



Planning & Zoning Board

Monday, October 03, 2022
6:00 PM

*City Hall Meeting Room,
25440 W Newberry Road, Newberry, FL 32669*

MINUTES

CALL TO ORDER

Chair Erched called the meeting to order at 6:01 p.m.

APPROVAL OF AGENDA

Chair Erched asked for approval of the agenda. He noted that Member Thomas was absent and Vice-Chair Long was running late. Chair Erched explained that City code defines a Quorum as three members.

Chair Erched also noted that Staff was requesting Items 2 and 3 be swapped.

Motion made by Member Baker to approve the agenda as amended.

Seconded by Member Polo.

Chair Erched asked for Public Comment, there was none.

Voting Yea: Chair Erched, Member Baker, and Member Polo.

MOTION PASSED 3-0

Mayor Marlowe remarked regarding Linda Woodcock's service to the City of Newberry, including service on the Planning & Zoning Board, the Historic Architectural Review Board, review Boards for Community Development Block Grants, the Watermelon Festival, the Garden Club, plus other organizations and efforts.

QUORUM CHECK

Mayor
Board Members

Jordan Marlowe
Naim Erched, Chair
Jessica Baker
Anne Polo

City Attorney

Kiersten Ballou

Staff:

Director of Planning & Economic Development
Principal Planner
Staff Assistant

Bryan Thomas, AICP
Jean-Paul W. Perez
Jeannene Mironack

Absent:

Vice-Chair
Board Member

Donald Long
Kathi Thomas

CONSENT AGENDA

1. September 6, 2022, Planning & Zoning Board Meeting Minutes

Chair Erched asked for approval of the consent agenda.

Motion made by Member Baker to approve the consent agenda.

Seconded by Member Polo.

Chair Erched asked for Public Comment, there was none.

Voting Yea: Chair Erched, Member Baker, and Member Polo.

MOTION PASSED 3-0

PUBLIC HEARINGS AND ORDINANCES

32. Public Hearing on a Special Exception petition for a Small-Scale Rural Subdivision known as Lakota.

Quasi-Judicial Public Hearing: Resolution 2022-65/SE 22-05, a request by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Jilanne Belcher, Owner, for a Special Exception in the Agricultural (A) zoning district for a Small-Scale Rural Subdivision known as Lakota on a 45.53-acre, more or less, site generally located northwest of the intersection of Southwest 15 Avenue and Southwest 170 Street; Alachua County Parcel Number 01861-001-000.

Chair Erched reviewed the Quasi-Judicial Hearing process and procedures. He then read through the presentation order.

Jeannene Mironack swore in Director Bryan Thomas; Principal Planner Jean-Paul W. Perez; and Randy Olney, PE, MBA, CHW, Inc.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Member Baker, and Member Polo.

There was no third-party intervenor present.

Attorney Ballou read Resolution 2022-65 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint

presentation.

Randy Olney presented the application with a PowerPoint presentation.

Chair Erched asked for Public Comment. There was none.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the Planning & Zoning Board recommend the Board of Adjustment approve, approve with conditions, or deny Resolution 2022-65/SE 22-05.

Attorney Ballou advised the Board of applicable law.

Motion made by Member Polo to recommend approval of Resolution 2022-65/SE 22-05 to the Board of Adjustment.

Seconded by Member Baker.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Member Baker, and Member Polo.

MOTION PASSED 3-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on October 24, 2022.

23. Public Hearing on a petition requesting approval of a Major Subdivision, Preliminary Plat, known as Lakota.

Quasi-Judicial Public Hearing: Resolution 2022-26/SD 22-04, a request by Causseaux, Hewett, and Walpole, Inc. dba CHW, Agent for Jilanne Belcher, Owner, to request approval of a Major Subdivision, Preliminary Plat. The project is approximately 45.53 acres containing 15 lots generally located northwest of the intersection of Southwest 15 Avenue and Southwest 170 Street, Alachua County Parcel Numbers 04371-001-001 and 04379-000-000.

No new participants entered the chambers. Attorney Ballou read Resolution 2022-26 by title only.

Director Bryan Thomas, Principal Planner Jean-Paul W. Perez; and Randy Olney remained sworn.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Member Baker, and Member Polo.

Principal Planner Perez presented the staff overview and report with a PowerPoint

presentation.

Randy Olney presented the application with a PowerPoint presentation.

Chair Erched asked for Public Comment. There was none.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the Planning & Zoning Board recommend the City Commission approve, approve with conditions, or deny Resolution 2022-26/SD 22-04.

Attorney Ballou advised the Board of applicable law.

Motion made by Member Baker to recommend approval of Resolution 2022-26/SD 22-04, with the exception recommended by staff, to the City Commission.

Seconded by Member Polo.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Member Baker, and Member Polo.

MOTION PASSED 3-0

Chair Erched announced the City Commission will hold their first hearing on this item on October 24, 2022.

4. Public Hearing for a Special Use Permit for mining activities.

Legislative Public Hearing: Resolution 2022-66/SUP 22-01, an application by eda consultants, inc., Agent for Cates & Broome, LLC and Cates and Broome Partnership, Owners, for a Special Use Permit for mining activities on approximately 124 acres identified by Alachua County Parcel Numbers 01855-000-000, 01855-001-000, 01855-002-000, 01856-000-000, and 01862-000-000.

Attorney Ballou read Director of Planning by title only.

Principal Planner Perez presented a PowerPoint presentation with the staff overview and report.

Clay Sweger, AICP, LEED AP, Director of Planning, eda consultants inc., presented the application.

Motion made by Member Baker to recommend to the City Commission approve Resolution 2022-66/SUP 22-01.

Seconded by Member Polo.

Voting Yea: Chair Erched, Member Polo, and Member Baker.

MOTION PASSED 3-0

Chair Erched announced the City Commission will hold their first hearing on this item on October 24, 2022.

Vice-Chair Long joined the meeting.

5. Request by JBPro Group, Inc. to amend the Future Land Use Map classification on ±258.3 acres from Agriculture and Low Density Residential to Planned Residential Development

Quasi-Judicial Hearing: Ordinance 2022-46/CPA 22-06, an application by JBrown Professional Group, Inc., dba JBPro Group, Inc., Agent for Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Future Land Use Plan Map of the City of Newberry Comprehensive Plan from Agriculture and Residential Low Density to Planned Residential Development on ±258.3 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street; identified by Alachua County Parcel Numbers 02508-002-000, 02514-000-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-000-000, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002, and a portion of 01981-001-001.

No new participants entered the chambers

Chair Erched announced that this item was a Quasi-Judicial Hearing.

Jean-Paul Perez remained sworn. Jeannene Mironack swore in Chris Potts, PE, Director of Engineering, JBPro Group, Kurt Pomeroy, Ron Davis, Pam Burns, Paul Hornby, Diane Hornby, Ted May, Ronald Edwards, Robin Loftin, Barry Sander, and Martha Waltman.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

There was no third-party intervenor present.

Attorney Ballou read Ordinance 2022-46 by title only.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

Chris Potts presented the application with a PowerPoint presentation.

Chair Erched asked for Public Comment. Kurt Pomeroy, Ron Davis, Pam Burns, Paul Hornby, Diane Hornby, Ted May, Ronald Edwards, Robin Loftin, Barry Sander, and Martha Waltman spoke.

Chris Potts responded to questions raised during Public Comment.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the Planning & Zoning Board recommend the City Commission approve, approve with conditions, or deny Ordinance 2022-46/CPA 22-06.

Attorney Ballou advised the Board of applicable law.

Motion made by Vice-Chair Long to recommend approval of Ordinance 2022-46/CPA 22-06 to the City Commission.

Seconded by Member Polo.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Vice-Chair Long, and Member Polo.

Voting Nay: Member Baker.

MOTION PASSED 3-1

Chair Erched announced the City Commission will hold their first hearing on this item on October 24, 2022.

6. Request by JBPro Group, Inc. to rezone ±258.3 acres from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD)

Quasi-Judicial Hearing: Ordinance 2022-47/LDR 22-10, an application by JBrown Professional Group, Inc. dba JBPro Group, Inc., Agent for Jason, Mary, James, Connie, Paul, Tammy, and Lewis Coleman and Austin, Emma, and David Mattox, Owners, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by from Agricultural (A) and Residential (Mixed) Single-Family/Mobile Home (RSF/MH-2) to Planned Residential Development (PRD) on ±258.3 acres, generally located at the intersection of Southwest 15 Avenue and Southwest 266 Street, identified by Alachua County Parcel Numbers 02514-000-000, 02508-002-000, 02522-000-000, 02523-001-000, 02523-001-001, 02538-004-001, 02538-004-002, 02538-006-000, 02538-006-002, and a portion of 01981-001-001. (This application is dependent upon adoption of Ordinance 2022-46/CPA 22-06.)

No new participants entered the chambers

Attorney Ballou read Ordinance 2022-47 by title only.

Jean-Paul Perez, Chris Potts, and Paul Hornby remained sworn. Jeannene Mironack sworn in Kevin Coleman.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

Chris Potts presented the application.

Chair Erched asked for Public Comment. Paul Hornby spoke.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the Planning & Zoning Board recommend the City Commission approve, approve with conditions, or deny Ordinance 2022-47/LDR 22-10.

Attorney Ballou advised the Board of applicable law.

Motion made by Vice-Chair Long to recommend approval of Ordinance 2022-47/LDR 22-10 to the City Commission.

Seconded by Member Polo.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Vice-Chair Long, and Member Polo.

Voting Nay: Member Baker.

MOTION PASSED 3-1

Chair Erched announced the City Commission will hold their first hearing on this item on October 24, 2022.

7. Public Hearing on a petition for a variance to allow an accessory structure in the side yard within the Newberry Place Planned Residential Development.

Quasi-Judicial Public Hearing: Resolution 2022-67/V 22-02, a petition by Wilfredo Gonzalez Valentin, Owner, for a variance to allow an accessory structure within the side yard for a property located at 649 Southwest 242 Terrace; Alachua County Parcel Number 01933-010-087. The purpose of the request is to allow for an inground pool within the side yard.

No new participants entered the chambers

Attorney Ballou read Resolution 2022-67 by title only.

Bryan Thomas remained sworn.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

There was no third-party intervenor present.

Director Thomas presented the staff overview and report with a PowerPoint presentation.

The applicant declined to speak.

Chair Erched asked for Public Comment. There was none.

Director Thomas presented the staff recommendation that the Planning & Zoning Board recommend the Board of Adjustment approve, approve with conditions, or deny Resolution 2022-67/V 22-02.

Attorney Ballou advised the Board of applicable law.

Motion made by Vice-Chair Long to recommend approval of Resolution 2022-67/V 22-02 to the Board of Adjustment.

Seconded by Member Baker.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on October 24, 2022.

8. **Public Hearing on a petition for a variance to allow an 8-foot encroachment into the required 10-foot rear yard for an accessory structure ancillary to a single-family residence within Phase 3 of Countryway at Newberry Planned Development.**

Quasi-Judicial Public Hearing: Resolution 2022-68/V 22-03, a petition by Jacob D. and Gilberto M. Gonzalez-Welker, Owners, for a variance to allow an 8-foot encroachment into the required 10-foot rear yard setback for a property located at 24647 Southwest 21 Circle; Alachua County Parcel Number 02544-030-128. The purpose of the request is to allow for an inground pool within the required rear yard.

No new participants entered the chambers

Attorney Ballou read Resolution 2022-68 by title only.

Jean-Paul Perez remained sworn. Jeannene Mironack swore in Jacob Gonzalez-Welker.

Chair Erched asked for ex parte communication. There was none.

Voting Nay: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

There was no third-party intervenor present.

Principal Planner Perez presented the staff overview and report with a PowerPoint presentation.

Jacob Gonzalez-Welker presented the application.

Chair Erched asked for Public Comment. There was none.

The Board questioned staff and the applicant. Discussion ensued.

Principal Planner Perez presented the staff recommendation that the Planning & Zoning Board recommend the Board of Adjustment approve, approve with conditions, or deny Resolution 2022-68/V 22-03.

Attorney Ballou advised the Board of applicable law.

Motion made by Chair Erched to recommend approval of Resolution 2022-68/V 22-03 to the Board of Adjustment.

Seconded by Member Baker.

Chair Erched asked for public comment on the motion. There was none.

Voting Yea: Chair Erched, Vice-Chair Long, Member Baker, and Member Polo.

MOTION PASSED 4-0

Chair Erched announced the Board of Adjustment will hold their hearing on this item on October 24, 2022.

TOPICS FROM MEMBERS FOR DISCUSSION

Member Polo invited all veterans to RSVP for the Greater Gainesville Chamber of Commerce's free Veterans Appreciation Lunch on November 1, 2022.

Member Polo requested assistance with assembling the scarecrow sponsored by the Greater Gainesville Chamber of Commerce.

Chair Erched stated that serving on the Planning & Zoning Board and the Historic Architectural Review Board with Linda Woodcock has been an honor.

Mayor Marlowe reminded everyone that the University of Florida Homecoming is this weekend. Alachua County Schools are closed Friday.

Mayor Marlowe invited everyone to come to the Lions' Club Breakfast & Sale on Saturday. This is a fundraiser for Hurricane Ian relief efforts and Lyme Disease Treatment and Awareness.

Mayor Marlowe reminded everyone that next week is Newberry High School's Spirit Week and Homecoming.

MEETING ADJOURNMENT

The meeting adjourned at 9:54 PM.

Copies of any agenda attachments are available for public inspection at the Planning Department, located at 25815 SW 2nd Avenue, Newberry, Florida, during regular business hours.

If A Person, Firm, or Corporation Desires to Take an Appeal From any Action Taken At the Above Meeting or Hearing, It May Be Necessary to Have A Verbatim Record of the Proceedings and It Is the Person, Firm, or Corporation's Duty to See that Such A Record Is Made. In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation for attendance at this meeting should contact MV Transportation, Inc. At (352) 375-2784, not later than 72 hours prior to the proceedings. If hearing impaired, call the Florida Relay System at (800) 955-8770.