

Minneola Planning and Zoning Commission**Minutes****December 7, 2020 at 7:00 PM****Minneola City Hall**

The City of Minneola Planning and Zoning Commission was called to order by Chairman Paul Giacalone. Also present were Vice Chairman Jeff Henderson, Commissioner Leonard Jackson, Commissioner McCoy, Grant Watson (City Attorney), Joyce Heffington (City Planner), and Kristine Thompson (Planning Technician).

Commissioners Oscar Trujillo and Daniel Smith were absent.

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 **Vice Chairman Henderson**

AGENDA REVIEW

No comments.

MOTION by Commissioner Jackson, SECONDED by Commissioner McCoy to approve the December 7, 2020 agenda.

AYE: Jackson, Giacalone, Henderson, McCoy

NAY: None

MOTION PASSED: 4-0

PUBLIC COMMENTS

Monica Luna came forward to request the Commission to consider changing the code to allow chickens within the City of Minneola.

Chairman Giacalone asked where Ms. Luna lived.

Monica Luna stated she lives in an RSF-3 zoning district.

Chairman Giacalone asked if her property was in an HOA and how big her property is.

1 **Monica Luna** stated she was not in an HOA. She has a big backyard that could hold
2 chickens. She was not sure how many acres she owns.

3
4 **Chairman Giacalone** stated the current code allows for properties to have chickens if they
5 have 5 or more acres of land.

6
7 **Monica Luna** stated she is advocating for Urban Backyard Chickens.

8
9 **Chairman Giacalone** asked if she would qualify for a variance.

10
11 **Grant Watson** explained she could not apply for a variance in this situation.

12
13 **Joyce Heffington** explained RSF-3 is the most densely populated zoning, more populated
14 than RSF-2. The code allows chickens on 5 acre lots. The reason for this is to allow humane
15 treatment of animals. The chickens would need enough area to run around. Also there needs
16 to be enough area so the chickens are not on top of neighbors. One resident has met the
17 qualifications, took training, and constructed a proper coop and fenced area that meets the
18 city's requirements.

19
20 **Monica Luna** is requesting the city make changes to the code to allow for chickens in the
21 city.

22
23 **Chairman Giacalone** suggested Ms. Luna come to the next City Council meeting.

24
25 **MINUTES**

26
27 **MOTION by Vice Chairman Henderson, SECONDED by Commissioner McCoy to**
28 **approve the minutes from November 2, 2020 as written.**

29
30 **AYE:** Jackson, Giacalone, Henderson, McCoy

31
32 **NAY:** None

33
34 **MOTION PASSED: 4-0**

35
36 **DISCUSSION ITEMS**

37
38 **Election of Officers**

39
40 **Commissioner McCoy nominated Paul Giacalone as Chairman, nomination seconded**
41 **by Commissioner Henderson.**

42
43 **AYE:** Jackson, Giacalone, Henderson, McCoy

44
45 **NAY:** None

1 **NOMINATION PASSED: 4-0**

2
3 **Chairman Giacalone nominated Commission Henderson as Vice Chairman,**
4 **nomination seconded by Commissioner McCoy.**

5
6 **AYE:** Jackson, Giacalone, Henderson, McCoy

7
8 **NAY:** None

9
10 **NOMINATION PASSED: 4-0**

11
12 **Item 1: Resolution 2020-21 Variance Publix Sign Height**

13
14 **Grant Watson** read the resolution by title then swore in staff and members of the audience
15 wishing to speak on the item.

16
17 **Joyce Heffington** stated this is a variance for the height of the requested Publix sign on the
18 building. The code allows for a maximum sign height of 15 ft. There was a similar situation
19 with Taco Bell. The building is taller than 15 ft. and putting a sign on the building at 15 ft
20 would not be legible from the highway. This variance would allow a minimum of 26.3 feet
21 and would only be for the Publix building, not for any of the other buildings.

22
23 **Gregory Davis**, representing North American Properties, stated they are requesting to place
24 the sign higher than the 15 ft. code allows. They are not requesting to increase any square
25 footages, just height. Showed illustrations to show how the signs would look on the building
26 if they were placed at 15 ft.

27
28 **Vice Chairman Henderson** stated he agreed with the sign height. Asked if this was for the
29 main entrance only or will the pharmacy drive through need a variance as well.

30
31 **Gregory Davis** stated the variance would apply to all signs for the Publix building.

32
33 **Chairman Giacalone** asked how many signs would be raised.

34
35 **Gregory Davis** was unsure at the time how many signs there are but they would all be
36 raised.

37
38 **Joyce Heffington** stated she believes there are three: one at the front, the pharmacy, and
39 one facing Citrus Grove Rd.

40
41 **Chairman Giacalone** asked what the typical height was for a Publix sign.

42
43 **Gregory Davis** stated they are asking for the typical height, which is 26.3 ft.

44
45 **MOTION by Vice Chairman Henderson, SECONDED by Commissioner Jackson to**
46 **approve Resolution 2020-21 Variance for Publix Sign height as written.**

1
2 **AYE:** Jackson, Giacalone, Henderson, McCoy

3
4 **NAY:** None

5
6 **MOTION PASSED: 4-0**

7
8 **Item 2: Ordinance 2020-17 Simulated Gambling Internet Cafes**

9
10 **Grant Watson** read the Ordinance by title.

11
12 **Joyce Heffington** stated that simulated gambling internet cafes appears in various places.
13 The city is asking for ordinance to protect residents from establishments that would have
14 simulated gambling devices.

15
16 **Commissioner McCoy** stated he thought these internet cafes were outlawed by the state.

17
18 **Joyce Heffington** suggested this format is not prohibited by the state.

19
20 **Grant Watson** explained they regulate some forms. Though it morphs, changes and shifts,
21 to find loopholes. This ordinance would close any loopholes not covered by the state law.

22
23 No public comment.

24
25 **MOTION by Commissioner McCoy, SECONDED by Vice Chairman Henderson to**
26 **approve Resolution 2020-17 Simulated Gambling Internet Café as written.**

27
28 **AYE:** Jackson, Giacalone, Henderson, McCoy

29
30 **NAY:** None

31
32 **MOTION PASSED: 4-0**

33
34 **Item 3: Ordinance 2020-18 Gated Communities**

35
36 **Grant Watson** read the Ordinance by title.

37
38 **Joyce Heffington** explained there are a couple of communities that want to be gated or want
39 to have private roads for those residents only. The city feels the code should define what a
40 gate is. It is important if these private roads are not up to city standards there are gates
41 installed to ensure the general public does not drive on them and the city does not retain any
42 responsibility for them.

43
44 **Commissioner McCoy** asked if this would include a down pole.

45
46 **Joyce Heffington** stated the attorney crafted the ordinance in a way that would cover this.

1
2 **Grant Watson** suggested this ordinance was looked at carefully. A gate itself is defined as
3 barrier that can open and close ensuring clear access for emergency services.
4

5 Discussion followed regarding stacking requirements.
6

7 **Chairman Giacalone** discussed state fire requirements.
8

9 **Grant Watson** suggested this could be incorporated into the city's code.
10

11 **Vice Chairman Henderson** inquired if any existing communities are requesting to become
12 gates. Asked if they are aware, they would be responsible for the roads.
13

14 **Joyce Heffington** stated there is only one community and they are aware they would be
15 responsible for the roads.
16

17 **Commissioner Jackson** suggested the definition of a gate should include one that slides as
18 well, not just hinged or latched barrier.
19

20 **MOTION by Commissioner McCoy, SECONDED by Commissioner Jackson to**
21 **approve Resolution 2020-18 Gated Communities subject to the stipulations brought**
22 **up by the Commission.**
23

24 **AYE:** Jackson, Giacalone, Henderson, McCoy
25

26 **NAY:** None
27

28 **MOTION PASSED: 4-0**
29

30 **Joyce Heffington** asked for the Commission's opinion on Automated Teller Machines
31 (ATMs). The city's current code defines ATMs as outdoor vending machines, which are
32 prohibited. However, this would prohibit a bank drive through or an ATM on the front of a
33 business. Therefore, a grocery store would not be able to have an ATM on the front of their
34 building.
35

36 Discussion followed regarding possibly excluding ATMs from the code or include an option
37 in the code that requires ATMs be reviewed and approved as part of the site plan.
38

39 **Chairman Giacalone** requested a motion to excuse Commissioner Trujillo and
40 Commissioner Smith.
41

42 **MOTION by Vice Chairman Henderson, SECONDED by Commissioner McCoy to**
43 **excuse Commissioner Trujillo and Commissioner Smith.**
44

45 **AYE:** Jackson, Giacalone, Henderson, McCoy
46

1 NAY: None

2
3 MOTION PASSED: 4-0

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5 **FINAL PUBLIC COMMENTS**

6
7 No public comment.

8
9 **FINAL REPORTS**

10
11 Vice Mayor Serviss mentioned the Christmas parade would be this Saturday, December
12 12.

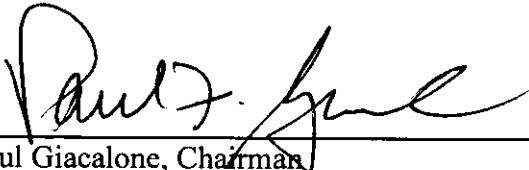
13
14 MOTION by Commissioner McCoy, SECONDED by Commissioner Jackson to
15 adjourn.

16
17 AYE: Jackson, Giacalone, Henderson, McCoy

18
19 NAY: None

20
21 MOTION PASSED: 4-0

22
23 *(Meeting adjourned at 7:52 P.M.)*

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29 
30 Paul Giacalone, Chairman

31 ATTEST:

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37 
Kristine Thompson, Planning Technician