



**THURSDAY, MAY 6, 2021**  
**MINUTES**

**CALL TO ORDER**

A. Roll Call

Commissioner John Kern, Chair	Present
Commissioner Marcelle Griffith Burke, Vice Chair	Present
Commissioner Cheri Pavlik	Present- Arrived 9:06am
Commissioner Michael Kelley	Present
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Alex Brumfield	Absent
Commissioner Mark Beatty	Present
Commissioner Jess Sowards	Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file approved by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second						Moved	
Yes	Yes	Absent	Yes	Yes	Yes	Absent	Yes	Yes

- F. Swearing In
- G. Adoption of the Minutes

Motion to receive and file, as amended, approved by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second						Moved	
Yes	Yes	Absent	Yes	Yes	Yes	Absent	Yes	Yes

H. Amendments to the Agenda- *arrival of Commissioner Pavlik 9:06am*

Motion to pull item 1, SV-2020-02121 New Testament Church of God Word of Hope Ministries, from the Consent Agenda to be heard on the Regular Agenda, carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
					Second		Moved	
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

I. Motion to adopt the Agenda

Motion carried, as amended, by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

J. Disclosures

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
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4,5,6,7	5,6,7	5,6,7	5,6,7	5,6,7	4,5,6,7	Absent	3,5,6,7	5,6,7
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K. Conflicts/Recusal

\*Commissioner Pavlik filed a Memorandum of Voting Conflict Form 8B (F.S. 112.3143) with Zoning Technician for item 5, SW-2020-01268 - BET Holdings; item 6, SW-2020-01270 – Dixie Landscape; item 7, SW-2020-01659 – Bermuda Landscape and Design, prior to vote

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

- A. POSTPONEMENTS
- B. REMANDS
- C. WITHDRAWALS

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

Motion to Approve the Consent Agenda carried by a vote of 8-0-0

Kern		Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
		Second			Moved				
Yes		Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

- 2. **SV-2021-00127** Title: a Subdivision Variance application of Gregory Rice by Wallace Surveying Inc., Agent. Request: to allow access to a residential home from a 20-foot easement.

General Location: On the south side of Belvedere Road, approximately 500 feet east of North Jog Road. **(Rice Project)** (Control 2020-00060)

Pages 23 - 38

Conditions of Approval Pages (27 - 27)

Project Manager: Joanne Keller

Size: 2.08 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a Resolution approving a Subdivision Variance to allow access to a residential home from a 20-foot easement, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Adopted a Resolution Approving a Subdivision Variance (with conditions) by a vote of 8-0-0.**

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

1. **SV-2020-02121** Title: a Subdivision Variance application of New Testament Church of God Word of Hope Ministries, Inc. by Timothy White, Agent. Request: to allow access from existing 40-foot and 50-foot rights-of-way with no sidewalks.

General Location: West of North Military Trail, on the west side of Queen Street, approximately 275 feet south of Marguerita Street. **(New Testament Church of God Word of Hope Ministries)** (Control 2018-00029)

Pages 1 - 21

Conditions of Approval Pages (5 - 5)

Project Manager: Joanne Keller

Size: 0.53 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a Resolution approving a Subdivision Variance to allow access from existing 40 and 50 foot rights-of-way with no sidewalks, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Caliendo				Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Adopted a Resolution Approving a Subdivision Variance (with conditions) by a vote of 8-0-0.**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

3. **Z/W-2020-01272** Title: an Official Zoning Map Amendment application of Luca Land, LLC, Southport Financial Services, Inc. by Schmidt Nichols, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential (RM) Zoning Districts to the Urban Infill (UI) Zoning District.

Title: a Type 2 Waiver application of Luca Land, LLC, Southport Financial Services, Inc. by Schmidt Nichols, Agent. Request: to eliminate Slip Street Frontage; allow the facade with the shortest length to be considered the front; to allow a parking structure on a Secondary Frontage without screening by habitable uses; allow the setback on the Secondary Frontage to exceed the maximum required; and, reduce the number of bicycle parking spaces.

General Location: Southeast corner of South Military Trail and Maine Street. **(Southport Grove)** (Control 1971-10014)

Pages 39 - 103

Conditions of Approval Pages (51 - 52)

Project Manager: Timothy Haynes

Size: 1.80 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone; and, the Conditions of Approval as indicated in Exhibit C-1 and C-2.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential (RM) Zoning Districts to the Urban Infill (UI) Zoning District, subject to a Conditional Overlay

Zone; and, the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Postponed to June 3, 2021 by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to eliminate Slip Street Frontage; allow the facade with the shortest length to be considered the front; to allow a parking structure on a Secondary Frontage without screening by habitable uses; allow the setback on the Secondary Frontage to exceed the maximum required; and, reduce the number of bicycle parking spaces, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Postponed to June 3, 2021 by a vote of 8-0-0.**

4. **PDD/DOA-2020-00268** Title: an Official Zoning Map Amendment application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment to a Planned Development District and a Requested Use application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to reconfigure the Master Plan and Site Plan; add land area; add residents /beds; and, modify Conditions of Approval.

General Location: West side of Sims Road, approximately 0.5 miles north of Atlantic Avenue. **(Tuscan Gardens of Delray Beach)** (Control 2005-00506)

Pages 105 - 136

Conditions of Approval Pages (112 - 119)

Project Manager: Travis Goodson

Size: 12.78 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 through C-3.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District, subject to the Condition of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Postponed to June 3, 2021 by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to a Planned Development District to reconfigure the Master Plan; add land area; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
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				Moved	Second			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Postponed to June 3, 2021 by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to a Requested Use to reconfigure the Site Plan; add residents/beds; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

**Board Decision: Postponed to June 3, 2021 by a vote of 8-0-0.**

- 5. **SW-2020-01268** Title: a Subdivision Waiver application of BET Holdings, LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Approximately 0.16 miles south of Heritage Farms Road on the west side of Park Lane Road. **(BET Holdings)** (Control 2020-00066)

Pages 137 - 151

Conditions of Approval Pages (142 - 142)

Project Manager: Joanne Keller

Size: 5.19 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

Motion carried by a vote of 6-1-1

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Moved			Second				
Yes	Yes	Abstain	Yes	Yes	No	Absent	Yes	Yes

**Board Decision: Recommended Denial of a Subdivision Waiver by a vote of 6-1-1.**

- 6. **SW-2020-01270** Title: a Subdivision Waiver application of East Glade Holdings, Inc. by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Approximately 0.245 miles north of Heritage Farms Road on the east side of Park Lane Road. **(Dixie Landscape)** (Control 2020-00067)

Pages 153 - 172

Conditions of Approval Pages (158 - 158)

Project Manager: Joanne Keller

Size: 10.03 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

Motion carried by a vote of 6-1-1

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Moved			Second				
Yes	Yes	Abstain	Yes	Yes	No	Absent	Yes	Yes

**Board Decision: Recommended Denial of a Subdivision Waiver by a vote of 6-1-1.**

- 7. **SW-2020-01659** Title: a Subdivision Waiver application of H Farms, LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Northeast corner of Park Lane Road & Heritage Farms Road, west of SR

- a. **(Bermuda Landscape and Design)** (Control 2020-00074)

Pages 173 - 191

Conditions of Approval Pages (178 - 178)

Project Manager: Joanne Keller

Size: 9.53 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

Motion carried by a vote of 6-1-1

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Moved			Second				
Yes	Yes	Abstain	Yes	Yes	No	Absent	Yes	Yes

**Board Decision: Recommended Denial of a Subdivision Waiver by a vote of 6-1-1.**

**D. ZONING APPLICATIONS - NEW**

**E. SUBDIVISION VARIANCE**

**F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

- b. [Title: PBC Mailboxes - Password Reset](#)

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**ADJOURNMENT 11:47 AM**

**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, Cheri Parlin hereby disclose that on 5/6, 2021:

(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, My firm Leo A Daly;
- 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:

- 5. Item # SW 2020 01268 BET Holdings
- 6. Item # SW 2020 01270 East Gate Holdings
- 7. Item # SW 2020 01659 H Farms

Urban RAINIER has hired my firm for ANOTHER project so there is a conflict based on compensation for work on a project in Wellington.

5/6/21  
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.



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

LAST NAME—FIRST NAME—MIDDLE NAME Avlik Cheryl Noel	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Zoning
MAILING ADDRESS 2263 159th Ct W	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY PBG PB	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 5/6/2021	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, Cheri Parlin, hereby disclose that on 5/6/21, 20 21:

(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, ARM / Leo A Daly;
- 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:

6. # ITEM SW2020-01270 East Glades Holding Urban Design has hired my firm as a consultant on a project in Wellington.

5/6/21  
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.



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

LAST NAME—FIRST NAME—MIDDLE NAME Pavlik Cheri Noel	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Zoning Commission
MAILING ADDRESS 7263 159th Ct N.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Palm Beach Gardens P.B.	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 5/6/21	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.
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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Cheri Pavik, hereby disclose that on 5/6, 20 21

(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, firm Leo A Daly;
- 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:

7. # ITEM SW. 2020. 01659 H FARMS.  
URBAN Design has hired my firm  
as a consultant on a project  
in Wellington.

5/6/21  
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.



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

LAST NAME—FIRST NAME—MIDDLE NAME <i>David Charles Noel</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Zoning</i>
MAILING ADDRESS <i>7263 159th Ct N.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>P.B.G.</i>	NAME OF POLITICAL SUBDIVISION: 
DATE ON WHICH VOTE OCCURRED <i>5/6/21</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).

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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 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)

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