

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

April 5, 2010

6 Jim Frana called to order the Minneola Planning and Zoning Meeting.  
7

<i>Present</i>	<i>Not in Attendance</i>	<i>Others Present</i>
<i>Jim Frana, Chairperson</i>		<i>Katrina Thomas, Assistant City Attorney</i>
<i>Sherry Zielonka, Vice Chair</i>		<i>Timothy Green, Consulting Planner, Green Consulting Group</i>
<i>John Flowers</i>		<i>Laura Jones, Senior Planner</i>
<i>Penny Markland</i>		
<i>Jerry Roach</i>		
<i>Debbie Veit</i>		
<i>(Vacant)</i>		
<i>City Council Representative, Rick Roderick</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 March 1, 2010**

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15 **MOTION by John Flowers to approve the minutes.**

16 **SECONDED by Debbie Veit.**

17 **Jim Frana called for a vote.**

18 **APPROVED 6 – 0.**

19  
20 **Annexation and Rezoning – Ordinance 2010-12**

21 **Large Scale Comp Plan Amendment – Ordinance 2010-13**

22 Applicant: George E. Albu

23 Property Owner: George E. Albu and Clinton Webster

24  
25 Laura Jones opened the discussion by explaining the matter for consideration. Jerry  
26 Roach, John Flowers, Sherry Zielonka and Penny Markland had no questions. Debbie  
27 Veit asked about the point where the property is contiguous. Laura Jones explained that  
28 the northernmost point of the city boundary and the southernmost point of this property  
29 would touch if U.S. Highway 27 was not there. Jim Frana asked about what deviation is  
30 acceptable in determining when something is contiguous. Katrina Thomas responded  
31 that a standard deviation is not the case; each application is considered individually.

32  
33 George Albu, the applicant, came forward to respond to questions. *Katrina Thomas*  
34 *swore in Mr. Albu.*

35  
36 Jerry Roach asked if the property was the one that previously had a house on it. Mr.

1 Albu responded in the affirmative. No further discussion.

2

3 **MOTION by Debbie Veit to recommend approval of Ordinance 2012 Annexation**  
4 **and Rezoning and Ordinance 2010-13 Large Scale Comp Plan Amendment.**

5 **SECONDED by John Flowers.**

6 **Jim Frana called for a vote.**

7 **APPROVED 6 – 0.**

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9 **Resolution 2010-02 – Evaluation and Appraisal Report (EAR) Adoption**

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11 Laura Jones opened the discussion explaining that this will adopt the EAR, which must  
12 be to the State by May 2010. Laura added that it will be brought to City Council for  
13 adoption on April 20, 2010. General discussion followed.

14

15 **MOTION by Debbie Veit to recommend approval of Resolution 2010-02 adoption**  
16 **of the Evaluation and Appraisal Report (EAR).**

17 **SECONDED by Penny Markland.**

18 **Jim Frana called for a vote.**

19 **APPROVED 5 – 1.**

20

21 **Ordinance 2010-10 – Amending the Code of Ordinances relative to Tattoo**

22 **Establishments and**

23 **Ordinance 2010-11 – Amending the Land Development Regulations relative to**

24 **Tattoo Establishments**

25

26 Jim Frana disclosed that he discussed this matter earlier in the day with Laura Jones and  
27 also with representatives of the existing local tattoo establishments.

28

29 Laura Jones explained that the term “tattoo” is only mentioned in the Adult  
30 Entertainment section related to nudity in our current Code. She continued pointing out  
31 that tattoo establishments are not listed as a permitted use or allowed in any specific  
32 district. Laura advised that the first ordinance defines and adds tattoo establishments to  
33 the Business section of the Code, and the second amends the LDRs to add tattoo  
34 establishments as a permitted use in an Industrial (I-1) district and a special exception  
35 use in a Business (B-1) district.

36

37 Jerry Roach, John Flowers and Sherry Zielonka had no questions. Debbie Veit asked  
38 about the rationale for not allowing these businesses on Highway 27. Laura Jones  
39 responded that in previous discussions, it was indicated that the Industrial district was a  
40 more appropriate location and they should only be allowed in a Business district with  
41 conditions. She pointed out that the existing businesses would be allowed to remain in  
42 their current locations, but they would need to come into compliance with the other  
43 requirements of these ordinances.

44

45 Debbie Veit also asked about the distance requirements. Laura Jones responded that it  
46 is similar to requirements placed on other types businesses. Sherry Zielonka  
47 commented on legislation at the State level being considered to set age restrictions on  
48 tattooing. Tim Green pointed out that a possible difficulty with the distance requirement

1 is that it may cause a situation where there will be no place the business could go within  
2 the City. Jim Frana commented that he is opposed to the ordinances.

3  
4 Audience members came forward to speak. *Katrina Thomas swore in all those who*  
5 *would be speaking on the matter.*

6  
7 Ozzy Rodriguez, 305A North Highway 27:

- 8 • Asked how these businesses would deteriorate the Business district
- 9 • All these businesses already meet most of these requirements
- 10 • Questioned the need for a defibrillator

11 Paul Ricci, 556 South Highway 27

- 12 • In favor of what the City is trying to do
- 13 • Piercing is also an issue with a separate health inspection
- 14 • Certification of artists is not required in Florida; working on legislation at the  
15 State level to add certification; supporting legislation under consideration in  
16 the State capital
- 17 • Distance is more of any issue; don't want to see too many of the same  
18 business in one area

19  
20 *Note: General board discussion ensued throughout the audience comments.*

21  
22 General discussion, with unidentified audience participation, followed on topics  
23 including the proposed \$500 fee amount, inclusion of piercing in these ordinances,  
24 and special exception use permit required in both B-1 and I-1 districts.

25  
26 **MOTION by Debbie Veit to recommend approval of Ordinance 2010-10 with the**  
27 **following changes:**

- 28 • **Remove reference to use of a defibrillator in Sec. 18-257(d).**
- 29 • **Change annual fee to \$250.00 in Sec. 18-258(b).**
- 30 • **Staff to investigate current Industrial-zoned sites to see if they meet the**  
31 **500-ft. criteria in 18-260(b) and make further recommendations to City**  
32 **Council.**
- 33 • **Add clarifying language to Section 3 regarding the existing tattoo**  
34 **establishments being exempt from the 18-260 distance requirements.**

35 **SECONDED by John Flowers.**

36 **Jim Frana called for a vote.**

37 **APPROVED 6 – 0.**

38  
39 **MOTION by Debbie Veit to recommend approval of Ordinance 2010-11 with the**  
40 **following changes:**

- 41 • **Remove Section 2 regarding Section 102-252 Permitted uses in the I-1**  
42 **district.**
- 43 • **Add replacement Section 2 to allow Tattoo establishments as a Special**  
44 **Exception Use in the I-1 district (Section 102-253).**

45 **SECONDED by Jerry Roach.**

46 **Jim Frana called for a vote.**

47 **APPROVED 6 – 0.**

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**Discussion items:**

**City Council Representative Report:** Rick Roderick reported:

- Attended JPA meeting between Clermont and the County; good arguments on both sides.
- Consideration at the next Council meeting for two candidates for P&Z member to replace Charlie Humphries.
- Discussion at the next Council meeting of a new Park & Ride location in Minneola on Hwy 27.

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

- Comprehensive Plan Amendment was adopted by Council and sent to the State; some notice should be received by May 11, 2010.

Katrina Thomas reminded the board that when members are talking among themselves, as occurred at this meeting, it is a violation of Sunshine Law. She added that it is important that whatever members are saying is caught by the microphones and recorded.

**MOTION by John Flowers to adjourn.**

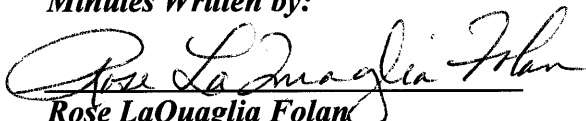
**SECONDED by Jerry Roach.**

**Meeting adjourned 9:10 p.m.**



**Jim Franke**  
**Chairperson, Planning and Zoning**

**Minutes Written by:**



**Rose LaQuaglia Folan**  
**Administrative Assistant, Planning Dept.**

**Attest:**



**Janet McDaniel**  
**City Clerk**

