Board of County Commissioners

County Administrator

Verdenia C. Baker



Department of Planning, Zoning & Building

2300 N. Jog Road West Palm Beach, FL 33411 Phone: 561-233-5200 Fax: 561-233-5165

ORDER OF BUSINESS ZONING COMMISSION PALM BEACH COUNTY, FLORIDA

THURSDAY SEPTEMBER 6, 2018

9:00 A.M.

Vista Center, Ken Rogers Hearing Room, VC-1W-47 2300 N Jog Rd, West Palm Beach, 33411

CALL TO ORDER

A. Roll Call - 9:16am

Commissioner Mark Beatty, Chair Present Commissioner Alex Brumfield III, Vice Chair Present Commissioner Sam Caliendo Absent Commissioner Sheri Scarborough Present Commissioner Amir Kanel Absent Commissioner Joseph Snider Absent Commissioner Barbara Katz Present Commissioner Robert Currie Present

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

Motion to receive and file 5-0

		. a.i.a iii o	•				
Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

F. Adoption of the Minutes

Motion carried 5-0

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

G. Swearing In

H. Disclosures

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
		6		No	No	4 & 6*	No
Absent	Absent		Absent				

^{*}Commission Chair Mark Beatty Recused himself from Item #6, ABN/ZV/CA-2017-02003 (American German Club)

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. POSTPONEMENTS
- B. REMANDS
- C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT
 - 4. ZV/DOA/CA-2018-00394 Polo Club Shoppes

MOTION CARRIED 7-0

- **B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- D. ZONING APPLICATIONS NEW
- 1. <u>CA-2018-00303</u> <u>Title:</u> a Class A Conditional Use application of Thomas McGovern by Land Research Management Inc., Agent. <u>Request:</u> to allow Limited Pet Boarding accessory to a Single-Family residence.

<u>General Location:</u> Northeast corner of 67th Street North and Coconut Boulevard. **(McGovern's K9 Solutions)** (Control 2018-00026)

Pages 1 - 16

Conditions of Approval Pages (6 - 7) Project

Manager: Lorraine Fuster

Size: 1.32 acres <u>+</u> BCC District: 6

<u>Staff Recommendation:</u> Staff recommends approval of the request, subject to 9 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Class A Conditional Use to allow a Limited Pet Boarding accessory to Single-Family residence subject to the Conditions of Approval as indicated in Exhibit C.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Second	Moved		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

Decision: Recommended Approval of a Class A Conditional Use (as amended) by a vote of 5-0-0.

2. **ZV/Z/W-2018-00380** Title: an Official Zoning Map Amendment application of Jimenez Family Limited Partnership, Skees Industrial Park, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District and Single Family Residential (RS) Zoning District to the General Industrial (IG) Zoning District.

<u>General Location:</u> Approximately 0.15 miles north of Belvedere Road on the east side of Skees Road. **(A1 Industrial Park)** (Control 2005-00231)

Pages 17 - 35

Conditions of Approval Pages (22 - 23)

Project Manager: Lorraine Fuster

Size: 9.85 acres <u>+</u> BCC District: 2

<u>Staff Recommendation:</u> Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ) and 8 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District and Single Family Residential (RS) Zoning District to General Industrial (IG) Zoning District with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

<u>Decision: Recommended Approval of an Official Zoning Map Amendment (as amended) by a vote of 5-0-0.</u>

3. <u>ABN/DOA/CA-2018-00406</u> <u>Title:</u> a Development Order Abandonment application of Family Church 6, LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to abandon a Class A Conditional Use for a Place of Worship.

<u>Title:</u> a Class A Conditional Use application of Family Church 6, LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a Day Care General.

General Location: Northeast corner of Indiantown Road and 134th Way North. (Jupiter Farms Baptist Church) (Control 1998-00061)

Pages 36 - 51

Conditions of Approval Pages (42 - 43) Project Manager: Diego Penaloza

Size: 10.31 acres <u>+</u> BCC District: 1

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 15 Conditions of Approval as indicated in Exhibit C.

MOTION: to recommend approval of a Development Order Abandonment for a Class A Conditional Use to allow a Place of Worship.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Second	Moved		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

Decision: Recommended Approval of a Development Order Abandonment by a vote of 5-0-0.

MOTION: to recommend approval of a Class A Conditional Use to allow a Day Care General subject to 15 Conditions of Approval as indicated in Exhibit C.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Second	Moved		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

Decision: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

4. **ZV/DOA/CA-2018-00394** Title: a Type 2 Variance application of Jamestown 29 Investment Holdings LP by Urban Design Kilday Studios, Agent. Request: To allow an increase in height for a relocated Ground Mounted Freestanding Sign; and, to modify Incompatibility Buffers, to include: reduction of buffer width, number of trees and palms, and width of planting area adjacent to a wall; to eliminate small and medium shrubs, a wall, and shrubs required on both sides of a wall; and, to allow an increase in easement overlap.

<u>Title:</u> a Development Order Amendment application of Jamestown 29 Investment Holdings LP by Urban Design Kilday Studios, Agent. <u>Request:</u> to reconfigure the Site Plan and modify the Regulating Plan; to add land area; to add uses; to add an access point, to add square footage; and, modify Conditions of Approval (All Petitions and Engineering).

<u>Title:</u> a Class A Conditional Use application of Jamestown 29 Investment Holdings LP by Urban Design Kilday Studios, Agent. <u>Request:</u> to allow a Type 1 Restaurant with a Drive-Through.

<u>General Location:</u> Southwest corner of Military Trail and Champion Blvd. **(Polo Club Shoppes)** (Control 1986-00090)

Pages 52 - 98

Conditions of Approval Pages (64 - 70)

Project Manager: Carlos Torres

Size: 14.18 acres <u>+</u> BCC District: 5

(affected area 9.14 acres +)

<u>Staff Recommendation:</u> Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1, 22 Conditions of Approvals as indicated in Exhibit C-2, and 5 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Type 2 Variance to allow an increase in height for a relocated Ground Mounted Freestanding Sign; and, to modify Incompatibility Buffers, to include: reduction of buffer width, number of trees and palms, and width of planting area adjacent to a wall; to eliminate small and medium shrubs, a wall, and shrubs required on both sides of a wall; and, to allow an increase in easement overlap subject to the Conditions of Approval as indicated in Exhibit C-1.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

Decision: Recommended Approval of a Type 2 Varience by a vote of 5-0-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan and modify the Regulating Plan; to add land area; to add uses; to add an access point, to add square footage; and, modify Conditions of Approval (All Petition and Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
				Moved	Second		
Absent	Absent	Yes	Absent	Yes	Yes	Yes	Yes

Decision: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-Through subject to the Conditions of Approval as indicated in Exhibit C-3.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Absent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

Decision: Withdrawn by applicant.

5. <u>DOA-2017-02490</u> <u>Title:</u> a Development Order Amendment application of SR II, LLC by Urban Design Kilday Studios, Agent. <u>Request:</u> to reconfigure the Site Plan; relocate square footage; increase building square footage; and, modify a Condition of Approval (Environmental).

<u>General Location:</u> East side of Pratt Whitney Road, approximately 1,000 feet north of Corporate Road North. (Palm Beach Park of Commerce Surf Ranch Florida) (Control 1981-00190)

Pages 99 - 133

Conditions of Approval Pages (108 - 112)

Project Manager: Lorraine Fuster

Size: 78.91 acres <u>+</u> BCC District: 1

(affected area 46.66 acres <u>+</u>)

Staff Recommendation: Staff recommends approval of the request, subject to 27 Conditions

of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; relocate square footage; increase building square footage; and, to modify a Condition of Approval (Environmental).

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Absent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

<u>Decision: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.</u>

- **E. CORRECTIVE RESOLUTIONS**
- F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT
- **B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- D. ZONING APPLICATIONS NEW
- 6. <u>ABN/ZV/Z/CA-2017-02003</u> <u>Title:</u> a Development Order Abandonment application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to abandon a Special Exception to allow the expansion of an existing Private Club, Sewage Treatment Plant and On-Site Water Treatment Facility.

<u>Title:</u> a Type 2 Variance application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to allow for an increase in easement overlap within a Compatibility Buffer; to modify a Right-of-Way (R-O-W) Buffer, to include: width reduction, to eliminate small and medium shrubs, to eliminate trees; eliminate or reduce minimum wall or fence setback, and eliminate or reduce 75 percent planting on the exterior side of a fence or wall; to allow for Drive Aisle width reduction; and, to eliminate a Divider Median within the parking area.

<u>Title:</u> an Official Zoning Map Amendment application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) the Zoning District.

<u>Title:</u> a Class A Conditional Use application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to allow an Assembly Membership Nonprofit.

<u>General Location:</u> Northeast corner of Lantana Road and Myers Road, approximately 870 feet west of Haverhill Road. (American German Club) (Control 1981-00148)

Pages 134 - 196

Conditions of Approval Pages (148 - 153) Project Manager: Carlos Torres

Size: 10.27 acres +

District: 2

BCC

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C-1, 1 Condition of Approval as indicated in Exhibit C-2, and 17 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow the expansion of an existing Private Club, Sewage Treatment Plant, On-Site Water Treatment Facility.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Absent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

^{*}Commission Chair Mark Beatty Recused himself from ABN/ZV/Z/CA-2017-02003 (American German Club)

<u>Decision: To Postpone to October 4, 2018 due to lack of quorum.</u>

MOTION: To adopt a resolution approving a Type 2 Variance to allow for an increase in easement overlap within a Compatibility Buffer; to modify a Right-of-Way (ROW) Buffer, to include: width reduction, to eliminate small and medium shrubs, to eliminate trees;

eliminate or reduce minimum wall or fence setback, and eliminate or reduce 75 percent planting on the exterior side of a fence or wall; to allow for Drive Aisle width reduction; and, to eliminate a Divider Median within the parking area subject to the Conditions of Approval as indicated in Exhibit C-1.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Absent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

^{*}Commission Chair Mark Beatty Recused himself from ABN/ZV/Z/CA-2017-02003 (American German Club)

Decision: To Postpone to October 4, 2018 due to lack of quorum.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) Zoning District subject to the Condition of Approval as indicated in Exhibit C-2.

K	anel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
At	osent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

^{*}Commission Chair Mark Beatty Recused himself from ABN/ZV/Z/CA-2017-02003 (American German Club)

<u>Decision: To Postpone to October 4, 2018 due to lack of quorum.</u>

MOTION: To recommend approval of a Class A Conditional Use to allow an Assembly Membership Nonprofit subject to the Conditions of Approval as indicated in Exhibit C-3.

Kanel	Snider	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Absent	Absent	N/A	Absent	N/A	N/A	N/A	N/A

^{*}Commission Chair Mark Beatty Recused himself from ABN/ZV/Z/CA-2017-02003 (American German Club)

Decision: To Postpone to October 4, 2018 due to lack of quorum.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY
- **B.** ZONING DIRECTOR
- 7. 2019 Zoning Commission Hearing dates.

C. PLANNING DIRECTOR

- D. EXECUTIVE DIRECTOR
- E. COMMISSIONERS

ADJOURNMENT 9:58am



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.

DISC	LOSURE OF LOCA	L OFFICER'S INTEREST	
I, MARK STEVEN BEATTY	, hereby disclose	e that on SEPTEMBER 06,	, 20 18
(a) A measure came or will come before n	ny agency which (check one)	
✓ inured to my special private gain or	loss;		
inured to the special gain or loss of	my business associate,		
whom I am retained; or			
inured to the special gain or loss of		<u> </u>	, which
is the parent organization or subsid			
(b) The measure before my agency and the	ne nature of my conflicting in	terest in the measure is as follows:	
	URE TO PROVIDE L	AINED JMORTON PLANNING A ANDSCAPE ARCHITECTURE S	
ZONING COMMISSION PU SEPTEMBER, 6, 2018 AGENDA ITEM #6 ABN/ZV			
Date Filed	12018	WKGDH	<u></u>

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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION					
BEATTY MARK STEVEN						
MAILING ADDRESS 2461 PALM HARBOR DRIVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:				
NAME OF POLITICAL SUBDIVISION:						
DATE ON WHICH VOTE OCCURRED ABSTAINED FROM VOTING 9-6-2018		MY POSITION IS:				

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)

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:

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 agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOS	SURE OF LOCAL OFFICER'S INTEREST	
I, MARK STEVEN BEATTY	, hereby disclose that on SEPTEMBER 06,	, 20 18 :
(a) A measure came or will come before my age	ency which (check one)	
✓ inured to my special private gain or loss;		
inured to the special gain or loss of my b	ousiness associate,	
	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	of a principal which has retained me.	
(b) The measure before my agency and the nati	ture of my conflicting interest in the measure is as follows:	
	REEN LLC. RETAINED JMORTON PLANNING E TO PROVIDE LANDSCAPE ARCHITECTUR	
ZONING COMMISSION PUBLI SEPTEMBER, 6, 2018	IC HEARING	
AGENDA ITEM #6 ABN/ZV/Z/C	CA-2017-02003	
		11

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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION					
BEATTY MARK STEVEN						
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:				
2461 PALM HARBOR DRIVE						
CITY COUNTY		CITY	✓ COUNTY	OTHER LOCAL AGENCY		
	\$747.77.5.1044	NAME OF POLITICAL SUBDIVISION:				
PALM BEACH GARDENS, FLORIDA PALM BEACH		MY POSITION IS:				
DATE ON WHICH VOTE OCCURRED						
ARSTAINED EROM VOTING 9-6-2018		□ ELECTIVE	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.

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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)

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