



MEETING OF THE PLANNING & ZONING COMMISSION

August 1, 2011

7:00 P.M.

**Minneola City Hall – 800 N US Highway 27
Minneola, Florida 34715**

Call to Order

P&Z Chair

**Pledge of Allegiance
Agenda Review**

Agenda

No Public Hearing Items

Discussion Items:

Resolution 2010-04: Conditional Use Permit Review
Speed Limits on City Streets
City Council Representative Report
City Planner Report

Ramon Flores
Commissioner Frana
Councilman Roderick
Aaron Mercer

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT JANET MCDANIEL, CITY CLERK AT (352) 394-3598 AT LEAST 48 HOURS BEFORE THE DATE OF THE SCHEDULED HEARING.

FS. 286.0105 "If a person decides to appeal any decision or recommendation made by council with respect to any matter considered at this meeting, he/she will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

CITY OF MINNEOLA

AGENDA ITEM COVER SHEET

Planning & Zoning Commission

**Discussion Item
Resolution 2010-04**

Meeting Date: August 1, 2011

Subject: Conditional Use Permit granted for a motor vehicle service center located at 202 South US Hwy 27 in a "B-1" (Business District) requires that a review of the entire conditional use permit be conducted within 6 months of City Council's approval.

Applicant: Russell Silverstein

Property Owners: George F. Karst, Jr. & Randall Lee Karst

Application reviewed by:

City Planner	X	Fire Chief
Consulting Engineer		Public Works
Code Enforcement	X	City Attorney
Other:		

Planning and Zoning Action Taken:

Prepared for the City Council
City of Minneola
Planning Dept.
5 May 2010 Rev.

CFN 2010062929
Bk 03919 Pgs 0126 - 130 (5pgs)
DATE: 06/22/2010 08:32:47 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00

STONE & GERKEN PA
4850 N HWY 19A
MT DORA, FL 32757

RESOLUTION 2010-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA, PROVIDING FOR A CONDITIONAL USE PERMIT ALLOWING FOR A MOTOR VEHICLE SERVICE CENTER ON PROPERTY LOCATED AT 202 SOUTH U.S. HIGHWAY 27, MINNEOLA, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Russell Silverstein, as Applicant, on behalf of George F. Karst, Jr. and Randall Lee Karst, as Owners, requesting a Conditional Use Permit pursuant to Chapter 106, Section 106-1 of the Land Development Regulations of the City of Minneola to allow for a motor vehicle service center within a zoning district of "B-1" (Business District) within the city limits of the City of Minneola; and

WHEREAS, public notice has been provided as required by the Land Development Regulations of the City of Minneola; and

WHEREAS, the Planning and Zoning Commission of the City of Minneola has considered the conditional use permit request and has made a recommendation to the City Council.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA:

Section 1. Conditional Use Permit. A conditional use permit is hereby granted to the Applicant/Owner (which term shall include the Owner's successors and assigns) pursuant to Chapter 106, Section 106-1 of the Land Development Regulations of the City of Minneola allowing a motor vehicle service center on property located at 202 South U.S. Highway 27, Minneola, Florida, and more particularly described on Exhibit "A," attached hereto and incorporated herein by reference.

Section 2. The conditional use permit provided herein shall be subject to the Owner complying with the following conditions:

a. The Owner shall commence operation under this conditional use within one (1) year from the effective date of this Resolution, or the conditional use permit granted herein shall lapse as provided by Section 106-1(g) of the Land Development Regulations.

b. The conditional use permit granted herein shall be valid for one (1) year from the effective date of this Resolution and shall automatically renew for successive one (1) year terms, subject to review by the City Council as provided in Section 106-1(g) of the Land Development Regulations and by the terms of this Resolution.

c. The conditional use permit granted herein shall run with the property.



d. The Owner shall comply with all applicable provisions of the Code of Ordinances of the City of Minneola.

e. In the event a Notice of Code Violation is issued for the Property, the Planning and Zoning Commission, at its next regularly scheduled meeting, shall review the conditional use permitted by this Resolution. In conjunction with such review, the Planning and Zoning Commission may make a recommendation to the City Council to impose additional conditions and/or restrictions on the conditional use permitted herein. The Planning and Zoning Commission may also recommend revocation of the conditional use permit and the passage of a resolution rescinding this Resolution 2010-04. The City Council may elect to act on the Planning and Zoning Commission's recommendations, may impose its own conditions or restrictions, and may elect to revoke this conditional use permit.

f. Per memorandum dated 8 April 2009 from the Minneola City Manager, approval is granted by the City Council to have a car stereo sales and installation business with the following conditions:

- (1) Excessive noise shall be minimized as to not unduly disturb residents near the facility.
- (2) Stereo systems installed or being tested shall not be tested at high decibel levels (booming) that will impact the neighborhood.
- (3) The business shall only perform installations on vehicles during normal business hours, or 8:00 am to 5:00 pm. The sales component of the store may be open outside these hours.

g. Per memorandum dated 8 June 2009 from the Minneola City Manager, approval is granted by the City Council to have a car audio and window tinting sales and installation business which also operates as a retail sales and distribution location for pre-mounted and balanced custom wheels with the following conditions:

- (1) Excessive noise shall be minimized as to not unduly disturb residents near the facility.
- (2) Car audio systems installed or being tested shall not be tested at high decibel levels (booming) that will impact the surrounding neighborhood.
- (3) The business shall only perform installations on vehicles during normal business hours, or 8:00 am to 5:00 pm. The sales component of the business may be open outside of these hours.

h. The only additional services approved by this resolution are tire mounting and wheel balancing. The following permitted uses under a motor vehicle service center are prohibited at the subject location: minor adjustments, oil change, tune up, wheel alignment, installation of exhaust system parts, brake linings, engine rebuilding, body service work or repainting.

i. Storage of tires must be addressed, with the following conditions:

- (1) If storage of tires requires an accessory building, Applicant must obtain a special exception use permit and site plan approval for such accessory structure.
- (2) If an accessory building is not required, a review of the entire conditional use permit shall be conducted within six (6) months of City Council's approval of this Resolution, and such review may require possible site plan revisions.

Section 3. This Resolution shall be recorded in the Public Records of Lake County, Florida.

Section 4. This Resolution shall be effective upon passage.

PASSED and **RESOLVED** this 4th day of May, 2010 by the City Council of the City of Minneola.



Pat Kelley, Mayor

ATTEST:



Janet McDaniel, City Clerk



Approved as to form and legality:



Scott A. Gerken, City Attorney

PROPERTY OWNER'S CERTIFICATION

I have read Resolution 2010-04 and agree to comply with the terms and conditions contained herein.

George F. Karst, Jr.
Witness Signature

George F. Karst, Jr., Owner

Theresa M. Sedwiers
Witness Printed Name

George F. Karst, Jr.

Laura M. Jones
Witness Signature

Laura M Jones
Witness Printed Name

Rose LaQuaglia Folan
Witness Signature

Randall Lee Karst, Owner

Rose LaQuaglia Folan
Witness Printed Name

RL Karst

Laura M. Jones
Witness Signature

Laura M Jones
Witness Printed Name

CITY OF MINNEOLA

AGENDA ITEM COVER SHEET

Planning & Zoning Commission

**Discussion Item
Speed Limits on City Streets**

Meeting Date: August 1, 2011

Subject: Posted Speed Limits on City Streets

Applicant:

Property Owners:

Application reviewed by:

City Planner X
Consulting Engineer
Code Enforcement
Other:

Fire Chief
Public Works
City Attorney

Planning and Zoning Action Taken: