

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

December 7, 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>Scott Gerken, City Attorney</i>
<i>Jim Frana, Vice Chair</i>		<i>Timothy Green, Consulting Planner, Green Consulting Group</i>
<i>John Flowers</i>		<i>Laura Jones, Senior Planner</i>
<i>Charlie Humphries</i>		<i>Sue Niswonder, Assistant Planner</i>
<i>Penny Markland</i>		
<i>Jerry Roach</i>		
	<i>Sherry Zielonka</i>	
<i>City Council Representative, Rick Roderick</i>		

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

10  
11 *Scott Gerken swore in the new Planning & Zoning board members, Penny Markland and Jerry Roach.*

12  
13  
14 **Agenda Review:**

15 **Debbie Veit asked that the P&Z chair and vice chair positions be added as a Discussion Item.**

16  
17  
18 **Review of Planning and Zoning Meeting Minutes for November 2, 2009**

19  
20 **MOTION by Jim Frana to approve the minutes with the following changes:**

21 **Page 2 of 4, Line 31 – Vote on Resolution 2009-18 should read:**

22 **APPROVED 5 – 1. Charlie Humphries absent.**

23 **Page 3 of 4, Line 8 – Vote on LDR Amendment Ordinance 2009-23**

24 **should read: APPROVED 6 – 0. Charlie Humphries absent.**

25 **SECONDED by Charlie Humphries.**

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

27 **APPROVED 6 – 0. Sherry Zielonka absent.**

28  
29 **Resolution 2009-17 Special Exception Use Permit and**  
30 **Resolution 2009-20 Variance – 1774 North U.S. Highway 27**  
31 **Applicant/Property Owner: MiDebco, Inc.**

32  
33 Laura Jones opened the discussion with an overview of the request and related matters.  
34 She pointed out that she initially did not recommend approval of the special exception  
35 because it did not meet the minimum criteria; and, at that time, the variance application  
36 had not been received. Laura added that, since the applicant has submitted the variance  
37 application, she would now recommend approval of the special exception. She also

1 advised that a site plan review will be required.

2

3 Debbie Veit asked that the Fire Chief come forward to discuss his review. Acting Fire  
4 Chief Al Anderson came forward.

5

6 *Scott Gerken swore in all those who anticipated speaking.*

7

8 Acting Chief Anderson advised that the Fire Dept. performed a site visit where several  
9 violations were discovered. He added that the electrical violations were corrected  
10 within 48 hours, but he has not yet reviewed correction of other issues. He pointed out  
11 that he needs more information about the work being done on the site before further  
12 review.

13

14 Jerry Roach and John Flowers had no questions. Jim Frana commented that no  
15 mechanical work was to be done on the site. Acting Chief Anderson responded that this  
16 was his understanding as well. Charlie Humphries asked for a definition of a trucking  
17 terminal. Laura Jones provided definitions, from Sec. 82-12 of the City's Code of  
18 Ordinances, for a trucking terminal and motor vehicle service center. Penny Markland  
19 had no questions. John Flowers asked if the Fire Department would be going back to  
20 follow-up. Acting Chief Anderson responded in the affirmative.

21

22 Debbie Veit asked for a representative from Code Enforcement. Code Enforcement  
23 Officer Arif Wulf responded that Ramon Flores [Senior Code Enforcement Officer] had  
24 the lead on this matter and could provide more information, but that he was aware of  
25 the situation and did agree with all that had been covered during the Fire Department  
26 discussion.

27

28 Charlie Humphries asked about additional CUPs on the property. Laura Jones  
29 responded that the Fraternal Order of the Eagles has a CUP that is specific to the  
30 organization and not to the property. Penny Markland asked about a turn lane for the  
31 property. Laura responded that there is not one at the property now, but it may be  
32 required by DOT once they review the driveway permit.

33

34 Debbie Veit asked for the property owner or representative to come forward. Mike  
35 Langley, representing MiDebco, Inc., came forward. Mr. Langley provided the board  
36 with some history on the property and its use. He also responded to issues raised during  
37 the Fire Department report.

38

39 Jerry Roach had no questions. John Flowers asked if the welding equipment tanks had  
40 been fastened. Mike Langley responded that the trucking company was told several  
41 times, but he has not personally inspected to see that it was done. Jim Frana commented  
42 on servicing vehicles and that his interpretation of a trucking terminal was not what is  
43 being done on the site. Jim Frana also commented that he is now in agreement with the  
44 buffering issue since this property's use was in place prior to the surrounding uses.

45

46 Scott Gerken reminded the board that the Planning & Zoning primary issues for  
47 consideration are variance issues, buffer and land-size issues, and the general use as a  
48 terminal, but the Fire Department other concerns are not relevant to this meeting.

1  
2 Charlie Humphries asked for clarification on the use. Mr. Langley did clarify. Charlie  
3 also asked about the difference in buffer classes. Laura Jones explained the issues  
4 related to buffers and provided definitions of various relevant buffer classes. Penny  
5 Markland asked if the special exception and variance would run with the property and  
6 not the business. Laura Jones responded that this is normally the case unless something  
7 else is recommended. Debbie Veit offered additional comments and continued general  
8 discussion.

9  
10 Debbie Veit opened the meeting to the audience; no one came forward; she closed that  
11 portion of the meeting and returned to the board.

12  
13 General discussion regarding variance conditions followed.

14  
15 **MOTION by Jim Frana to recommend approval of Resolution 2009-20 Variance**  
16 **with the following recommendations: allow a Class B landscape buffer, extend the**  
17 **buffer 50 feet east of the point identified on the conceptual plan, and allow for**  
18 **acreage of 8.8 acres.**

19 **SECONDED by Charlie Humphries.**

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

21 **APPROVED 5 – 1. Sherry Zielonka absent.**

22  
23 Debbie Veit continued with the special exception discussion. Debbie asked Tim Green  
24 to comment. Tim suggested that the board look at where the activities are occurring on  
25 the site because it is a smaller site than normal. Additional discussion continued.

26  
27 Debbie Veit opened the meeting to the audience; no one came forward; she closed that  
28 portion of the meeting and returned to the board.

29  
30 **MOTION by Charlie Humphries to recommend approval of Resolution 2009-17**  
31 **Special Exception Use Permit with the following recommendations:**

- 32 • **No parking within 50-feet of the north property line;**
- 33 • **No repair work within 200-feet of the west property line (along US Hwy**  
34 **27);**
- 35 • **No parking, loading, or unloading within 150-200 feet of the west**  
36 **property line (along US Hwy 27);**
- 37 • **Maximum number of trucks: 20 operational trucks and trailers, 30 fruit**  
38 **trailers stored on site for seasonal use (to be separated from the**  
39 **operational trucks and trailers associated with the trucking terminal);**
- 40 • **Loading, off loading, and repairs are prohibited between the hours of**  
41 **10:00 pm and 5:00 am;**
- 42 • **SEU will be reviewed by Code Enforcement six months after execution –**  
43 **Code Enforcement will recommend to City Council any additional**  
44 **conditions that may need to be considered;**
- 45 • **Refrigeration and generator trucks are prohibited for overnight parking;**
- 46 • **Storage of all repair equipment, materials and supplies is restricted to the**  
47 **maintenance bays;**

- 1 • All mechanical work is restricted to the service and maintenance bay
- 2 areas located near the south property line;
- 3 • No storage of fruit trailers on the northern portion of the property east
- 4 beyond the required landscape buffer.

5 **SECONDED by Jerry Roach.**

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

7 **APPROVED 6 – 0. Sherry Zielonka absent.**

8  
9 *Debbie Veit called for a brief recess.*

10  
11 **Resolution 2009-21 Conditional Use Permit – 207 S. U.S. Highway 27**

12 **Applicant/Property Owner: Jon Jones**

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14 Laura Jones opened the discussion with an explanation of the request, site and other  
15 uses at this site. She explained that a condition has already been added to the CUP  
16 indicating that approval is contingent on a major site plan review being conducted.

17  
18 Debbie Veit asked if the applicant or a representative was present. Jeff Banker of  
19 Highland Engineering came forward representing the applicant.

20  
21 Jerry Roach had no questions. John Flowers expressed the opinion that all of the  
22 buildings should be demolished. Jim Frana advised that he spoke with the Building  
23 Department regarding the matter of the buildings. Laura Jones advised that, according  
24 to Code, if the cost to repair the building is over 50 percent of the value of the structure  
25 they must take the building down and build a conforming structure. Jim Frana advised  
26 that he also spoke with area residents. He indicated that those he spoke with were not in  
27 agreement with this location being a car lot. Charlie Humphries asked questions related  
28 to building use, the trees on the lot, and ownership of the land. Penny Markland had no  
29 questions. Debbie Veit commented on this proposal as being an improvement to what  
30 is on the lot currently and that it would be favorable for the area.

31  
32 Debbie Veit opened the meeting to the audience; no one came forward; she closed that  
33 portion of the meeting and returned to the board.

34  
35 **MOTION by Charlie Humphries to recommend approval of Resolution 2009-21**  
36 **Conditional Use Permit with the additional condition that a major site plan review**  
37 **is required.**

38 **SECONDED by Jerry Roach.**

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

40 **APPROVED 5 – 1. Sherry Zielonka absent.**

41  
42 **LDR Amendment – Ordinance 2009-24**

43 **Window Signs**

44  
45 Laura Jones opened the discussion by explaining that this is to address concerns with  
46 window coverage and the removal of the permit requirement. She advised that this adds  
47 a requirement for a permit for window signage as well as an increase in the maximum  
48 coverage size allowed.

1 Jim Frana commented that he thought the window signage was included in the overall  
2 total signage for the site. Laura Jones responded that City Council wanted business  
3 owners to be allowed more signage, particularly those on Highway 27. Scott Gerken  
4 and Laura Jones commented on the difficulty of enforcing the current Code, and this  
5 being an effort to alleviate that situation. General discussion followed.

6  
7 **MOTION by Charlie Humphries to recommend Ordinance 2009-24, 2009-26 and**  
8 **2009-28 be tabled to the next meeting for further discussion.**

9 **SECONDED by Jim Frana.**

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

11 **APPROVED 6 – 0. Sherry Zielonka absent.**

12  
13 **Discussion items:**

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15 **City Council Representative Report:** Rick Roderick made the following comments:

- 16 ➤ Congratulated the new members on their appointment;
- 17 ➤ Advised he is also on the Library board and looking forward to it;
- 18 ➤ Informed the board that the City has applied for grant monies related to  
19 extending the utility lines north from the wastewater treatment facility;
- 20 ➤ Discussed the search for a new city manager and that the Council will not  
21 rush into any decision;
- 22 ➤ Commented that the Clermont Council voted 4-1 to allow an adult zone in  
23 Industrial-zoned areas;
- 24 ➤ Reported that the City is hosting the South Lake Chamber of Commerce  
25 breakfast at Minneola City Hall.

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

- 27 ➤ The next P&Z meeting is January 11<sup>th</sup> at 7 p.m.
- 28 ➤ City Council is changing their meeting start time to 6:30 p.m.
- 29 ➤ New P&Z members will receive Code books as soon as the City Clerk has them  
30 available and additional educational materials will be provided at the end of the  
31 meeting.
- 32 ➤ A second LSCPA was submitted and is now with the DCA.
- 33 ➤ Preparations of a SSCPA for transmittal to the DCA is underway.
- 34 ➤ Work on the EAR continues.

35  
36 Debbie Veit commented on the fact that the P&Z board will be appointing a new chair  
37 and vice chair at the next meeting. She asked that members consider stepping into the  
38 positions.

39  
40 Jim Frana asked about regulations related to outside vending machines. Laura Jones  
41 responded that the Code is outdated and requires updating. She reported that she has  
42 discussed the matter with the City Clerk because this comes under the business  
43 licensing section of the Code.

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45 **MOTION by John Flowers to adjourn.**

46 **SECONDED by Jim Frana.**

47 **Meeting adjourned 11:27 p.m.**

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*James R. Franca*

James R. Franca Co Chair

*Debbie Veit*

*Chairperson, Planning and Zoning*

*Minutes Written by:*

*Rose LaQuaglia Folan*

Rose LaQuaglia Folan

*Administrative Assistant, Planning Dept.*

*Attest:*

*Janet McDaniel*

Janet McDaniel

*City Clerk*

