

**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, NOVEMBER 17, 2021.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Chair Silvin called the meeting to order at 9:30 a.m.

II. ROLL CALL

Richard Rene Silvin, Chairman	PRESENT
Sue Patterson, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
Kim Coleman, Member	PRESENT
Anne Fairfax, Member	ABSENT (excused)
Brittain Damgard, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	ABSENT (unexcused)
Bridget Moran, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James Murphy, Assistant Director of Planning, Zoning and Building
Sarah C. Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Board Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant

Please note: It was noted that Ms. Metzger would be voting in the absence of Ms. Fairfax.

III. PLEDGE OF ALLEGIANCE

Chair Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE OCTOBER 20, 2021 MEETING

Motion made by Ms. Coleman and seconded by Mr. Segraves to approve the minutes of the October 20, 2021 meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Mr. Bergman requested the following modifications to the agenda:

- *The addition of Item I. A. Consent Agenda*
- *Project COA-21-010, 1095 N. Ocean Blvd be moved to consent*
- *Project COA-21-011, 1284 N. Lake Way be moved to consent*
- *Project COA-21-014, 365 N. County Road be moved to consent*
- *The addition of Item I. B. Items Pulled from Consent*
- *Project HSB-21-003 (AKA COA-21-021) (ZON-21-029), 215 Seaspray Avenue be moved from Historically Significant Buildings to Certificate of Appropriateness*
- *Mr. Bergman indicated that the owners of 1250 N. Ocean Blvd. requested a deferral for their designation hearing but this item could be addressed during the hearings.*
- *Mr. Bergman indicated that the owners of 127 Kings Road requested a deferral for their designation hearing but this item could be addressed during the hearings.*

Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the agenda as amended. Motion carried unanimously, 7-0.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all professionals before each presentation and throughout the meeting as necessary.

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

There were no comments heard at this time.

VIII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

Mr. Silvin welcomed Town Council Member Ted Cooney to the meeting. Mr. Silvin addressed some procedural items for the meeting. Mr. Silvin addressed a story in the Palm Beach Daily News regarding the project of SMI Landscape Architecture in Bradley Park. Mr. Silvin recommended his fellow Commissioners listen to the zoning presentation of Messrs. Bergman and Murphy at the November Town Council Wednesday Meeting. He added that at the same meeting, Town Attorney Randolph presented an explanation of Bert J. Harris law. Mr. Silvin indicated that Mr. Donovan Rypkema's study was highlighted twice in the Palm Beach Daily News. Mr. Silvin reviewed the Preservation Foundation's realtor's symposium that took place in October. Mr. Silvin introduced Jordan Hodges, the Town's new Planner in the Planning, Zoning and Building Department.

Ms. Coleman expressed concern for dumpsters that sit on the street next to The Colony Hotel. Mr. Silvin asked staff to address the issue.

Ms. Damgard inquired if the Preservation Foundation could send Mr. Rypkema's presentation to some of the homeowners that are under consideration for landmark status. Ms. Stillings indicated that the Foundation did send the presentation to all of the

homeowners under consideration for landmark designation. Ms. Sunny confirmed this statement.

Mr. Segraves indicated that while his project at 1095 N. Ocean Blvd. was placed on the consent agenda, there had been some slight modifications to the project. He had professionals from his office that would be presenting these modifications. Mr. Clavijo confirmed that he had sent the modifications to the Town. There was some discussion on this but the decision was the project would be pulled from consent and be presented to the Commission for approval.

Ms. Metzger inquired if Betsy Shiverick had invited the homeowners who are under consideration to her home as discussed in a previous meeting. Mr. Silvin responded.

IX. PROJECT REVIEW

1. A. CONSENT AGENDA

1. **COA-21-010 1095 N. OCEAN BLVD.** The applicant, Carl and Jane Panattoni, has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including minor architectural changes and the construction of a new approximately 750SF story addition to the existing two-story cabana and other landscape changes.

Please note: This item was pulled from consent and was not approved under the consent agenda.

2. **COA-21-011 1284 N. LAKE WAY** The applicant, Steven Johnson, has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including minor exterior landscape changes, a new pool and terrace, and of a new retractable awning.
3. **COA-21-014 365 N. COUNTY RD.** The applicant, Lane 2013 Dynasty Trust (F. Leslie Barron, Trustee), has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including the installation of new window on a non-landmarked portion of the structure.

Motion made by Ms. Patterson and seconded by Ms. Coleman to approve the consent agenda as amended, to include the withdrawal of COA-21-010, 1095 N. Ocean Blvd. Motion carried unanimously, 7-0.

1. B. ITEMS PULLED FROM CONSENT

1. **COA-21-010 1095 N. OCEAN BLVD.** The applicant, Carl and Jane Panattoni, has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including minor architectural changes and the construction of a new approximately 750SF story addition to the existing two-story cabana and other landscape changes.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Mr. Segraves declared a conflict of interest for the project and left the dais. Ms. Moran voted in his absence.*

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the existing, landmarked home.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape changes proposed for the landmarked site.

Mr. Silvin called for staff comments. There were no comments heard at this time.

Mr. Silvin called for public comment. There were no comments heard at this time.

Ms. Albarran stated that a previous approval included a condition to lower the arches on the west elevation. Mr. Clavijo confirmed he would revisit that condition to make sure it would be completed. Ms. Albarran requested a vertical muntin be added to the single window on the north elevation. Mr. Clavijo confirmed he would add the muntin. Ms. Albarran suggested lowering the height of the second floor of the pool cabana. Mr. Clavijo inquired about Ms. Albarran's suggestion of a height reduction. Ms. Albarran suggested an 18-inch reduction. Ms. Albarran suggested the addition of a muntin to the windows behind the new balconies on the west elevation.

Ms. Damgard inquired about the increase of the windows and asked if it was due to the changes in the balconies. Mr. Clavijo responded.

Ms. Coleman inquired about the finished floor height of the pool cabana and wondered if it was the same height as the main house. Mr. Clavijo responded.

Ms. Patterson inquired if the professional had a rendering of the east elevation so that the Commissioners could see the proportions of the home and the cabana. Mr. Clavijo stated he did not have a rendering of the east elevation. Mr. Clavijo showed the Commission a line drawing of the two buildings. Ms. Patterson agreed that the cabana would appear nicer at a lower height. Ms. Patterson inquired about the opening above the front door. Mr. Clavijo responded.

Ms. Damgard inquired about the quatrefoil window above the front door and wondered if it was covered in wrought iron. Mr. Clavijo responded and stated it was not wrought iron.

Ms. Coleman questioned if the quatrefoil window was better proportioned than the proposed square. Mr. Clavijo explained the design request of the owners. Ms. Coleman thought the proposed opening should be smaller to be more proportioned.

Ms. Moran thought the quatrefoil window looked nicer than the proposed. She thought the square shape looked incomplete. She suggested adding a condition to the motion so that the professionals would need to return to the Commission for an approval of the quatrefoil window replacement.

Ms. Damgard thought the shape of the quatrefoil shape was more pleasing. She inquired if the replacement could have a similar shape.

Mr. Clavijo stated he just received a message that the owner was willing to retain the quatrefoil window.

A short discussion ensued about the items that to be modified.

Ms. Damgard inquired how the interior space would appear with an 18-inch reduction. Mr. Clavijo responded.

Ms. Pardue requested clarification in the motion for the modifications to the arches and the window on the north elevation.

Motion made by Ms. Albarran and seconded by Ms. Damgard to approve the project as presented with the following conditions: A vertical muntin is added to the windows behind the two new balconies on the front façade, a vertical muntin is added to the most western window on the north elevation, the arches on the west elevation are lowered 8 inches as previously approved, the roof of the cabana is lowered by 18 inches, and the quatrefoil window above the front entrance will remain as existing. Motion carried unanimously, 7-0.

A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS

1. **COA-21-002, 8 S. LAKE TR.** The applicant, The Lakeside Trust Dated November 19, 2020 (Patrick C. Emans, Trustee), has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including minor architectural changes to the fenestration and metal railings to the landmark structure along with landscaping and site work.

A motion carried at the September meeting to approve the architecture and defer the landscape plan for one month. A motion carried at the October meeting to approve the landscape as well as the terrace layout, but defer the material selection (Florida and Dominican Coral Stone) for one month.

Call for disclosure of ex parte communication: There were no ex parte communications declared at this time.

Jason Bibens, Ferguson Shamamian, presented the landscape and hardscape modifications proposed for the landmarked site.

Mr. Silvin called for staff comments. There were no comments heard at this time.

Mr. Silvin called for public comment.

Aimee Sunny, the Preservation Foundation of Palm Beach, encouraged the Commission to request the owners to retain the Florida coral stone where it currently existed.

Ms. Stillings discussed the tax abatement that the property had received and the conditions that were added to the approval at that time. However, she added that the decision was up to the Commission.

Ms. Patterson thanked the professionals. She added that she would like to see the Florida coral stone to remain where it currently existed.

Ms. Metzger agreed with Ms. Patterson.

Mr. Segraves thought the presentation was much clearer. He inquired about the area where the Florida coral stone was proposed to be replaced. Mr. Bibens responded and indicated the staircase to the pool was where the Florida coral stone existed and this was the area where they were asking the Commission to compromise.

Ms. Coleman inquired why the Dominican coral stone was being favored as a replacement choice. Mr. Bibens responded.

Ms. Damgard thought there was a big difference in the two stones and agreed that the Florida coral stone should remain. Mr. Bibens thought the difference between the two was the color.

Ms. Albarran agreed that the Florida coral stone should remain, with the exception of the dining room and the steps from the Lake Trail.

Ms. Moran thought the Florida coral stone should be retained. She raised the issue of the Secretary of Interior Standards and thought the stairs on the patio should remain or be replaced with the same material. Ms. Stillings provided further explanation.

A discussion ensued about the use of Florida coral stone and Dominican coral stone.

Motion made by Ms. Damgard and seconded by Ms. Metzger to approve the project with the following conditions: that all existing Florida coral

stone will be retained and that the east terrace shall be replaced with Florida coral stone rather than the Dominican coral stone proposed. Motion carried 6-1, with Mr. Silvin opposed.

B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS

1. **COA-21-008 (ZON-21-028) 271 EL VEDADO RD. (COMBO)** The applicant, 271 EL VEDADO, LLC (Jay Krehbiel), has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including the construction of a new approximately 450SF one-story addition to the reconstructed two-story landmarked garage-guesthouse destroyed by fire in the rear of the property, new pool, patio, driveway, and landscaping, and minor renovations to the main house including replacement of all existing wood doors and windows, including a variance from Chapter 50 for the required floor elevation for the new ground floor addition and pool equipment separation distance. The variance portion of the application shall be reviewed by Town Council.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Ms. Albarran declared a conflict of interest for the project and left the dais. Ms. Moran voted in her absence.*

Maura Ziska, attorney for the owner, explained the request for the variances and advocated for a positive recommendation to the Town Council.

Ms. Albarran presented the modifications proposed for the existing, landmarked residence.

Gabriela Abornoz, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications proposed for the landmarked site.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, made a recommendation for possible casement windows on the south elevation. She also made a recommendation for the northwest corner to add detailing as a nod to the previous sleeping porch.

Ms. Damgard thought the plan was nice and agreed with Ms. Sunny's suggestion. She thought the new landscape plan was clean and modern and wondered if the existing landscaping was more appropriate for the home.

Ms. Patterson was supportive of the project.

Ms. Albarran commented on the suggestions by Ms. Sunny.

Ms. Coleman agreed with Ms. Damgard with her assessment of the landscaping.

Motion made by Ms. Patterson and seconded by Ms. Coleman that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

A second motion made by Ms. Coleman and seconded by Ms. Patterson to approve the project with the condition that the landscape professional consider the addition of a tree in the front of the home, which could be approved by staff. Motion carried unanimously, 7-0.

2. **COA-21-009 (ZON-21-027) 250 ALGOMA RD. (COMBO)** The applicant, Cortright & Janice Wetherill, has filed an application requesting a Certificate of Appropriateness approval for the renovation of and modifications to a landmarked building including the construction of a new approximately 230SF ground floor addition, including a variance from Chapter 50 for the required floor elevation for the new ground floor addition. The variance portion of the application shall be reviewed by Town Council. Note: this residence is under consideration for landmark status.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran.

Travis Radak, Radakovich Architecture, presented the architectural modifications proposed to the existing, landmarked residence. Mr. Radak showed the Commissioners a material sample board. Mr. Radak also presented the landscape changes proposed for the property.

Ms. Coleman inquired about the existing color of the home. Mr. Radak responded.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she supported the project and thought the changes were compatible. She showed the Commission a historic photograph of the south elevation and recommended the owners restore the railing on the second floor balcony.

Mr. Segraves inquired about the material replacement for the siding of the home. Mr. Radak responded. Mr. Segraves inquired about the window material proposed. Mr. Radak responded. Mr. Segraves inquired about the roof material. Mr. Radak responded. Mr. Segraves asked the consultant about the entire replacement of the skin of the home.

Ms. Stillings responded and stated that she was not concerned about the proposed window replacements. She also indicated that best preservation practice would be to replace materials with what currently existed.

Ms. Albarran was supportive of most of the project. However, she thought the window replacement should be with a wood material.

Ms. Metzger applauded the owner's efforts and supported the project. She inquired about the age of the roof.

Mr. Segraves believed the home would appear more charming with a cedar shingle roof.

Ms. Damgard provided her personal experience on composite siding. She also agreed with Mr. Segraves with the cedar shingle roof.

Motion made by Ms. Damgard and seconded by Ms. Patterson that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

A second motion made by Ms. Damgard and seconded by Ms. Patterson to approve the project as presented with the suggestion that the owner consider the historic railing on the second floor, south elevation and that the owner consider replacing the shingle roof with a cedar shingle roof. Motion carried unanimously, 7-0.

3. **COA-21-012 (ZON-21-021) 1100 S. OCEAN BLVD. (COMBO)** The applicant, Mar-a-Lago Club Inc, has filed an application requesting a Certificate of Appropriateness approval for modifications to a previously approved COA including an approximately 380SF addition to an existing ballroom and new landscaping, including new planting along South Ocean Boulevard. The application will require special exception and site plan review by Town Council.

Call for disclosure of ex parte communication: Disclosure by Mr. Silvin and Ms. Albarran and Moran.

Harvey Oyer, Attorney for the Mar-a-Lago Club, provided an overview of the project, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Dustin Mizell, Environment Design Group, presented the landscape changes proposed for the site.

Rick Gonzalez, REG Architects, presented the architectural plans proposed for the new bathrooms.

Mr. Silvin called for staff comments. Ms. Pardue provided staff comments.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, was glad to see the plans were reviewed by the National Trust. She stated she was surprised to see the low energy glass material proposed.

Ms. Coleman inquired if the professionals had a photograph of the replacement landscaping as proposed. Mr. Mizell passed around a plan that had a picture of the landscaping. She was supportive of the project.

Ms. Albarran supported the project.

Mr. Segraves thought the restrooms were well design and supported the project. He questioned how the Commission could allow them a replacement of the landscaping every year.

Mr. Murphy suggested that the professionals submit a staff approval application for the replacement each year.

Motion made by Ms. Coleman and seconded by Ms. Patterson to approve the project as presented, with changes in the landscaping to return as a staff approval application, rather than a Certificate of Appropriateness, each year. Motion carried unanimously, 7-0.

4. **HSB-21-003 (AKA COA-21-021) (ZON-21-029) 215 SEASPRAY AVE. (COMBO)** The applicant, 215 Seaspray Ave LLC, has filed an application requesting Landmarks Preservation Commission review and approval for the renovation of and modifications to a historically significant building including the construction of a new two-story addition in the rear of the structure, including a variance from Chapter 50 for the required floor elevation for the new ground floor addition, minor architectural changes, and overall site work. The variance portion of the application shall be reviewed by Town Council.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran.

Kristin Kellogg, Smith Kellogg Architecture, presented the architectural changes proposed for the existing, landmarked residence.

Claudia Visconti, SMI Landscape Architecture, presented the landscape and hardscape changes proposed for the landmarked site.

Mr. Silvin called for staff comments. Ms. Pardue and Mr. Murphy provided staff comments.

Mr. Silvin inquired why the owner decided to move from a historically significant building designation to a request for a landmarked designation. Ms. Kellogg responded and explained the path the owner had taken with the designation of his home.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she supported the project.

Motion made by Ms. Patterson and seconded by Ms. Coleman that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

A second motion made by Ms. Patterson and seconded by Ms. Coleman to approve the project as presented. Motion carried unanimously, 7-0.

C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS

None

D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS

1. **HSB-21-004 (ZON-21-018) 245 BARTON AVE. (COMBO)** The applicant, Elizabeth Sorrel, has filed an application requesting Landmarks Preservation Commission review and approval for the construction of a new 35 SF covered ground floor entry addition to a historically significant building including variances from the setback, CCR and lot coverage requirements. The variance portion of the application shall be reviewed by Town Council.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Metzger.

Michael Perry, MP Design & Architecture Inc., presented the architectural modifications proposed for the existing, landmarked residence.

Mr. Silvin called for staff comments. Mr. Murphy provided staff comments.

Ms. Stillings stated that since the home needed to meet the Secretary of Interior Standards, she believed the entry way should be preserved, rather than enclosed. She stated that the balcony was not historic and that decision should remain with the Commission. She added that she believed the proposal did not meet at least four of the standards.

Mr. Silvin called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, expressed her concern for the change to the front entry feature. She stated the Secretary of Interior Standards that she believed the proposed entry modification did not meet.

Mr. Segraves also did not believe the change met the standards.

Ms. Patterson questioned what the change added to the home and agreed with Mr. Segraves.

Ms. Albarran found the design problematic. She suggested an awning rather than the proposed.

Ms. Moran supported the railing change but agreed that front entry change did not meet the standards.

Ms. Metzger stated she could not support the project.

A consensus of the Commission thought an awning would be more appropriate.

A discussion ensued on the possible solutions for the front entry feature.

Motion made by Mr. Segraves and seconded by Ms. Patterson to defer the project for one month, to the December 22, 2021 meeting, for a restudy of the front entrance. Motion carried unanimously, 7-0.

Please note: A lunch break was taken at 1:12 p.m. The meeting resumed at 2:00 p.m.

X. DESIGNATION HEARINGS

Item 1: 4 South Lake Trail

Owner: Alice Pannill, Alice Z. Pannill Trust

Call for disclosure of ex parte communication: Disclosure by Ms. Damgard and Mr. Segraves.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Monterey influenced, British Colonial style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Metzger and second by Ms. Coleman to make the designation report for 4 S. Lake Trail part of the record. Motion carried unanimously, 7-0

Mr. Silvin called for any public comment on the designation.

Amanda Skier, Preservation Foundation of Palm Beach, was grateful for the owner for offering her home for landmark designation.

Ms. Albarran felt privileged to have been an architect who worked on the home.

Mr. Silvin inquired about the reason the owner offered her home for landmark designation. Ms. Skier responded.

Motion made by Ms. Albarran and second by Ms. Patterson to recommend 4 S. Lake Trail to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

Item 2: 425 Seabreeze Avenue

Owner: Marion and Timothy Murphy

Call for disclosure of ex parte communication: There were no ex parte communications heard at this time.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Frame Vernacular/Georgian Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship.

Motion made by Mr. Segraves and second by Ms. Patterson to make the designation report for 425 Seabreeze Avenue part of the record. Motion carried unanimously, 7-0

Mr. Silvin called for any public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the owner for supporting the landmark designation.

Motion made by Mr. Segraves and second by Ms. Patterson to recommend 425 Seabreeze Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161. Motion carried unanimously.

Item 3: 1250 N. Ocean Boulevard

Owner: Marsha Beeson

Motion made by Ms. Damgard and seconded by Ms. Patterson to defer the project for one month, to the December 22, 2021 meeting, at the owner's request. Motion carried unanimously, 7-0.

Item 4: 127 Kings Road

Owner: Angie and James McNamara

Motion made by Ms. Coleman and seconded by Ms. Patterson to defer the project to the March 16, 2022 meeting, at the owner's request. Motion carried unanimously, 7-0.

Item 5: 137 Kings Road

Owner: Eric and Lucinda Stonestrom

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Coleman and second by Ms. Patterson to make the designation report for 137 Kings Road part of the record. Motion carried unanimously, 7-0.

Mr. Silvin called for any public comment on the designation.

Lucinda Stonestrom, owner, offered her home for landmark designation and stated she and her husband would be in front of the Commission soon for some modifications to their home.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the owner for supporting the landmark designation and of their stewardship of the home.

Motion made by Ms. Metzger and second by Ms. Patterson to recommend 137 Kings Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

Item 6: 300 Clarke Avenue

Owner: Desmond and Dorothy Ann Heathwood

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Metzger and second by Ms. Patterson to make the designation report for 300 Clarke Avenue part of the record. Motion carried unanimously, 7-0.

Mr. Silvin called for any public comment on the designation.

M. Timothy Hanlon, Attorney for the Desmond and Dorothy Ann Heathwood, stated the owners understood the benefits of owning a landmarked home and supported the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the owner for supporting the landmark designation.

Motion made by Ms. Metzger and second by Ms. Patterson to recommend 300 Clarke Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried unanimously.

Item 7: 686 Island Drive
Owner: Robert Greenhill

Call for disclosure of ex parte communication: Disclosure by Mses. Patterson and Albarran.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Neo-Classical Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Coleman and second by Ms. Patterson to make the designation report for 686 Island Drive part of the record. Motion carried unanimously, 7-0.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Mr. Silvin called for any public comment on the designation.

Nancy Udell, Attorney for Robert Greenhill, owner of 686 Island Drive, stated that the owner was opposed to the landmark designation.

Mr. Greenhill, owner, stated that he was opposed to the landmark designation and explained the reasons he believed his home should not be landmarked.

Rick Gonzalez, REG Architects, reviewed the architecture of the home, discussed the alterations that had been made, and presented arguments against the designation of the home as a landmark.

Ms. Murphy acknowledged that changes and additions had been made to the home. However from the public right of way, she believed the home was still very similar to the original. She discussed the architectural changes and argued why she believed the changes were acceptable.

Mr. Gonzalez provided rebuttal to Ms. Murphy's comments.

Aimee Sunny, Preservation Foundation of Palm Beach, discussed the Neo-classical architecture style and added it was appropriate style for the home. She spoke about Henry Harding and his important work. She also discussed the changes on the home and how she believed they were compatible.

Ms. Patterson thought there were very few examples of this type of home and thought it was important to try to retain the home. She thought the front façade was very special. She discussed the value of the home.

Mr. Segraves discussed he was a big fan of Henry Harding. He thought the front façade had value but added the additions were not sensitive to the home.

Ms. Damgard thought that while the home had additions, she still believed the home looked like the historic home and still had merit.

Ms. Metzger inquired if the Commission could landmark the front façade.

Ms. Coleman thought the home was distinctive and had merit. She believed it was worthy to landmark the home. Ms. Coleman inquired why the owner was so vehemently opposed to the designation.

Ms. Albarran was also a fan of Henry Harding. She mentioned she had been an architect on the home and always loved this home.

Ms. Metzger asked Mr. Gonzalez if his client would be interested in landmarking the front façade. Mr. Gonzalez responded and stated he would need to discuss the possibly with his client.

Mr. Silvin thought the front façade designation would be a good compromise.

Ms. Coleman inquired about the owner's objections to the designation, especially since the new study revealed the increased value of landmarked homes. Mr. Gonzalez responded.

At this time, Mr. Gonzalez requested a five-minute recess to discuss the possibility of the front façade designation with his client.

Please note: A short break was taken at 3:58 p.m. The meeting resumed at 4:05 p.m.

After the meeting resumed, Mr. James Green requested a two month deferral so that his team could review the options with the Greenhill family.

Motion made by Ms. Metzger and second by Ms. Albarran to defer the hearing for two months, to the January 19, 2022 meeting, at the request of the owner. Motion carried unanimously, 7-0.

Item 8: 256 Orange Grove Road

Owner: Allen and Peggy Tomlinson

Call for disclosure of ex parte communication: There were no ex parte communications heard at this time.

Mr. Silvin asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Mid-Century Modern style home. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship; and

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Motion made by Ms. Damgard and second by Ms. Patterson to make the designation report for 256 Orange Grove Road part of the record. Motion carried unanimously, 7-0.

Mr. Silvin called for any public comment on the designation.

Alan Tomlinson, owner, stated he opposed to the landmark designation and provided the reasons he was opposed. He discussed the architecture of the home and added details on why he did not believe his home met the standard of a landmarked home.

Ms. Stillings restated that she felt this home was a very good representation of a Mid-Century Modern home, the architect was under represented and felt it was worthy of designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thought that it was important to recognize and preserve all types of homes to tell the whole story of Palm Beach. Specifically, she thought this home was important to help preserve the character in the north end of the island.

Mr. Segraves inquired if the owner knew the finished floor elevation. Mr. Tomlinson responded. Mr. Segraves stated he knew the architect of the home. He thought there were merits of the home and thought it may be beneficial to have a protection on the home, such as a landmark designation or a historically significant building designation.

Ms. Moran thought the home was important, especially since it would be the only Landmarked Mid-Century Modern home, which was stated to be under represented.

Motion made by Ms. Coleman and second by Ms. Patterson to recommend 256 Orange Grove Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried 6-1, with Ms. Albarran opposed.

Item 9: 357 Crescent Drive

Owner: Juliette De Marcellus

Call for disclosure of ex parte communication: Disclosure by Mr. Silvin.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Neo-Classical Revival style home. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

Motion made by Ms. Coleman and second by Ms. Patterson to make the designation report for 357 Crescent Drive part of the record. Motion carried unanimously, 7-0.

Mr. Silvin called for any public comment on the designation.

Juliette De Marcellus, owner, stated that while she supported the efforts of the Commission, she objected to the designation of her home. She discussed the flooding in the rear of her home and handed out photographs of the flooding. She indicated that she is one of three trustees for the home. She read a letter from one of the other trustees of the property. She also read a letter from an architect in the Town, who indicated that he did not believe the home was worthy of designation. She discussed the architectural changes to the home and passed out photographs of the changes.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she would be willing to speak with Ms. De Marcellus. She wondered if there was a way to deal with the flooding. She also thought the home was good example of the Neo-Classical Revival style.

Ms. Coleman thought the home was beautiful from the front but understood the flooding that occurred in the rear of the property.

Ms. Patterson agreed the home was beautiful. She thought more exploration was needed to assess the flooding of the property.

Ms. De Marcellus stated that the owners had investigated how to address the flooding.

Ms. Damgard thought it was a hard decision and had some sympathy for the owner. She indicated this designation was similar to a situation that had been presented last year.

Ms. Albarran loved the home. She recommended deferring the home for further study.

Ms. Coleman thought it would be more helpful to actually see the home in person. Mr. Randolph stated that the Commission could visit the property, especially at the invitation of the homeowner. However, the Commissioners could not tour any homes together due to Sunshine Law.

Ms. Churney noted that Ms. Moran would be voting as Mr. Seagraves had left the meeting at 4:30 p.m.

Ms. De Marcellus welcomed all Commissioners to tour her home.

Motion made by Ms. Patterson and seconded by Ms. Albarran to defer the hearing of 357 Crescent Drive to the January 19, 2022, to allow the Commissioners time to visit the property. Motion carried unanimously, 7-0.

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no comments heard at this time.

2. Staff

Mr. Bergman reviewed the Landmark projects and issues presented at the November 2021 Town Council Meetings.

Mr. Bergman stated that Fernando Wong declared a continuing conflict of interest for the project at 8 S. Lake Trail at the October 20, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Patrick Segraves declared a conflict of interest for the project at 425 Seaspray Avenue at the October 20, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Patrick Segraves declared a conflict of interest for the project at 251 Park Avenue at the October 20, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

There were no comments heard at this time.

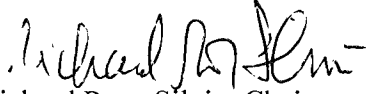
XII. NEXT MEETING DATE: Wednesday, December 22, 2021

XIII. ADJOURNMENT

Motion made by Ms. Patterson and seconded by Ms. Coleman to adjourn the meeting at 5:16 p.m. The meeting adjourned without the benefit of a vote.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, December 22, 2021, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Rene Silvin". The signature is fluid and cursive, with a horizontal line extending from the end.

Richard Rene Silvin, Chairman

LANDMARKS PRESERVATION COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>Albarran Jacqueline</u>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Landmarks Preservation Commission</u>
MAILING ADDRESS <u>324 Royal Palm Way #227</u>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY <u>Palm Beach</u> COUNTY <u>Palm Beach</u>	NAME OF POLITICAL SUBDIVISION: <u>Town of Palm Beach</u>
DATE ON WHICH VOTE OCCURRED <u>November 17, 2021</u>	MY POSITION IS: ☐ ELECTIVE ☒ 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, Jaqueline Albarran, hereby disclose that on November 17, 20 21 :

(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 Jay Krehbiel, 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:

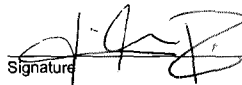
COA - 21-008
271 El Vedado Rd.
Continuing Conflict

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

11/17/21

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>Seagraves, Patrick</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>
MAILING ADDRESS <i>2500 S. Ocean Blvd. #2A1</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>
DATE ON WHICH VOTE OCCURRED <i>November 17, 2021</i>	MY POSITION IS: ☐ ELECTIVE ☒ 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:

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Patrick Segraus, hereby disclose that on November 17, 20 21:

(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 Carl and Jane Panattoni, 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:

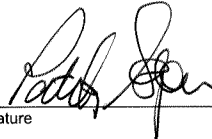
CoA - 21-010
1095 N. Ocean Blvd.
Continuing Conflict

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

11.17.21

Signature



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