

**Minneola Planning & Zoning Commission
Minutes**

**March 6, 2023 at 6:30 PM
Minneola City Hall**

The City of Minneola Planning & Zoning Commission was called to order by Chairman Paul Giacalone. Also present were Vice-Chairman Jeff Henderson, Commissioner William McCoy, Commissioner Oscar Trujillo, Alternate Commissioner Nathan Focht, Councilor Debbie Flinn (Council Liaison), Mark Johnson (City Manager), Grant Watson (City Attorney), Joyce Heffington (City Planner), Ramon Flores (Code Enforcement Supervisor) and Corey DeVogel (Planning Technician).

Commissioner Leonard Jackson was not present.

CALL TO ORDER

Chairman Paul Giacalone called the meeting to order.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A moment of silence was observed, and the Pledge of Allegiance was led by **Commissioner William McCoy**.

MOTION by Commissioner McCoy, SECONDED by Vice-Chairman Henderson to excuse Commissioner Jackson from the March 6, 2023 Planning & Zoning Commission Meeting.

AYE: McCoy, Giacalone, Trujillo, Focht, Henderson

NAY:

MOTION PASSED: 5-0

AGENDA REVIEW

MOTION by Commissioner McCoy, SECONDED by Alternate Commissioner Focht to discuss and vote on Item 4 first.

AYE: McCoy, Giacalone, Trujillo, Focht, Henderson

NAY:

MOTION PASSED: 5-0

No public Comments.

47 **MINUTES**

48
49 No comments.

50
51 **MOTION by Alternate Commissioner Focht, SECONDED by Commissioner Trujillo to**
52 **approve the February 7th, 2023 Planning & Zoning Commission Minutes.**

53
54 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

55
56 **NAY:** None

57
58 **MOTION PASSED: 5-0**

59
60 **PUBLIC COMMENTS**

61
62 **Chairman Giacalone** called for public comment.

63
64 No public comment.

65
66 **DISCUSSION ITEMS**

67
68 **Grant Watson** swore in all that were to speak on the planning & zoning commission meeting
69 items.

70
71 **Item 4: Resolution 2023-04 Shed Variance**

72
73 **Joyce Heffington** detailed item 4 and that the shed was built without the knowledge that a permit
74 would be required and that it was also built 8 square feet greater than what city code allows for.

75
76 **William Chaves (Applicant & Resident)** noted that he is a manager at a drywall company, and
77 that he uses the shed for the storing of work materials and tools.

78
79 **Commissioner Trujillo** asked Ramon Flores if there were any issues from the shed being used
80 for work material and tool storage.

81
82 **Ramon Flores** replied that code enforcement does not enforce what is stored within sheds.

83
84 **Commissioner McCoy** asked why the contractor missed the permit, though ultimately, it would
85 fall on the property owner in terms of responsibility.

86
87 **William Chaves** said that they hadn't thought of the permit at the time and had been given a good
88 price.

89
90 **Chairman Giacalone** called for public comment.

91
92 No comment.

93
94 **MOTION by Alternate Commissioner Focht, SECONDED by Commissioner Trujillo to**
95 **approve Item 4: Shed Variance.**

96
97 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

98
99 **NAY:** None

100
101 **MOTION PASSED: 5-0**

102
103 **Item 3: Resolution 2023-02 Variance Carwash**

104
105 **Chairman Giacalone** confirmed with Grant Watson that they would vote on Item 3 first and then
106 Item 2, though they could be discussed together.

107
108 **Grant Watson** read out Item 3 and Item 2 regarding parking requirements and window percentage.

109
110 **Joyce Heffington** noted that the reason the items were being voted on in the order chosen, was
111 because the variances would need to be approved or denied before the C.U.P. could be approved.

112
113 **Vivian Monico (Applicant Representative)** stated for the record that the applicant, Brandon
114 Peterson, had spoken with Chairman Giacalone over the phone and in person with Nathan Focht
115 regarding what would be presented for the item.

116
117 **Greg Crawford (Florida Engineering Group:Applicant Representative)** provided a
118 presentation on how the variance requests fit into the overall project. He also noted that there was
119 a large amount of open space and that they had a total of 63 percent impervious surface ratio while
120 the max allowable is 90 percent.

121
122 **Alternate Commissioner Focht** noted for the record that he had in fact met with the applicant
123 regarding the carwash as previously mentioned by Vivian Monico. He inquired about paperwork
124 that noticed that the closing time was 6:00pm.

125
126 **Greg Crawford** replied that it had been on an older form and the actual operating hours would be
127 8:00am to 8:00pm. He also noted a five-foot elevation decrease from highway 27 to the building.

128
129 **Alternate Commissioner Focht** said that he believed it was the best spot of the previously applied
130 car washes due to the large retention pond and lower grading from Highway 27.

131
132 **Greg Crawford** said there would be several shrubs and trees on the east side of the property to
133 help mitigate sound concerns.

134
135 **Chairman Giacalone** called for public comment.

136
137 **Bryan Burnsed (Quail Valley resident)** spoke in favor of the project.
138

139 **Jason Lunn (Quail Valley resident)** spoke in favor of the project.

140
141 **Commissioner McCoy** inquired about decibels and sound levels.

142
143 **Greg Crawford** replied that they are going to put silencers on the blowers and that the noise is
144 going to be south and north facing along the highway instead east into Quail Valley.

145
146 **MOTION by Commissioner McCoy, SECONDED by Vice-Chairman Henderson to approve**
147 **Item 3: Resolution 2023-02 Variance Carwash.**

148
149 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

150
151 **NAY:** None

152
153 **MOTION PASSED: 5-0**

154
155 **Item 2: Resolution 2021-20 CUP Carwash**

156
157 **MOTION Commissioner McCoy by, SECONDED by Vice-Chairman Henderson to approve**
158 **Item 2: Resolution 2021-20 CUP Carwash with all conditions.**

159
160 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

161
162 **NAY:** None

163
164 **MOTION PASSED: 5-0**

165
166 **Item 5: Ordinance 2023-06 B-1 Special Exception Uses**

167
168 **Joyce Heffington** asked that item 5 be tabled indefinitely, noting that the city attorney's were
169 working on the item.

170
171 Item 5 was tabled without a motion.

172
173 **Item 6: Ordinance 2023-11 Sidewalks**

174
175 **Grant Watson** read out Item 6 regarding widening pedestrian footpaths and sidewalks.

176
177 **Joyce Heffington** noted that the city had always meant to have 6-foot sidewalks instead of 5,
178 which had never been changed years ago. Making 6' the standard and ADA (Americans with
179 Disabilities Act) friendly. It would also give room for people to not have to leave the walkway if
180 passing someone. It would also not allow trees to be placed within the right of way. The main
181 purposes being more ADA friendly and protecting utilities. Namely water and sewer lines.

182
183 **Commissioner Trujillo** noted that HOAs have begun requiring tree root barriers for developers
184 to prevent roots spreading out against utilities and recommended adding tree root barriers.

185
186 **Joyce Heffington** suggested that they require approval from public works since some lines are
187 very deep, and they may not want any trees around them.

188
189 **Commissioner McCoy** stated he would be against it because people will do things whether it is
190 an ordinance or not. He then suggested not having trees within the Right of Way, whether they
191 have the root barrier or not.

192
193 **Vice-Chairman Henderson** stated that he is in favor of the sidewalks section but has an issue
194 with allowing trees in the right-of-way. Pertaining to damage to utilities, sidewalks and roads as
195 well as to who would have to maintain the tree since it is in the right-of-way.

196
197 **Alternate Commissioner Focht** asked to confirm that it would only apply to new sidewalks.

198
199 **Joyce Heffington** confirmed that it would only apply to new sidewalks.

200
201 **Chairman Giacalone** called for public comment.

202
203 No comment.

204
205 **MOTION Commissioner Trujillo by, SECONDED by Commissioner McCoy to approve**
206 **Item 6: Ordinance 2023-11 Sidewalks as written, with staff recommendations and adding a**
207 **condition that if those trees were to be approved and planted within the right of way, they**
208 **include a 5-foot root barrier to force the root growth to go deeper down, subject for review**
209 **and approval by public works.**

210
211 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

212
213 **NAY:** None

214
215 **MOTION PASSED: 5-0**

216
217 **Item 7: Discussion – Backyard Chickens**

218
219 **Joyce Heffington** detailed Item 7 and noted that there was nothing added to the item, but it was
220 primarily just a continuation of the previous month's discussion.

221
222 **Grant Watson** addressed the trial program that had been mentioned at the previous meeting. He
223 noted that it would require an amendment to the existing ordinance and doing a five-permit cap
224 trial program would be the best way to implement the request mechanically.

225
226 **Lisa Jones (Resident)** voiced support for allowing chickens within the City of Minneola.

227
228 **Monica Luna (Resident)** voiced support for allowing chickens within the City of Minneola.

Commissioner McCoy asked Ramon Flores what would be required of his staff to monitor the new system.

Ramon Flores replied that whatever council votes on, they will enforce.

Commissioner Trujillo noted that the main issue tends to be smell and drawing in rodents.

Vice-Chairman Henderson asked who would inspect the chicken coop once it is applied for.

Joyce Henderson replied that the building official would look at it and it would be treated like a standard permit application with reviews and inspections.

Grant Watson confirmed that the item will go to council and a code change will be required in order to implement the pilot program.

MOTION Commissioner Trujillo by, SECONDED by Commissioner McCoy to approve Item 7: Discussion – Backyard Chickens with a trial period of one year for 6 chicken applications, opening it up to all single-family homes, contingent upon HOA approvals and seeking permissions from the immediate neighbors conjoined to their property lines.

AYE: McCoy, Giacalone, Trujillo, Focht

NAY: Henderson

MOTION PASSED: 4-1

FINAL PUBLIC COMMENTS

Chairman Giacalone called for final public comments.

No Comments

FINAL REPORTS

Councilor Flinn noted that there will be an upcoming workshop for the Minneola Town Center on Tuesday March 28th, 2023 at 6:30 pm.

Chairman Giacalone requested that the P&Z Board attend the workshop as P&Z members instead of as residents.

Joyce Heffington replied that she will let the applicant and council know.

276 **MOTION by Commissioner Trujillo, SECONDED by Commissioner McCoy to adjourn.**

277
278 **AYE:** McCoy, Giacalone, Trujillo, Focht, Henderson

279
280 **NAY:** None

281
282 **MOTION PASSED: 5-0**

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284 *(Meeting adjourned at 7:45 P.M.)*

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290 
291 Paul Giacalone, Chairman

292
293 **ATTEST:**

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299 
Corey DeVogel, Planning Technician