



City of Miami Springs, Florida

The regular meeting of the Miami Springs Zoning and Planning Board was held on Monday, February 2, 2015 in the Council Chambers at City Hall following the Board of Adjustment meeting.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:50 p.m.

Present were: Vice Chairman Ernie Aloma
Bill Tallman
Bob Calvert
Juan Molina

Also Present: City Attorney Jan K. Seiden
Planning and Zoning Director Chris Heid
Secretary to the Board Elora Sakal

2. NEW BUSINESS

- A) Case # 1-ZP-15
AQ Group, LLC
5051 NW 36 Street
Zoning: NW36, Northwest 36 Street District
Lot Size: 101,920 SF

Applicant is requesting the abandonment of a City-owned right-of-way (alley) 4,333 square feet in size, in order to construct a new hotel on an existing surface parking lot.

Chair Perez-Vichot abstained from discussion and voting for this item due to conflict of interest.

Zoning and Planning Director Chris Heid read his recommendation to the Board. He also provided a copy of the hotel that the Board approved recently on that site. He has worked with the Public Works Director to ensure that there are no issues as far as trash collection.

City Attorney Seiden clarified that all alleys are not necessarily City property but they are dedicated to the right of the City to use and for the public to use. The alley is not owned by anyone.

Planning and Zoning Director Heid stated that there are two conditions for approval. Any utilities located in the alley must be relocated at the applicant's expense in a location or manner that the City approves of. A unity of title must be executed combining all of the subject property of both public and private into a single parcel. The City shall be a party to the unity of title and manner and format of the documentation shall be at the sole discretion of the City and shall be recorded by the applicant with the Miami-Dade County Clerk's Office.

Board member Tallman moved to approve the vacation of the alley subject to the two conditions that any utilities location within the alley must be relocated at the applicant's expense and that the location and manner be approved by the City. That a unity of title should be executed combining all of the subject properties both public and private into a single parcel and that the City should be a party to the unity of title and the manner and format of the document shall be at the sole discretion of the City and shall be recorded by the applicant with the Miami-Dade County Clerk's Office. Board member Calvert seconded the motion which carried unanimously on voice vote.

3. ADJOURN

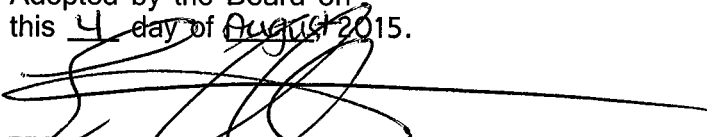
There was no further business to be discussed and the meeting was adjourned at 7:01 p.m.

Respectfully submitted:



Elora R. Sakal
Board Secretary

Adopted by the Board on
this 4 day of August 2015.



Vice Chair Ernie Aloma, Vice Chair

Words ~~-stricken through-~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".

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

LAST NAME—FIRST NAME—MIDDLE NAME Perez, Manuel	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Zoning & Planning
MAILING ADDRESS 1056 Hunting Lodge Dr.	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 Miami Springs Miami-Dade	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED February 2, 2015	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 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, Manuel Perez-Vichot, hereby disclose that on February 2, 20 15:

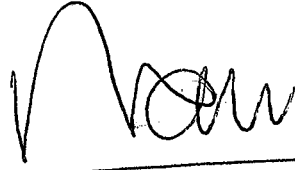
(a) A measure came or will come before my agency which (check one)

- 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 architect of this company.

8/4/15
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.