

Minutes
Planning and Zoning Commission
March 3, 2016 - 10 AM
City Commission Chambers
City Hall, Sanford, Florida

Members Present

Steve Esler, Chairman
Michael Loader, Vice Chairman
Carsandra Buie
Lindsay Oyewale
Joshua Dane

Members Absent

Jerry Mills – excused
Eddie Green - excused

Others Present

Lonnie Groot, Assistant City Attorney
Russ Gibson, Planning and Development Services Director
Eileen Hinson, Development Services Manager
Jordan Smith, Senior Planner
Mary Muse, Administrative Coordinator

Mr. Esler called the meeting to order at 10 AM.

Moment of Silence

Pledge of Allegiance

Attendance

The board unanimously approved Mr. Mills and Mr. Green's absences as excused.

Approval of Minutes

Ms. Buie moved to approve the amended February 11, 2016 Regular Meeting Minutes (noting Mr. Dane's absence was excused). Mr. Loader seconded. Motion carried 5-0.

Development Plans

DP-1 Consider the Final Plat for to Replat Parcel 1, Southgate at 1550 Rinehart Road
Tax Parcel Numbers: 29-19-30-511-0000-0010, 29-19-30-511-0000-001A,
29-19-30-511-0000-001B, 29-19-30-511-0000-001C
Property Owner: G W Properties, LLC and Eoghan N. Kelley Family, LP
Representative: Richard C. Wohlfarth, P.E. – IBI Consultants, Inc.

Mr. Loader moved to approve the Final Plat for Southgate Property Parcel 1 Replat based on consistency with the City's subdivision regulations and compliance with Chapter 177 of the State Statutes subject to the plat meeting all legal and technical requirements as determined by the City Attorney and City Surveyor prior to being recorded. Ms. Buie seconded. Motion carried 5-0.

DP-2 Consider the Final Plat for to Sanford Partners Replat at 4243 N US Hwy 17-92
Tax Parcel Number: 22-20-30-518-0000-0020
Property Owner: CSC Sanford Partners, LLC
Applicant: Derek Oberschall - CSC Properties, LLC

Ms. Buie moved to approve the Final Plat for Sanford Partners Replat, based on consistency with the City's subdivision regulations and compliance with Chapter 177 of the State Statutes subject to the plat meeting all legal and technical requirements as determined by the City Attorney and City Surveyor prior to being recorded. Mr. Loader seconded. Motion carried 5-0.

Public Hearings

PH-1 Hold a Public Hearing to consider a Rezone request to change 0.97 acre of vacant property at 1199 Upsala Road from AG, Agriculture to RI-1, Restricted Industrial
Tax Parcel Number: 28-19-30-506-0000-029A
Property Owner: Armstrong Developments, LLC
Representative: Jack Reynolds

Mr. Loader moved to recommend that the City Commission enact an ordinance to rezone 0.97 acre with a project address of 1199 Upsala Road from AG, Agriculture to RI-1, Restricted Industrial based on the request being consistent with the Future Land Use designation. Ms. Oyewale seconded. Motion carried 5-0.

PH-2 Hold a Public Hearing to consider a Conditional Use request to establish Vehicular Repair at 2618 Sanford Avenue for ETS Automotive
Tax Parcel Numbers: 01-20-30-506-0000-0830, 01-20-30-506-0000-0840, 01-20-30-506-0000-0850
Property Owner: ETS Autos. Inc.
Representative: Michael Wojtuniek, P.E.

Ms. Oyewale moved to deny the conditional request to establish vehicular repair at 2618 Sanford Avenue finding that there is a requirement of a unified plan as to the proposed repair site and the existing sales site which is adjacent to the property. Ms. Buie seconded. Motion carried 5-0.

Chairman Esler passed the gavel to Vice Chairman Loader due to a conflict of interest on the PH-3A and PH-3B items.

PH-3A Hold a Public Hearing to consider a Land Use amendment to change 2.14 acres of vacant property at 2320 Beardall Avenue from LDR-SF, Low Density Residential and GC, General Commercial to I, Industrial
Tax Parcel Number: 33-19-31-300-1200-0000
Property Owner: FLATD LLC
Representative: Maverick VonHerbulis – McKee Construction

Ms. Oyewale moved to recommend that the City Commission approve the request to change the future land use map of the Sanford Comprehensive Plan for approximately 2.14 acres at 2320 Beardall Avenue from LDR-SF, Low Density Residential Single Family and GC, General Commercial to I, Industrial. Ms. Buie seconded. Motion carried 4-0, Mr. Esler abstained.

PH-3B Hold a Public Hearing to consider a Rezone request to change 2.14 acres of vacant property at 2320 Beardall Avenue from SR-1, Single Family Residential and GC-2, General Commercial to RI-1, Restricted Industrial
Tax Parcel Number: 33-19-31-300-1200-0000
Property Owner: FLATD LLC
Representative: Maverick VonHerbulis – McKee Construction

Ms. Buie moved to recommend the City Commission approve the request to rezone 2.14 acres with a project address of 2320 Beardall Avenue from SR-1, Single Family Residential and GC-2, General Commercial to RI-1, Restricted Industrial subject to approval of the proposed comprehensive plan amendment. Mr. Dane seconded. Motion carried 4-0, Mr. Esler abstained.

Citizen Participation

None.

Staff Reports

A staff report was distributed. Mr. Gibson gave a brief update on the Design Standards. There was a brief discussion on the Catalyst Site (Torre Development) and 113 Palmetto Avenue site.

Mr. Groot informed the board the City Commission will be considering a temporary moratorium on murals at their next meeting.

Mr. Groot noted two parcels of interest that are currently for sale. One is the student museum at 301 W 7th Street owned by Seminole County Public Schools and the other is the New Tribes Mission building on the lakefront.

Commissioners Reports

None.

Adjournment

Meeting adjourned at 11:46 AM.



Steve Esler, Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME ESLER STEPHEN CHARLES		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Sanford - Planning and Zoning Commission	
MAILING ADDRESS 125 KAY'S LANDING Dr.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Sanford FL 32711 COUNTY Seminole		<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED MARCH 3, 2016		NAME OF POLITICAL SUBDIVISION: Sanford	
		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)

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, STEPHEN C. ESLER, hereby disclose that on MARCH 3, 20 16:

(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 FLATD, LLC, 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:

McKee Construction Co. is my Employer AND I HAVE BEEN INVOLVED in Cop meetings, CONSTRUCTION ISSUE'S AND OVERALL PLANNING of project for McKee.

3-3-2016

Date Filed

Stephen C. Esler

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.

PH-3B

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>ESLER STEPHEN CHARLES</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>SANFORD PLANNING + ZONING COMMISSION</i>	
MAILING ADDRESS <i>125 KAY'S LANDING DR.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
CITY <i>SANFORD</i>	COUNTY <i>SEMINOLE</i>	NAME OF POLITICAL SUBDIVISION: <i>SANFORD</i>	
DATE ON WHICH VOTE OCCURRED <i>MARCH 3, 2016</i>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

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- inured to the special gain or loss of FLATD, LLC. by whom I am retained; or
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