



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

PHONE: 352-360-6727  
FAX: 352-360-6652

<b>Board Members:</b> Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	<b>Others:</b> Greg Beliveau, LPG Tracy Kelley, CDD
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**MINUTES  
PLANNING & ZONING BOARD  
APRIL 19, 2018  
6:00PM**

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- I. INVOCATION:** Chairwoman Bame called the meeting to order at 6:00P.M. and led the pledge of allegiance. Board member Tom Bradley gave the invocation.
- II. ROLL CALL:** All board members present except Board member Dicus and Board member Purlee. Present LPG Beliveau and CDD Kelley.
- III. MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from March 15, 2018. Motion to approve March 15, 2018 by Colin Crews. Second by Board member Bradley. Approved 3-0.
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
- A. Ordinance Correcting A Scrivener’s Error**
- a. Correcting the legal description of Ordinance 2016-023 (James Phillips ALT Key #2515490)
- b. Correcting the legal description of Ordinance 2016-025 (James Phillips ALT Key #2515490)
- LPG Beliveau gave introduction to Ordinance 2018-006 the scrivener’s error in the legal description in Ordinance 2016-023 and Ordinance 2018-007 the scrivener’s error in the legal description in Ordinance 2016-025 to recommend approval for City Commission to carry thru.
- Motion to correct the scrivener’s error(s) on the legal description(s) by Board member Crews. Second by Board member Bradley. Approved 3-0
- B. Resolution 2018 – 015 Accepting Title of Real Property**
- a. A Resolution accepting title to real property being conveyed from the School Board of Lake County
- C. Resolution 2018 – 018 Closing and Vacating a 50’ Platted Right of Way**

a. A Resolution closing and vacating a 50' platted right of way known as Hurst Street in accordance with Resolution 2018-015

LPG Beliveau gave introduction to Resolution(s) closing and vacating a 50' platted right of way; due to not having a full board and one board member having disclosed a conflict of interest where he will abstain from voting by unanimous consent the Board will be table for a period of 30 days and hear during the next regularly scheduled Planning & Zoning meeting.

**D. Gardenia East Subdivision (Alt Key 2872098)**

Mr. Rick Hartenstein, AICP, CPM, Wick's Engineering Services present on behalf of property owner

a. Annexation application to annex approximately 13.447 ± acres from Lake County into the City limits of Fruitland Park

LPG Beliveau gave introduction to Gardenia East Subdivision and the application for Annexation, Rezoning, and Large Scale Comp Plan Amendment; the property is 13.447 ± acres and is being proposed for multi-family low density; all required studies have been submitted by applicant, annexation is voluntary and meets F.S. Statutes; application is recommended for approval by City Land Planner and Staff.

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Crews to approve Annexation. Second by Board member Bradley. Approved 3-0

b. Large Scale Comp Plan Amendment (LSCPA) amending the future land use designation from Lake County Urban Medium Density to Multi-Family Low Density on the Future Land Use Map of the City of Fruitland Park's Comprehensive Plan for approximately 13.447 ± acres of property generally located north of Register Road and East of US Hwy 27/441.

LPG Beliveau gave introduction to application for LSCPA amending the future land use designation from Lake County Urban Medium Density to Multi Family Low Density on the FLU Map of the City; worst case scenario was utilized for the maximum density whereas the proposed land use is expected to generate less PM peak hour traffic verses what is allowed under County zoning; application is recommended for approval by City Land Planner and Staff.

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Bradley to approve LSCPA. Second by Board member Crews. Approved 3-0

c. Rezoning application to rezone approximately 13.447  $\pm$  acres from Lake County Rural Residential (R-1) to Residential Planned Unit Development (PUD) within the City limits of Fruitland Park

LPG Beliveau gave introduction to application for Rezoning; the applicant is requesting for development of 49 units and support use for a storage area for boats and RV's for the residents of the subdivision; the site plan shows for common green space, 49 lots, and the support space which is a standard plan for a starter subdivision; environmental studies have been submitted; LPG Beliveau reviewed initial traffic analysis has been conducted and reviewed by MPO and the evaluated roadways show support for project traffic; application is recommended for approval by City Land Planner and Staff.

Board member Crews has concern of improvements to Register Road and how it will be improved as County does not have the funds to improve; Board member Crews also would like the impervious ratio to be reduced to 30% due to size of proposed housing vs. size of lots; Board member Crews suggested moving to a motion to approve the proposed subdivision with an impermeable ratio of 30% per lot.

Board member Bradley commented to compromise at a 35% impervious ratio for the proposed subdivision.

Board member Crews recommended to approve a 35% impervious ratio as suggested by Board member Bradley.

LPG Beliveau commented on Board member Crews' comment the applicant meets open space requirements, the reduction would be per lot instead of the proposed being 40% be reduced to 30%.

Mr. Rick Hartenstein commented a 1500 sq ft maximum home could be built at a 37% impervious ratio, falling under the 40% proposal; if the ratio was reduced to 30% it limits the proposed housing to 900 sq ft resulting in a tiny home.

Chairwoman Bame addressed the audience if there were any public comments

The following City of Fruitland Park residents gave reasons of opposition:

Guy A. Mitchell, Unincorporated Lake County – concerned with impact to area and traffic congestion; Allison La'Chea Smith, Unincorporated Lake County – objects to traffic increase on Register Road; Freda C. Russell, Unincorporated Lake County - concerned with impact to area, traffic congestion and environmental issues

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Crews to approve Rezoning with a 35% impervious ratio. Second by Board member Bradley. Approved 3-0

**AUDIENCE COMMENTS:**

Clarification of the proposed Closing and Vacating a 50' Platted Right of Way

LPG Beliveau explained application and reason for requested vacating; tabled until next scheduled Planning & Zoning Board meeting due to absence of Board member Dicus and Board member Purlee and Board member Bradley disclosure of a conflict of interest.

**BOARD MEMBERS' COMMENTS:** No further comments

**ADJOURNMENT:** 7:12PM

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Bradley Thomas Chapman</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Planning &amp; Zoning</i>
MAILING ADDRESS <i>405 E Bidwell St</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>Fruitland Park Lake</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>4/19/18</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 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).

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### 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, Thomas C Bradley, hereby disclose that on April 19, 20 18:

(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:

*my personal property abutts the right of way in question of Resolution 2018-018.*

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.

\_\_\_\_\_  
Date Filed

Thomas Bradley  
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.