

CITY OF PALMETTO
PLANNING AND ZONING BOARD
516 8TH Avenue West
Palmetto, Florida 34221

MEETING MINUTES
January 14, 2008 – 6:15 P.M.

BOARD MEMBERS PRESENT

Charlie Ugarte, Chairman
Barbara Jennings, Vice Chair
Robert Smith
Michael Burton

Devin Harms
Ed Bennett
Jon Moore

SCHOOL BOARD APPOINTEE ABSENT

Mike Pendley

STAFF AND OTHERS PRESENT

Bob Schmitt
Ken Hawkins
Linda Butler
Jim Boyd
Chris Lukowiak
Tanya Lukowiak
Richard Clark
Laura Lee
Bill Manfull
Andy Allison
Anthony Seney
Tom Nader

Due to Chair Ugarte laryngitis the regular meeting of the Palmetto Planning and Zoning Board was called to order by Vice Chair Jennings, in the Palmetto City Hall Commission Chambers, 516 8th Ave. W., Palmetto, Florida at 6:15 p.m. pursuant to notice being sent to the public and the Board members in accordance with Palmetto's City Code.

Bob Schmitt, Jim Boyd, Chris Lukowiak, Tanya Lukowiak, Bill Manfull, Andy Allison, Anthony Seney, Tom Nader are sworn in.

ORDER OF BUSINESS

1. Approval of Minutes for the December 10, 2007 meeting.

MOTION: Mr. Burton moved and Mr. Smith seconded the motion to approve the December 10, 2007 meeting minutes. **MOTION CARRIED UNANIMOUSLY.**

2. Manatee River Community Bank Rezone Z-07-08

Vice Chair Jennings opened the Public Hearing.

Mr. Schmitt presented the Manatee River Community Bank Rezone staff report.

Mr. Jim Boyd, Boyd Broker Group, spoke on behalf of the Manatee River Community Bank Rezone, stating it will be used for overflow parking. Mr. Anthony Seney and Mr. Tom Nader spoke regarding Manatee River Community Bank Rezone, stating they are not in opposition of the parking lot but have concerns about what will happen once it is rezoned and Mr. Boyd leaves. It can be used for something other than a parking lot.

Vice Chair Jennings continued the Public Hearing until February 11, 2008.

MOTION: Mr. Bennett moved and Mr. Burton seconded the motion to continue the Public Hearing until February 11, 2008. **MOTION CARRIED UNANIMOUSLY.**

3. Palmetto Town Center GDP PA-Z-07-07

Vice Chair Jennings opened the Public Hearing.

Mr. Schmitt presented the Palmetto Town Center GDP PA-Z-07-07 Staff report.

Mr. Manfull shared his plan for the Palmetto Town Center with the Board, also received questions and comments.

Discussion ensued.

Vice Chair Jennings closed the Public Hearing.

MOTION: Mr. Harms moved and Mr. Moore seconded the motion to approve the Palmetto Town Center GDP with the condition that

the applicant provides new architectural elevations to be reviewed at their next meeting on February 11, 2008. **MOTION CARRIED.** Mr. Burton abstained. Mr. Manfull is a client of Wilson Miller, in which Mr. Burton is a shareholder and Senior Associate with Wilson Miller. Form 8B Memorandum of Voting Conflict was submitted by Mr. Burton.

MOTION: Mr. Moore moved and Mr. Bennett seconded the motion to approve the Comprehensive Plan Amendment, **MOTION CARRIED.** Mr. Burton abstained for reason stated above.

MOTION: Mr. Bennett moved and Mr. Moore seconded the motion to approve the Rezone. **MOTION CARRIED.** Mr. Burton abstained for reason stated above.

4. Election of 2008 Officers

Vice Chair Jennings open the floor for nomination of Chair and Vice Chair.

MOTION: Mr. Burton nominated Ms. Jennings as Chair. Mr. Bennett seconded. **MOTION CARRIED UNANIMOUSLY.** Mr. Ugarte nominated Mr. Burton as Vice Chair. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

5 Old Business:

- Mr. Harms stated he had discussion with staff regarding Section 6.20, New Boat Sale Ordinance. Mr. Schmitt stated workshops will be held regarding updating the Land Development Codes (LDC) and input will be received from members and citizen. Mr. Harms suggestion will be taken into consideration.
- Mr. Burton voiced concerns and expressed disappointment in that the City has not taken action regarding Auto Sales (car lot) located at 1811 8th Ave W. Mr. Schmitt stated letters has been written and Code Enforcement is aware.
- Mr. Moore questioned the status of Liquidators Plus. Mr. Schmitt stated the snipe signs (removable signs) have been removed. The sandwich boards (A frame sign) are questionable, as they are used by business along 8th Avenue. Mr. Moore stated the sandwich

board signs are not the issue, doing business out of a mini warehouse is the issue. Mr. Schmitt stated the zoning allows for retail sales. But will investigate further.

6. New Business:

2008 P&Z meeting schedule.

7. Adjournment: 7:30 pm

MOTION: the Board unanimously moved to adjourn the meeting. Next Planning and Zoning Board meeting will be held on February 11, 2008.

Charles Ugarte, Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>BURTON MICHAEL ADAM</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PALMETTO PLANNING & ZONING BOARD</i>
MAILING ADDRESS <i>6511 BAYSIDE RD</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>PALMETTO MANASSAS</i>	NAME OF POLITICAL SUBDIVISION: <i>CITY OF PALMETTO</i>
DATE ON WHICH VOTE OCCURRED <i>1/14/08</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)

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, MICHAEL BURTON, hereby disclose that on JANUARY 14, 20 08:

(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 WILLIAM MAFFULL, 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:

PALMETTO TOWN CENTER GDP-PA-2-07-07 BY
APPLICANT WILLIAM MAFFULL WHO IS A CLIENT OF WILSON MILLER
I AM A SHAREHOLDER AND SENIOR ASSOCIATE OF WILSON MILLER.

1/14/08
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.

Palmetto Planning and Zoning Board Meeting SIGN-IN SHEET

01-14-08

Name	Address	Affiliation	Project
Jim Boyd Telephone	717 Manatee Ave W Fax	RE Broker Email	417 7 th Ave.
Ruby Allison Telephone	926 14 th St W Fax	Agst Email	Palmetto Towne Ctr.
ALIKA GEE Telephone	P.O. Box 1333 - Woodhaven Dr. H. Bend Fax	Arch. Hgt Email	Palmetto Towne Ctr.
941-778-8412	941-778-8412		
B. Williams Telephone	2400 90th Street NW Fax	Owner Email	Palmetto Towne Center
720-8471	795-6432		
ANTHONY SENNEY Telephone	502 70th Ave Palmetto Fax		Reszone #417 West
721-1730			
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email

City of Palmetto Planning & Zoning Board Comment Form

Name: Jim Boyd

Address: 717 Man. Ave w. Bton

Topic: 417 7th Ave

City of Palmetto Planning & Zoning Board Comment Form

Name: TOM NAUER

Address: 512 7TH AVE W,

Topic: _____

City of Palmetto Planning & Zoning Board Comment Form

Name: A Sney

Address: 302 7th Ave W

Topic: _____