

Minutes
Planning and Zoning Commission
June 21, 2012 - 10 AM
City Commission Chambers
City Hall, Sanford, Florida

Members Present

Jerry Mills, Chairman
Steve Esler, Vice Chairman
Michael Padgett
Eddie Green
Michael Loader
Steve Newton
Lindsay Oyewale

Others Present

Lonnie Groot, Assistant City Attorney
Dave Richards, Development Services Manager
John Schultheis, Planning Engineer
Mary Moskowitz, Planner
Christine Dalton, Historic Preservation Officer/Community Planner

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

Moment of Silence

Pledge of Allegiance

Minutes

Mr. Loader moved to approve the Minutes of the June 7, 2012 Regular Meeting. Ms. Oyewale seconded. Motion carried 7-0.

Public Hearings

Hold a Public Hearing to consider a Conditional Use to expand an existing House of Worship at 911 Palmetto Avenue. Church Life Christian, Inc, property owner.

A letter from Mr. Troutman was read into the record. He and his wife are in support of the project, but request they install the proper irrigation in the required hedge areas.

Mr. Loader moved to approve the request per staff's recommendation. Mr. Esler seconded. Motion carried 7-0.

Mr. Mills read the following statement:

“Please be advised that any person aggrieved by this decision of the Board may appeal such determination to the City Commission by filing a written appeal and paying associated fees through the City Clerk’s Office within thirty (30) calendar days of the Board action. Contact the Planning Department or City Clerk’s office for additional information.”

Hold a Public Hearing to consider a request to amend Ordinance No. 4171 and the implementing development agreement to extend the expiration date for the Twin Lakes Center Planned Development located at 4955 CR 46A for five years to June 2, 2017. Eoghan N. Kelley Family LP, property owner; Christopher E. Kelley, representative.

Mr. Mills stated he possibly will be working with the interested client and will be abstaining from discussion and voting. Mr. Mills passed the gavel to Vice Chairman Steve Esler.

Mr. Green moved to recommend approval of a one year extension with the requirement of a traffic study. Motion failed due to lack of a second.

Mr. Newton moved to recommend approval of a two year extension including all of staff's conditions. The two years would begin after the six month extension (December 6, 2012). Mr. Green seconded. Motion failed two to four with Mr. Mills abstaining.

Mr. Loader moved to recommend approval of a five year extension per staff's recommendation. Mr. Padgett seconded. Motion carried four to two with Mr. Mills abstaining.

Mr. Esler read the following statement:

“Please be advised that the Sanford City Commission is tentatively scheduled to consider the Planning and Zoning Commission’s recommendation on June 11, 2012. Contact the Planning Department or City Clerk’s office for additional information.”

Mr. Esler passed the gavel back to the Chairman.

Citizen Participation

None.

Staff Report

Mr. Richards informed the board there was a staff report included in the agenda packet regarding 812 Sanford Avenue.

Mr. Groot said the board could have Darrel Presley attend a P&Z meeting to give the board a presentation on various city codes and code enforcement. The board agreed to have him present at the next meeting.

Mr. Richards informed the board there will not be a July 5th meeting. The director came up with a list of various training session subjects and Mr. Mills asked staff to have the secretary send out the list to the board members.

Commissioners Reports

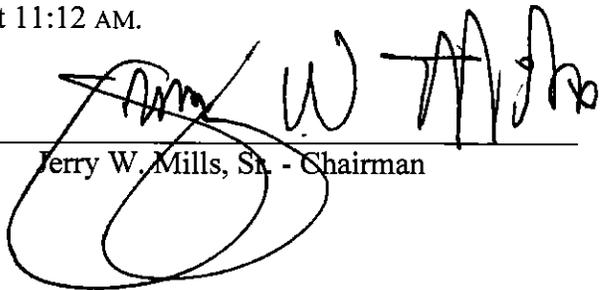
Mr. Mills asked the board if they would prefer to have training sessions by: 1.) meet 30 minutes prior (9:30am) to the regular meeting, 2.) a stand alone time during the regular meeting time when there aren't any scheduled items on an agenda, or 3.) a 15 minute session at the end of the regular meeting. It was the consensus of the board to meet at 9:30am prior to the regular scheduled meeting. Mr. Mills informed staff not to have training prior to the next meeting, just include a discussion about the training sessions and topics on the next agenda.

Mr. Newton asked about the resolution of 812 Sanford Avenue. Mr. Richards informed the board Mr. Gibson directed Christine Dalton to contact the owner to verify the status of the property.

Mr. Newton stated the purpose of going to the owners is that he was impressed when he listened to a City Commission meeting where Mr. Gibson ran interference for a potential conflict between property owners of WastePro and adjacent owners by talking to both sides and acting as an arbitrator between them. He stated maybe this type of action should be done on cases like the 812 Sanford Avenue situation.

Adjournment

There being no further business, the meeting adjourned at 11:12 AM.



Jerry W. Mills, Sr. - Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME MILLS, JERRY, WALKER, SR		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PLANNING AND ZONING COMMISSION	
MAILING ADDRESS 701 W 3RD ST		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY SANFORD	COUNTY SEMINOLE	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED JUNE 21, 2012		NAME OF POLITICAL SUBDIVISION CITY OF 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, JERRY W. MILLS, SR., hereby disclose that on JUNE 21, 20 12.

(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:

PH 2 - EXTEND TWIN LAKES CENTER PD ZONING APPROVAL FOR 5 YEARS. I HAVE A CLIENT INTERESTED IN THE PURCHASE OF THIS SITE. I ANNOUNCED THE PROFESSIONAL RELATIONSHIP BEFORE THE DISCUSSION OF THE APPLICATION AND DID NOT SPEAK DURING THE DELIBERATION. I TURNED OVER THE CHAIR'S GAVEL TO THE VICE-CHAIR, STEVE ESLER, DURING THE CONSIDERATION AND VOTE OF THIS PUBLIC HEARING

6.21.12
Date Filed

[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.