



# City of Newberry Planning and Zoning Board

Monday, June 14, 2022  
6:00 p.m.

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

## MINUTES

### CALL TO ORDER

Chair Erched called the meeting to order at 6:00 p.m.

### APPROVAL OF AGENDA

Chair Erched asked for approval of the agenda.

**Motion made by Member Baker to approve the agenda.**

**Seconded by Member Woodcock.**

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

**MOTION PASSED 5-0**

### QUORUM CHECK

Mayor  
Board Members

Jordan Marlowe  
Naim Erched, Chair  
Donald Long, Vice-Chair  
Jessica Baker  
Anne Polo  
Linda Woodcock

City Attorney

Scott Walker

Staff:

Director of Planning & Economic Development  
Principal Planner  
Staff Assistant

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

### CONSENT AGENDA

#### 1. July 5, 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 Vice-Chair Long.**

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

**MOTION PASSED 5-0**

## **PUBLIC HEARINGS AND ORDINANCES**

- 3. Quasi-Judicial Public Hearing: Ordinance 2022-28/LDR 22-08, an application by Tocknell Planning Services LLC, Agent for Morlynn Properties LLC, Owner, to amend the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning from Residential, Single-Family-2 (RSF-2) to Planned Development (PD) on 1.69 acres, located within the Economic Overlay and Historic Districts, and identified by Alachua County parcel numbers 02282-000-000 and 02235-000-000.**

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

Jeanene swore in Director Thomas, Planner Jackson; Steve Tocknell, FAICP, Tocknell Planning Services LLC, Applicant's Agent; Morgan Lee Smith IV, Owner; Bob Lusnia, and Paul Kevin Coleman.

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

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

There was no third-party intervenor present.

Director Thomas read the applicant's name and application into the record.

Planner Jackson presented the staff overview and report with a PowerPoint presentation. Recommendation is to recommend that the City Commission approve Ordinance 2022-28 /Application LDR 22-08.

Mr. Tocknell presented the Application with a PowerPoint presentation.

Chair Erched asked for public comment.

Attorney Ballou disconnected from the meeting.

Bob Lusnia, Morgan Lee Smith IV, and Paul Kevin Coleman commented.

Planner Jackson responded to the Board.

The Board discussed the application.

Steve Tocknell responded.

Director Thomas and Principal Planner Perez responded to the Board.

Director Thomas advised the Board of applicable law.

**Motion made by Chair Erched to recommend approval of Ordinance 2022-28/LDR 22-08 to the**

**City Commission with the condition that as many trees as possible are saved.**

**Seconded by Member Long.**

Chair Erched asked for public comment on the motion.

Bob Lusnia commented.

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

**MOTION PASSED 3-0**

Chair Erched announced the City Commission would hold the First Reading on this item on June 27, 2022.

- 4. Quasi-Judicial Public Hearing: Resolution 2022-30/SDP 22-09, an application by Marcus A. Milam, III, Owner, for Site and Development Plan approval to install a 720 square foot pet crematorium building ancillary to an existing funeral home located at 22405 West Newberry (tax parcel 01924-008-005).**

No one new entered the chambers.

Director Thomas read Resolution 2022-30 by title only.

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

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

Principal Planner Perez remained sworn.

Gary Clemmons, Agent for Marcus A. Milam, III, Owners; and Ashley Milam were sworn in.

There was no third-party intervenor present.

Principal Planner Perez presented the overview and report with a PowerPoint. Recommend the City of Newberry Board of Adjustment approve the Resolution 2022-30/SDP 22-09 with staff's conditions.

Gary Clemmons and Ashley Milam spoke regarding the Application.

Chair Erched asked for public comment. There was none.

No cross-examination or final argument.

The Board discussed the application.

Director Thomas responded to the Board.

Director Thomas reminded the Board of applicable law.

**Motion made by Chair Erched to recommend approval Resolution 2022-30/SDP 22-09 to the Board of Adjustment with conditions that the**

**exterior must match the existing Funeral Home structure and the Roll-up Door is not visible from Right of Way of State Road 26.**

**Seconded by Member Long.**

Chair Erched asked for public comment.

There was no public comment.

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

**MOTION PASSED 3-0**

Chair Erched announced the Board of Adjustment Hearing on this item will be June 27, 2022.

- 5. Legislative Public Hearing: Ordinance 2022-27/LDR 22-11, an application by the City of Newberry to amend the City of Newberry Land Development Regulations, Section 4.2 and Subsection 4.4.5, to allow Small-Scale Rural Subdivisions as a Special Exception within the "A" Agricultural Zoning District.**

Principal Planner Perez presented the draft of Ordinance 2022-27 with a PowerPoint.

Randall Olney, PE, MBA, Director of Engineering, Land Development, CHW; and Christopher Topping, and Amber Beckham, Realtor, General Contractor, commented on the draft ordinance.

Discussion ensued.

**Motion made by Chair Erched recommend approval of Ordinance 2022-27/LDR 22-11 to the City Commission with the following conditions:**

- 1. Accessory dwelling unit be no different than that established in the Land Development Regulations.**
- 2. Clarify language regarding single septic tanks on individual lots.**
- 3. Eliminate restriction on the number of electrical meters from the Ordinance.**
- 4. Allow fencing interior to the subdivision not visible from the public right-of-way to be regulated by the homeowner's association.**
- 5. Allow commercial vehicle storage and standards interior to the subdivision to be regulated by the homeowner's association.**

6. **Allow exemption from common open space requirements for subdivisions providing a gross density greater than 1 unit to 3 acres.**

**Seconded by Member Long.**

Chair Erched asked for public comment.

There was no public comment.

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

**MOTION PASSED 3-0**

Chair Erched announced the City Commission would hold the First Reading on this item on July 11, 2022.

#### **TOPICS FROM MEMBERS FOR DISCUSSION**

Staff Assistant Mironack reminded the Board that the next meeting was Tuesday, July 5, 2022, due to Monday, July 4<sup>th</sup> being a Holiday.

Vice-Chair Long invited everyone to the Juneteenth Celebration at Freddy Warmack Park on June 18<sup>th</sup> from 4 to 8 PM. There will be food trucks, vendors, and entertainment.

Chair Erched announced that the Archer Commission had approved support of the Opioid Prevention efforts and that the Children's Trust of Alachua County was managing the finances.

#### **MEETING ADJOURNMENT**

Meeting adjourned at 8:50 p.m.