



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

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<b>Board Members:</b> Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	<b>Others:</b> Charlie Rector, Community Development Director Tracy Kelley, Administrative Assistant
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**MINUTES  
PLANNING & ZONING BOARD  
DECEMBER 13, 2017  
6:00PM**

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- I. **INVOCATION:** Chairwoman Bame called the meeting to order at 6:00P.M. and led the pledge of allegiance. Board member Tom Bradley gave the invocation.
- II. **ROLL CALL:** All board members present. Present CDD Rector and Assistant Kelley.
- III. **MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from October 19, 2017. Motion to approve meeting minutes by Board member Tom Bradley. Second by Board member Daniel Dicus. Approved 5-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**
- A **First Baptist Church of Leesburg, Inc.** (ALT Key # 1287863)
- b. PUD (Planned Unit Development) Application to rezone to a mixed use planned unit development consisting of residential, commercial, institutional and recreational uses for an aged restricted community
- CDD Rector gave introduction for the PUD rezoning application and the second part of the PUD rezoning application being the Master Developer's Agreement outlining what is allowed uses of property; no building plans to be presented at this time. Final hearings for the applicant will be January 11, 2018, and January 25, 2018 during City Commission hearings
- Chairwoman Bame addressed the chambers again stating tonight's meeting is being heard before a recommending board only and all final hearings will be held by City Commission
- CDD Rector introduced City Land Planner Greg Beliveau with LPG; City Land Planner Beliveau advised the Board a recommendation is being given for the entire PUD application; the property is formerly known as the Pine Ridge Dairy property and whereas a portion has already been developed by The Villages and the applicant is applying to develop the remaining portion of what used to be a part of one parcel; City Land Planner Beliveau introduced the application and the various zoning regulations that are being applied under the PUD zoning application; City Land Planner Beliveau also

explained a traffic study for the rezoning application has been sent to Lake County; should the project continue to move forward additional studies will be required by the applicant to support the intended uses under the PUD rezoning; City Land Planner Beliveau also discussed within the past 24 hours during conference calls there is an amendment to the Master Developer's Agreement under Section #4 Item P and Q; City Land Planner described the definition of ALF within Lake County as it is different from the request of the applicant; Section #4, Item P and Q will be revised to strike out adult congruent living facility whereas the ALF is now a part of the residential component

City Land Planner Beliveau also advised the applicant is requesting 5-story buildings above final grade be allowed supporting mixes of housing (ALF, ILF, Skilled Nursing, etc.); City Land Planner Beliveau explained the City is capable of providing fire services for those buildings

CDD Rector introduced in attendance Art Ayris, First Baptist Church of Leesburg, Chris Wickberg, VP of Design & Construction with Westminster Communities of Florida, and Greg Crawford, Florida Engineering Group; CDD Rector gave the opportunity for the applicant to address the Board

Applicant Art Ayris reflected the project as being a process of two years with working closely with the City of Fruitland Park

Chairwoman Bame addressed the audience if there were any public comments

The following City of Fruitland Park residents gave reasons of opposition:

Gary Beckman, The Villages – objects 5-story building out of character for the City; Phillip Egner, City of Fruitland Park – objects that a large development is pending on a town not able to sustain a meeting in a room that only holds 71 to capacity; Lauren Collins, City of Fruitland Park – objects to public services that will not be there for the residents of Fruitland Park; Richard Spinelli, The Villages – does not agree with established buffer zone regardless of development size; Stephen May, City of Fruitland Park – concerned with gopher tortoise relocation; Randi Niles, The Villages – would like current green space to not be eliminated ; Ronald Cordie, The Villages – questioning entrance to development and use of golf cart access; Randall Harrison, City of Fruitland Park filed a petition on behalf of the Brookstone residents and is opposed to loss of bordering greenbelt and overall size of proposed buildings; Stephen Eynard, The Villages – questioned if Pine Ridge Dairy Road would stay closed to abut The Villages' Development

The following City of Fruitland Park and Sumter County residents gave reasons of favor: Rita Ranize, City of Fruitland Park – accepts the growth and improvements to the City; and Carole Jarvis, The Villages of Sumter County – Westminster is a first class facility

During citizen's comments CDD Rector, Board members, City Land Planner Beliveau and Applicant Art Ayris gave detailed explanations and references to city land development regulations (LDR's)

Board member Crews addressed the greenbelt concerns during citizen's comments; Board member Crews compared The Villages to what is being proposed by the applicant and is in favor of the applicant based on those proposals

Board member Dicus questioned if the applicant (First Baptist Church) was a joint effort with the developer Westminster Properties; Applicant Ayris answered no, Westminster is purchasing 65 acres from the First Baptist Church; however coming to the City as one PUD application; Applicant Ayris stated the First Baptist Church is developing the commercial sites; Board member Dicus also addressed the height of the building(s) as reason why 5-story is preferred over 3-story; VP of Design & Construction Wickberg addressed the Board that the 5-story is a good model to allow more units and more green space rather than sprawling parking areas; Board member Dicus questioned if developer objectionable to 5-story, VP of Design & Construction Wickberg responded we prefer 5-story

Board member Purlee questioned if any of the buildings carry LEAD Certifications; VP of Design & Construction Wickberg responded he is a LEAD Accredited Professional; the buildings in past have been certified by the State of Florida Green Counsel; Board member Purlee gave definition of what a LEAD Certification entails; Board member Purlee also addressed the value of a mixed use development which allows density of a development to be regulated by the adopted LDR's of the City that will be in the best interest for health care, fire protection, roads, etc. for long term conditions

Board member Dicus also questioned the time-frame to complete build out of all planned development; VP of Design & Construction Wickberg addressed the Board that there is no specific time-line other than the entry road; Applicant Ayris added that engineer services have been contracted for the master development plan of the church and construction should commence around February 2018

Board member Dicus questioned who owned the proposed property for the residential buildings; VP of Design & Construction Wickberg stated Westminster properties; Board member Dicus questioned where on the proposed site plan is the location of the residential area; it was displayed on the proposed site plan possibly the residential housing would back up to the residents of the Brookstone Community

CDD Rector discussed the intent of the 5-story buildings is to be located more near the hilltop of the property; VP of Design & Construction Wickberg stated that is the intent of the buildings including the residential housing location; general discussion occurred where the site plan was reviewed with the Board and Citizens by VP of Design & Construction Wickberg including the proposed roadways and value of the residential housing

Board member Dicus questioned what happens if the church builds their proposed buildings and the developer after consideration decides not to develop their proposed sites, what happens with what has been approved; Chairwoman Bame stated once the rezoning has been approved another developer could develop under the approved zoning; City Land Planner Beliveau interjected as long as it follows the approved Master Developer's Agreement of 55+ Community there are already established and adopted guidelines any other or future developer would have to follow; City Land Planner

Beliveau stated if the development was to change outside of the adopted Master Developer's Agreement, it would have to come back for approval by the Board and City Commission

CDD Rector addressed City Land Planner Beliveau with regards to Board member Dicus' last question; CDD Rector questioned if the property changed ownership the approved 5-story buildings could possibly be used as an apartment complex; City Land Planner Beliveau responded yes as long as it was a 55+ apartment complex; CDD Rector addressed City Land Planner Beliveau how can the City be protected in this event; City Land Planner Beliveau responded an amendment to the Master Developer's Agreement would be added to clarify if there are any changes to what was approved for development (use of buildings) it would have to come back to Commission for approval

Applicant Art Ayris responded that an amendment is acceptable; VP of Design & Construction Wickberg responded an amendment is acceptable

City Land Planner Beliveau agreed no issue to amend current Master Developer's Agreement to add language of intended use prior to City Commission approval

Board member Dicus questioned the proposed residential area that abuts the Brookstone community, will the future development utilize Pine Ridge Dairy Road; VP of Design & Construction Wickberg stated it is the intent of the development to use of CR 466A and private drives will be gate accessed

CDD Rector clarified all roads within the development are private and not the City's responsibility

Chairwoman Bame moved for a motion with no further Board or citizen comments

Motion to approve PUD rezoning application as amended and language forwarded by developer by Board member Crews. Second by Board member Purlee. Approved 5-0

Board member Bradley called for an interlude - meeting resumed with Item B

**B Mesos Medical Office Major Site Plan Submittal (ALT Key # 1288215)**

b. Major site plan submittal for a proposed medical office; Adopted Resolution 2017-008 attached with regards to granting buffer variance

CDD Rector introduced application and gave a brief explanation as to delay in application coming before the board due to Lake County redesigning the previous location of drive; CDD Rector and City Land Planner Beliveau recommend approval of Mesos Medical Office Major Site Plan Submittal

Motion by Board member Purlee to approve Major Site Plan submittal. Second by Board member Dicus. Approved 5-0

**C Ross Property Site Specific Small Scale Comp Plan Amendment and Special Exception Use**

b. Amending the Future Land Use Map and Future Land Use Designations to Multi-Family Low Density as Limited by Site Specific Amendment and Granting A Special Exception Use in the R-2 Zoning

c. Allow Residential Duplexes on lots: #13 ALT Key 1793785; #14 ALT Key 3854556; #15 3854557; #16 ALT Key 3854558; #17 1431671; #18 3854559; #19 3854560

CDD Rector gave introduction and summary of application; applicant is coming back before the Board and Commission under the City Attorney advisement to request for all properties lots 13 -19 to be heard at one hearing to allow the Special Exception Use (SEU); CDD Rector stated there are two constructed dwellings awaiting final certificate of occupancy based on Board recommendation and Commission approval for the SEU to allow same construction; CDD Rector stated applicant has connected to city sewer services and constructed a lift station

CDD Rector advised Board the city's land use map is to be amended to allow for duplexes without changing current zoning; CDD Rector clarified the SEU would establish if future construction of duplexes is requested under R2 zoning the applicant would come before Commission for approval

Chairwoman Bame questioned if notices sent to surrounding property owners; Assistant Kelley responded 45 total notices with 2 returned opposed

Board member Purlee questioned if reasons were given for opposition; Assistance Kelley responded no on first opposition; read reason given on second application not in agreement with surrounding properties

Board member Crews interjected it was not clear how application ever went before Commission prior to being addressed by Board; Board member Crews not satisfied with application process

Chairwoman Bame addressed any other Board comments or citizens' comments

Board member Dicus announced he will abstain from vote as direct employee of applicant

Chairwoman Bame moved for a motion for approval; City Land Planner Beliveau clarified there are two motions

Motion by Board member Purlee to approve Site Specific SSCPA and SEU. Second by Board member Bradley

The following City of Fruitland Park residents gave reasons of opposition:

Carlisle Craig Burch, City of Fruitland Park – application does not meet current zoning; Sharon (Diane), City of Fruitland Park – dissatisfied with CDD Rector application

process and the uses of property; Kenneth Woods, City of Fruitland Park – opposed to any future duplexes

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion to resume as called; Motion by Board member Purlee to approve Site Specific SSCPA and SEU. Second by Board member Bradley. Approved 3-1 (Opposed Board member Crews) (Abstained Board member Dicus)

**D WTG Properties (ALT Key # 1432235)**

b. Allow for Contractors Yard and C-1 Uses (Neighborhood Commercial)

CDD Rector gave introduction to application and clarified property location; the applicant is requesting commercial storage use for specifically a City of Fruitland Park roofing contractor; applicant has plans to fence from view the storage area; CDD Rector stated there are no plans to the residential home on property

CDD Rector stated Board member Dicus had a question prior to the scheduled Board meeting; if application is approved employees of roofing contractor be allowed to park behind perimeter fence

Chairwoman Bame questioned application is to allow the requested use and to change current zoning from residential to commercial; CDD Rector verified application request and zoning use

Board member Crews questioned the height of fence; CDD Rector clarified 6' white vinyl fence

Chairwoman Bame called for citizen's comments

The following City of Fruitland Park residents gave reasons of opposition:

Rita Ranize, City of Fruitland Park – opposed with current applicants use of residential property and the code violations relating

Chairwoman Bame questioned if notices to surrounding property owners have been sent; CDD Rector stated no complaints as of date; Assistant Kelley stated no notices to surrounding property owners have been sent

Chairwoman Bame questioned CDD Rector if surrounding property owners were to be notified prior to meeting; CDD Rector stated yes

Chairwoman Bame stated the application will be tabled due to notices not being sent

Chairwoman called motion to table the Rezoning application. Motion by Board member Dicus to table WTG properties rezoning application. Second by Board member Crews. Approved 5 -0

**BOARD MEMBERS' COMMENTS:** No further comments

**ADJOURNMENT:** 8:25PM



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Daniel Picus, hereby disclose that on Dec 13<sup>th</sup>, 20 17:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*I am a Direct employee of Ross Plumbing  
A company owned By Terry Ross - President  
Applicant for Small scale Comp plan Amendment and special  
exception use*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1-3-18  
Date Filed

*Daniel Picus*  
Signature

**NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.**