

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON FRIDAY, NOVEMBER 18, 2022

Please be advised that in keeping with a recent 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 Smith called the meeting to order at 9:00 a.m.

II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT
John David Corey, Member	PRESENT
Maisie Grace, Member	PRESENT (Left at 11:42 am)
Betsy Shiverick, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Kenn Karakul, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Elizabeth Connaughton, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	PRESENT (Left at 3:35 p.m.)

Staff Members present were:

James Murphy, Assistant Director of Planning, Zoning and Building
Sarah Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Deputy Town Clerk
John C. Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Smith led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM DAY 2 – SEPTEMBER 28, 2022, AND OCTOBER 26, 2022, MEETINGS

Motion made by Ms. Shiverick and seconded by Mr. Karakul to approve the minutes from the Day 2 of the September 28, 2022 meeting and the October 26, 2022 meeting as presented. Motion carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the agenda as presented. Motion carried unanimously, 7-0.

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

VII. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

Mr. Floersheimer urged staff to adopt the use of story poles when introducing new construction. Some suggestions included using story poles for larger homes.

Motion made by Ms. Shiverick and seconded by Ms. Grace to recommend to the Town Council that they consider a requirement for story poles be applicable to all new construction. Motion carried unanimously, 7-0.

Ms. Grace asked staff for an update on demolitions regarding a change in the law or the possibility of developing local policy and procedures to ensure better demolition practices.

John C. Randolph, Town Attorney stated the Town Council had directed staff to either explore options to either rescind or amend legislation during the next legislative session. Staff was contacting lobbyists and others to see what could be done about developing local procedures. He said House Bill 423 prevented the city from regulating demolitions.

Ms. Grace indicated she was not inquiring how to prevent demolitions, but to facilitate demolitions so that they are completed in a fashion least impactful to neighbors.

Mr. Corey stated the Commission never regulated demolitions; They just reviewed plans for landscaping, proper screening for neighbors and how the lot would look following demolition.

Motion made by Ms. Grace and seconded by Mr. Corey that the Architectural Review Commission be tasked with reviewing proposed demolitions for property elements following the demolition. ARCOM would not be approving or denying the actual demolition. Motion carried unanimously, 7-0.

VIII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **ARC-22-230 300 SEMINOLE AVE UNITS 4A AND 4B.** The applicants, Mr. and Mrs. Baron, have filed an application requesting Architectural Commission review and approval for exterior modifications to a portion of the fourth floor south and north façades, including window changes and enlargement of existing terrace balconies, in an existing five-story multifamily building in order to combine two residential units.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the consent agenda as presented, which included project ARC-22-230, 300 Seminole Avenue, Units 4A and 4B. Motion carried unanimously, 7-0.

B. MAJOR PROJECTS – OLD BUSINESS

1. **ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE. (COMBO)** The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application. *(contd. from 08/24/22).*

Please note: This item was deferred to the December 16, 2022, meeting at Item V., Approval of the Agenda.

2. **ARC-22-029 411 BRAZILIAN AVE.** The applicant, Holy Union PB Limited (Sean Sheridan), has filed an application requesting Architectural Commission review and approval for the construction of a new approximately 3700 SF two story residence designed in a mix of modern and classical style architecture. *(contd. from 08/24/22).*

Mr. Hodges provided staff comments on the project.

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

Pat Segraves, SKA Architect + Planner, presented the architectural modifications for the new residence.

Ms. Grace inquired about any changes to the front door. Mr. Segraves indicated that no changes had been made.

Ms. Shiverick asked about the condition to remove the fan tails. Mr. Segraves stated that he did not understand the condition.

Mr. Corey asked about changes to the front door. Mr. Segraves indicated that no changes had been made. Mr. Corey asked about the increase to the fenestration. He thought the original proportions were better. Mr. Corey thought the three arched top windows were better balanced on the initial proposal.

Mr. Sammons thought the window balance was better but thought they may be a bit too tall. He provided suggestions for the second-floor windows.

Mr. Karakul thought the arched window proportions were better. He thought the second-floor window proportions had increased. Mr. Segraves thought Mr. Sammons had a good suggestion.

Mr. Kirchhoff agreed the windows should be reduced in height and width. He also said the second-floor windows should be reduced in size.

Ms. Grace thought the front door pattern was busy.

Ms. Shiverick asked if the height of the rear of the home was addressed. Mr. Segraves said yes. She also thought the pattern on the front door was too busy. She asked Mr. Segraves if the applicant would consider simplifying the door, to which he indicated they would.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project with the following conditions: The front windows on the second floor will be 5 ½ feet tall, rather than 6 feet tall, and the three arched windows on the first floor will be returned to the width as was initially submitted. Motion carried unanimously, 7-0.

3. **ARC-22-126 (ZON-22-088) 240 OLEANDER AVE. (COMBO)** The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story apartment building and the construction of a new two-story single-family residence with final hardscape, landscape and pool, requiring variances due to deficient lot area and depth in the R-C zoning district and not provide required garage enclosure for two vehicles. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (*contd. from 08/24/22*).

Mr. Hodges provided staff comments on the project.

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

Gregory Bonner, B1 Architect, presented the architectural modifications proposed for the new residence. The style of the proposed building has been modified as requested.

Ms. Grace asked if the staff memo was still current. Mr. Hodges said garage parking spots were eliminated to reduce bulk and mass on the site. On this site, almost all building constraints were being maximized. For the size of the home, staff believed a two-car garage would be appropriate.

Mr. Bonner said the proposed one-car garage was consistent with the neighborhood. Most of the parking on that street was a one-car garages. In reference to the last meeting, the commission did not object to a one-car garage. Therefore, the concept had not been changed. He also noted by reducing the density of a three-unit apartment building, parking would also be reduced.

Mr. Corey acknowledged the site was narrow and tight. He asked to see the height of neighboring structures in the site plan. He thought everything on this home was multiplied in scale. In addition, Mr. Corey wanted to see a plan for the neighborhood. He expressed concern about the elevation.

Ms. Shiverick agreed with Mr. Corey. She liked the one car garage but thought the home should be smaller. She thought the house was oversized and had several oversized proportions. She wondered if the style was too trendy and questioned if the home would fit on the street.

Mr. Floersheimer thought a multi-car garage would be appropriate with the size of the home proposed. He thought the issues were all related to massing and scale.

Mr. Sammons was not in favor of the removal of three affordable housing units for one residential home. He thought the structure was too large and would not fit with the character of the street.

Mr. Bonner believed a rambling style home would fit in on the street. He acknowledged the comments related to massing.

Mr. Sammons thought the street was old Florida and the proposed residence did not fit.

Ms. Grace stated she appreciated the changes but still thought the home did not fit into the neighborhood. She felt if the house were smaller, it would make a significant difference.

Mr. Connaughton was not in favor of demolishing a multi-family home to construct a single-family home. She thought the home did not fit in on the street. She thought the problems were the massing, the roof and she said the structure did not seem to be Florida vernacular.

Mr. Bonner showed the Commission photographs of the existing homes which had contributed to his inspiration. He said they were trying to achieve something that would not be dissimilar to other structures along the street.

Mr. Kirchhoff thought the shed roofs were out of scale and did not believe the home fit onto the street.

Ms. Shiverick thought this project would be a good opportunity for more green spaces or a garden.

Mr. Corey asked if consideration was ever given to keeping the property as multi-family. He said the commission has expressed concern with context, scale and size of the proposed home. He added there were several multi-family units in the area.

Mr. Smith was not in favor of the style of the home and had problems with details on the home.

Maura Ziska, attorney for the owner, asked for further direction on the design. She urged the commission to provide clear direction.

Some of the Commissioners provided feedback.

Mr. Smith called for public comment. No one indicated a desire to speak.

The owner of the property asked for more direction because he was not certain of the direction to take a new design. Mr. Sammons responded and provided suggestions.

Motion made by Mr. Sammons to deny the project in accordance with Section 18-205 (a), Criteria 5 and 6a. Motion failed for the lack of a second.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project to the January 25, 2023, meeting for a complete restudy. Motion carried unanimously, 7-0.

4. **ARC-22-136 (ZON-22-101) 980 S. OCEAN BLVD. (COMBO)** The applicant, 980 South Ocean (Emma), LLC; 980 South Ocean (Ian), LLC; 980 South Ocean (Jane), LLC (JANE HOLZER), has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story residence and two-story accessory structure and the construction of a new two-story residence with basement on a lot deficient in width and lot area requirements the R-A Zoning District with related landscape and hardscape improvements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (*contd. from 09/28/22*).

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

John Lang, Lang Design Group, presented the slight landscape and hardscape modifications for the site.

Mr. Corey did not believe that the home was contextual for the neighborhood, stating he felt the submitted information was incomplete. He was concerned there were no neighborhood photos provided for the commission.

Ms. Grace thought that the Commissioners requested a major restudy and asked that elements from the neighboring homes were pulled into the design. Mr. Janssen responded and discussed the changes that had been made.

Mr. Floersheimer asked for the basement plan for the underground garage.

Mr. Karakul thought it was difficult to ask for a complete restudy after the first presentation. He said the documentation for the original submittal was complete. He did not support restarting the review process for this project.

Mr. Kirchhoff had not been a fan of this house in the beginning but felt the entry issues had been resolved. He stated he could support this project as submitted.

Please note: Mr. Smith indicated that Mr. Sammons had a conflict with the project and had left the dais.

Mr. Smith thought the Commissioners' issues had been resolved.

Ms. Shiverick agreed with Mr. Kirchhoff and thought the entry had been resolved. She was in favor of the mullions on the windows on the second floor. The house had taken on a better aesthetic for the area. She wanted to make sure the mullions were on all sides of the house.

Mr. Martin agreed with Mr. Karakul's assessment and thought that many of the changes were positive. He was supportive of the project.

Mr. Corey asked about the first-floor windows. Mr. Janssen reviewed the plans and further explained the design.

Mr. Smith called for public comment. No one indicated a desire to speak.

Motion made by Mr. Karakul and seconded by Mr. Karakul to approve the project as presented. Motion carried 5-2, with Ms. Grace and Mr. Corey opposed.

Please note: A short break was taken at 11:05 a.m. The meeting resumed at 11:16 a.m.

5. **ARC-22-142 232 MOCKINGBIRD TR.** The applicant, The Beach House Trust, has filed an application requesting Architectural Commission review and approval for the demolition of an existing 3,371 square foot residence. Construction of a new two-story 4,629 square foot residence with associated landscape and hardscape. (*contd. from 07/27/22*).

Mr. Hodges provided staff comments on the project.

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

Liran Timiansky, Affiniti Architects, introduced Bill Boyle, who had been asked to consult on the design.

Bill Boyle, Architect, presented the architectural plans proposed for the new residence.

Fernando Wong, Fernando Wong Outdoor Living Design, introduced his colleague Selene Basile, landscape designer, who had worked on the project. Ms. Basile reviewed the changes that have been made to the landscape.

Ms. Grace was happy to see the elimination of the art deco design; however, she questioned whether the new style would fit into the area.

Mr. Floersheimer agreed with Ms. Grace and questioned the fenestration design. He inquired about the decrease in the landscape open space. Ms. Basile responded the footprint of the building was larger and the driveway was increased on the east side. Mr. Boyle thought the loggia was slightly increased in size.

Ms. Connaughton thought the Mediterranean style was more formal than other homes in the neighborhood. She thought the window to wall proportions were unbalanced. She thought the size needed to be slightly reduced.

Mr. Karakul thought the stair tower roof could be lowered and a smaller window could be used. He thought the roofline was too tall, and a reduction would make the home feel less formal.

Mr. Sammons thought the wings were too narrow and the front entry was too wide. He thought the arched window on the front façade was too big. He made suggestions for the fenestration.

Ms. Shiverick took issue with the overhang from the loggia on the rear elevation, which she thought seemed heavy. She thought the area was not attractive and could use a restudy for balance. She also felt the front door was too square and the glass sidelights were distracting. She was not supportive of the proposed gate and suggested a wrought iron gate. Mr. Boyle asked for some direction on the gate, to which Ms. Shiverick addressed. She was pleased with the heavy percentage of native plants in the landscaping.

Mr. Corey thought the home was handsome and could work in the location. He asked about the arched window, noting there was not another matching window. He thought the window was slightly oversized, but he could embrace it as a design element. He stated the width of the gable seemed narrow, but if it were a little wider, the proportion of the window may be a better fit.

Ms. Grace asked about the site fill and how that would be handled. Mr. Boyle stated they would be raising the lot and mitigating the increase in height with the stairs.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Boyle asked Ms. Grace about her comment that indicated she thought the windows looked art deco. Ms. Grace further explained her comment and requested less fenestration.

Mr. Kirchhoff agreed with Ms. Grace's comments on the windows.

Mr. Smith liked the new proposed style of the home.

Motion made by Ms. Shiverick and seconded by Mr. Sammons to defer the project to January 25, 2023, in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

Mr. Smith asked Mr. Sammons to clarify his conflict at 980 S. Ocean Blvd. Mr. Sammons declared his conflict.

Please note: Ms. Grace left the meeting at 11:42 a.m.

6. **ARC-22-148 (ZON-22-105) 150 SEMINOLE AVE. (COMBO)** The applicant, James Lansing and Haviva D. Langenauer, as Trustee of the Haviva D. Langenauer Trust u/a/d/8/10/92, has filed an application requesting Architectural Commission review and approval for a demolition and redesign of the southern portion of the existing two-story residence, a redesign of all facades, the construction of an approximately 680 SF addition to the second story, and new pool, and new hardscape and landscape, requiring variances to maintain existing nonconforming setbacks with more than 50% demolition of a nonconforming structure as part of a renovation. Town Council will review the variance portion of the application. (*contd. from 09/28/22*).

Mr. Hodges provided staff comments on the project.

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

Patrick Segraves, SKA Architect + Planner, presented the architectural modifications proposed for the existing home and new addition.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the site.

Mr. Sammons discussed the wood siding, stating it should be a foot lower to protect the wood of the joist. He stated the eaves on the large roof and on the smaller roof would typically be different. He questioned the change in fenestration to casement

windows. He asked about the front door design; he thought it was missing some importance.

Ms. Shiverick asked about the roof and the Tesla material to be used. Mr. Segraves explained the material and design.

Mr. Karakul asked about the site wall. Mr. Mizell stated he was installing a new wall and explained the location. Mr. Karakul asked about the height of the wall and Mr. Mizell said the wall would not exceed code and would not be seven feet above the adjacent grade. He stated there will be dense landscaping along the wall for additional privacy.

Mr. Corey stated he viewed the Tesla roof at 127 Root Trail. He did not love the material and did not care for the black roof. He liked addition of the clapboard that was added. He questioned the casement windows with the shutters and thought some additional design work should be done for the front door. Mr. Corey also felt the garage door could have more personality.

Mr. Floersheimer was not in favor of the casement windows and would prefer the double hung windows. He wondered how the Tesla roof many years down the road. Mr. Segraves stated the home on Root Trail was their first experience with the Tesla roofing material. A discussion on the roofing material ensued.

Mr. Floersheimer asked about the design of the existing south site wall design. He wondered why they proposed to demolish a wall that had been there since the 1920s. Mr. Mizell stated the existing wall did not reside in the right location, it was not the correct height and there was a break in the wall.

Mr. Kirchhoff agreed with the assessment of casement windows; he preferred double hung windows. He also thought the front door should be changed.

Ms. Shiverick thought a small window should be added to the west elevation. She also wondered if the owner would consider a cedar shake style roof or some other non-Tesla roof.

James Lansing, owner, addressed the reasons he was considering the Tesla roof. He said he would be willing to consider other roof types. Ms. Shiverick discussed the issues that the commission has had with solar panels. She stated she did not care for the look of a large solar panel on a pitched roof. Mr. Lansing stated he would like to have the Tesla roof but if the commission feels it was inappropriate, other options would be explored.

Mr. Karakul agreed with the comments of the detailing on the home. He thought the roof pitch was appropriate for a Tesla roof. Mr. Karakul asked for more details and clarification on the wall removed.

Mr. Mizell showed the survey which depicted the wall location. He also said the existing wall was not sufficient and there was a break in the wall. It is not efficient or attractive.

Mr. Floersheimer noted a comment about the garage being too close to the side yard setbacks. The garage was remaining where it was currently located because the applicant does not want to request a variance.

Mr. Kirchhoff spoke in favor of the Tesla roof and thought the roof pitch was appropriate.

Mr. Smith was in favor of the original design and was not in favor of the clapboard. He supported double hung windows.

Mr. Smith called for public comment. No one indicated a desire to speak.

John Eubanks, attorney for the Bradys who resided at 155 Root Trail, advocated for the south wall to remain.

John Brady, 155 Root Trail, expressed his concern for the removal of the southern wall, which would provide access into his backyard.

Mr. Mizell stated the Town had a formal process for utility lease agreements and everyone except the town engineer had signed off. The proposed hedge would be placed where the existing wall was located.

Mr. Corey asked if the Town had approved the wall being placed in the easement. Mr. Mizell stated that the Town had not signed off on the wall. Mr. Corey questioned why the commission would consider something that had not been approved by Town approval.

Mr. Smith thought the rear wall should be left out of the current application and should return to the Commission when there were appropriate approvals.

Motion made by Mr. Corey and seconded by Mr. Sammons to approve the project with the following conditions: the wall on the south side of the property is not included in the approval and shall return to the Commission at a later date, the windows shall be changed to double hung windows, the clapboarding must be brought down one foot, a redesign of the front entry shall return to the January 25, 2023 meeting for approval. This approval included the approval of the Tesla roof. Motion failed 3-4, with Ms. Shiverick and Messrs. Karakul and Floersheimer dissenting.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project with the following conditions: the clapboarding shall be removed, the windows shall be changed to double hung windows, the wall on the south side of

the property is not included in the approval and shall return to the Commission at a later date, a redesign of the front entry shall return to the January 25, 2023 meeting for approval. This approval included the approval of the Tesla roof. Motion carried 5-2, with Mr. Karakul and Ms. Shiverick opposed.

7. **ARC-22-184 (ZON-22-138) 1540 S OCEAN BLVD (COMBO).** The applicant, 1540 S OCEAN LLC (Steven Kirsch), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story guest house connected to a previously approved two-story structure with related landscape and hardscape improvements. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w/ Site Plan Review.

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications and additions proposed for the existing residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the site.

Mr. Sammons provided design suggestions for the columns and the chimneys.

Mr. Corey thought the professional brought the home down nicely on the west side. He was pleased with the modifications that had been made.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Floersheimer was concerned about the scale of the guesthouse. Mr. Janssen responded .

Motion made by Mr. Sammons and seconded by Mr. Karakul to approve the project as presented. Motion carried unanimously, 7-0.

8. **ARC-22-097 142 PERUVIAN AVE.** The applicant, Susan & Robert Taylor, has filed an application requesting Architectural Commission review and approval for the replacement of two pedestrian courtyard gates on a two-story condominium building. *(contd. from 08/24/22)*

Please note: This item was deferred to the December 16, 2022, meeting at Item V., Approval of the Agenda.

9. **ARC-22-160 269 JAMAICA LN.** The applicant, Marrano Holdings 2022 INC, has filed an application requesting Architectural Commission review and approval for the

construction of a new two-story residence with hardscape and landscape improvements.
(*contd. from 09/28/22*).

Mr. Hodges provided staff comments on the project.

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

David Gengler, Gengler Architects, presented the architectural modifications proposed for the new residence.

Leah Heinzelmann, Landscape Architect Cotleur & Hearing, stated there were a few changes to the design and introduced her colleague, Thea Bergerson, Landscape Designer, who would be presenting the design.

Ms. Bergerson presented the landscape and hardscape modifications for the site.

Mr. Sammons did not believe the garage elements had been disguised. He thought the roof plan was a bit frenzied. He questioned the tower element as well as the front entry. Mr. Sammons did not support the proposal.

Mr. Kirchhoff thought the roof was too complicated and the front elevation was too busy. He believed that several of the elements needed to be resolved.

Ms. Shiverick thought the tower complicated the design. Ms. Shiverick asked the landscape architect about the artificial turf proposed. Ms. Heinzelmann discussed the areas where the artificial turf would be used. Ms. Shiverick was not sure about the artificial turf and thought that element may need to be revisited.

Mr. Corey reviewed the previously proposed home and compared it to the newly proposed home. He said there had to be a middle ground compromise that could be reached. The one-story elements helped the home fit into its surroundings. The artificial turf faced south, and he was not in favor of the use of the artificial turf. He also did not like the three different types of pavers. Mr. Corey was also opposed to the welded wire fence. Ms. Heinzelmann said the fence would be screened by the landscape.

Mr. Floorsheimer asked about the alternate plan that was mentioned by the professional architect. He asked to see the alternate plan.

Mr. Gengler had one copy of the alternate plan but explained the tower would be removed, the stairwell would stop at the same level as the beam height for the rest of the house. The hip roof would blend in with the rest of the hip roof at a lower height.

Motion made by Mr. Karakul and seconded by Mr. Sammons to defer the project for a restudy of the design.

Please note: Mr. Floersheimer left the meeting at 1:00 p.m.

Mr. Smith called for public comment.

Sydney Roberts, 265 Jamaica Lane, read a letter of objection on behalf of Cynthia Amling at 277 Jamaica Lane.

James Wearn, 260 Jamaica Lane, expressed his objections to the proposed home.

Motion withdrawn by Mr. Karakul.

Discussion ensued on the motion.

Motion made by Mr. Corey and seconded by Mr. Sammons to deny the project based on the criteria in Section 18-205 (a) 6a, 6b, 6c, and 6e. Motion carried unanimously, 7-0.

Please note: A lunch break was taken at 1:14 p.m. The meeting resumed at 2:19 p.m. Mr. Karakul returned at 2:21 p.m.

10. **ARC-22-198 265 LA PUERTA WAY** The applicant, John and Christie Fennesbreque, has filed an application requesting Architectural Commission review and approval for a new two-story residence with associated hardscape, landscape, and new swimming pool.

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications for the new residence.

Mr. Smith called for public comment.

Lore Smith, 250 Nightingale Trail, thanked Mr. Janssen for working with them on the location of the pool equipment. She was in favor of the proposed home. She asked questions about the pool equipment being placed in a vault.

Mr. Janssen responded and addressed the location of the equipment.

Maura Ziska, attorney for the owner, stated the Town's code addressed sound issues regarding mechanical equipment.

Christie Fennesbreque, owner, discussed her intent for the pool equipment and indicated she did not want to place the equipment in a vault.

Mr. Corey inquired about the roof and thought that the architect did an excellent job with the placement of the equipment. Mr. Corey asked staff if the proposed met the intent of the Code.

Please note: Mr. Floersheimer returned at 2:32 p.m.

Ms. Shiverick thought the equipment was sensibly placed.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented with the condition that the pool equipment shall be placed on a pad and there shall be no future staff approvals for this equipment. Motion carried unanimously, 7-0.

11. **ARC-22-209 (ZON-22-146) 1020 N LAKE WAY (COMBO)** The applicant, Robert Morse, has filed an application requesting Architectural Commission review and approval for exterior alterations to an existing single-family residence, including the modifications to and enlargement of an existing rear loggia, including a variance to exceed allowable lot coverage. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Carlos Cordero-Loza, MP Design & Architecture, presented the architectural modifications made to the existing residence.

Mr. Smith asked how the window on the west elevation would meet Code. Mr. Cordero-Loza responded.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Karakul asked if the professional studied the design without the railing. Mr. Cordero-Loza said the railing design was meant to be simple and not clutter the structure.

Mr. Floersheimer asked if all the windows would be replaced. Mr. Cordero-Loza responded in the affirmative.

Ms. Shiverick thought the previous entry looked more appropriate and was not in favor of the newly proposed entry.

Mr. Corey was not in favor of any of the changes.

Mr. Kirchhoff was not supportive of the new entry.

Motion made by Mr. Karakul and seconded by Mr. Floersheimer to approve the project as presented except for the front entry portico, which was not included in the approval. Motion carried 5-2, with Ms. Shiverick and Mr. Corey dissenting.

12. **ARC-22-213 (ZON-22-139) 144 CHILEAN AVE. (COMBO)** The applicant, Allen Perl, as Trustee of the 144 Chilean Trust dated April 13, 2022, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single family residence with hardscape and landscape, requiring special exception with site plan review for a lot deficient in width, and variances for lot coverage, overall landscaped open space, and cubic content ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Please note: Mr. Sammons and Ms. Shiverick declared a conflict with the project and left the dais during the discussion.

Anne Fairfax, Fairfax & Sammons Architects, presented the architectural modifications for the newly proposed residence.

Andrew Guff, owner, spoke about changes that had been made to the newly proposed home and how they addressed the neighbors' concerns.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications to the site.

Mr. Smith called for public comment.

Daniel Fairbanks, 136 Chilean Avenue, indicated that his concerns had been addressed. He also indicated he still thought the home was a bit too big. He was supportive of the project.

Mr. Kirchhoff thought the house was well done. He asked about removal of the loggia roof, which he believed should be added back. Ms. Fairfax indicated it was to reduce CCR.

Mr. Corey thought the professionals did an excellent job in the reduction of the home. He agreed with Mr. Kirchhoff and thought the loggia should be put back into the design.

Mr. Karakul thought the house was wonderful. He agreed the loggia was nice and should return to the design.

Mr. Floersheimer said the design of the house was beautiful. However, he believed CCR was in the code for a reason and the applicant had asked for a 25% increase in CCR. He believed this was a large increase. He thought the project could be further scaled back in size.

Mr. Martin thought the house was the best house of the day. He thought the house was a gift to the street.

Motion made by Mr. Martin and seconded by Mr. Karakul to approve the project as presented.

Mr. Corey noted if the proposed were up against a commercial area in the rear, given it was in the R-B zoning district, he thought the variance would be okay with the increase in greenspace around the property.

Mr. Smith agreed that he would like to see the loggia placed back into the design.

Motion carried unanimously, 7-0.

Motion made by Mr. Corey and seconded by Mr. Karakul that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

C. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-22-202 (ZON-22-157) 256 RIDGEVIEW DR (COMBO)**. The applicant, Rotman Property Partnership (Francis Lynch), has filed an application requesting Architecture Commission review and approval for the construction of a new one-story single-family residence with related landscape and hardscape improvements, including variances to exceed to maximum allowable fill in required yards, to exceed the allowable height of a generator in a setback, and to exceed the allowable wall height in a setback. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Keith Williams, Nievera Williams Design, reviewed the variance requests for the design and advocated for a positive recommendation to the Town Council.

Daniel Menard, LaBerge & Menard Inc., presented the architectural plans for the newly proposed residence.

Mr. Williams presented the landscape and hardscape plans proposed for the site.

Ms. Shiverick liked the home and was in favor of many of its elements, including the landscaping. Ms. Shiverick inquired about the wood siding material on the stucco on the front elevation.

Wayne Swadron, Wayne Swadron Architecture, said the garage door on the left side of the façade and the bay on the right side would have a wood cladding on them for aesthetic warmth.

Ms. Shiverick questioned whether the wood cladding was needed on the side of the house. She also thought the outdoor lighting was well done.

Mr. Karakul agreed with Ms. Shiverick and thought the home was very tasteful. He fully supported the design.

Mr. Floersheimer agreed and thought the home was well done. He was happy to see a one-story home in the neighborhood and complimented the architects. Mr. Floersheimer commented the proposed had maximized lot coverage and angular vision. He did not believe the home was excessively dissimilar to other homes in the neighborhood.

Mr. Sammons asked if the professional considered varying the band widths on the home. He said subtleties of the proportions mattered, especially with such a minimalist design. He was in favor of the fenestration proportions and thought they could have a little more detail.

Ms. Connaughton also wished the home had a few more art modern details. She recommended removing the wood detailing.

Mr. Corey asked about the details of the requested variances. Mr. Williams responded and explained the variance for the fill. Mr. Corey thought the landscape plan was very well done. He stated he could not support the design and would be voting against the home.

Mr. Smith called for public comment. No one indicated a desire to speak.

Motion made by Mr. Karakul and seconded by Mr. Floersheimer to approve the project as presented with the condition that the bands on the home shall be varied in width. Motion carried 5-2, with Messrs. Corey and Sammons dissenting.

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

2. **ARC-22-211 (ZON-22-145) 375 S OCEAN BLVD—MID TOWN SEAWALL (COMBO).**

The applicant, the Town of Palm Beach (Public Works Department), has filed an application requesting Architectural Commission review and approval for the construction of a new 2,715 linear feet Mid-Town seawall along South Ocean Boulevard from south of Gulfstream Road to north of Royal Palm Way and design modifications to the Clock Tower and proposed new overlook and demolition and replacement of existing knee walls, gates and wood beach access stairs and ramps, including a setback variance from the bulkhead line. This is a combination project that shall also be reviewed by Town Council as it pertains to the Site Plan Review and Variance relief for approval.

Ms. Pardue provided staff comments on the project.

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

Paul Brazil, Director of Public Works, discussed the overview and planning of the project. He asked for the Commissioners to discuss any substantial changes necessary for the seawall. The wall was a planned capital budget item. He indicated that everything would have to be destroyed to repair the wall, and with that came an opportunity for improvement and potentially, a beautification project.

Michael Barnett, GHD, Senior Coastal Engineer, discussed obtaining the Environmental permit, which comes in the form of a coastal construction control line authorization from the Florida Department of Environmental Protection. It was anticipated the permit should be granted prior to December 14, 2022. He discussed issues with the current seawall and uncertainty with the condition of the wall.

Mark Marsh, Bridges and Marsh Architects, stated he was involved with the project to maintain the aesthetic elements of the seawall. The firm of Bridges and Marsh designed the existing clock tower, which had been very popular and would be preserved.

Gui Vasquez, Bridges and Marsh Architects, presented the architectural plans for the new seawall, which entails removal of the knee wall.

Mr. Floersheimer asked for clarification on the replacement of the knee wall. Mr. Vasquez responded. Mr. Floersheimer asked if the Town had considered creating more pedestrian access points. Mr. Brazil stated that the Town Council had decided not to create more pedestrian access points. Mr. Floersheimer asked if the Town had considered beautifying the lifeguard towers. Mr. Brazil responded.

Mr. Corey asked about the structure of the existing wall. Mr. Brazil explained the structure of the new wall. Mr. Corey expressed concern of the thickness of the wall and wondered if it could be stepped down. Mr. Brazil responded. Mr. Corey thought the slope from the scallop should be greater than what was proposed. Mr. Corey also

thought the color of the wall should be changed to white matte paint. Mr. Corey thought the tower was iconic but expressed concern that the water view through the balustrades would be lost. He was not supportive of the proposed terrace. Mr. Marsh explained the design and reason for the terrace.

Mr. Martin asked if the direction provided by the Town Council would meet the recommendations of the Woods Hole Report. Mr. Brazil said not completely, although it left the town in a much better condition. The seawall had been designed so that future generations could modify the structure to meet Woods Hole Requirements.

Mr. Martin thought this project was important and was a resiliency issue. Mr. Martin thought the Town should be reviewing this project in terms of the next 50 years.

Ms. Shiverick disagreed with Mr. Corey and thought the salmon pink color was fantastic. She also was in favor of the terrace element and thought the flow of the pedestrian traffic was important. She was in favor of the pink color and the scallops on the top.

Mr. Sammons was in favor of the terrace and wished it was larger. He also thought there should be a gated access to the beach, as well as seating. He also thought the wall could be slightly increased in height and angled.

Ms. Grace liked the color of the wall. She agreed with the approach of building a wall that could later be modified in height. She thought it was important to open the north and south ends of the terrace for pedestrian traffic.

Mr. Kirchhoff was in favor of the terrace and would support a bigger terrace. Mr. Kirchhoff asked about an increase in height of the wall. Mr. Brazil explained the wall would last for at least 50 years. He added that the wall could be increased over time, approximately two more feet in height, when needed.

Ms. Connaughton was supportive of the salmon pink color. She expressed her preference would be to either increase the size of the terrace or eliminate it altogether. She was concerned about egress and believed it should have more permeability to the north and south. She agreed with Mr. Martin in that additional design was needed, in terms of the overall street section, rather than just grass/lawn in the front.

Mr. Smith stated the Town added the scallop to the wall to prevent skateboarders riding the wall. He proposed adding the scallop feature the entire length of the wall to discourage skateboarders using the wall.

Mr. Smith called for public comment.

Jane Holzer, resident, indicated that she and two other residents paid for the beautiful clock tower at the end of Worth Avenue. She also agreed with Mr. Martin that the height of the wall needed to be considered for resiliency.

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

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project with the following conditions: the slope of the wall will be restudied to mitigate drainage and the terrace egress will be restudied, with both elements returning to the Commission. Motion carried unanimously, 7-0.

Mr. Brazil asked if the two items to be restudied could be brought back with the remainder of the changes. The Commissioners found this suggestion to be acceptable.

3. **ARC-22-232 120 DUNBAR RD.** The applicant, 120 Dunbar Road Trust (Maura Ziska, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new two-story residence with associated landscape and hardscape.

Ms. Pardue provided staff comments on the project.

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

Please note: Mr. Sammons, as the design professional for the project, had a conflict with the project and left the dais during the discussion.

Jaime Torres Cruz, Fairfax & Sammons, presented the architectural plans for the newly proposed residence. He stated neighbors had been consulted and the professionals had worked with them and assured them that their privacy would be preserved.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications to the site.

Please note: Mr. Martin left at 3:35 p.m.

Mr. Smith called for public comment.

Harvey Kinzelberg, 260 Ocean Blvd, expressed concerns for the new design of the home, specifically concerns for privacy.

Mr. Torres Cruz addressed the concerns raised by Mr. Kinzelberg.

Mr. Karakul thought the house was very tasteful and asked the professional to work out the concerns with the neighbor. He asked about the lack of tall landscaping to complement the home.

Mr. Floersheimer stated he was not excited about the project. He questioned the number of copper gutters and thought they were distracting. He questioned the size of the proposed home. Mr. Torres Cruz stated that the copper would patina.

Mr. Corey thought the site plan worked well. He expressed concern with the tall, white house. He indicated this ocean area of Dunbar seemed more like a village and this home would not have been his first choice for this location. He liked the house and the symmetry, but ultimately thought this grand house did not belong in its proposed location.

Mr. Kirchhoff was in favor of the home and thought the plan was nice. He thought the home would fit onto the street. He noticed several different styles of homes on the street.

Ms. Connaughton thought the site plan was amazing and thought the home would fit into the neighborhood. She thought it was a nice project.

Ms. Shiverick thought the home could fit nicely in the neighborhood. She wondered if there was a solution for the windows on the second floor that would assuage the neighbor's concerns.

Mr. Kinzelberg suggested the removal of the window in the office space. He had less objections to the window in the shower space.

Mr. Karakul was happy there were no vehicular gates on the property.

Mr. Smith fully supported the project.

Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the project as presented with the request for the professional to work with the neighbor to address his concerns. Motion carried 6-1, with Mr. Floersheimer dissenting.

4. **ARC-22-234 (ZON-22-151) 760 N OCEAN BLVD—PALM BEACH COUNTRY CLUB (COMBO).** The applicant, Palm Beach Country Club, Inc. (Robert Schlager, President), has filed an application requesting Architectural Commission review and approval for the replacement of windows and doors along all façades and the construction of a second floor covered 3,500 SF terrace addition and new balconies along the rear (west) façade of an existing two-story country club and golf course and installation of a rooftop skylights including a variance from the height regulations. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Tom Youchak, Architect, presented two videos that outlined the changes proposed for the country club. He then presented the architectural modifications proposed for the commercial building.

Mr. Corey was in favor of the terrace expansion and the balcony. He asked about the railing. Mr. Youchak said they wanted to remove the aluminum railing and replace it with glass railing. Mr. Corey inquired about the glass railing material. Mr. Youchak responded indicating that the glass on the rear of the club would be clear. Mr. Corey inquired about the replacement of the windows. Mr. Youchak stated the windows would be replaced existing with existing, but they would be removing the arched detail. Mr. Corey asked about the frame of the windows. Mr. Youchak said they would be aluminum, but he was unsure of the color.

Mr. Kirchhoff was in favor of the expansion of the terrace; however, he suggested expanding the mansard over the terrace, so it felt more natural.

Mr. Corey asked about the elevator and whether it would be visible from County Road. Mr. Youchak said the elevator would not be visible and it would have glass on two sides.

Ms. Shiverick thought that maybe an entire new club should be built. She asked about the skylight. Mr. Youchak said the skylight was in the original design of the building and they have proposed to add a new, larger skylight.

Mr. Sammons thought there was a reason the original skylight was removed. He thought the porch looked tacked on and did not complement the building. He also said the building could be replaced without being demolished.

Maura Ziska, attorney for the applicant, asked for a partial approval for the windows.

Ms. Connaughton stated the 1987 windows were original to the building. She questioned using rectangular windows in place of the arched windows. Her recommendation was to keep the arches and to move the glass more inward to feel the thickness of the wall.

Mr. Corey asked about the color of the glass proposed. Mr. Youchak stated that turtle glass would be proposed on the north, south and east sides. There would be clear glass on the west side.

Mr. Smith called for public comment. No one indicated a desire to speak.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the replacement of the windows and doors with the applicant returning to the

December 16, 2022 meeting after a restudy of the south terrace, railings, elevator and skylight. Motion carried 6-1, with Ms. Shiverick dissenting.

D. MINOR PROJECTS – OLD BUSINESS

None

E. MINOR PROJECTS – NEW BUSINESS

1. **ARC-22-225 (ZON-22-147) 201 EL VEDADO RD (COMBO)**. The applicants, Perri and Robert Bishop, have filed an application requesting Architectural Commission review and approval for the installation of two vehicular driveway gates, including a variance from the backup/cueing distance requirement. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Dustin Mizell, Environment Design Group, presented the proposed vehicular gates for the residence.

Mr. Floersheimer stated he spoke to the owner about her security concerns. He supported the project but requested that all artificial turf be removed from the property.

Ms. Shiverick asked for a design to be added on top of the gate; she thought the gate was plain.

Mr. Smith called for public comment. No one indicated a desire to speak.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 6-1, with Mr. Smith dissenting.

Motion made by Mr. Floersheimer and seconded by Mr. Karakul to approve the project as presented. Motion failed 2-5, with Ms. Shiverick and Messrs. Smith, Sammons, Corey, and Kirchhoff dissenting.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project to the December 16, 2022, meeting for a restudy of the gate. Motion carried unanimously, 7-0.

2. **ARC-22-228 1464 N OCEAN BLVD.** The applicant, Manuel J Castelo, has filed an application requesting Architectural Commission review and approval alterations to a previously approved driveway configuration and the relocation of an outdoor barbeque in the rear yard.

Ms. Pardue provided staff comments on the project.

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

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications to the site.

Mr. Smith called for public comment.

John C. Dotterrer, 1470 N. Ocean Blvd., expressed his objections to the project. He hoped the applicant would reconsider unauthorized walls on the north side of the project. He had supported the project at the first meeting. After ARCOM approval, a raw, rough concrete block wall was constructed. He indicated the wall was too long and too tall. He was hesitant to support relocation of the outdoor kitchen due to privacy.

Mr. Corey asked about the wall in question from north of Ocean Blvd., with a high section for the mechanical area. He asked if the wall dropped down to just a drainage curb toward the back. Mr. Mizell said it was a continuous wall. Mr. Corey asked if plans had been provided for the wall, and if the wall was constructed according to approved plans. Mr. Mizell said there were plans but the discrepancy was that the wall was not built according to plans. He said there was some confusion, and he understood a seven-foot wall was not allowed. He stated the town had been involved and was working with the client and the contractor to reach a resolution. Mr. Corey asked about the barbeque and whether it was permitted to be in the location shown. Mr. Mizell confirmed that the Code allowed the barbeque in the proposed location.

Mr. Floersheimer further inquired about the site wall. Mr. Mizell stated staff had been working through the issue. Ms. Pardue affirmed staff was working on the issue of the wall, however the wall was not within the scope of the application that the Commission was being asked to consider at this time.

Mr. Karakul wondered if the green space calculations had been met. Mr. Mizell stated they had.

Mr. Shiverick asked if the barbeque was on a slab. Mr. Mizell responded. She inquired if there was a space next to the home where it could be placed. Mr. Mizell responded. She supported the driveway but questioned the location of the barbeque.

Motion made by Ms. Shiverick and seconded by Mr. Sammons to approve the reconfiguration of the driveway and the new driveway material; however, the approval did not include the barbeque. Motion carried unanimously, 7-0.

3. **ARC-22-235 214 DUNBAR RD.** The applicant, 214 Dunbar LLC (Mr. & Mrs. Georgas), has filed an application requesting Architectural Commission review and

approval for exterior modifications and the extension of an existing parapet to a previously approved two-story residence.

Ms. Pardue provided staff comments on the project.

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

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

Motion made by Mr. Karakul and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0.

4. **ARC-22-227 640 ISLAND DR.** The applicant, 640 Land Trust, has filed an application to the Architectural Commission for review and approval for a second-story addition over an existing one-story garage attached to an existing two-story residence.

Ms. Pardue provided staff comments on the project.

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

Bryan Brown, Bryan Brown Architects, presented the architectural plans proposed for the new addition to the existing home.

Mr. Floersheimer stated he could not support the design; he felt this addition was detrimental to the general architecture of the home.

Mr. Sammons felt the addition should be limited to the center post rather than floating over the center of a garage door.

Mr. Kirchhoff did not understand why the second-floor wall was hanging out beyond the wall below. Mr. Brown stated he was trying to maximize how much space he could use. Mr. Kirchhoff was not in favor of the project as presented.

Mr. Shiverick inquired about access to the addition. Mr. Brown responded and indicated that access would be from the interior.

Mr. Corey was not against a second story addition but did not feel the proposed was successful. He provided some suggestions for the addition.

Mr. Smith could not support the addition. He thought there was too much mass, too close to the street.

Motion made by Mr. Sammons and seconded by Ms. Shiverick to defer the project to December 16, 2022, for a restudy. Motion carried unanimously, 7-0.

IX. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public
None
2. Staff
None
3. Commission
None

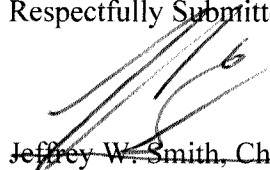
X. NEXT MEETING DATE: Friday, December 16, 2022

XI. ADJOURNMENT

Motion made by Mr. Floersheimer and seconded by Mr. Sammons to adjourn the meeting at 5:13 p.m. Motion carried unanimously, 7-0.

The next meeting will be held on Friday, December 16, 2022, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,


~~Jeffrey W. Smith, Chairman~~
ARCHITECTURAL COMMISSION

acting chair
John David Corey, Acting Chair

kmc

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

Application Number and Title: ARC-22-160, 269 Jamaica Lane

Address: 269 Jamaica Lane

Applicant: Marrano Holdings 2022 Inc.

Architect: David Gengler

Project Description: Construction of a new two-story residence with hardscape and landscape improvements

The above request has been denied by the Architectural Review Commission for the following reasons:

- ___ (1) The plan for the proposed building or structure is not in conformity with good taste and design and in general does not contribute to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- ___ (2) The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment more desirable.
- ___ (3) The proposed building or structure is, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
- ___ (4) The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the Comprehensive Plan.
- ___ (5) The proposed building or structure is excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following

features of exterior design and appearance:

- a. Apparently visibly identical front or side elevations;
- b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
- c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.

✓ (6)

The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

- a. Height of building or height of roof.
- b. Other significant design features including, but not limited to, materials or quality of architectural design.
- c. Architectural compatibility.
- d. Arrangement of the components of the structure.
- e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
- f. Diversity of design that is complimentary with size and massing of adjacent properties.
- g. Design features that will avoid the appearance of mass through improper proportions.
- h. Design elements that protect the privacy of neighboring property.

— (7)

The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any

public or private way (except alleys).

- ___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- ___ (9) The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on November 18, 2022

TOWN OF PALM BEACH



Chairman, Architectural Commission

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

LAST NAME—FIRST NAME—MIDDLE NAME Shuenck, Betsy		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS PO Box 2589		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED November 18, 2022		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		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, Betsy Shiverick, hereby disclose that on November 18, 2022, 20__ :

(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 Drew and Jessica Gogg, 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:

ARC-22-213 (20N-22-139)
144 Chilean Ave
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.

11/18/22
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Richard Sammons</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>455 Worth Ave</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>November 10, 2022</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		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, Richard Sammons, hereby disclose that on November 18, 20 22.

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Jane Holzer, 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:

ARC-22-136 (ZON-22-101)
900 S. Ocean Blvd. (combo)
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

11/18/22

Signature

[Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME Sammons, Richard	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission
MAILING ADDRESS 455 Worth Ave	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY COUNTY Palm Beach Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
DATE ON WHICH VOTE OCCURRED November 18, 2022	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

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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)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

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(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 144 Chilean Trust / Drew + Jessica, by whom I am retained; or gogo, which
- ☐ 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:

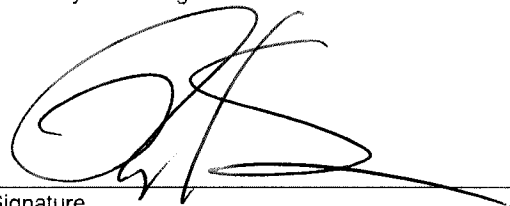
ARC-22-213 (ZON-22-139)
144 Chilean Ave
Continuing Conflict

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

11/18/22

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.

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LAST NAME—FIRST NAME—MIDDLE NAME <i>Sammons, Richard</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE <i>Architectural Review Commission</i>
MAILING ADDRESS <i>455 Worth Avenue</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY COUNTY <i>Palm Beach</i> <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>
DATE ON WHICH VOTE OCCURRED <i>November 18, 2022</i>	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

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(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 120 Dunbar Road Trust, 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:

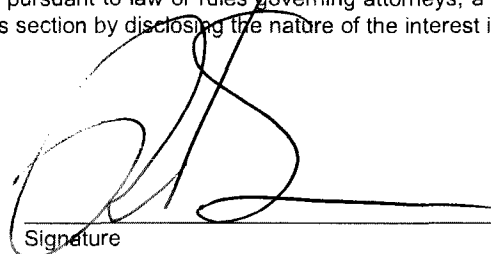
ARC-22-232
120 Dunbar Rd.

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

11/18/22

Signature



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