

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

September 3, 2008

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>Timothy Green, Consulting Planner, Green Consulting Group</i>
<i>Jim Frana, Vice Chair</i>		<i>Katrina Thomas, Assistant City Attorney</i>
	<i>Alyson Burch</i>	<i>Sue Niswonder, Assistant Planner</i>
<i>John Flowers</i>		<i>Rose Folan, Admin.Asst., Planning</i>
<i>Charlie Humphries</i>		
<i>Sherry Zielonka</i>		
<i>(Vacant)</i>		
	<i>City Council Representative, Ed Earl</i>	

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

10  
11 *New P&Z members, John Flowers, Charles ("Charlie") Humphries and Sherry*  
12 *Zielonka, were sworn in by Katrina Thomas, welcomed to the board and introduced*  
13 *to those present.*

14  
15 **Agenda Review:**

16  
17 **Review of Planning and Zoning Meeting Minutes for August 4, 2008**

18  
19 **MOTION by Jim Frana to approve the minutes.**

20 **SECONDED by John Flowers.**

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

22 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

23  
24 **Resolution 2008-12 – Variance:**

25 **108 South Main Avenue**

26 **Applicant/Property Owners: Georgia and Richard Schofield**

27  
28 Applicants, Georgia and Richard Schofield, came forward.

29  
30 *Katrina Thomas swore in applicants Georgia and Richard Schofield.*

31  
32 Tim Green opened the discussion by explaining the request to add an attached garage.  
33 He also indicated that staff is recommending approval of this variance.

34  
35 Sherry Zielonka and John Flowers had no questions. Jim Frana asked about the trees  
36 on the south side of the property. Mrs. Schofield responded that they have trimmed one

1 of the trees and the others are not an issue due to the property size and location of the  
2 structure. Jim also asked about water shedding from the roof toward the property line.  
3 Mrs. Schofield responded that it will be a gable end and should not present a problem.  
4 Charlie Humphries asked if the garage will always be used for storage. Mrs. Schofield  
5 responded that they are only planning to use it to eliminate parking their car outside.  
6

7 Debbie Veit commented on the appropriateness of this request. She then opened the  
8 discussion to the audience. No one came forward and Debbie returned to the board for  
9 discussion or motion.

10  
11 **MOTION by Jim Frana to recommend approval of Resolution 2008-12 Variance.**

12 **SECONDED by Sherry Zielonka.**

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

14 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

15  
16 **Resolution 2008-11 – Variance:**

17 **SunTrust Bank**

18 **Applicant/Property Owner: Rock Southern Breeze LLC**

19  
20 Applicant representative, Justin Polk of CPH Engineers, came forward.

21  
22 *Katrina Thomas swore in applicant representative, Justin Polk.*

23  
24 Tim Green opened the discussion by reminding the board that the site plan  
25 recommendation by P&Z and City Council approval were contingent on this variance  
26 application being submitted. He explained the reasons why the variance is necessary.

27  
28 No board members had questions. Debbie Veit then opened the discussion to the  
29 audience. No one came forward and Debbie returned to the board for discussion or  
30 motion.

31  
32 **MOTION by Sherry Zielonka to recommend approval of Resolution 2008-11**  
33 **Variance.**

34 **SECONDED by Charlie Humphries.**

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

36 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

37  
38 **Resolution 2008-16 Conditional Use Permit**

39 **Resolution 2008-17 Special Exception Permit:**

40 **404 South U.S. Highway 27**

41 **Applicant: Trisha Browne/Brothers Cycle Shop**

42 **Property Owner: Trisha Browne**

43  
44 Applicants, Trisha Browne and Brothers Cycle owners' Doug and Denise Bonko, came  
45 forward.

46  
47 *Katrina Thomas swore in applicants Trisha Browne, Doug and Denise Bonko.*

1 Tim Green opened the discussion by explaining what is being requested in each  
2 application and why approval is necessary.  
3  
4 Sherry Zielonka and John Flowers did not have any questions. Jim Frana asked about  
5 specific testing on the motorcycles with full RPMs. Doug Bonko responded that they  
6 do not perform those tests.  
7  
8 Charlie Humphries asked about hours of operation and testing. Trisha Browne  
9 responded that the hours are very reasonable and the noise has not been an issue at their  
10 current location.  
11  
12 Debbie Veit asked for the specific hours of operation. Doug Bonko responded that they  
13 are open 9am to 6pm Tuesday thru Saturday and closed Sunday and Monday. Debbie  
14 added that her concern is that the operating hours and days be in the CUP, especially  
15 being closed on Sunday, so there is no question in the future.  
16  
17 Debbie Veit then opened the discussion to the audience.  
18  
19 The following audience member came forward to comment:  
20 David Yeager, 218 Magellan Circle - *who was previously sworn in*  
21 • Very successful in the industrial park  
22 • Good neighbors  
23 • Would be an asset at the proposed location  
24  
25 Debbie Veit asked if anyone else in the audience wanted to speak. No one came  
26 forward and Debbie returned to the board for discussion or motion.  
27  
28 Jim Frana asked about the closing time of 6pm. Denise Bonko suggested that 8pm  
29 might be better.  
30  
31 **MOTION by Jim Frana to recommend approval of Resolution 2008-16**  
32 **Conditional Use Permit and Resolution 2008-17 Special Exception Permit with**  
33 **consideration for including operating hours 8am to 8pm Monday thru Saturday.**  
34 **SECONDED by John Flowers.**  
35 **Debbie Veit called for a vote.**  
36 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**  
37  
38 **Resolution 2008-13 Conditional Use Permit:**  
39 **New Hope Christian Academy Learning Center**  
40 **409 Old Highway 50 – Trailside Industrial Park**  
41 **Applicant/Property Owner: Cary J. Malever, Trailside Industries**  
42  
43 *Katrina Thomas swore in all interested parties as a group.*  
44  
45 Tim Green opened the discussion by indicating that staff is not recommending  
46 approval. He added that many unanswered questions remain including issues of access  
47 to the site, traffic patterns and parking, type of use in an industrial area, as well as water  
48 and sewer issues.

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Applicant, Cary Malever, came forward to answer questions. Mr. Malever stated that it is a light industrial park and that they have researched times of other schools in the area and prepared a traffic-flow diagram, which would allow maximum number of cars to be on the property.

Angelyn Pitt, director of New Hope Christian Academy, explained that students do not need to arrive at the same time. Debbie Veit asked for an explanation of the type of learning that will take place. Ms. Pitt responded that it is an individualized program with one-on-one work being done with teachers based on pre-admission testing. Additional questions from the board included: hours of operation (7:30am to 4pm, Monday thru Friday); number of students and teachers (45-50); previous location (in churches), fire codes (Fire Chief will address per Tim Green). [Note: Ms. Pitt provided the responses unless otherwise stated.]

Sherry Zielonka asked what it would take to bring this in alignment with the Comprehensive Plan. Tim Green responded that it would not be possible because an educational facility was never envisioned in an industrial district.

John Flowers expressed concern about distractions for students due to being in an industrial area. Jim Frana expressed concern regarding the traffic flow, particularly the turn in the rear. He also expressed concern about the off-site parking. Mr. Malever responded that they do not need the off-site parking. He added that there is ample parking on the site for the teachers. Jim Frana continued stating that the traffic and other issues would be more burdensome to the community.

Charlie Humphries asked about the capacity of the building and what would be done for special events where more than the anticipated 45-50 people would be on the site. Ms. Pitt responded that in the past they have used churches for this type activity. Charlie also asked about the abutter notification and those appearing to speak. Tim Green responded that his office compiles a list for abutter notification and clarified that interested parties can appear at the P&Z meeting and/or the City Council meeting to make their opinion known.

Debbie Veit then opened the discussion to the audience.

*Katrina Thomas swore in audience member June Baker.*

June Baker, Temple of the Living God, 411 E. Old Hwy 50

- Go on record as being present
- Concern with traffic and growth potential

Doug Kokx, New Hope board member, *no address or signature provided*

- Would alter schedule so it would not coincide with school traffic
- Willing to alter traffic pattern
- Always a small learning center and will remain that way

1 Debbie Veit commented on being an educator herself and the benefit of this type of  
2 program. She added that her concern is with the placement of a learning center in an  
3 industrial district and what industrial uses might be there in the future as well as traffic  
4 issues.

5  
6 No additional audience members came forward and Debbie returned to the board for  
7 discussion or motion.

8  
9 Jim Frana asked if school crossings would be required should this be recommended and  
10 approved. Tim Green responded that the question would need to be addressed by the  
11 Sheriff's Office.

12  
13 **MOTION by Jim Frana to recommend denial of Resolution 2008-13 Conditional**  
14 **Use Permit due to zoning designation that does not allow this type of facility as**  
15 **well as concern for the safety and welfare of the children in the program.**

16 **SECONDED by John Flowers.**

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

18 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

19

20 **Site Plan Review:**

21 **503 South Main Avenue – Sardo Property**

22 **Applicant: Jeff Kirkland Enterprises**

23 **Property Owner: Louis & Jeanie Sardo**

24

25 Tim Green opened the discussion by advising that an updated staff report was provided  
26 at this meeting. He pointed out some of the items that are missing from the site plan and  
27 the issues that need to be addressed. Tim also pointed out that this item came forward  
28 tonight, without being complete, because it was legally advertised as being on the  
29 agenda.

30

31 Debbie Veit commented that there were more outstanding issues than are normally seen  
32 at P&Z. As chairperson, Debbie suggested that the item be tabled to the next meeting.

33

34 Applicant representative, Jeff Kirkland, came forward to speak.

35

36 *Katrina Thomas swore in applicant representative, Jeff Kirkland.*

37

38 Debbie Veit asked if the applicant received the staff report. Mr. Kirkland responded  
39 that he did but not with sufficient time to act on the comments. Debbie suggested to the  
40 board that a motion to table would be appropriate. She also asked for the date of the  
41 next meeting – Monday, October 6, 2008.

42

43 **MOTION by Jim Frana to table agenda item on the Sardo property to the**  
44 **October 6, 2008, meeting.**

45 **SECONDED by Charlie Humphries.**

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

47 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

48

1 **Site Plan Review:**

2 **Pennington Property/Imagine Schools**

3 **14012 Old Hwy 50**

4 **Applicant: Steven J. Richey, Richey & Cooney Attorneys**

5 **Property Owner: Samuel & Vera Pennington**

6  
7 Applicant representatives, Steve Richey, David Tom and Dan D'Antonio came forward  
8 to speak.

9  
10 *Katrina Thomas swore in the applicant representatives as a group.*

11  
12 Tim Green opened the discussion by explaining that this has been thoroughly reviewed  
13 and the only outstanding issue is a grassed, over-flow parking area that the City Council  
14 must approve. Tim added that this was the preferred alternative to paving the entire  
15 area. He also mentioned the matter of paving South Avenue.

16  
17 Steve Richey reminded the board that the reason the road is not being paved beyond  
18 their property is based on direction of the City Council during the Annexation and  
19 Rezoning process where area residents expressed their concern that they did not want  
20 the street to be extended. Mr. Richey pointed out that the City of Clermont had a  
21 different opinion on this matter and is requiring them to build a city street on the right-  
22 of-way they control. He added that they are not extending it onto the right-of-way in  
23 Minneola to honor the requests of the City Council and residents of Minneola.

24  
25 Sherry Zielonka asked about connecting to City sewer. Steve Richey advised that they  
26 have an agreement for sewer from Clermont for three years that is renewable, but  
27 Minneola will provide water. He added that when Minneola has sewer available, they  
28 will switch to Minneola. Sherry also asked if they have their 501(c)(3) yet. Steve  
29 Richey replied that they do not have the actual certificate yet on this school, but they  
30 are in the process with the Federal government already. He added that they are  
31 currently operating as a not-for-profit.

32  
33 John Flowers did not have any questions. Jim Frana commented on the grading  
34 elevation changes. David Tom addressed this issue by showing the planned grading  
35 changes on the site plan as well as the landscaping. Steve Richey added that they will  
36 not be violating any of the City's rules. Jim also asked about the trees on the property  
37 and if any of those would be saved. Mr. Tom responded that it would not be possible.  
38 Jim also commented on the bicycle parking and location of the administrative building.

39  
40 Charlie Humphries asked why it took so long to get to this point. David Tom  
41 responded that the Development Review Committee (DRC) would not allow them to go  
42 forward until all issues were resolved. Charlie asked Tim Green if this was something  
43 he could support. Tim responded in the affirmative.

44  
45 Debbie Veit commented favorably on the site plan and issues with the street from a  
46 community aspect. She also mentioned the bicycle rack location and suggested it could  
47 be closer or secured with a fence. Debbie also commented on the location of the  
48 administrative building and suggested that it could be addressed with clear signage.

1 Jim Frana asked about the construction being completed in phases. Steve Richey  
2 responded that K-5 would be built first. He added that the plan is still to phase  
3 construction, but with the delays they have encountered, it is possible they may build  
4 more initially than originally planned.

5  
6 Debbie Veit then opened the discussion to the audience.

7  
8 The following audience member came forward to comment:

9 Laura DeVeau-Diem, 869 Scenic View Circle – *who was previously sworn in*

- 10 • Initial Concerns: traffic flow on Scenic View Circle and extension of South
- 11 Street as well as who could get onto the campus – but concerns satisfied now
- 12 • Support the building of the school
- 13 • Asked about the key-card system for the gate

14  
15 Steve Richey responded that only students who live in the neighborhood will be given  
16 the gate-entry cards.

17  
18 Additional audience member came forward to comment:

19 David Yeager, 218 Magellan Circle – *who was previously sworn in*

- 20 • Clermont was not very “user friendly” regarding sewer on this project
- 21 although they had been on another project in a similar situation
- 22 • School Board also asked Clermont not to approve due to their own issues
- 23 • Future for Minneola having sewer in the area is approximately 10 years
- 24 • School will be an asset to the City and area

25  
26 No other audience members came forward and Debbie returned to the board for  
27 discussion or motion.

28  
29 Charlie Humphries asked for clarification of the Minneola and Clermont property line.  
30 David Tom indicated the location on the site plan.

31  
32 **MOTION by Jim Frana to recommend approval of the Site Plan for the**  
33 **Pennington Property/Imagine Schools.**

34 **SECONDED by John Flowers.**

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

36 **APPROVED 5 – 0. Alyson Burch absent and one vacant seat.**

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38  
39 **Discussion:**

40 General discussion followed regarding:

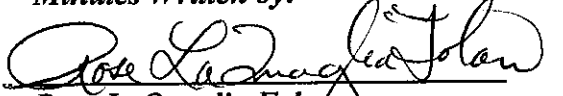
- 41 • Discussion items being carried forward (due to time and members present);
- 42 • Board-member terms (three-year terms) and handling appointment of a member
- 43 to fill a term when someone resigns (City Council to appoint replacement);
- 44 • Forms required by supervisor of elections for office holders (required both at
- 45 term start and upon resignation);
- 46 • Number of members allowed on City boards and alternate members (P&Z, by
- 47 Ordinance 2008-33, consists of seven members and two alternates).

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**MOTION by Jim Frana to adjourn.**  
**SECONDED by John Flowers.**  
**Meeting adjourned 8:56 p.m.**

  
**Debbie Veit**  
**Chairperson, Planning and Zoning**

*Minutes Written by:*

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

*Attest:*

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

