

1 City of Minneola
2 Planning & Zoning Commission Meeting
3 Minneola Council Chambers
4 800 North US Hwy 27, Minneola, FL
5

August 17, 2009

6 Debbie Veit called to order the Minneola Planning and Zoning Meeting.
7

<i>Present</i>	<i>Absent</i>	<i>Others Present</i>
<i>Debbie Veit, Chairperson</i>		<i>Katrina Thomas, Assistant City Attorney</i>
<i>Jim Frana, Vice Chair</i>		<i>Laura Jones, Senior Planner</i>
<i>John Flowers</i>		<i>Tim Green, Green Consulting Group</i>
<i>Charlie Humphries</i>		
<i>Rick Roderick</i>		
<i>Joseph Saunders</i>		
<i>Sherry Zielonka</i>		
<i>City Council Representative, Pat Kelley</i>		

8
9 *A moment of Silence and Pledge of Allegiance*

10
11 **Agenda Review:**

12
13 **Review of Planning and Zoning Meeting Minutes for June 1, 2009**

14
15 Jim Frana commented that he requested that Code Enforcement and the Building
16 Department inspect the site at 207 North U.S. Highway 27, but this did not appear in
17 the minutes. He asked that the minutes be reviewed and adjusted regarding this matter.

18
19 **MOTION by Charlie Humphries to approve the minutes with a request that the**
20 **minutes be reviewed and changes recorded as required.**

21 **SECONDED by John Flowers.**

22 **Debbie Veit called for a vote.**

23 **APPROVED 6 – 1.**

24
25 *[For the record: Review conduct; no changes required; above request was not voiced.]*

26
27 **Resolution 2009-10 – Special Exception Use – 402 W. Chester Street:**

28 **Applicant: Ronald Sichel – Property Owner: Earl H. Teske, Jr.**

29
30 Laura Jones opened the discussion by explaining the current zoning (RSF-2) and that a
31 special exception in this zoning district only allows a small scale bed and breakfast.

32 Debbie Veit opened the meeting to the board for discussion.

33
34 Rick Roderick asked about septic issues, the need for overflow parking with only three
35 rooms, owner occupancy and number of meals. Laura Jones responded that septic was
36 reviewed and considered adequate by the City Engineer; overflow parking was

1 removed in the second submittal; and, agreed that, in her understanding of City Code,
2 he was correct about owner-occupancy and one meal per day. Sherry Zielonka and
3 John Flowers had no comments.

4
5 Jim Frana asked if the applicant or a representative was present. Alison Strange, Esq.,
6 from Bret Jones P.A., came forward.

7
8 Jim asked about management of the bed and breakfast. Debbie Veit pointed out that
9 Sec. 106-2 "the facility must be owner occupied and managed" and Ms. Strange
10 confirmed that would be the case. Jim also asked about the number of rooms,
11 ownership of the property, occupancy per room, adequacy of the septic tank for number
12 of occupants, parking surface, landscaping, water line, fire hydrant and emergency
13 access as well as handicap access. Ms. Strange responded that there are four bedrooms,
14 one of which is owner-occupied, shown on the site plan; the applicant is in the process
15 of purchasing the property; there can be up to four occupants per room; the applicant is
16 willing to comply with all the requirements of fire safety and building codes.

17
18 Alison Strange also advised the board that they received their driveway access permit
19 from Lake County for Lakeshore Drive on August 6, 2009.

20
21 Jim Frana additionally asked if approval would be to the applicant or if it goes with the
22 property. Laura Jones responded that the special exception is on the property and
23 would remain if the property is sold.

24
25 Charlie Humphries expressed concern regarding the ADA requirements and the use of
26 gravel rather than pavement as well as City Code requirements regarding such. Laura
27 Jones pointed out that discussion with the applicant was use of pervious pavers closer
28 to the building, but it is not shown on the plan so the applicant could not be held to it;
29 Code encourages use of pervious surfaces and these would need to be reviewed by our
30 engineer. Debbie Veit suggested that the use of impervious surface be a
31 recommendation.

32
33 William McGregor, speaking on behalf of the applicant, came forward. Debbie Veit
34 asked that Mr. McGregor be sworn in as well as anyone else wishing to speak on the
35 issue. *Katrina Thomas administered the oath to those indicating they would speak.*

36
37 William McGregor advised that the permit from Lake County required a driveway
38 apron on Lakeshore Drive. He indicated that an apron of either concrete or pavers is
39 planned and this would keep material from getting into the road.

40
41 Charlie Humphries expressed concerns regarding safety, the need for a St. Johns'
42 permit (not required per Laura Jones), the fire alarm system, owner-occupancy, and he
43 asked about concerns from the neighbors. Debbie Veit indicated the neighbors would
44 be allowed to speak later in the meeting.

45
46 Joseph Saunders expressed concern regarding bedrooms being on the second floor and
47 having handicap parking; asked about the need for an elevator or fire escapes; asked
48 about how that back of the complex fits into the residential neighborhood and how the

1 applicant plans on using the fenced area in the rear of the property. Laura Jones
2 responded that a handicap parking space is not required by our Code for this type of
3 use, but it was included by the applicant. Alison Strange responded that there is nothing
4 planned at this time regarding the rear area.

5
6 Pat Kelley asked about the applicant and if he is the owner of the wakeboard camp in
7 Clermont. Alison Strange responded in the affirmative. Pat expressed concern about
8 parking boats on the property and that it should not be allowed.

9
10 Rick Roderick commented on the bed and breakfast concept. Sherry Zielonka asked
11 when the building was built (1954 according to property detail) and the maximum
12 number of vehicles (7 parking spaces per Ms. Strange). Sherry clarified that she was
13 asking if a vehicle with a trailer and a boat would be in a parking spot or on the grass.
14 Ms. Strange responded that they would comply with whatever the City requires. Laura
15 Jones advised that the concept plan would need to indicate where they are providing
16 parking for recreation vehicles and approval could be conditioned to require it.

17
18 Debbie Veit opened the meeting to the audience. The following speakers came forward:

19
20 Bill Fenner, address protected

- 21 • Requested a copy of the newer site plan
- 22 • Portable items do not need to be reported to St. Johns
- 23 • Presented a petition signed by neighbors in opposition
- 24 • Would not promote public health, safety, or general welfare
- 25 • Not owner-occupied and managed
- 26 • Meal preparation and number of meals
- 27 • Property ownership issues
- 28 • Wakeboard camp concerns
- 29 • Noise and traffic issues
- 30 • Septic system may not be adequate for number of bathrooms

31
32 Debbie Veit pointed out that the property was not being rezoned and the special
33 exception would be subject to annual review by City Council.

34
35 Harold Croncich, 200 Main Avenue

- 36 • Signed the petition in opposition
- 37 • Residential area not commercial
- 38 • Opposed to business coming into the area

39
40 Ron Cockman, 205 S. Lakeshore Drive

- 41 • Noise concern
- 42 • Parking issues
- 43 • Environmental concerns/removal of trees
- 44 • Health, safety and welfare
- 45 • Late hours
- 46 • Alcohol or drug use on the property
- 47 • Septic system concerns

- 1 • Increased boat traffic/environmental damage

2
3 Deborah McKinney, 205 S. Lakeshore Drive

- 4 • Four bed & breakfasts in Clermont; 2 have closed due to lack of occupancy
5 • Minneola Inn is rarely occupied
6 • Don't need another bed & breakfast
7 • Concerned about the neighborhood: increased traffic, boat traffic increases,
8 environmental damage due to increased use

9
10 Debbie Veit asked if anyone else wanted to speak on the matter; no one came forward;
11 she closed that portion of the meeting. Debbie returned to the board for further
12 comment.

13
14 Rick Roderick commented on being pro-business but expressed concerns about the
15 layout, utilities, roads, parking and neighborhood issues. Sherry Zielonka and John
16 Flowers had no further comments. Jim Frana added concern regarding possible
17 deception in some of the information presented during the meeting. William McGregor
18 responded that the owner will be living there. Charlie Humphries also expressed
19 concern regarding the fact that the neighbors spoke in opposition. Joseph Saunders had
20 no further comments. Debbie Veit commented that she also thought it was a good idea
21 until she heard what the neighbors had to say on the matter, and suggested that the
22 board recommend denial of the special exception.

23
24 Alison Strange asked to provide additional comments. She pointed out that the petition
25 was presented by someone who thought this was for a commercial rezoning. Ms.
26 Strange commented on the hotels that have come into Clermont and into Lake County,
27 but not Minneola. Ms. Strange also disputed the comments on bringing a successful
28 wakeboard camp into a three-bedroom inn. Jim Frana asked if the property would it
29 still be purchased if this CUP is not approved. Ms. Strange conferred with the
30 applicant's representative and declined to answer because they are still in negotiation.

31
32 **MOTION by Jim Frana to recommend that Resolution 2009-10, Special Exception**
33 **Use for 402 West Chester Street not be approved.**

34 **SECONDED by John Flowers.**

35 **Debbie Veit called for a vote.**

36 **APPROVED 7 – 0.**

37
38 Pat Kelley reminded the audience that this matter is scheduled for discussion by City
39 Council the next evening (August 18, 2009). He also wanted to be sure those present
40 were still comfortable with signing the petition now that they understand this is not for
41 a rezoning of the property. [*For the record: No objections were voiced.*]

42
43 *Debbie Veit called for a brief recess at 8:45 p.m. Meeting called to order at 8:58 p.m.*

44
45 **Resolution 2009-12 – Conditional Use – 540-C S. U.S. Hwy 27:**

46 **Applicant: Shri Ganesh Mandir Inc. – Property Owner: Hubbard Carey Trustee**

47
48 Laura Jones advised that she included, at the request of Jim Frana, a map showing all

1 the CUP church locations in a Business District. She continued by explaining the use
2 and added that she did not recommend this based on the number of other CUP church
3 locations in B-1 districts as well as the parking issues that exist. Laura also read the
4 Fire Chief's comments to those present, stating that she received these during the
5 meeting (*copy now present in the meeting record*).

6
7 Debbie Veit asked if the applicant or a representative was present. The applicant
8 representative, Harry Doobay of 255 Gentle Breeze Drive, came forward.

9
10 *Katrina Thomas swore in applicant representative Harry Doobay.*

11
12 Debbie Veit asked for occupancy. Harry Doobay responded that they have about 25-30
13 members, and they conduct services on Sunday, 9 a.m. to 12 p.m. Debbie asked about
14 any other days. Mr. Doobay advised that some nights – six or seven per year – they
15 would have evening services.

16
17 Rick Roderick asked about growth and if the location would accommodate it. Harry
18 Doobay responded that they rotate with some members coming one week and others the
19 next week. Sherry Zielonka asked about parking. Laura Jones responded that it is in a
20 plaza and there are not a specific number of spaces dedicated to each unit. General
21 discussion of parking allocation followed. John Flowers had no questions. Jim Frana
22 commented on a previous discussion regarding limits on these types of uses. He asked
23 the applicant if they have discussed coordinating use with the other church. Mr. Doobay
24 responded in the negative and stated everything else is closed there on Sunday. Charlie
25 Humphries commented that he was at the building on Sunday at 4 p.m. and there were
26 only four parking spaces available. He added that several of the businesses were open
27 on that Sunday. Joseph Saunders had no concerns.

28
29 Debbie Veit opened the meeting to the audience; no one came forward; she closed that
30 portion of the meeting.

31
32 General discussion among the board members continued.

33
34 **MOTION by Joseph Saunders to recommend approval of Resolution 2009-12,**
35 **Conditional Use Permit for 540-C South U.S. Highway 27.**

36 **SECONDED by John Flowers.**

37 **Debbie Veit called for a vote.**

38 **VOTE 2 – 5. Motion fails.**

39
40 Laura Jones reminded the audience that this matter is scheduled for discussion by City
41 Council the next evening (August 18, 2009).

42
43 **Discussion items:**

44 **City Council Representative Report:** No report.

45 **City Planner Report:** Laura Jones reported:


- 46 ➤ The thrift store at 207 South U.S. Highway 27 was approved by City Council.
47 She also provided a status update. Jim Frana and Charlie Humphries both
48 reported issues with the site. Charlie advised that he did report the issues to

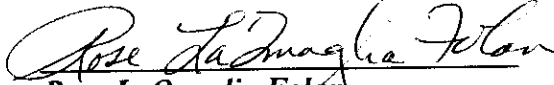
1 Code Enforcement. Jim continued to object to activity on the site. Debbie Veit
2 advised that these objections should not be directed at staff, but should be
3 directed to Code Enforcement, City Council or the City Manager.
4 ➤ The Sign Ordinance passed, a mailer was sent to business owners, inquiries are
5 being received and adjustments to signage are occurring.
6 ➤ A Public Planning Workshop was held on August 11th to begin work on our
7 Evaluation and Appraisal Report (EAR) as required by the State to evaluate our
8 Comprehensive Plan. The only attendees were Mark Jacobson, City Engineer,
9 Bob Catino, City IT, and Laura. There will be another workshop held with
10 various planning professionals invited to discuss the major issues. Laura invited
11 the P&Z board and City Council to attend the next meeting.

12 Additional comments:

- 13 ➤ Sherry Zielonka requested a workshop regarding the visioning that was
14 conducted recently for the City Council. Sherry asked that the major objectives
15 that Laura mentioned should also be included in the workshop. Laura responded
16 in the affirmative. Meeting was scheduled for Monday, September 21st from 6
17 to 8:30 p.m. Pat Kelley offered to e-mail the document that was provided
18 regarding the visioning. Laura indicated that she would obtain it from the City
19 Manager and send it out.
- 20 ➤ Charlie Humphries asked the proper procedure for seeing that what was
21 discussed at P&Z on 207 S. Hwy 27 is implemented and who is responsible for
22 follow-up. Laura reported that the City Engineer be doing a final review. Pat
23 Kelley indicated that he would be willing to carry the concern to City Council.
- 24 ➤ Jim Frana restated his concern regarding CUPs and asked about the possibility
25 of limiting them. He also mentioned that the sign on Old Highway 50 was
26 moved, and he inquired about a meeting Representative Ginny Brown-Waite
27 would be holding at City Hall. Laura advised that it is August 24th from 2 to
28 3:15 p.m. regarding Health Care Reform.

29
30 **MOTION by Jim Frana to adjourn.**
31 **SECONDED by Charlie Humphries.**
32 **Meeting adjourned 10:27 p.m.**

33
34 
35 **Debbie Veit**
36 **Chairperson, Planning and Zoning**

37
38 **Minutes Written by:**
39
40 
41 **Rose LaQuaglia Folan**
42 **Administrative Assistant, Planning Dept**

43
44 **Attest:**
45
46 
47 **Janet McDaniel**
48 **City Clerk**

