

**PLANNING AND ZONING BOARD
REGULAR MEETING
MINUTES**

February 23, 2022

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chairman Jerald Cohn. The meeting was held in the Commission Chambers of Town Hall located at 247 Edwards Lane, Palm Beach Shores, FL 33404.

Town Clerk Jude Goudreau called the roll, and present were: Chairman Jerald Cohn, Vice Chairman Tim Blash, Member Kevin Banks, Member Steven Smith and Alternate Member Tom Martin. Town Clerk Goudreau stated there was a quorum present. Also present were Town Attorney Mitty Barnard, Zoning Official Josh Nichols and Engineer Rob Rennebaum.

2. APPROVAL OF MEETING AGENDA: (Additions, substitutions, deletions)

MOTION: Member Kevin Banks moved to approve the meeting agenda as written.

SECOND AND VOTE: Vice Chairman Tim Blash seconded the motion, which passed unanimously by those present.

3. CONSENT AGENDA:

Approval of the February 2, 2022, Planning and Zoning Board Meeting Minutes.

Approval of the February 2, 2022, Oversight Surtax Committee Meeting Minutes.

Approval of the February 4, 2022, Planning and Zoning Board Special Meeting Minutes.

Approval of the February 10, 2022, Planning and Zoning Board Special Meeting (Continued from February 4, 2022) Minutes.

MOTION: Vice Chairman Tim Blash moved to approve the consent agenda as read.

SECOND AND VOTE: Member Kevin Banks seconded the motion, which passed unanimously by those present.

ACTION ITEMS:

- a. **SPR21-22/AAR21-23**, Paul K. and Cathleen M. Morris, Owners of 302 Blossom Lane, requests Site Plan Review and Architectural & Aesthetic Review to install a pool with paver deck and associated pool equipment on the property.

MOTION: Member Kevin Banks made a motion to approve the plans with the following conditions:

1. Yard areas/site to be graded to ensure that no stormwater runoff flows to adjacent properties;
2. Engineer shall be responsible for ensuring the drainage improvements are completed in substantial accordance with the approved plan;
3. Prior to C.O., Engineer to provide letter/certification that the drainage improvements and grading have been completed in substantial accordance with the approved plan; and
4. Upon receipt of final Certification from Engineer, Town Engineer to visit site and insure conformance of Town requirements prior to issuance of final C.O.

SECOND: Vice Chairman Tim Blash seconded the motion, which passed unanimously by those present.

- b. **SPR22-02/AAR22-02**, Sam J. Martin, Owner of 320 Sandal Lane, requests Site Plan Review and Architectural & Aesthetic Review to install a replacement shed in the rear of the property.

Member Tom Martin announced a voting conflict and abstained from discussion or voting on this agenda item, as Member Martin left the dais and chambers at 6:39pm (Form 8B attached to these minutes).

MOTION: Vice Chairman Tim Blash made a motion to approve the plans with the following conditions:

1. Applicant shall revise plans to relocate shed to comply with rear setback requirement of the Town Code;
2. Applicant shall ensure that the building height of the shed complies with the Town Code; and
3. Applicant shall ensure that the color scheme of the shed is consistent with the color of the existing residence.

SECOND: Member Kevin Banks seconded the motion, which passed unanimously by those present.

4. DISCUSSION ITEMS:

- a. Discussion regarding Zoning District B will be held as a Joint Workshop at the Town's Community Center at 90 Edwards Road, March 9, 2022, at 6:30 p.m. with the Town's Commissioners. The Public is encouraged to attend.
- b. Discussion of landscape elevation revisions to 2-story buildings to be added to a future agenda.

5. PUBLIC COMMENT: None.

6. ADJOURNMENT:

MOTION, SECOND AND VOTE: Vice Chairman Tim Blash moved to adjourn the meeting with Member Steven Smith seconding the motion, which passed unanimously. The meeting was adjourned at 6:53 p.m.

APPROVED this 25 day of March, 2022.

ATTEST:


Jude Marie Goudreau, Town Clerk


Jerald Cohn, Chairman



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

| | | | |
|--|--------|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME MARTIN THOMAS HENRY | | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PLANNING + ZONING BOARD | |
| MAILING ADDRESS 320 SANDAL LANE | | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: | |
| CITY PALM BEACH SHORES | COUNTY | <input checked="" type="checkbox"/> CITY | <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| DATE ON WHICH VOTE OCCURRED 2-23-22 | | NAME OF POLITICAL SUBDIVISION: PALM BEACH SHORES | |
| | | 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, Thomas MARTIN, hereby disclose that on Feb. 23, 20 22.

(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.

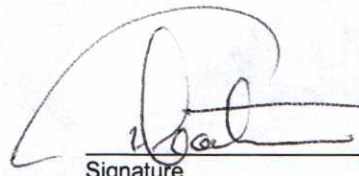
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Application concerns my primary residence

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.

02/23/22

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.