

Crossroads of Flagler County

Board Members:

Thea Mathen

Jan Reeger

Jerry Jones

Howard Kane

Carl Lilavois

Shannon Strickland

PLANNING, ZONING AND APPEALS BOARD AGENDA

Tuesday, July 18, 2017

7:00 PM

201 West Moody Boulevard,
City Commission Chambers - Building 3
Bunnell, FL 32110

- 1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call**
- 2. Disclosure of Ex-Parte communications.**
- 3. Approval of Minutes**

2017 06 20 Planning, Zoning and Appeals Board minutes.

2017 06 20 Recusal Forms- Jan Reeger

2017 06 20 Recusal Form- Thea Mathen

New Business:

- 4. Public Hearing Case Number 17-024: Special Exception Request to allow a multi-family residential use on property at 100 S. Stone Street.**

Old Business: None

- 5. Public Comment**

Comments regarding items not on the agenda. Citizens are encouraged to speak; however, comments should be limited to three minutes.

- 6. Board comment**

- 7. Adjournment of Planning and Zoning Meeting**

NOTICE: If any person decides to appeal any decision made by the Planning, Zoning and Appeals Board with respect to any item considered at any meeting of this board; He or She will need a record of the proceedings, and for this purpose, He or She may need to ensure that a verbatim record of the proceedings is made, which record is to include the testimony and evidence upon which the appeal is based. (286.0105 Florida Statutes). Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's office at (386) 437-7500.



City of Bunnell, Florida

Agenda Item No.

ATTACHMENTS:

Description

Proposed Minutes

Type

Minutes



Crossroads of Flagler County

Board Members:
Thea Mathen
Jan Reeger
Jerry Jones
Howard Kane
Carl Lilavois

Shannon Strickland

PLANNING, ZONING AND APPEALS BOARD MINUTES

Tuesday, June 20, 2017

7:00 PM

201 West Moody Boulevard,
City Commission Chambers - Building 3
Bunnell, FL 32110

1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call

Present: Thea Mathen, Chair; Jan Reeger; Jerry Jones; Howard Kane; Carl Lilavois; Shannon Strickland (alternate)

Excused:

Not Present: Shannon Strickland (alternate)

Non-Voting: Charlie Cino; Kristen Bates; Jameun Hamilton

2. Disclosure of Ex-Parte communications.

Jan Reeger disclosed she will recuse herself from item #6 and #8 on the agenda. She is the real estate agent involved in either the current transaction or future transaction for those properties. As the agent of record, she has knowledge an information on either the projects or the requests.

Thea Mathen will recuse herself on item #9 and #10 as she is the applicant.

Prior to taking any further action or votes, a vote to elect a new Vice Chair was held as Shannon Strickland, former Vice Chair, moved into the role of alternate and could no longer serve in this role.

Motion: Jan Reeger to serve as the Vice Chair.

Moved By: Howard Kane

Second By: Jerry Jones

Vote: Motion carried by unanimous vote.

3. Approval of Minutes

2017 05 16 Planning, Zoning and Appeals Board Minutes

Motion: Approve the minutes of the May 16, 2017 meeting.

Moved By: Jan Reeger

Second By: Howard Kane

Vote: Motion carried by unanimous vote.

New Business:

4. Public Hearing Case Number 2017-16: Special Exception Request to allow a transitional housing project at 210 N. Fig Street.

This item was introduced by Acting Community Development Director Kristen Bates. The applicant, Samaritan Ministries requested permission to use 210 N. Fig St. as a transitional house for women and children. The house would house over six residents at one time. There have been objections to this project from adjacent property owners.

Lorraine Vickery, representing Samaritan Ministries, provided information and answered questions from the Board and Public.

Jan Reeger asked about the program's prior location on E. Lambert Street. She also asked for more specific information on the program, it's staffing, household rules, and the maximum number of adults that would be allowed in the house at one time. There was discussion by the Board on the impact of shift changes from the staff working at the house, the exchange of information from staff member to staff member and the qualifications or training of the staff to deal with issues that may arise.

Public Comment:

Karen Jacobs (N. State St.)- Voiced her opposition to the request and project citing the loss on property taxes, the impact of this type of house in a predominantly single-family residential area, the transient nature of this type of use and the impact on traffic.

Brenda Nelson- Stated she is opposed to the project. She stated they have only been given information about "ifs" or "maybes," but more specific information is needed on exactly what would happen within the program. The single-family character of this area should not be lost by allowing this project.

Nancy Collins (N. Fig St)- Stated the area is already congested, the streets are narrow and it seems more businesses are moving into the area. She is worried about safety. This project would not be a good fit for this particular area and requested the Board deny the request.

Lady Bauer (E. Lambert St.) – Stated the concept for this program is sound and good. However, she does not feel this type of home with several families in one single structure would fit into this single-family home area.

Shelby Jenkins (N. Lemon St.)- Stated her opposition to request. She is concerned about the lack of single family-housing in this area as there are already a number of daycares and other business type uses in the area. She is also concerned about the impact this type of use will create on parking and traffic.

Motion: Continue to the next meeting to allow the applicant time to provide additional information on the project.

Moved By: Jan Reeger

Second By: Howard Kane

Vote: Motion failed.

Yes: Jan Reeger; Howard Kane

No: Thea Mathen; Jerry Jones; Carl Lilavois

Motion: Deny Special Exception Request to allow a transitional housing project at 210 N. Fig Street.

Moved By: Jerry Jones

Second By: Carl Lilavois

Vote: Motion carried 3-2.

Yes: Thea Mathen; Jerry Jones; Carl Lilavois

No: Jan Reeger; Howard Kane

5. Public Hearing Case Number 2017-17: Special Exception Request to allow soil extraction/a borrow pit to be located at 141 Opossum Lane located in a Flagler County AC, Agriculture zoning district.

This item was introduced by Acting Community Development Director Kristen Bates. The applicant, Josh White Site Development, requested permission to allow soil extraction or a borrow pit to be located at 141 Opossum Ln. The previous property owner was granted permission to do this type of activity on the property in February 2015. This previous permission is not transferable.

Josh White, representing Josh White Site Development, was present provide additional information about the operation and to answer questions. He advised he is applying to get the required mining permit which would be valid for 3 years.

Public Comment:

Lynn Weaver (Belle Terre Parkway, but owner of 415 County Rd 13)- Stated she is opposed to the request. She is concerned about the noise and its impact on the horses she plans to house on her property when she opens her animal rescue. She is also concerned about the impact of digging up of the earth on the wells used by the residents in the area.

Howard Kane asked questions of Ms. Weaver and the program she stated she is operating near the subject property. There was discussion by the Board about the permission granted to the previous owner.

Motion: Approve Special Exception Request to allow soil extraction/a borrow pit to be located at 141 Opossum Lane.

Moved By: Jan Reeger

Second By: Howard Kane

Vote: Motion carried 4-1.

Yes: Thea Mather; Jan Reeger; Howard Kane; Carl Lilavois

No: Jerry Jones

6. Public Hearing Case Number 2017-18: Special Exception Request to allow a church to operate at 207 N. Chapel St.

Note: Jan Reeger, Vice Chair, recused herself from this item.

This item was introduced by Acting Community Development Director Kristen Bates. The applicant, St. Nicholas Russian Orthodox Church, is in the process of purchasing this property. The property is currently used as a daycare. The applicants would like to use the property as a church. The City has received at least 1 written objection to this proposed use. Prior to being able to open, the location would have to meet the fire codes for a place of assembly. Staff advised a site plan would be needed to change the use of the property.

Vladimir Kaydonov, representing St. Nicholas Russian Orthodox Church, was present to provide information about the church and to answer questions.

Jan Reeger provided information on the church and advised they have been in contact with the school about parking. Additionally, parking at the post office could be arranged whenever needed.

Public Comment:

Karen Jacobs (N. State St.)- Stated she opposed to this request. She believes this residential area is not conducive to this type of use. Also, the church would not contribute to the City through any property taxes.

Deborah Bullock (N. Chapel St.)- Stated she is the owner of the daycare currently on this property. She has been there 11 years and parking has never been a problem.

Mark Ferraz (N. Chapel St.)- Stated he is the current owner of the property. He is in favor of the request and does not believe it will affect the current noise level or traffic in the area.

Motion: Approve Special Exception Request to allow a church to operate at 207 N. Chapel St.

Moved By: Howard Kane

Second By: Carl Lilavois

Vote: Motion carried 4-0.

Recused: Jan Reeger

7. Case Number 2017-19: Request for Site Plan Approval for 2270 S. State St.

This item was introduced by Acting Community Development Director Kristen Bates. The applicant, A Land Management of Flagler LLC, is requesting site plan approval for the removal and replacement of an existing building and the addition of two new buildings to the site. The owner is planning to rent spaces to construction and landscape businesses.

Bruce Bruce, representing A Land Management of Flagler LLC, was present to answer questions from the Board.

Public Comment:

None

Motion: Approval of the site plan contingent on all required State, County and/or local permits being provided.

Moved By: Howard Kane

Second By: Carlos Lilavois

Vote: Motion carried by unanimous vote.

8. Public Hearing Case Number 2017-20: Variance request to exceed the maximum allowable impervious lot coverage by up to 10% at 601 S. State St.

Note: Jan Reeger, Vice Chair, recused herself from this item.

This item was introduced by Acting Community Development Director Kristen Bates. The applicant, Mark Ferraz, requested a variance to exceed the maximum allowed impervious lot coverage. The property is an existing commercial lot. Mr. Ferraz would like to add a 24 foot x 41 foot shed to the property. The addition of this impervious area would exceed the total amount allowed by zoning regulations.

Mark Ferraz was present to answer questions.

Public Comment:

None

Motion: Approve the variance request to exceed the maximum allowable impervious lot coverage by up to 10% at 601 S. State St.

Moved By: Jerry Jones

Second By: Carl Lilavois

Vote: Motion carried 4-0.

Recused: Jan Reeger

9. Public Hearing Case Number 2017-21: Ordinance 2017-XX Changing the Future Land Use designation of approximately .40 acres of property to Bunnell Commercial Medium.

Note: Thea Mathen, Chair, recused herself from this item.

This item was introduced by Acting Community Development Director Kristen Bates. This property was recently annexed into the City of Bunnell. This is request to change the future land use designation of this property from a Flagler County designation to a City of Bunnell designation.

Thea Mathen was present to answer questions.

Public Comment:

None

Motion: Approve Ordinance 2017-XX Changing the Future Land Use designation of approximately .40 acres of property to Bunnell Commercial Medium.

Moved By: Howard Kane

Second By: Carl Lilavois

Vote: Motion carried 4-0.

Recused: Thea Mathen

10. Public Hearing Case Number 2017-22: Ordinance 2017-XX Changing the Zoning designation of approximately .40 acres of property to B-1, Business district.

Note: Thea Mathen, Chair, recused herself from this item.

This item was introduced by Acting Community Development Director Kristen Bates. This is a request to change the zoning designation of approximately .40 acres of property from a Flagler County designation to a City of Bunnell designation and is a companion item to the previous agenda item.

Thea Mathen was present to answer questions.

Public Comment:

None

Motion: Approve Ordinance 2017-XX Changing the Zoning designation of approximately .40 acres of property to B-1, Business district.

Moved By: Jerry Jones

Second By: Howard Kane

Vote: Motion carried 4-0.

Recused: Thea Mathen

11. Public Hearing Case Number 2017-23: Ordinance 2017-XX Amending the Bunnell Land Development Code Sec. 34-186 Home Occupations.

This item was introduced by Acting Community Development Director Kristen Bates. The changes made by the proposed ordinance were explained.

Public Comment:

None

Motion: Approve Ordinance 2017-XX Amending the Bunnell Land Development Code Sec. 34-186 Home Occupations.

Moved By: Jan Reeger

Second By: Carl Lilavois

Vote Motion carried by unanimous vote.

Old Business: None

12. Public Comment

None

13. Board comment

The retirement of Mick Cuthbertson, Community Development Director was discussed. The plans for this retirement party were provided to Board members and an invitation to attend the event was provided.

14. Adjournment of Planning and Zoning Meeting

Motion: Adjourn.

Moved By: Jerry Jones

Second By: Howard Kane

Vote: Motion carried by unanimous vote.

Thea Mathen, Chair



City of Bunnell, Florida

Agenda Item No.

ATTACHMENTS:

Description

Recusal Form

Type

Exhibit

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

LAST NAME—FIRST NAME—MIDDLE NAME Reeger, Jan		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning, Zoning and Appeals Board	
MAILING ADDRESS P. O. Box 609		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Bunnell	COUNTY Flagler	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED June 20, 2017		NAME OF POLITICAL SUBDIVISION: City of Bunnell	
		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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Jan Reeger, hereby disclose that on June 20, 20 17 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ 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 subsidiary, or sibling 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:

Item 8 of Agenda ~ Public Hearing Case Number 2017-20

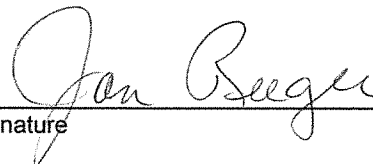
Applicant is my Real Estate client. If the referenced property were to sell, I would receive a commission.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

June 20, 2017

Date Filed

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME Reeger, Jan		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning, Zoning and Appeals Board	
MAILING ADDRESS P. O. Box 609		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Bunnell	COUNTY Flagler	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED June 20, 2017		NAME OF POLITICAL SUBDIVISION: City of Bunnell	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Jan Reeger, hereby disclose that on June 20, 20 17 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ 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 subsidiary, or sibling 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:

Item 6 of Agenda ~ Public Hearing Case Number 2017-18

Applicant has entered into a Purchase and Sale Agreement for which I will receive a commission if granted the requested Special Exception.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

June 20, 2017

Date Filed

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.



City of Bunnell, Florida

Agenda Item No.

ATTACHMENTS:

Description

Recusal Form- Thea Mathen

Type

Exhibit

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

NAME—FIRST NAME—MIDDLE NAME <u>HEIN-MATHEN, THEA M.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Planning, Zoning & Appeals Board</u>	
MAILING ADDRESS <u>PO Box 190</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>BUNNELL</u>	COUNTY <u>Flagler</u>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <u>JUNE 20, 2017</u>		NAME OF POLITICAL SUBDIVISION: <u>City of Bunnell</u>	
		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.

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, THEA M. HEIN-MATHEN, hereby disclose that on June 20, 2017:

(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.

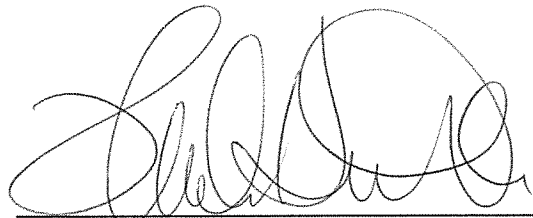
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am the applicant

Date Filed

6/20/17

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.



City of Bunnell, Florida

Agenda Item No. 4.

Document Date: 6/29/2017
Department: Community Development
Subject: Public Hearing Case Number 17-024: Special Exception Request to allow a multi-family residential use on property at 100 S. Stone Street.
Property Address: 100 S. Stone St.
Zoning Designation: B-1, Business district
Future Land Use Designation: Single Family Low Density
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Location Map & Concept Sketch	Location Map(s)

Summary/Highlights:

This is a request to allow a residential use of property located in a B-1, Business zoning district.

Background:

The applicant, Glen Kehle, is the owner of property at 100 S. Stone Street. This property is located in a B-1, Business Zoning District and is currently used for the operation of Kehle Plumbing and Kehle Construction.

On December 18, 2012, the Planning Board granted the applicant permission to build a duplex, a residential use, on the adjacent vacant property. This property also has a B-1, Business Zoning District designation.

From the City's Land Development Code:

Sec. 34-115. B-1 Business district.

(c) Permitted Special Exception. Permitted special exceptions, which are subject to approval by the local planning agency, in the B-1 district shall be as follows:

(2) Uses permitted in the residential districts, and multifamily uses.

The applicant plans to convert the existing building into 3 residential units, a multi-family residential use.

Special Exception requests allow the Planning Board to place certain restrictions on a use to ensure it is compatible with the surrounding properties and other uses within the district.

As required by the Land Development Code *Sec. 2-87.- Hearing notification requirements*, an advertisement regarding this agenda item was run in the Wednesday, July 5, 2017 edition of the News Tribune and property owners within 300 feet of the property as identified by the Flagler County Property Appraiser website were mailed hearing notification letters.

The applicant can further explain the nature of this request.

Staff Recommendation:

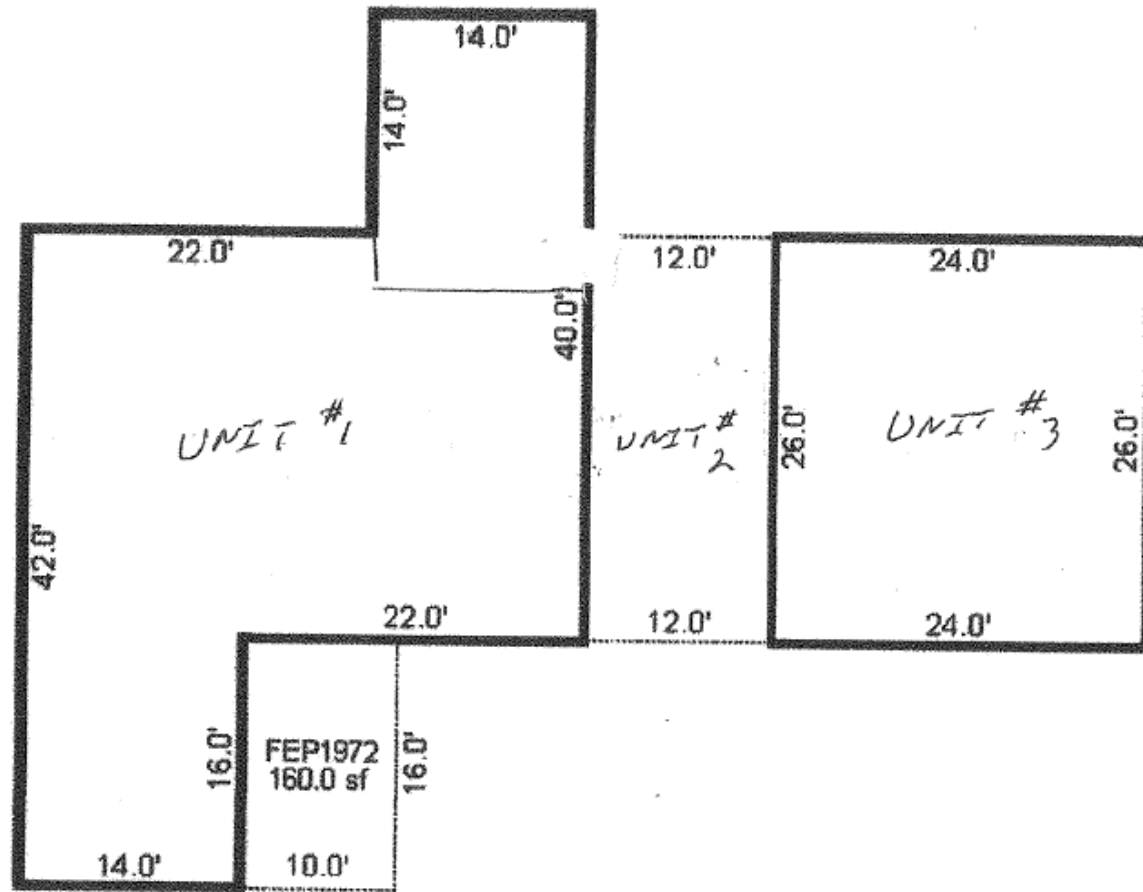
Approval of the special exception request.

City Attorney Review:

Kehle 100 S. Stone St. Special Exception Request- Location Map



Kehle 100 S. Stone St. Special Exception Request- Concept Sketch



S. STONE STREET