



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, OCTOBER 19, 2016.

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

Chairman Cooney called the meeting to order at 9:31 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
John T. Gannon, Vice Chairman	PRESENT
Nikita Zukov, Member	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
William J. Strawbridge, Jr., Member	PRESENT
Richard Rene Silvin, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	ABSENT (excused)
Anne Fairfax, Alternate Member	PRESENT (left at 11:01 a.m.)
Jorge Sánchez, Alternate Member	ABSENT (unexcused)

Staff Members present were:

John S. Page, Director of Planning, Zoning & Building

John Lindgren, Planning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE SEPTEMBER 21, 2016 MEETING

Motion made by Mr. Gannon and seconded by Ms. Albarran to approve the minutes of the September 21, 2016 meeting. Motion carried with all in favor.

V. APPROVAL OF THE AGENDA

Chairman Cooney stated there were a few modifications to the agenda.

Mr. Lindgren stated that the applicant for the informal review for COA-039-2016, 141 S. County Rd, Bethesda-by-the-Sea, has requested a 60-day deferral.

Harvey Oyer, Esquire, Shutts & Bowen, stated that he is working on behalf of Bethesda-by-the-Sea, at the Town's request, trying to resolve issues with the surrounding neighbors and needs more time to do so. Mr. Silvin asked Mr. Oyer if he could update the Commission on the issues at hand. Mr. Oyer addressed the Commission and provided a further explanation for the request. Mr. Page indicated this application would return to the Commission on December 21, 2016 if they granted a 60-day deferral.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the 60-day deferral request to the December 21, 2016 meeting. Motion carried with all in favor.

Mr. Page also stated that Ms. Hufty declared a conflict for the project at 221 Royal Palm Way at the September 21, 2016 meeting had has correctly completed the 8B form in accordance with State Law.

Mr. Lindgren stated there was an additional item that needed to be heard by the Commissioners. He stated that the architect from 1200 S. Ocean Blvd. had a request for fenestration changes.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the agenda as amended, to include hearing the additional information from the architect at 1200 S. Ocean Blvd. and the deferral of COA-039-2016. Motion carried with all in favor.

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

VII. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)

Guillermo Vasquez, architect with Bridges, Marsh and Associates for 1200 S. Ocean Blvd., presented a fenestration change on an interior courtyard, north elevation. He provided the reasons for the change to the Commissioners.

Commissioners Comments: Many of the Commissioners thought the new windows were skinny and needed to be wider. There was a suggestion to change the window size to the size of the originally approved side windows.

Motion made by Ms. Albarran and seconded by Mr. Zukov to direct the staff to administratively approve all three equal and matching windows to the original approved size of the side windows. Motion carried with all in favor.

VIII. PUBLIC HEARINGS

A. Application for Certificate of Appropriateness #036-2016

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - Done 8/17/16

Address: 3 Four Arts Plaza

Owner/Applicant: Society of the Four Arts

Architect: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Landscape Architect: Brian Vertesch/SMI Landscape Architecture

Project Description: Rehabilitate the existing The Gioconda and Joseph King Library will include the following: 1) Retain the original Fatio building while demolishing the two additions to the north of the Fatio building; 2) Retain the character of the main reading room; 3) Restore the meeting room upstairs by exposing the original heavy timber members; 4) Add a new two-story addition to the original building. This building will be Mediterranean with a pitched roof. It will be sited similarly to the existing additions, but it will be a full two story addition, satisfying the needs of the staff and the public. The rehabilitation will address accessibility, including providing accessible toilet rooms and egress. Moisture issues will be rectified, as well as providing proper climate control for the building and specifically for the rare book room. The approval of this work will ensure that library patrons in the future will be able to enjoy charms and services of this very special library.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES: The applicant is requesting for approval to rehabilitate the Gioconda and Joseph King Library ("King Library"). The design objectives of the King Library rehabilitation are as follows: maintain the public entrance facing Four Arts Plaza, maintain the first floor of the original Fatio Building as a library reading room, provide a Rare Documents Room that has proper ventilation and humidity and security, provide a meeting space on the second floor of the original Fatio Building, restore the exposed wood roof trusses on the second floor of the original Fatio Building, provide staff work stations and work space, provide accessible restroom facilities in accordance with ADA, and provide second means of egress from second floor. The following variances are requested for the new addition to the King library: 1) To reduce the required front yard setback for the King Library to 12.0 feet in lieu of 35 feet minimum required. A variance of 23.0 feet. 2) To increase the required angle of vision to 154 degrees for the King Library in lieu of 116 degrees maximum as required. A variance of 38 degrees. 3) To increase the required building height for the addition to the King Library to be 31.0 feet in lieu of 22 feet maximum as required. A variance of 9.0 feet. 4) To allow an overall building height for the addition to the King Library to be 35.50 feet in lieu of 30 feet maximum as required. A variance of 5.50 feet. 5) To have the building height plane for the King Library to be 11.0 feet in lieu of 61.5 feet maximum as required. A variance of 50.5 feet. 6) To eliminate the requirement to provide one (1) off-street parking space required for the 649 square foot addition to the King Library.

At the August meeting, a motion carried that the implementation of the proposed special exception, site plan and variances would not cause negative architectural impacts to the subject landmarked property with the exception of the variance for the front staircase issue. At the September meeting, this project was deferred to the October meeting.

Call for disclosure of ex parte communication: Disclosure by Messrs. Strawbridge and Silvin and Ms. Hufty.

Mr. Page updated the Commissioners on the Town Council's decisions regarding all of the variance requests. He told the Commissioners that the Town Council was in favor of the ADA ramp that was requested.

Mr. Kirchoff presented the Commission items that had been changed since the last time he presented to the Commission in August. Mr. Kirchoff presented photos of a site overview, historic drawings from Fatio and Wyeth, King and Johnson, a site plans, materials removal plan, floor plans, roof plans, existing photos, Fatio drawings of front and rear elevation, renderings, landscape renderings, existing and proposed renderings of all elevations, additional side elevations and building sections by Fatio, existing photos of the interiors, renderings of proposed interiors and historic interior photos. Mr. Kirchoff stated that they did pursue an elevator option for the front entrance but stated it was not feasible. He showed the Commissioners samples for the proposed project. Mr. Kirchoff went over each section of the building and indicated the uses for the proposed spaces in detail.

Ms. Fairfax asked how much of the materials would be salvaged. Mr. Kirchoff responded by saying they would salvage and reuse as much as they could. Ms. Fairfax questioned how Mr. Kirchoff would handle the changes in the columns, architraves and arches. She also questioned the quoins and grills on the Fatio drawings and whether they would be incorporated in the proposed project. Mr. Kirchoff addressed this questions.

Commissioners Comments: Many of the Commissioners were worried about the murals and how the new floor would be installed around the murals. Mr. Kirchoff stated how the murals would fit with the newly raised floor. One of the members stated that the landscaping mitigates the proposed addition in a positive way. There was a suggestion to change the window to the right of the entrance on the west elevation to match the window to the left of the entrance. Many other Commissioners agreed with that suggestion. There was a suggestion to leave the window as is on the south elevation. Mr. Kirchoff provided reasoning for the window change. There was a suggestion to make the front door less dominant. Mr. Kirchoff responded to this request.

Ms. Hufty passed on a recommendation from a written document from the U.S. Department of Interior, that suggests to bury the steps, the bottom of the columns and to leave the footers with the possibility that they could one day be restored. Mr. Kirchoff responded to the request. There was some discussion on this issue.

Mr. Cooney asked how the mural removal and restoration would be handled.

David Breneman, President of The Society of the Four Arts, discussed how The Four Arts will handle the restoration of the murals. Mr. Cooney asked if The Four Arts would return and update the Commission when handling the restoration. Mr. Breneman stated they would be happy to update the Commissioners.

Mr. Cooney asked about the materials for the new windows and shutters. Mr. Kirchoff stated they have chosen to go with CGI Windows.

Patrick Henry, Chairman of the Board of Trustees at The Society of the Four Arts, assured the Commissioners that they would have the budget to do a first rate job.

Commissioners Comments: There was a question regarding the trees that anchor the front façade. Mr. Vertesch responded to the question.

Mr. Vertesch presented the landscape and hardscape plan for the proposed project. He showed the members a front and rear façade rendering and stated they will be preserving as much landscaping as they can onsite or offsite. Many of the Commissioners liked the proposed landscaping.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the project as presented with the caveats that the window on the right of the front entrance, west façade, will match the window to the left of the entrance, that the windows are a CGI estate series, that when plans are submitted for a permit, it will state that the conditions of the columns and arches will be analyzed, and to return to the Commission with a drawing of the front entrance door, Dominican stone samples and a mural removal and restoration update. Motion carried with all in favor.

Please note: At this time, Chairman Cooney asked for item C to be heard before item B.

C. [Application for Certificate of Appropriateness #047-2016](#)

Address: 1820 S. Ocean Blvd.

Owner/Applicant: Taubman Family (AAT PB LLC)

Architect: Dan Kahan/Smith and Moore Architects, Inc.

Project Description: Window and door replacement. Further described as replacement of all existing fenestration with wood frame impact-resistant doors and windows to match existing configuration. Units being replaced include both original and non-original materials.

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

Mr. Kahan thanked the Preservation Foundation for allowing him to present ahead of their project. He provided the history of the home and stated the home is undergoing an interior restoration and they are replacing all of the doors and windows in the home. He showed the Commissioners historical drawings, photos, floor plans, material removal plans and renderings. He stated there is a change that they would like to make a change on the east façade, which includes removing the leaded glass that was added to the doors and transoms that face the ocean but indicated they will keep the mullion pattern in the new glass. He stated they are still studying paint colors and that all windows would be mahogany. A discussion ensued about the leaded glass and the places where it currently exists on the home.

Motion made by Ms. Albarran and seconded by Mr. Gannon to approve the project as presented with the caveat that the windows above the French doors are divided and leaving the French doors open, without any divisions on the glass and using all wood products for the replacements. Motion carried with all in favor.

B. [Application for Certificate of Appropriateness #040-2016](#)

***LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW* - Done 8/17/16**

Address: 100 Bradley Place

Owner/Applicant: Brian Vertesch, Agent for the Preservation Foundation of Palm Beach

Architect: Jorge Sanchez and Brian Vertesch/SMI Landscape Architecture

Project Description: Modifications to Bradley Park that include: Removal and partial relocation of existing fountain, plaza addition, demolition of existing restroom and addition of new restroom, removal of employee parking at north end of park, addition of overlook along seawall, lake trail extension, new park entry, relocation of Bradley monument plaque, addition of stabilized grass parking in place of existing asphalt, benches, low sculptures, low see through perimeter fence, sculpture pad, new perimeter sidewalks adjacent to the park, additional plantings, landscape lighting, addition of compacted stone dust paths.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: The applicant requests to modify Bradley Park public open space as follows: 1) Removal and relocation of existing fountain centerpiece, located at south west area of Bradley Park. Demolition of existing fountain basin; 2) Construction of plaza and fountain basin adjacent to south side of existing structure at north/central property, often referred to as the "Tea House"; 3) Demolition of existing one story restroom and kitchen located directly east of the Tea House and the addition of a new public restroom; 4) Removal of asphalt parking adjacent to north side of existing bathroom; 5) Removal and partial replacement of sidewalks on north property line, Sunset Ave, and east property line, Bradley Place; 6) Addition of small overlook structure to the west of the existing pump house, adjacent to the proposed lake trail; 7) Addition of Town Lake Trail extension; 8) Addition of new park entry at north east corner of park; 9) Relocation of existing Bradley Park monument; 10) Addition of stabilized grass parking adjacent to S-2 pump station; 11) Addition of site furnishings including benches, bike rack, and low train sculpture; 12) Addition of sculpture pad to south of the Tea House; 13) Addition of 30" high decorative see through fence around perimeter of park at Sunset, Bradley Place, and Royal Poinciana Way. There will be openings into park with no gates; 14) Addition of stabilized decomposed granite pathways within the park; 15) Addition of landscape lighting; 16) Landscape improvements as graphically described on the plans and specifications submitted.

At the August Meeting, a motion carried that the implementation of the proposed special exception and site plan review would not cause negative architectural impact to the subject landmarked property with the exception of the fence around the park. At the September meeting, this project was deferred to the October meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Randolph, Town Attorney, made a statement to the Commissioners that they need to make decisions based on their charge and the criteria set forth in the Code and not to concern themselves with the issues that will be decided by the Town Council. A short discussion ensued regarding this topic.

Paul Brazil, Director of Public Works, talked about the plan for the park and asked for a favorable recommendation to the Town Council.

Mr. Vertesch talked about the Preservation Foundation's donation to the Town. He stated his team has talked to the police, fire, public works and building department as well as the Diocese to make sure that all groups were satisfied with the plan to be presented. The Diocese asked for the fence, sculpture and the child's train bench to be removed. He stated that the construction plan would outline that all construction items be contained within the park and also indicated that they would like to begin in the summer to lessen the traffic impacts. He also stated the enhancements would total almost \$2.3 million. Mr. Vertesch presented an aerial map and existing condition, existing and proposed photos and renderings, site plans, detail sheets, and the proposed landscape and hardscape plan. He spoke to each section in detail and the changes that are proposed.

Mr. Lindgren read a letter into the record from Lory and John Volk.

Emily Stillings, MurphyStillings, showed a photograph of the fountain, including the basin, when The Beach Club existed in 1938. She suggested keeping the fountain in the current location.

Anita Seltzer, 44 Cocoanut Row, read historic comments by Forrest Lisle and showed some historic pictures of the fountain and The Beach Club as well as existing photos of Bradley Park. Ms. Seltzer expressed her opinion that the Town should not accept the gift from the Preservation Foundation as she feels the changes are not appropriate.

Commissioners Comments: There was a suggestion that educational boards be placed at different points in the park to inform the public. Many of the Commissioners thought this was a good idea. Mr. Silvin asked where the Artemis fountain topper was stored after it fell during the storm. Mr. Brazil stated that Public Works has the topper in three pieces and stated that it will be replicated for the fountain. Mr. Brazil also discussed reasons for the relocation for the fountain. Mr. Cooney asked for confirmation that archeological monitoring would occur. Mr. Vertesch stated it has already begun. Mr. Cooney also asked about future tree sites. Mr. Vertesch addressed this question.

Ms. Albarran asked about the pitch on the roof on the proposed gazebo and recommended to use a clay barrel tile. She also questioned the railings and the balustrades on the gazebo. Ms. Albarran also made a suggestion to move the fountain into the grass in front of the bath house instead of its proposed space. Many of the Commissioners liked moving the fountain away from the bathroom.

Ms. Hufty also talked about the roof on the gazebo and asked why it was placed in the proposed location. Mr. Vertesch responded to these questions. Mr. Vertesch provided a sample of the trail material. Ms. Hufty asked if the bathrooms will be locked at night and Mr. Brazil stated he would be addressing that with the Town Council.

Mr. Strawbridge made a suggestion for an alternate location for the fountain to allow it to be seen from all sections of the park.

Mr. Brazil stated that the Commissioners could place a condition on the approval to return with new proposed locations and basin sizes for the fountain and that would still allow them to move forward to the Town Council for their approval.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the project as presented, paying close attention that the gazebo's roof pitch and balustrades are constructed historically correct, to add educational boards around the park and to defer the size of basin and location of the fountain for one month to the November 16, 2016 meeting.

Mr. Page confirmed that the Diocese asked for the removal of the three items, including the fence, sculpture and the child's train bench. Mr. Cooney confirmed that none of those items were approved.

Motion carried with all in favor.

Please note: A short break was taken at 12:33 p.m. and the meeting resumed at 12:45 p.m.

D. [Application for Certificate of Appropriateness #049-2016](#)

Address: 1095 N. Ocean Blvd.

Owner/Applicant: TGS Florida LLC, c/o Jane Goldman

Architect: Mario Nievera/Nievera Williams Design

Project Description: Landscape revisions of previously presented landscape drawings (COA-018-2016; SPR 7-2016). In addition, restoration and reconstruction of a portion of the existing perimeter wall, south of the entry gate along North Ocean Blvd. Other associated changes as presented.

Call for disclosure of ex parte communication: None.

Keith Williams presented the proposed landscaping changes to the project. He showed the Commissioners a Banyan tree that they are proposing to move as well as the changes to the landscaping along the west wall and the wall that needs to be rebuilt.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the project as presented. Motion carried with all in favor.

IX. [OTHER BUSINESS](#)

A. [Informal Review - Application for Certificate of Appropriateness #039-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 141 S. County Rd.

Owner/Applicant: Church of Bethesda-by-the-Sea, Inc.

Architect: Gene Pandula/Pandula Architects

Project Description: The Church of Bethesda-by-the-Sea proposed to add 11 parallel off-street parking spaces along the north side of the 100 block of Barton Ave. The parking spaces currently exist. The new spaces are being shifted onto the Church property to allow Barton Ave. to operate as a full time two-way local street. 23 off-street parking spaces are proposed to be located on the vacant parcel directly west of the Church (across South County Rd.)

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES INFORMATION: The applicant is requesting for approval of a Special Exception with Site Plan Review and Variances to construct required off-street & supplemental parking spaces to accommodate 34 additional required off-street & supplemental parking, specifically 11 parallel parking spaces are proposed to be located on private property along the north side of the 100 block of Barton Avenue, adjacent to the Church. 23 parking spaces are proposed to be located on the Church's parcel directly west of the Place of Worship across South County Road. If approved, the additional 34 required off-street & supplemental parking spaces will substantially alleviate the recent loss of parking that has existed as a result of changes to the Town's parking policies. At the Town Council's direction, the applicant seeks to allow residents of the 100 & 200 block of Barton Avenue along with residents of the 200 block of Pendleton Avenue to use the 34 off-street and supplemental parking spaces by way of a Declaration of Use agreement. The following variances are requested for the 11 parallel required off-street parking spaces to be located on the north side of the 100 block of Barton Avenue: 1) to allow the landscape open space area to be reduced from the existing 51.98% to 50.48% in lieu of 55% minimum landscape open space as required by code; 2) to allow the off-street parking with a zero setback in lieu of the 25 foot minimum setback required; 3) to allow the off-street parking spaces not to include the required screening with hedges, walls or a combination thereof as required; 4) to allow the interior off-street parking landscape open space to be reduced to zero in lieu of the minimum 10% (205.3 sq. ft.) required.

Please note: This project was deferred to the December 21, 2016 during Item V., Approval of the Agenda.

B. [Informal Review - Application for Certificate of Appropriateness #046-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 322 Seaspray Ave.

Owner/Applicant: Mr. and Mrs. David Daniel

Architect: Don Skowron, Inc.

Project Description: Allow a wall to screen a 48 KW generator at a height of 8.3 feet from adjacent neighbor's grade in lieu of 7-foot maximum allowed.

VARIANCE INFORMATION: The applicant is requesting a variance to allow a three sided wing wall on the east side of the property to screen a 48 KW generator at a height of 8.25 feet from the adjacent neighbor's grade in lieu of the 7-foot maximum allowed.

Call for disclosure of ex parte communication: None.

Maura Ziska explained the variance that is being requested.

Don Skowron showed the Commissioners a site plan for the project and explained the location for the proposed generator. He explained the need for the 8-foot hedge and wall around the generator. He showed the Commissioners previously approved plans that included a hedge.

Motion made by Mr. Zukov and seconded by Ms. Albarran that the implementation of the proposed variance would not cause negative architectural impact to the subject landmarked property. Motion carried 5-1 with Mr. Zukov opposed.

C. [Informal Review - Application for Certificate of Appropriateness #048-2016](#)

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 270 Algoma Rd.

Owner/Applicant: Oliver R. Grace, Jr.

Architect: Jacqueline Albarran/SKA Architect + Planner, Inc.

Project Description: Previously approved second story addition over an existing one story structure to the East. Previously approved extension of the existing parapet to create balcony on existing one story structure to the East. Lowering door thresholds and window sills approximately 7.5" in some areas of main house. New impact windows and doors. Roofs, parapets, and all detailing to match existing.

VARIANCE INFORMATION: The applicant is requesting modifications to an existing landmarked residence by adding a second story addition and balcony rail which require the following variances: 1) a 447.96 square foot second story addition to the east side of the residence that will have a 32.2 front yard setback in lieu of the 35 foot minimum required and a building height plane setback of 31.66 feet in lieu of the 46.17 feet minimum required and an angle of vision of 131 degrees in lieu of the 120 degrees maximum allowed; 2) the addition of balcony railings above the existing one story on the east side of the house that would have a front yard setback of 32.2 feet in lieu of the 35 foot minimum required and an angle of vision of 136 degrees in lieu of the 120 degrees maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Ms. Albarran declared a conflict for the project and left the dais to present the project to the Commissioners.

Maura Ziska presented the variances that were being requested due to the non-conforming nature of the existing home.

Ms. Albarran presented an existing and proposed vicinity map, existing, approved and proposed streetscapes, photos of the existing home, site plans, floor plans, landscape plans, roof plans and existing, approved and proposed elevations. Ms. Albarran presented proposed changes that include lowering the existing floor due to a cracked foundation and a fenestration change on the south elevation.

Motion made by Mr. Gannon and seconded by Mr. Zukov that the implementation of the proposed variance would not cause negative architectural impact to the subject landmarked property. Motion carried with all in favor.

X. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:

Mr. Page stated that the designation season will begin next month.

Mr. Cooney asked if the Planning and Zoning Commission would like their opinion on the Historic Preservation section in the draft Comprehensive Plan. Mr. Page stated there is still an opportunity to make comments and/or suggestions. Mr. Page stated the next Planning and Zoning Commission Meeting would be held on November 15, 2016.

XI. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Mr. Gannon to adjourn the meeting at 1:14 p.m. Motion carried with all in favor.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, November 16, 2016 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

A handwritten signature in black ink, reading "Edward A. Cooney". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Edward A. Cooney, 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 <i>Albarran, Jacqueline</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>324 Royal Palm Way #227</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY <i>Town</i>	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED <i>October 19, 2016</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. 183.356 or 183.357, 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, Jacqueline Albarran, hereby disclose that on October 19, 20 16:

(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:

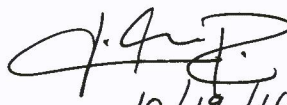
CoA 048 2016 Hearing
270 Algoma Rd.
Continuing Conflict

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

10/19/16

Signature


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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.