearby Sunoco gas station that involved residents of the facility. He stated that regarding information for the past 19 years, they had only searched for the information for one year. He added that they provided basic needs onsite so that the residents did not need to visit the Sunoco station unless they wanted exercise or fresh air. He stated that with 10 acres, they had discussed developing a trail system onsite for the residents to utilize without having to walk to the Sunoco station on the road; however, he mentioned that they could not prevent a resident from meeting their abuser at the station and causing an issue. He related that the residents could only stay at the facility for 45 days and that within that period, the facility had to find them an alternative location to reside.

Mr. Hamilton asked how many dormitory buildings were currently on property.

Mr. Beliveau responded that there was currently only one dormitory that housed residents and that there were two other support buildings.

Mr. Hamilton then inquired that if this request was approved, would they construct additional buildings or expand their current buildings.

Mr. Beliveau displayed the site plan and stated that the existing building, which currently housed 14 residents, would be increased to 40 residents for phase one. He then indicated that they would remain at that phase and that the site could only be expanded as funding, donations and fundraising allowed. He pointed out the location of the existing building on the plan, along with the next dormitory which would house an additional 40 residents. He mentioned that due to the community meeting and concerns about the elevation of the structures, they were willing to state that no structure would be higher than two stories and that the structures would have a residential character. He then showed a map and noted some nearby vacant lots, and he felt that the facility had been placed here for this reason.

Mr. Gamble asked when the animal shelter would be constructed.

Mr. Beliveau responded that this would occur when they raised funding to build it. He explained that the facility was a state and federally funded operation with some donations. He indicated that to construct these buildings, they had to go through a process that could take one year or more. He expressed interest in having the buildings approved in order to move forward and begin raising funds.

Mr. Gamble clarified that Section 39.908, Florida Statutes, pertained to confidentiality of information received by a department or a domestic violence center.

The Chairman opened the floor for public comment.

Ms. Suzanne Cunningham, representing the Eustis Anna Miller Circle, said that her organization supported the rezoning request to allow the applicant to continue assisting abused women, children and teens in Lake County. She opined that the facility had not been an issue for the nearby neighbors and that they had routinely housed 30 to 35 individuals; however, she relayed her understanding that after a new resident had purchased a property near the subject facility, complaints caused the number of residents to be reduced to 14. She thought that since October 2018, over 550 abused women and children had been turned away or referred to other locations. She indicated an understanding that the facility had existed before new owners had purchased their homes there, and she felt that the facility should be approved for a rezoning to allow for continued growth and for them to serve abused individuals. She also expressed support for a pet shelter on the property.

Ms. Sara Dawson, a neighbor of the subject property, felt that it would be dangerous to allow all vehicles through the facility's gate and that there was a lack of space near the gate. She was also worried for the number of police calls to the facility if there were more residents there, and she relayed her understanding that the facility was requesting nearly ten times more residents and to double the current number of buildings. She indicated a concern for the following issues: an increase in violence in the community due to the nature of the individuals involved with the victims; more foot and vehicle traffic when the road had no sidewalks or street lights; adverse impacts to the environment from water usage, noting that her well had dried up; a possible increase for the cost of schools, law enforcement and fire rescue services; and increased property taxes having an adverse impact on property values. She claimed that

her address had been mistaken for the facility, and she felt that the facility had not resolved issues that they indicated would be addressed.

Mr. James Wyatt, a concerned citizen, expressed opposition to the proposed rezoning and opined that the children accompanying their mothers at the facility were put at risk. He did not believe that children and their mothers could be stopped from walking down the road to the Sunoco station. He mentioned that there were no sidewalks or streetlights on the road and he opined that expanding the facility could lead to an accident occurring. He thought that placing the children in a different school created stress and that if there were smaller shelters in different communities, then children could possibly stay in their schools. He relayed his understanding that the Lake County Sheriff was responsible for policing the shelter and he opined that having multiple smaller shelters in different cities could allow other police departments to address them. He asked the Board to deny the request.

Mr. Dennis Barringer, a Lake County resident, relayed his understanding that the Lake County Office of Code Enforcement had found the facility to be unsafe and in violation of its zoning; furthermore, he opined that the facility had placed 18 families in a hotel room or back where they came from. He expressed a concern for the affected individuals and he felt that it was an inappropriate location.

Mr. John Knowles, a concerned citizen, opined that the facility was not safe for its residents. He also felt that Griffin View Drive was unsafe for pedestrians and that there were other locations that would be safer for the women and children.

Ms. Betty Bright, a resident on Sulen Road, expressed concerns for safety and security. She relayed her understanding that in 1974, Emeralda Marsh was declared to be a national natural landmark and fell under an act where the business of the subject property was not zoned. She felt that the facility was a business and that having 120 residents on 10 acres would be an issue. She indicated a concern that they would use the area's resources and cause an increase in taxes for residents. She also thought that the facility's fences could create a barrier for the movement of wildlife throughout the area, and she was worried for the number of residents possibly causing the aquifer to run dry.

Ms. Marianne Mika, a neighbor of the subject property, felt that the facility had no regard for the effects that they had on their neighbors, and that they should assure the safety of their clients and their neighbors before increasing their number of residents to 120. She questioned why their clients could meet individuals in front of the facility's gates and reiterated that they walked down Griffin View Drive. She expressed a concern for the security of the clients and thought that if the facility was not providing transportation to its residents, then the residents would have to call another individual to help them. She also indicated issues with vehicles on her property and felt that the facility had been causing issues for the neighbors.

Mr. Richard Rackley, a resident on Frank Street, expressed a concern for residents of the facility being picked up on nearby roads and he claimed that the facility had indicated that this could not be addressed. He opined that there had been inappropriate behavior in the area

and indicated an issue with the number of potential police calls if the facility was expanded. He questioned if Sumter County was subsidizing the LCSO due to the facility serving residents of both counties. He also asked how the facility would fund the expansion and he indicated a concern for how the animals would be housed.

Ms. Guadalupe Rohles, a resident of Lake County, urged the Board to consider the safety of the neighbors, the road, and the women with children who walked there.

Ms. Connie Hall, a resident of Lake County, relayed her understanding that it was stated that the mission of the Lake County Office of Planning and Zoning was to provide quality of life for all county citizens by facilitating the development of a well-designed, efficient, healthy and safely built environment. She felt that the request for a zoning change was inappropriate and that due to the internet, the facility was no longer private. She opined that it would take time for the residents to receive assistance from first responders and that locating the facility in the country was unsafe. She noted that the residents had to walk over three miles to the Sunoco station, and she relayed her understanding that the facility had already claimed an animal shelter on its 2018 tax return. She thought that the facility was spending most of its budget on payroll and that this was not efficient; furthermore, she asked the Board to deny the request.

Ms. Gerty Mika, a neighbor of the subject property, opined that the facility was unsafe and that residents were unhappy there. She commented that she had seen cars next to her driveway and that this had caused her concern. She felt that the residents should be located closer to a police station.

Ms. Dolores Ann Russ, a resident of Lake County, commented that while the facility was meant to be a safe place for women, its location was known and it was no longer safe. She disagreed with placing more people there.

Ms. Mary Louise Stancil, a resident of Lake County, relayed her understanding that the Lake County Office of Code Enforcement intervened when the facility had violated its zoning for 14 residents and increased its capacity to more than 40 people. She quoted Section 39.908(2), Florida Statutes, which indicated that "domestic violence centers shall be treated as private dwelling places," and said that this was without any mention of dormitories that indicate an institution. She thought that the community residential home was located in a quiet rural area to provide a positive environment for women affected by domestic violence rather than being a dormitory; additionally, she thought that a dormitory would be better suited to an urban area. She expressed a concern that children there had to enroll in Town of Lady Lake schools, and she felt that they would be better served by smaller shelters scattered throughout the counties so that they could remain in their schools. She relayed her understanding that the facility had a conditional use agreement which they believed was in effect for 50 years and prohibited them from selling the property; however, she opined that the owner could sell the property and establish more shelters. She thought that they needed to relocate due to the secrecy of the facility no longer being viable, and she alleged that garbage had been placed on neighboring properties near the facility.

Mr. William White, a neighbor of the subject property, claimed that individuals were parking on the side of the road and that trash was being placed on his yard. He stated that the speed limit by the nearby school bus stop was 45 miles per hour, and he expressed concern for children and individuals going to the facility that were on the road. He indicated a concern for the size of the increase and he thought that onsite security from a company would be necessary to manage the individuals there.

Ms. Vicky Raitz, a resident on Griffin View Drive, relayed her understanding that the area's zoning only permitted one or two dwelling units per acre and opined that the proposed request would not be consistent with the area. She commented that she had picked up trash on her property and she expressed a concern for people possibly coming to her home; additionally, she expressed opposition to hearing dogs bark due to the animal shelter. She felt that it was inappropriate to increase the facility's capacity by nine or ten times and that the facility should instead diversify itself in other areas.

The Chairman brought it back to the Board for discussion.

Mr. Beliveau indicated that the facility would provide transportation so that individuals would not have to walk on Griffin View Drive, and they would also provide directions to the facility so that individuals would not be in front of the neighbors' homes. He clarified that the majority of the children there remained at their existing schools but that some went to Lady Lake Elementary School for an approximate 45 day period. He relayed that when there is a call for service from the facility, it did not take 20 minutes for an agency to respond.

Mr. Gamble asked if this was for medical services.

Mr. Beliveau stated that it was for either type of call. He then displayed an aerial map of the area, pointed out the phase one expansion, and showed the closest homes which were about 500 feet or more from the facility. He read a series of police call types for the facility, and he felt that the legitimate calls were for theft or larceny.

Ms. McKeeby asked why the facility's residents were walking down Griffin View Road if they were supposed to be protected. She felt that they should not be walking down the road.

Mr. Beliveau replied that this could occur if they wanted to leave the site. He agreed that the residents should not be walking down the road and he expressed an interest in helping them understand that. He commented that the site was not a prison and that they tried to explain to the residents that leaving the site was at their own risk. He reiterated that the facility was offering transportation if residents wanted to leave the site and that these procedures would now be more emphatic and controlled.

Ms. McKeeby asked that if an individual wanted to leave the site at 11:00 p.m. to purchase an item, would the facility provide transportation to do this.

Mr. Beliveau responded that the facility would either indicate that they could not leave the premises at night due to it being an unsafe environment, or ask them to wait until the morning to be driven there.

Ms. Jones Smith relayed her understanding that the facility did not have a constant offsite taxi service and that there was a limited staffing situation.

Ms. McKeeby asked if there were policies in place to address this.

Mr. Beliveau said that there were policies in place but reiterated that the site was not a prison and the residents could leave at their own risk if they wanted to. He also reiterated that the facility would be implementing new processes and procedures to address this issue to a greater extent.

Mr. Gamble inquired if individuals were placed there or if they were brought there on a voluntary basis.

Ms. Jones Smith asked if there was a curfew for when people could not go in and out of the facility.

Mr. Beliveau replied that the facility was voluntary. He denied that there was a curfew and explained that they were under a federal and state grant process with rules and procedures. He elaborated that they were constrained by the rules and that they could strongly state what could and could not be done, though residents were unable to be prevented from leaving the facility.

Ms. Jones Smith asked to clarify that the statute and the grant were such that the facility could not impose a curfew on the residents for general daily coming and going, and Mr. Beliveau confirmed that this was unable to be done.

Mr. Hamilton noted that drug and alcohol rehabilitation facilities had curfews.

Mr. Beliveau explained that this was an abuse shelter and that it was under a different set of rules.

Mr. Gonzalez inquired if the Lake County Office of Code Enforcement had visited the site due to it being overcapacity.

Mr. Beliveau confirmed this, and stated that this occurred about one year ago and that the issue had not occurred since that time.

Mr. Gonzalez asked how many of the 14 residents were staff members.

Mr. Beliveau clarified that the CFD ordinance allowed the facility to have 14 residents and there was no live-in staff. He added that staff came to the site to work shifts.

Ms. McKeeby inquired how the facility could accommodate 120 residents if they were unable to impose regulations.

Mr. Beliveau said that they could have processes and procedures to define how residents would have to live there within the confined requirements of the grants. He reiterated that there would be transportation facilities for residents to leave and that the residents would have to use those facilities.

Mr. Hamilton asked if the new processes were in place yet, and Mr. Beliveau indicated that they would be implemented and that some of them were in place currently.

Ms. Jones Smith noted the lack of sidewalks on Griffin View Drive and pointed out that there was a sizable right of way due to there being drainage ditches on the sides. She mentioned that installing sidewalks in any capacity could be costly and constrained by the function of the roadway.

Mr. Beliveau thought that the County would likely have to perform an adjustment to the road design to have stormwater on one side and sidewalks on the other side.

Ms. McKeeby asked about the timeframe to go from 14 residents to 120 residents.

Mr. Beliveau commented that it was a 20 year plan and that they were considering going from 14 residents to 40 residents because the existing facility could accommodate 40 residents total. He stated that they could increase the number of residents to 40 within the next year as part of phase one. He elaborated that phases two and three for the two new buildings would be years away because the facility would have to go through significant fundraising and grant writing, along with finding donors. He also mentioned that with regards to the noise of the animals, there would be an enclosed shelter and the animals would not be outside in an open area at night.

Mr. Todd asked if the data provided from the LCSO was only based on the facility's address, and Mr. Beliveau confirmed this. Mr. Todd asked if it was known if any of the residents on the street between the Sunoco station and the entrance to the facility had called the Sheriff. He felt that individuals walking to the Sunoco station could impact everyone.

Mr. Beliveau said that they only asked for calls for service to the facility. He stated that they had not received any reports indicating that anything had happened to the facility's residents.

Mr. Gonzalez inquired if many of the five acre tracts close to the subject property were created after the facility was created.

Mr. Beliveau relayed his understanding that houses had been built after the facility was created. He commented that the facility was unknown for a significant period of time.

Mr. Gamble asked about the Emeralda Marsh RPA and recalled that Ms. Bright had opined that the facility was not in compliance with it.

Mr. Gonzalez asked if this request would be considered spot zoning.

Mr. McClendon denied this due to the property already being zoned CFD.

Mr. Morris inquired that if the facility was not already zoned CFD, would this request be spot zoning.

Mr. McClendon also denied this and explained that CFD zoning was consistent with every FLU category that the County had.

Ms. Emily Johnson stated that for the Emeralda Marsh RPA, the Rural FLU category was an allowed land use within the RPA and that this was an allowed use within the Rural FLU category.

Ms. Jones Smith asked what components of the LDRs and the Comp Plan could instruct the Board with regards to guidelines that they should be considering when contemplating the additional population on the site.

Ms. Diana Johnson noted that the applicant currently had a CFD ordinance, which had a definition to allow for CFDs and to establish those districts individually under site plans and conditions necessary to promote general welfare, along with securing economic and coordinated land use. She added that it was a multi-use zoning area and that the Board had these definitions and the applicant's request before them to consider.

Ms. Jones Smith inquired about the current persons per-household figure that was used in Lake County for population calculation. She questioned if 120 residents on 10 acres in a conventional residential setting was the equivalent to a number of units per acre, and she thought that it would be about four units per acre.

Ms. Diana Johnson did not think that the County had a per-household restriction. She noted that the County had discussions on structures such as farmhouses and that they tried to steer away from there being a person count for density. She relayed that the County tried to stay away from indicating how many people could live in a certain area and instead relied upon the applicant to do this due to the United States (U.S.) Department of Housing and Urban Development (HUD) regulations.

Mr. Gonzalez asked if it would be acceptable to require in the ordinance that there must be a fence around the entire property, and Mr. Beliveau stated that there was already a white stockade six foot fence around the property. Mr. Gonzalez then inquired if this fence was locked and that if a resident wanted to leave, did they have to ask for the gate to be unlocked.

Mr. Beliveau confirmed that it was locked and that a resident would have to request for it to be unlocked in order to leave.

Mr. McClendon relayed his understanding that there was no information in the Comp Plan for persons per household.

Ms. Jones Smith wondered how having 120 residents on 10.5 acres would compare to an average persons per household. She commented that if the figure was 2.5 persons per household, which she opined was seen in many jurisdictions, then there would be 48 dwelling units on the subject property.

Ms. Diana Johnson indicated her understanding that the County did not have a set population and that this was not mentioned in the Comp Plan.

Ms. Jones Smith thought that in the data analysis section of the Comp Plan, the County discussed how many housing units were in the county, what the population was, and that there was an estimate of the average number of persons per household based on those figures. She reiterated that if there were 2.5 persons per household, then there would be 48 residential units on 10.5 acres for 4.5 units per acres. She noted that the proposed residences would be built as three dormitory-style structures and would not be occupying the same amount of land as 48 units; therefore, there would be a significant amount of open space on the property.

Mr. Gonzalez opined that there was a greater good which needed to be done; however, he acknowledged that there were many concerns and he felt that the facility's staff should address the issues.

Mr. Gamble thought that this was a great service but that the facility needed to address their issues before coming forward with an application.

MOTION by Rick Gonzalez, SECONDED by Laura Jones Smith to APPROVE Tab 6, G. Beliveau CFD Amendment.

FOR: **McKeeby, Jones Smith, Morris, Gonzalez and Todd**

AGAINST: **Gamble and Hamilton**

MOTION CARRIED: **5-2**

OTHER BUSINESS

Mr. McClendon stated that staff had provided the Board with the calendar dates for the Planning and Zoning Board meetings for the next year.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Josh T. Pearson

Josh Pearson
Deputy Clerk, Board Support

Sandy Gamble

Sandy Gamble
Chairman