

**Minutes**  
**Planning and Zoning Commission**  
**June 2, 2011 - 10 AM**  
**City Commission Chambers**  
**City Hall, Sanford, Florida**

**Members Present**

Andy Kutz, Chairman  
Eddie Green  
Michael Loader  
Steve Esler  
Rami Yosefian

**Members Absent**

Jerry Mills, Vice Chairman – excused  
Carol Dennison – excused  
Lindsay Oyewale

**Others Present**

Russ Gibson, Planning Director  
Mary Moskowitz, Planner  
Juliza Rivera, Planning Intern

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

**Minutes**

Mr. Green moved to approve the Minutes of the May 19, 2011 Regular Meeting. Mr. Esler seconded. Motion carried 5-0.

**Proof of Publication**

Mr. Yosefian moved to accept the proof of publications. Mr. Green seconded. Motion carried 5-0.

**Public Hearings**

Hold a Public Hearing to consider a Conditional Use for an Exceptional Use (tattoo parlor and body piercing) proposed at 179 Towne Center Circle, a unit across from Sears on the first floor in the Seminole Towne Center Mall. Simon Property Group, Inc. Larry Scollo, mall manager and Marwan Kaddoura – Ink Spot Tattoo, Inc., representatives.

Mr. Yosefian moved to approve the request per staff's recommendation. Mr. Loader seconded. Motion carried 5-0.

Hold a Public Hearing to consider a request to amend the Master Plan (Ordinance No. 4109) for the Sanford Lofts Planned Development, a mixed use development located at 111 N. Palmetto Avenue. FL Sup Prop Economic Comm Serv, Inc., property owner; William E. Starmer, AIA – Starmer Ranaldi, representative. Mr. Green announced that he has a conflict of interest regarding this request and will be abstaining from voting.

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Speaking in favor of the request: William Starmer, Robert Hillery.  
Speaking in opposition: Howard Marks, Linda Kuhn, Hank Dieckhaus, Sara Jacobson  
Statements read into the record: Hank Dieckhaus, Brian Casey, Jerry Mills

Mr. Esler moved to deny the request. No one seconded. Motion died. Mr. Yosefian moved to recommend the City Commission approve an ordinance to amend the Sanford Lofts PD subject to a development order that included all recommended conditions listed on page 3 of the staff report under option B. Mr. Loader seconded. Mr. Yosefian and Mr. Loader voted in favor of the motion. Mr. Esler and Mr. Kutz opposed. Mr. Green abstained.

**Staff Reports**

Mr. Gibson reported there are no public hearings scheduled for the board's next regular meeting on June 16<sup>th</sup>.

**Citizen Participation**

None.

**Commissioners Reports**

None.

**Adjournment**

There being no further business, the meeting adjourned at 11:50 AM.

  
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ANDREW KUTZ - CHAIRMAN

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Green, Eddie B.</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Planning and Zoning Commission</i>
MAILING ADDRESS <i>2181 Brisson Avenue Seminole</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      COUNTY <i>Sanford</i>	NAME OF POLITICAL SUBDIVISION: 
DATE ON WHICH VOTE OCCURRED <i>June 2, 2011</i>	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)