



THURSDAY APRIL 7, 2022
MINUTES

CALL TO ORDER

A. Roll Call 9:05 AM

- Commissioner John Kern, Chair Present
- Commissioner Marcelle Griffith Burke, Vice Chair Present
- Commissioner Cheri Pavlik Present
- Commissioner Michael Kelley Present
- Commissioner Sam Caliendo Present
- Commissioner Sheri Scarborough Present (9:07)
- Commissioner Alex Brumfield Present (9:15)
- Commissioner Mark Beatty Present
- Commissioner Jess Sowards Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file, approved by a vote of 8-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
Moved			Second					
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

- F. Swearing In – County Attorney
- G. Adoption of the Minutes

Motion to receive and file, approved by a vote of 8-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Moved	Second				
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

H. Amendments to the Agenda

Mrs. Hernández read into the record modifications published on the Amendments to the Agenda form. In addition advised the Board that Staff was working with the Applicant on Use Limitations Conditions for item # 8, SV/DOA-2021-000921 Palm Beach Logistics. Mrs. Hernández advised the Board that there were no cards received for item #10, SV/PDD/CA-2021-00460, All Seasons Delray Beach, and it was at the discretion of the Board if they would like to move the item from the Regular Agenda to the Consent Agenda.

I. Motion to adopt the Agenda

Motion to receive and file, approved by a vote of 8-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
Moved			Second					
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

J. Disclosures

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
9	9	None	None	9,10	9	None	9	9

* Commissioner Beatty filed Memorandum of Voting Conflict Form 8B (F.S. 112.3143) with Zoning Technician for item #3, ABN/PDD-2021-01322 Mountain Business Center MUPD, and item #7, Z-2021-02124 Las Farms Landscape, prior to vote.

K. Amendments to the Agenda

Motion to move item #10 to the Consent Agenda approved by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Moved	Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Motion to adopt Agenda, as amended, approved by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Moved	Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- ZV/ABN/CA-2021-00797** Title: a Type 2 Variance application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow the increase in an easement overlap from 5 feet to 10 feet on a 20-foot right-of-way buffer

Title: a Development Order Abandonment application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to abandon a Type 2 Waiver to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and, increase the setback from the build-to-line

Title: a Class A Conditional Use application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow a Car Wash

General Location: Northeast corner of South Military Trail and Vermont Avenue (**Palm Elite Car Wash**) (Control 2013-00200)

Pages 1 - 1

Project Manager: James Borsos

Size: 0.93 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, May 5, 2022.

MOTION: No motion required.

- ZV-2021-01937** Title: a Type 2 Variance application of Richard Critchfield by Dunay Miskel and Backman LLP, Agent. Request: to reduce the side and rear setbacks for Buildings B and C and the outdoor storage area

General Location: Approximately 0.12 mile north of Happy Hollow Road and approximately

0.1 mile west of Lyons Road (**Critchfield Holdings**) (Control 2004-00206)

Pages 1 - 23

Conditions of Approval Pages (5 - 5)

Project Manager: Donna Adelsperger

Size: 4.90 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday, May 5, 2022.

MOTION: No motion required.

B. REMANDS

C. WITHDRAWALS

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

3. **ABN/PDD-2021-01322** Title: a Development Order Abandonment application of Butters SA, LLC. - Malcolm Butters, Southeast Investments of Palm Beach County, Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to abandon a Conditional Overlay Zone (COZ) granted pursuant to Resolution R-2020-0056 Title: an Official Zoning Map Amendment application of Butters SA, LLC. - Malcolm Butters, Southeast Investments of Palm Beach County, Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
General Location: Southeast corner of Atlantic Avenue and US 441/SR 7 (**Mountain Business Center MUPD**) (Control 2003-00830)
 Pages 1 - 22
 Conditions of Approval Pages (6 - 8)
 Project Manager: Donna Adelsperger
 Size: 14.22 acres ± BCC District: 5
Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment subject to the Conditions of Approval in Exhibit C.

Motion carried by a vote of 8-0-1

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
Moved			Second					
Yes	Yes	Yes	Yes	Yes	Recused	Yes	Yes	Yes

Board Decision: Recommended Approval of a Zoning Map Amendment by a vote of 8-0-1.

7. **Z-2021-02124** Title: an Official Zoning Map Amendment application of Las Farms Of The Palm Beaches LC by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District
General Location: West of State Road 7, approximately 0.5 miles north of Boynton Beach Blvd (**Las Farms Landscape**) (Control 1995-50007)
 Pages 1 - 9
 Conditions of Approval Pages (5 - 5)
 Project Manager: Jordan Jafar
 Size: 6.95 acres ± BCC District: 5
Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-1

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
Moved			Second					
Yes	Yes	Yes	Yes	Yes	Recused	Yes	Yes	Yes

Board Decision: Recommended Approval of a Zoning Map Amendment by a vote of 8-0-1.

4. **DOA/CA-2021-01577** Title: a Development Order Amendment application of Central Baptist Church of WPB FL, Inc. by Land Research Management Inc., Agent. Request: to modify the Site Plan and Conditions of Approval, and to delete square footage
Title: a Class A Conditional Use application of Central Baptist Church of WPB FL, Inc. by Land Research Management Inc., Agent. Request: to allow an Elementary or Secondary School (Private)
General Location: South side of Gun Club Road, approximately 600 feet east of Military Trail **(Central Baptist Church)** (Control 2004-00325)
 Pages 1 - 18
 Conditions of Approval Pages (6 - 9)
 Project Manager: James Borsos
 Size: 4.43 acres ± BCC District: 3

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan and Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow an Elementary or Secondary School, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

5. **DOA-2021-01031** Title: a Development Order Amendment application of Chabad Lubavitch of Boynton, Inc. by Land Research Management Inc., Agent. Request: to modify the site plan, uses, and Conditions of Approval (Place of Worship)
Title: a Development Order Amendment application of Chabad Lubavitch of Boynton, Inc. by Land Research Management Inc., Agent. Request: to modify the site plan, uses, and Conditions of Approval (Day Care)
General Location: West side of El Clair Ranch Road, approximately 0.3 miles north of Woolbright Road **(Chabad Lubavitch Temple)** (Control 1997-00068)

Pages 1 - 22
 Conditions of Approval Pages (5 - 12)
 Project Manager: James Borsos
 Size: 2.37 acres ± BCC District: 5

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

MOTION: To recommend approval of a Development Order Amendment to modify the site plan, uses, and Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				

Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
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Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Amendment to modify the site plan, uses, and Conditions of Approval (Day Care) subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

6. **DOA/CA-2021-01576** Title: a Development Order Amendment application of Melrose Center Boynton LLC by WGINC, Agent. Request: to modify the Site Plan and Master Plan; add square footage, and uses; and, delete a Condition of Approval Title: a Class A Conditional Use application of Melrose Center Boynton LLC by WGINC, Agent. Request: to allow a Type 1 Restaurant with drive-through
General Location: Northeast corner of State Road 7/US 441 and Armone Place (**Melrose PUD Commercial**) (Control 1982-00040)
 Pages 1 - 29
 Conditions of Approval Pages (6 - 18)
 Project Manager: Imene Haddad
 Size: 4.94 acres ± BCC District: 5

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan and Regulating plan, add square footage, add uses; and, delete a Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with Drive-through subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

8. **SV/DOA-2021-00921** Title: a Subdivision Variance application of Duke Realty LP - Richard Swindasz, Duke Realty Land LLC by Schmidt Nichols, Agent. Request: to allow access from a road with a higher classification (Benoist Farms Road) rather than from the lower classification (Stinson Way)
Title: a Development Order Amendment application of Duke Realty LP - Richard Swindasz, Duke Realty Land LLC by Schmidt Nichols, Agent. Request: to add land area and square footage and to modify the site plan and Conditions of Approval
General Location: West side of Benoist Farms Road, approximately 0.12 miles south of Belvedere Road (**Palm Beach Logistics Center**) (Control 1988-00019)

Pages 1 - 49

Conditions of Approval Pages (9 - 13)

Project Manager: Timothy Haynes

Size: 23.99 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To adopt a Resolution approving a Type 2 Subdivision Variance to allow access from a road with a higher classification (Benoist Farms Road) rather than from the lower classification (Stinson Way) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Amendment to modify site plan; to add land area; modify the use; and, modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

- SV/PDD/CA-2021-00460** Title: a Subdivision Variance application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow access from an individual lot to be permitted directly to a major street (Lyons Road)
Title: an Official Zoning Map Amendment application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
Title: a Class A Conditional Use application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow a Congregate Living Facility (CLF)
General Location: East side of Lyons Road, approximately 0.76 miles north of Linton Boulevard (**All Seasons Delray Beach**) (Control 2012-00424)

Pages 1 - 81

Conditions of Approval Pages (10 - 15)

Project Manager: Timothy Haynes

Size: 14.73 acres ±

BCC District: 5

(affected area 9.73 acres ±)

Staff Recommendation: Staff is recommending approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To adopt a Resolution approving a Type 2 Subdivision Variance to allow access from individual lot to be permitted directly to a major street (Lyons Road).

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 9-0-0.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserved (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second	Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

Board Decision: Recommended Denial of a Development Order Amendment, without prejudice, by a vote of 9-0-0.

MOTION: To recommend denial of a Development Order Amendment to modify uses, without prejudice.

Motion carried by a vote of 9-0-0

Kern	Burke	Kelley	Caliendo	Scarborough	Beatty	Brumfield	Pavlik	Sowards
			Second		Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Decision: Recommended Denial of a Development Order Amendment, without prejudice, by a vote of 9-0-0.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT 12:00 PM

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on APRIL 07, 20 22 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK.

ZONING COMMISSION PUBLIC HEARING
APRIL 07 2022
AGENDA ITEM #3 ABN/PDD-2021-01322
AGENDA ITEM #7 Z-2021-02124

04/07/2022
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on APRIL 07, 20 22 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK.

ZONING COMMISSION PUBLIC HEARING
APRIL 07 2022
AGENDA ITEM #3 ABN/PDD-2021-01322
AGENDA ITEM #7 Z-2021-02124

04/07/2022
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME BEATTY MARK STEVEN	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION
MAILING ADDRESS 2461 PALM HARBOR DRIVE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY PALM BEACH GARDENS, FLORIDA	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY PALM BEACH	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED ABSTAINED FROM VOTING ITEMS #3 ABN/PDD-2021-01322 & #7 Z-2021-02124	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)