



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MARCH 24, 2021

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

Mr. Small called the meeting to order at 9:00 a.m. All members participated via Zoom Webinar due to the COVID-19 situation.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
Alexander C. Ives, Member	PRESENT (arrived at 9:05 a.m.)
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Jeffrey Smith, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James G. Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Laura Groves van Onna, Historic Preservation Planner
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. **ELECTION OF OFFICERS**

Mr. Small opened up the floor for nominations. Mr. Corey nominated Michael Small for Chairman. There were no other nominations at this time.

After a roll call vote, Michael Small was elected as Chairman.

Ms. Grace nominated Jeffrey Smith as Vice Chair. Ms. Shiverick nominated John David Corey as Vice Chair. There were no other nominations at this time.

After a roll call vote, John David Corey was elected as Vice Chairman.

V. **RULES OF ORDER AND PROCEDURE**

Mr. Small thanked the Town Council for allowing the Commission to meet virtually. He thanked staff for their participation in setting up the virtual meeting.

Mr. Small congratulated John David Corey and Jeffrey Smith on their reappointment. He congratulated Ted Cooney, who was elected to the Town Council. He welcomed Tom Kirchhoff on his appointment to the Commission. Finally, he thanked all of the members for voting him as Chair of the Commission.

VI. **APPROVAL OF THE MINUTES FROM THE FEBRUARY 24, 2021 MEETING**

Motion made by Mr. Corey and seconded by Mr. Ives to approve the minutes from the February 24, 2021 meeting. Motion carried unanimously.

VII. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

Deferral of B-074-2019, 125 Worth Avenue to the June 23, 2021 meeting
Deferral of B-063-2020, 160 Royal Palm Way April 28, 2021 meeting
Deferral of B-076-2020, 60/70 Blossom Way to the April 28, 2021 meeting
Deferral of A-020-2021, 150 Worth Ave. to the April 28, 2021 meeting

Ms. Grace inquired about the June deferral for the project at 125 Worth Avenue. Mr. Bergman responded. Ms. Grace expressed concern that the concerned parties may not be in Town during the month of June.

Motion made by Mr. Corey and seconded by Mr. Smith to approve the agenda as amended. Motion carried 6-1, with Ms. Grace opposed.

VIII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **A-016-2021 Landscape/Hardscape**

Address: 3140 S. Ocean Blvd.

Applicant: Carlton Place Condominium (Dr. Charles Saunders, Board President)

Professional: Don Skowron

Project Description: Remodel existing pool, hardscape, landscape and landscape lighting with associated changes. Project improvements are screened from public right-of-way. *****Please note: Artificial Turf; Administrative Site Plan Review*****

A motion carried at the February meeting to defer this project on behalf of staff's request.

This item was pulled from the consent agenda and is not included in the approval of the consent agenda.

2. A-018-2021 Modifications

Address: 102 Flagler Dr.

Applicant: FDPB Holding Company LLC (Adam R. Seligman, Representative)

Professional: Thomas M. Kirchhoff/Kirchhoff & Associates

Project Description: Renovation to existing main house and cabana including any associated changes. *****Please note: The portion of the proposed project entailing the basement has been omitted from this application.*****

3. A-026-2021 Landscape/Hardscape Modifications

Address: 901 N. Ocean Blvd.

Applicant: PBB Island Property LLC (Clark Beaty, Manager)

Professional: Joe Peterson/Peterson Design Professionals

Project Description: Minor modifications to the perimeter of the approved landscape plans. These modifications include enhancements to the approved plant sizes, quantities and additional species. These modifications also provide increased privacy, site coverage, native plant material and shade to site as well as enhanced off site views of the property.

This item was pulled from the consent agenda and is not included in the approval of the consent agenda.

4. A-027-2021 Modifications

Address: 1960 S. Ocean Blvd.

Applicant: Stephen A. Wynn Florida Revocable Trust dated 12/5/19 (Maura Ziska)

Professional: Jeffery Smith/Smith Architectural Group

Project Description: Modification to previously approved addition as follows:

west face of one-story portion to extend 1'-0" to the west from previously approved, west window revised to arch top windows with columns and surrounds to match existing fenestration, second floor façade to extend 6'-9" to the west and match existing fenestration.

5. A-028-2021 Modifications

Address: 1090 N. Lake Way

Applicant: 1090 North Lake Way LLC (Glenn Dubin)

Professional: Thomas M. Kirchhoff/Kirchhoff & Associates

Project Description: Replace existing aluminum storefront windows and doors with Hope's oil rubbed bronze steel windows and doors, and any associated changes. Pane size will differ as shown on drawings.

6. A-029-2021 Modifications

Address: 207 Bahama Ln.

Applicant: Richard and Amber Grow

Professional: Kristin Kellogg/Smith Kellogg Architecture, Inc.

Project Description: Roof change and front door replacement. Family room and loggia addition at rear.

This item was pulled from the consent agenda and is not included in the approval of the consent agenda.

7. A-030-2021 Modifications

Address: 8 Windsor Ct.

Applicant: Jonathan Sack

Professional: MP Design & Architecture, Inc.

Project Description: Modification of existing windows and doors including front entry door.

8. A-031-2021 Landscape/Hardscape

Address: 276 Jamaica Ln.

Applicant: Eugene & Lori Cavanaugh

Professional: Dustin Mizell/Environment Design Group

Project Description: Minor landscape changes.

This item was pulled from the consent agenda and is not included in the approval of the consent agenda.

Motion made by Mr. Corey and seconded by Ms. Catlin to approve the consent agenda as amended, with the removal of the following projects: A-016-2021, 3140 S. Ocean Blvd., A-026-2021, 901 N. Ocean Blvd., A-029-2021, 207 Bahama Ln., and A-030-2021, 8 Windsor Ct. Motion carried unanimously.

Please note: Members Jeffrey Smith and Thomas Kirchhoff did not vote in the approval of the consent agenda as they both declared conflicts for projects on this agenda. Ms. Catlin and Mr. Floersheimer voted in their absence.

B. ITEMS PULLED FROM CONSENT AGENDA

1. A-016-2021 Landscape/Hardscape

Address: 3140 S. Ocean Blvd.

Applicant: Carlton Place Condominium (Dr. Charles Saunders, Board President)

Professional: Don Skowron

Project Description: Remodel existing pool, hardscape, landscape and landscape lighting with associated changes. Project improvements are screened from public right-of-way. *****Please note: Artificial Turf; Administrative Site Plan Review*****

A motion carried at the February meeting to defer this project on behalf of staff's request.

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

Mr. Skowron presented the landscape and hardscape modifications proposed for the condominium.

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

Mr. Small called for staff comment. Ms. Van Onna and Mr. Castro provided staff comments.

Ms. Grace inquired about the reason that artificial turf was proposed and why real grass could not be used. Mr. Skowron responded.

Mr. Corey inquired about planting of the Coconut palms next to the pool. Mr. Skowron responded. Mr. Corey stated he thought more shade was needed in the area and stated he could not support the project with synthetic turf proposed.

Ms. Catlin agreed with Mr. Corey regarding the synthetic turf material to be used.

Mr. Skowron discussed the reasons more shade trees had not been added.

Mr. Floersheimer stated he was not in favor of the synthetic turf as well. Mr. Skowron responded.

Mr. Small agreed with the other Commissioners and recommended a deferral for one month to allow the applicant to restudy the artificial turf proposed.

Motion made by Ms. Grace and seconded by Mr. Corey to defer the project for one month, to the April 28, 2021 meeting, to allow the professional to restudy the proposal of artificial turf. Motion carried 6-1, with Mr. Ives opposed.

2. A-026-2021 Landscape/Hardscape Modifications

Address: 901 N. Ocean Blvd.

Applicant: PBB Island Property LLC (Clark Beaty, Manager)

Professional: Joe Peterson/Peterson Design Professionals

Project Description: Minor modifications to the perimeter of the approved landscape plans. These modifications include enhancements to the approved plant sizes, quantities and additional species. These modifications also provide

increased privacy, site coverage, native plant material and shade to site as well as enhanced off site views of the property.

Mr. Peterson presented the landscape and hardscape modifications proposed for the residence.

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

Mr. Small called for staff comment. Ms. Van Onna and Mr. Castro provided staff comments.

Ms. Grace inquired about the expert that previously presented on native landscaping. Mr. Bergman responded.

Mr. Corey inquired if Mr. Peterson was the original landscape architect. Mr. Peterson provided confirmation that he was the original architect. Mr. Corey stated that approved and proposed elevations on the same sheet would be helpful so that they could easily discern the changes. Mr. Corey thought that it seemed like some of the elevations were missing. He inquired about the Clusia material proposed. Mr. Peterson responded.

Ms. Catlin inquired if the proposed work had already been completed. Mr. Peterson responded that the proposed had been planted.

Mr. Small stated that he would like to see more Sea Grapes added on the southeast corner. Mr. Peterson responded.

Mr. Castro requested that the plans to be submitted clearly showed the safe site easement and that the landscape was staked so that during an inspection, the site easement could clearly be delineated. Mr. Castro asked that this be a condition with an approval.

Mr. Corey expressed his concern that the proposed had been planted and that the project was on the consent agenda. He added if approved on consent, he would not have learned that the items had already been planted.

Motion made by Ms. Shiverick and seconded by Mr. Smith to approve the project as presented with the condition that the plans submitted clearly delineate the safe site triangle easement and that the triangle is staked out for the inspection. Motion carried 6-1, with Mr. Corey opposed.

3. A-029-2021 Modifications

Address: 207 Bahama Ln.

Applicant: Richard and Amber Grow

Professional: Kristin Kellogg/Smith Kellogg Architecture, Inc.

Project Description: Roof change and front door replacement. Family room and loggia addition at rear.

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

Ms. Kellogg presented the architectural modifications proposed for the residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Grace was in favor of the window changes but preferred the original door.

Ms. Shiverick questioned the colors proposed for the home. Ms. Kellogg responded and indicated an error in the plans. Ms. Shiverick thought the green proposed was a bit bright and thought it should be toned down. She also believed the shutters around the front door were too wide and should be scaled down. Ms. Kellogg explained the reason for the width proposed for the shutters.

Mr. Kirchhoff agreed with Ms. Shiverick about the colors.

Ms. Catlin agreed with Ms. Shiverick and Mr. Kirchhoff on the color choice. She understood that the shutters around the front door were appropriate in size, however she felt the end result was questionable. Ms. Catlin also requested that the trucks for the project did not use Lake Way.

Mr. Small agreed with Ms. Shiverick's comments. He inquired about the roof material. Ms. Kellogg responded.

Motion made by Ms. Shiverick to defer the project for one month, to the April 28, 2021 meeting, to restudy the color for and the width of the shutters. Motion failed for a lack of a second.

Motion made by Ms. Grace to approved the project as presented with the condition that the original door is to be used and that the green color is to be reconsidered. Motion failed for a lack of a second.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented with the condition that the shutters are adjusted to cover the front door and that the applicant considers muting the green color to be used on the shutters. Motion carried 6-1, with Ms. Grace opposed.

4. A-030-2021 Modifications

Address: 8 Windsor Ct.

Applicant: Jonathan Sack

Professional: MP Design & Architecture, Inc.

Project Description: Modification of existing windows and doors including front entry door.

Mr. Perry presented the architectural modifications proposed for the residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Grace inquired about the detail to the front door. She also commented that by removing the arches from the windows, it diminished the style of the house.

Mr. Corey agreed with Ms. Grace and thought the sliding glass doors were oversized and clashed with the design of the home.

Ms. Shiverick agreed with Ms. Grace and Mr. Corey. She thought the sliding doors on the west elevation, second floor were too wide and needed mullions.

Mr. Smith believed that the sliding doors did not enhance the home. He was in support the French doors.

Mr. Kirchhoff could not support the sliding doors, especially on the second floor. He also thought the front door should be restudied.

Ms. Catlin thought the existing home was beautiful and did not believe the changes would enhance the home.

Mr. Floersheimer agreed with all of the previous comments and inquired about the windows without the keystones above the windows. He thought the keystones should be consistent.

Mr. Small was not in favor of the changes on the west façade with the exception of the new three French windows.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented with the condition that the professional restudy the west gable on the first and second floor as well as the front door fenestration and return to the April 28, 2021 meeting. Motion carried unanimously.

C. DEMOLITIONS AND TIME EXTENSIONS

1. B-015-2021 Demolition

Address: 147 Dunbar Rd.

Applicant: Susan G. Pappas Trust

Professional: Thomas M. Kirchhoff/Kirchhoff & Associates

Project Description: Demolition of existing residence, pool, landscape and hardscape.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Thomas Kirchhoff declared a conflict of interest for this project and left the meeting. It was noted that Ms. Catlin would be voting in his absence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Rossin agreed to the easement.

Betsy Rossin, Kirchhoff & Associates, presented the architectural plans proposed for the proposed demolition of the existing home.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments on this item.

Ms. Shiverick pointed out that the home was a design from Architect Henry Harding and added it was unfortunately in poor condition.

There were no other comments heard from the Commissioners.

Motion made by Ms. Catlin and seconded by Mr. Corey to approve the demolition request as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Please note: A short break was taken at 10:22 a.m. The meeting resumed at 10:35 a.m.

D. MAJOR PROJECTS – OLD BUSINESS

1. B-074-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 125 Worth Avenue

Applicant: 125 Worth Partners LLC

Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects

Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its users and pedestrians alike. The addition component consists of a new one-story

commercial structure with a roof top trellised courtyard and a two-story elevator tower.

ZONING INFORMATION: A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code. 5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

Project history:

December 2020 – Deferred to February 26, 2020 at request of applicant.
February 2020 – Deferred to March 25, 2020 at request of attorney & (neighbors).
March 2020 – Deferred to April 29, 2020 due to COVID-19
April 2020 – Deferred to May 27, 2020 due to COVID-19
May 2020 – Deferred to June 24, 2020 at request of attorney (neighbors request).
June 2020 – Deferred to July 29, 2020 at request of attorney (neighbors request).
July 2020 – Deferred to November 20, 2020 at request of attorney.
November 2020 – Deferred to December 18, 2020 at recommendation of staff.
December 2020 – Deferred to the February 24, 2021 meeting by Commission.
February 2021 – Deferred to March 24, 2021 at the request of the attorney

Please note: This project was deferred to the June 23, 2021 meeting at the Approval of the Agenda, Item VII.

2. B-063-2020 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - DONE
10/28

Address: 160 Royal Palm Way

Applicant: LR Palm House LLC (Maura Ziska)

Professional: Michael Sean McLendon/Cooper Carry

Project Description: The existing Palm House hotel is located at 160 Royal Palm Way. It is currently vacant and construction is partially completed. The structure is three stories with a partially enclosed basement containing parking and back-of-house functions. The proposed new work for the hotel includes completion and conversion of guest rooms for a total of 79 keys. A new pool deck will be constructed adjacent to the existing Function Room. Other exterior improvements will include re-painting, new exterior floor finishes, trellises and a covered walkway leading to the existing Function Room. Fenestration requiring replacement will be replaced with similar windows and doors.

A motion carried at the September meeting to defer the project to the October 28, 2020 meeting in accordance with the comments of the Commissioners, which included concern for the gazebo-typed dome structure in the courtyard, the structure for existing the lobby on the interior south elevation, the curtains on the front of the structure, the crowding of elements in the courtyard, the trash location needed resolution, and improvements needed in the porte cochère element. A motion carried at the October meeting that implementation of the proposed variances will not cause negative architectural impact to the subject property. A second meeting carried to approve the project as presented with the caveat that the landscape, service gate and paint colors would return to the November 20, 2020 meeting in accordance with the comments from the Commissioners. A motion carried at the November meeting to defer the project to the December 18, 2020 meeting at the request of the attorney. A motion carried at the December meeting to approve the project as presented with the condition that the service gate is reduced from 7 feet to 6 feet in height, the doors in the banquet kitchen are changed from two doors to a single door and the colors for the doors, windows and railings will return to the Commission at the January 27, 2021 meeting. A motion carried at the January meeting to approve the project with the condition that the vehicular gate would be restudied and would return to the February 24, 2021 meeting. A motion carried at the February meeting to defer the project to the March 24, 2021 meeting to restudy softening the service entrance.

Please note: This project was deferred to the April 28, 2021 meeting at the Approval of the Agenda, Item VII.

3. B-073-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 1015 S. Ocean Blvd.

Applicant: 1015 South Ocean Boulevard LLC (Maura Ziska)

Professional: Harold Smith/Smith and Moore Architects

Project Description: New two-story residence with pool, hardscape and landscape.

A motion carried at the December meeting to defer the project to the January 27, 2021 at staff's request.

ZONING INFORMATION: 1) Section 134-840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two-story residence on a non-conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning District.

2) Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R-A Zoning District.

3) Section 134-843(a)(9): A request for a variance to allow the proposed residence to have a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R-A Zoning District.

4) Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R-A Zoning District. 5) Section 134-843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two-story element) in lieu of the minimum 35 foot (one story element) to 47.6 foot (two-story element) required by Code in the R-A Zoning District.

required by Code in the R-A Zoning District.

A motion carried at the January meeting to defer the project to the February 24, 2021 meeting for a restudy of the project in accordance with the comments of the Commissioners. A motion carried at the February meeting to defer the project to the March 24, 2021 meeting at the request of the professional.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Maura Ziska, Attorney for the owner, explained the reduction of variances and the variances still requested. She advocated for a positive recommendation to the Town Council.

Mr. Smith presented the architectural modifications proposed for the new residence proposed.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence proposed.

Mr. Small called for public comment.

Frank Lynch, Attorney representing the owners at 1021 S. Ocean Blvd, expressed his client's concerns and objections for the proposed design, specifically the massing of the home next to the street.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives found the current proposal acceptable.

Ms. Grace thought the changes were a big improvement. She thought the front façade should be brought in, particularly on the south side. She was in favor of the native plantings proposed. She still had concerns for what the people would see when they passed by on Ocean Blvd and wondered if the landscaping could be reduced on the far north and far south sides of the property. Ms. Grace thought a lighter colored window would fit in better in the neighborhood.

Mr. Corey asked for further clarification on the two variances requested, particularly for the building height plane. Ms. Ziska and Mr. Smith further explained the building height plane variance request. Mr. Corey thought the home could still be set back further on the lot for front circulation and continuity on the street. He questioned if the home was still too big for the lot. He thought the professional did a good job breaking up the massing of the home. Mr. Corey thought the design style was a stark contrast to some of the other homes in the area. He questioned the amount of fenestration proposed on the east façade. Mr. Corey was not in favor of the position of the beach cabana. He added that he could not support the project.

Ms. Shiverick thought the changes proposed were a big improvement. She agreed with Ms. Grace that the south end seemed too massive. She also agreed that the window color should be lightened. Ms. Shiverick thought the improvements to the east façade fenestration were sufficient.

Mr. Smith thought the home had the largest infringement into the front setback on the street. He thought they needed to scale back the front massing located in the setback.

Mr. Kirchhoff thought the changes were more organized and better. He stated he would support the project.

Ms. Catlin thought the improvements were good. She was in favor of the stepping of the portions of the home. She thought some minor improvements could work but added she could support the project as presented.

Mr. Floersheimer agreed with Mr. Corey's assessment of the home. He thought the home could be pushed to the east. He also was not in favor of the beach cabana. He agreed with Ms. Grace's comments to reduce the height of the landscaping on the north and south ends.

Mr. Small thought the home was still too massive and expressed concern for the variance in the front yard setback. He also agreed that the ocean vista should be opened up a bit.

Mr. Corey thought the Commission should look at each application as a clean slate.

Mr. Floersheimer complimented the professional for stepping down the middle of the home.

Motion made by Mr. Ives and seconded by Mr. Corey to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.

4. B-076-2020 New Construction

Address: 60/70 Blossom Way

Applicant: Providencia Partners, LLC (Maura Ziska)

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: New two-story residence. New Hardscape, landscape and pool.

A motion carried at the January meeting to defer the project to the February 24, 2021 meeting at the request of staff. A motion carried at the February meeting to defer the project to the March 24, 2021 meeting at the request of staff.

Please note: This project was deferred to the April 28, 2021 meeting at the Approval of the Agenda, Item VII.

5. B-003-2021 Additions/Modifications

Address: 111 El Brillo Way

Applicant: 111 El Brillo, LLC (Andrew Unanue, Manager)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Additions and alterations to an existing two story residence and guest house. Replacement of existing pool, hardscape and landscape.

A motion carried at the February meeting to defer the project to the March 24, 2021 meeting in accordance with the comments of the Commissioners, which related to the front door, the massing of the guest home and main home and the rear landscaping.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Mr. Smith presented the architectural modifications for the existing residence.

John Lang, Lang Design Group, presented the landscape and hardscape modifications for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives expressed concern for the tile proposed for the roof but was otherwise supportive.

Ms. Grace was happy with the changes that were made. She preferred the brighter blue color shown. She suggested changing the pool to a rectangular shape rather than the shape proposed. She also thought the pool cabana was still a bit too large.

Mr. Corey thought the changes addressed the changes of the Commissioners. Mr. Corey was in favor of the landscaping plans proposed. He was in favor of the reduction in the roof heights on the addition. Mr. Corey thought the roof material was appropriate. He thought the guest house was appropriate and added he would support the project.

Ms. Grace inquired about the tall hedge proposed at the street.

Ms. Shiverick preferred the clay tile roof. She questioned the porch over the front entrance and thought it made the home feel clunky. She believed the guest house was still too massive. Ms. Shiverick thought there was too much hardscape in the rear of the home. She thought the fire elements should be reduced. She expressed concern for the windows on the rear elevation and thought they appeared too short. Mr. Lang stated that there were no fire elements currently proposed. She agreed with Ms. Grace that the pool should be a rectangular shape. Mr. Smith stated the front entry was existing.

Mr. J. Smith thought many changes had been made, which was good. However, he questioned the color for the roof material and inquired if the roof color would be a blend. Mr. H. Smith responded. Mr. J. Smith urged the professional to use a blend in color.

Mr. Kirchhoff agreed that the front entrance needed to be restudied. He also questioned the balcony on the east end of the home off the master bedroom. Mr. Kirchhoff also suggested making the guest house a one story home.

Ms. Catlin recognized all of the changes and thought the project was well done.

Mr. Floersheimer was in favor of the roof material and supported a blend for the color. He thought there was still too much hardscape in the rear of the home and thought the area needed some restudy.

Mr. Small agreed with Mr. J. Smith and thought a blend in the roof color would be nice. He also agreed with Ms. Shiverick that the front entrance needed some restudy. He also felt there was too much hardscape in the rear of the home.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried 6-1, with Mr. Smith opposed.

6. B-006-2021 Demolition/New Construction

Address: 2291 Ibis Isle Rd. E.

Applicant: 2291 Ibis Isle LLC (Richard Fertig)

Professional: Bill Boyle/Boyle Architecture PLLC

Project Description: Demolition of an existing residence constructed in 1961.

Construction of new two-story, 4331 sq. ft. A/C residence in modern style with swimming pool, associated landscape and landscape lighting.

Motions carried at the January meeting to approve the demolition of the existing home and to defer the new construction to the March 24, 2021 meeting to restudy the materials to be used for the home and driveway.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Boyle agreed to the easement.

Mr. Boyle presented the architectural modifications for the new residence proposed.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence proposed.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives felt it was a nice project but still felt the home was a bit static in its design. He suggested using more indigenous materials to Palm Beach.

Mrs. Grace was in favor of the pool orientation. She questioned the use of glass railings.

Mr. Corey inquired if anything would be placed on the roof. Mr. Boyle responded and stated that there would be no mechanical equipment placed on the roof. Mr. Corey asked about the material to be used for the driveway. Mr. West responded.

Mr. Corey inquired if the material would match the travertine to be used on the home. Mr. West responded. Mr. Corey expressed concern that too many different materials may be proposed. Mr. Corey inquired about the glazing for the windows. Mr. Boyle stated that the glass would be clear. Mr. Corey inquired if the Gumbo Limbo could be moved to the southwest corner. Mr. West stated he would research the issue.

Ms. Shiverick thought the project was nice and thought the design would work. She was in favor of the Cypress fins but cautioned about making them too deep. She questioned the pleached trees proposed and thought they were too formal for the home. She stated she could support the home.

Mr. Smith was in support of the project and was glad that the pavilions were eliminated.

Mr. Kirchhoff agreed that they Cypress timbers felt a bit heavy and thought the pleached trees looked out of character.

Ms. Catlin agreed that the pleached trees were too formal for the home. She thought the change of materials warmed up the home.

Mr. Floersheimer supported the project. He was in favor of the pleached trees. He also supported the glass railing off of the master suite. He agreed the Cypress timbers seemed a tad too big.

Mr. Small supported Ms. Catlin and Mr. Floersheimer's comments and supported the project.

Motion made by Ms. Shiverick and seconded by Mr. Corey to approve the project as presented with the condition that the landscape would be deferred to the April 28, 2021, for a restudy of the pleached trees and the location of the Gumbo Limbo tree. Motion carried 6-1, with Mr. Ives opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

7. B-008-2021 Gates

Address: 114 Seaspray Avenue

Applicant: Jane and Basil Vasiliou

Professional: Mario Nievera/Nievera Williams Design

Project Description: New driveway gate and pedestrian gates.

A motion carried at the February meeting to approve the project as presented with the condition that all gates, except for the generator gate, are changed to wood and

in a lighter tone. *****Please note: The professional for the project has requested the project be reconsidered with a change in materials*****

Motion made by Ms. Grace and seconded by Mr. Corey to open the motion for reconsideration. Motion carried unanimously.

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

Keith Williams, Nievera Williams Design, stated that his clients was not in favor of the wood gates as requested. He presented aluminum gates and showed the Commission the proposed plans and a material sample.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Many of the Commissioners were in favor of the Cypress colored, faux painted aluminum.

Motion made by Ms. Catlin and seconded by Ms. Shiverick to approve the project with the Cypress colored, faux painted aluminum gates. Motion carried unanimously.

8. B-011-2021 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 218 Everglade Ave.

Applicant: Mr. & Mrs. Justin Besikof

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Demolition of existing two story home. New 3,700 sq. ft. two-story Mediterranean proposed. Final landscape and hardscape included.

ZONING INFORMATION: Section 134-948(1) & (2): A request for a variance to construct a new 3,700 square foot, two story residence on a lot with a width of 50 feet in lieu of the 75 foot minimum required and a lot area of 5,902 sq. ft. in lieu of the 10,000 sq. ft. minimum required. Section 134-948(6): Request for a variance to have an 8 foot east side yard setback in lieu of the 10 foot minimum required. Section 134-1757: Request for a variance to construct a swimming pool (11' by 27') along the south of the property that would have a 7.5 foot rear yard setback in lieu of the 10 foot minimum setback required. Section 134-948(9): Request for a variance for lot coverage to be 34.92% in lieu of the 30% maximum allowed.

A motion carried at the February meeting to approve the demolition of the existing home. A second motion carried to defer the project to the March 24, 2021 meeting in accordance with the comments of the Commissioners, which related to front entrance design, lack of charm on the front façade, fenestration, and possibility of eliminating the variance for the pool configuration.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

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

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence proposed.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives supported the project.

Ms. Grace thought the trim color of the existing home gave the home character. She suggested changing the trim color for the proposed. She also thought the balcony on the street side was too wide. She thought there may be too many doors on the south elevation. She inquired about the door on the west elevation. Mr. Clavijo responded.

Mr. Corey inquired about the variance requested. Mr. Clavijo responded and explained the design where the variance was needed. Mr. Corey thought the home could be designed without the variance. Mr. Corey inquired about the landscaping proposed for the front façade. Mr. West responded. Mr. Corey asked about the driveway material to be used. Mr. West responded. Mr. Corey expressed concern for the driveway material proposed and suggested using the limestone material proposed for the home. Mr. West explained the design choice.

Ms. Shiverick liked Ms. Grace's suggestion for using a color for the trim. She inquired about the molding around the front door. Otherwise, she stated she supported the project.

Mr. Smith thought the project was very nice. He liked Mr. Corey's suggestion to recess the door to eliminate the variance needed.

Mr. Kirchhoff inquired about the molding proposed for the front door. He provided some design suggestions for the molding. He preferred the front entrance protrusion. He thought the front balcony could be more detailed.

Ms. Catlin was in favor of the home. She suggested adding muntins to the glass door on the side that leads into the garage. She liked the stepped out front entrance.

Mr. Floersheimer inquired how far the front door was from the setback line. Mr. Clavijo responded.

Mr. Small supported the variance request. He questioned the windows in the garage doors. Mr. Clavijo responded.

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

A second motion made by Mr. Kirchhoff and seconded by Ms. Shiverick to approve the project as presented with the following conditions: the windows are removed from the garage doors, the window trim color is changed to a more pleasing color, such as a grey green, muntins are added to the side door off of the garage, the band above the front door should be at the height of the window sills, the pediment over the front door is properly scaled, and to bring a sample of the driveway material back to the Commission. Motion carried 5-2, with Mr. Corey and Ms. Grace opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Please note: A lunch break was taken at 12:55 p.m. The meeting resumed at 1:30 p.m. Mr. Floersheimer and Ms. Catlin arrived at 1:32 p.m. Ms. Grace arrived at 1:53 p.m.

9. B-012-2021 New Construction

Address: 86 Middle Road

Applicant: Middle Road Holdings Trust (Guy Rabideau, Trustee)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: New two-story residence with exercise pavilion, pool cabana and pool. Final hardscape and landscape.

A motion carried at the February meeting to defer the project to the March 24, 2021 meeting for a major redesign of the home.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Angie Lehman, Smith and Moore Architects, Inc., presented the architectural modifications for the new residence proposed.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications for the new residence proposed.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives thought the changes made addressed the comments of the Commissioners. He stated he supported the project.

Mr. Corey inquired about the air conditioned square footage proposed for the home. Ms. Lehman responded. He was in favor of the entry but questioned the circle in front of the front door. Mr. Corey thought the main house, west side second floor was still too massive. He thought the changes were heading in the right direction. He questioned the roof material proposed.

Ms. Shiverick was in favor of the casing around the windows. She also was in favor of the entrance to the property. She suggested restudying the roof material but otherwise supported the project.

Mr. Smith was in favor of the changes to the garages. He also agreed that the master bedroom area should be subservient to the main home, as Mr. Corey suggested.

Mr. Kirchhoff was in favor of the two garages. He also questioned the projecting master bathroom. He questioned the three French doors on the front of the house and the oval windows next to the French doors. He thought the two wings in the rear should be symmetrical, the chimneys should be simplified and the connector between the main home and the garage seemed too short and needed to be raised.

Ms. Catlin was in favor of the changes. She agreed that the connection above the side entry door could be raised. She was in favor of the two oval windows on the front of the home. She thought the home worked well in the area.

Ms. Grace was happy with the changes. She thought the fountain between the two garages need to be more prominent. She liked the new entry as well.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.

10. B-013-2021 Demolition/New Construction

Address: 216 Tradewind Dr.

Applicant: DGLPB, LLC (Richard True, Managing Member)

Professional: Kevin Asbacher/Asbacher Architecture

Project Description: Demolish an existing two-story residence and construct a new two-story Island Colonial residence and swimming pool with final landscape and hardscape.

A motion carried at the February meeting to approve the demolition of the existing home. A second motion carried to defer the project to the March 24, 2021 meeting in accordance with the comments of the Commissioners, which related to the massing of the proposed home and the number of curb cuts proposed.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Ms. Catlin left the meeting at 2:00 p.m.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Asbacher agreed to the easement.

Mr. Asbacher presented the architectural modifications for the new residence proposed.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications for the new residence proposed.

Mr. Small called for public comment.

Anthony Beyer, 200 Tradewind Dr., expressed his concerns regarding the proposed new residence.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives stated he would support the project.

Ms. Grace was in favor of the change to the motor court. She was in favor of the proposed home over the existing, however felt that some reduction still could be made.

Ms. Corey agreed with Ms. Grace and thought the house was still quite large, too wide and too tall. He stated he could not support the project at this time.

Ms. Shiverick agreed with Mr. Beyer on his assessment on the balconies. She thought the whole home was too big. She liked Mr. Corey's suggestion of putting some of the guest bedrooms in a separate guest house.

Mr. Smith thought the new design appeared more massive. He was not in favor of the balconies on the front façade.

Mr. Kirchhoff agreed with the other Commissioners. He thought the home was too massive on the street and the fenestration was out of scale.

Mr. Small thought the house was too large for the lot. He liked the suggestion of breaking up the mass with a guest home.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.

E. MAJOR PROJECTS – NEW BUSINESS

1. B-016-2021 Modifications

Address: 150 Brazilian Ave.

Applicant: Patrick T. Ryan

Professional: Caroline Forrest/MHK Architecture and Planning

Project Description: Minor alteration to existing window openings at east and rear elevations (bay window at rear elevation) not seen from street. Select cast stone removal and alterations at front elevation. New front door. New motor court. New site wall and gates. Modified pool deck area. New spa addition. Associate landscape/hardscape changes.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Forrest agreed to the easement.

Ms. Forrest presented the architectural modifications proposed for the existing residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Small called for public comment.

John Eubanks, attorney for Thomas McCarthy at 140 Brazilian Ave., expressed his client's concerns for the proposed project.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives stated he supported the project.

Ms. Grace was in favor of the architectural changes. She inquired about the wood terrace deck. Mr. Mizell explained the design.

Mr. Corey inquired if the hardscape was being increased from the existing situation. He also inquired about the amount of native landscaping proposed. Mr. Mizell responded. Mr. Corey inquired if a large tree could be added to the front of the lot. Mr. Mizell stated he would study the suggestion.

Ms. Shiverick inquired about the change in window material. Ms. Forrest responded and explained the evolution of the changes. Ms. Forrest also discussed the color of the home. Ms. Shiverick was in favor of the white color proposed. Ms. Shiverick also recommended keeping the Chicago brick driveway but removing it from around the pool.

Mr. Kirchhoff inquired if any other architectural changes would be made. Mr. Forrest responded. Mr. Kirchhoff thought that there was a missed opportunity in the bay window in the bathroom area. Mr. Kirchhoff inquired about the detail for the front entry gates. Mr. Mizell responded.

Mr. Floersheimer inquired about the replacement of the current windows. Ms. Forrest responded.

Mr. Corey inquired about a driveway sample. Mr. Mizell responded.

Ms. Forrest stated that they would like to propose OC 117 Simply White for the body color of the home.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to defer the project for one month, to the April 28, 2021 meeting, to address the comments of the Commissioners.

A discussion ensued about the motion.

Motion carried 6-1, with Mr. Ives opposed.

2. B-017-2021 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 910 S. Ocean Blvd.

Applicant: 910 S Ocean LLC (Tom Campbel)

Professional: Jose Luis Gonzalez-Perotti/Portuondo-Perotti Architects

Project Description: Revisions to approved project, including modifications to window/door configurations, addition of stone balustrade at roof level, modification to driveway area, elimination of pool on main parcel, modification of South (rear) façade due to floor plan changes, modification of window/door configuration at beach house, and related landscape modifications.

ZONING INFORMATION: 1. Section 134-843(b): Modification to a previously approved request for Site Plan approval to permit construction of a new 17,527 square foot, two story residence on a platted lot with a depth of 128.42 in lieu of the 150 foot minimum required in the R-A Zoning District. The proposed changes to the main house parcel are as follows: the addition of a cooling

tower at southwest corner of the property; revision of the driveway and entries to reduce from three curb cuts to two curb cuts; elimination of the swimming pool on the east side of the house; addition of decorative balustrades at the roof level; revisions to floor plans and south facade due to plan changes; elimination of balcony on the west facade; minor adjustment to stonework and window/door configurations; and revision to metal railing design of balconies. Also proposed modifications to the basement enlarging the square footage by 994 square feet to house mechanical equipment. 2. Section 134-2: a variance to allow a point of measurement of 21.5 NAVD in lieu of the 8.34 NAVD maximum allowed for the building height plane calculation for the balustrade detail. 3. Section 134-1610(4) and 134-843(11): a variance to allow lot coverage to be 28.5% in lieu of the 25% maximum allowed when counting the basement walls that extend outside of the main building walls. 4. Section 134-790: Modification to a previously approved request for a special exception to permit construction of a new 500 square foot beach cabana east of South Ocean Boulevard. Modifications include new fenestration, columns, basement and raising finished floor elevation by 2 feet and to lower the site wall to meet the ocean vista requirement.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

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

Rafael Portuondo, Portuondo-Perotti Architects, presented the architectural modifications for the new residence proposed.

Brian Vertesch, SMI Landscape Architecture, Inc., presented the landscape and hardscape modifications for the new residence proposed.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives thought the changes were good and supported the project.

Ms. Grace thought the changes were reasonable.

Mr. Corey thought the pitched roof design worked better in Palm Beach. He questioned whether the balustrade should be broken in the front. Mr. Corey inquired if the Bismark and Date palms were previously approved. Mr. Vertesch stated that the palms had all been approved. Mr. Corey questioned whether a shade tree could be added to the northeast side of the home.

Ms. Shiverick questioned whether the parapet was too heavy and whether the home needed some softening by eliminating some of the detail. She suggested smoothing the lines of the limestone cladding instead of having it scored. She questioned the height of the beach house. Mr. Portuondo stated that the height of the beach house was not raised, but there was the addition of the plinth.

Mr. Smith thought the house was overdone. He questioned the balustrades and the parapet and whether they worked in the design. He was not in favor of the leaded glass on the south side. He also was not in favor of the wrought iron balconies and thought they were the wrong style. Finally, he thought the house was too large for the lot.

Mr. Kirchhoff liked the roof eaves better than the balustrades, as he believed the balustrades were too heavy. He was in favor of some of the elements but did not like the copper addition. He thought this was too dark and heavy.

Mr. Floersheimer inquired about the basement shown on the plan. Mr. Portuondo responded. Mr. Floersheimer inquired about the NAVD and point of measurement. Ms. Ziska responded. Mr. Floersheimer inquired about the height of the beach cabana. Mr. Portuondo responded. Mr. Floersheimer agreed with the other architects that the home was overdone and added the beach cabana did not appear as a cabana. Mr. Floersheimer inquired about the mechanical equipment area. Mr. Portuondo responded.

Mr. Small thought the home was too massive for the home. He also did not believe the beach cabana was in harmony with the area. Mr. Small thought the project could be designed in a way that the variances were not needed.

Mr. Corey thought the home was overbuilt on the lot and the beach house was too tall. He also thought the landscape plan was underwhelming. He suggested simplifying the design. He stated he could not support the design.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried 6-1, with Mr. Ives opposed.

Mr. Castro stated that the cooling tower would need to be redesigned so that it is not in the setback.

Please note: A short break was taken at 3:45 p.m. The meeting resumed at 4:00 p.m. Mr. Ives returned at 4:06 p.m.

3. B-018-2021 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 830 S. Ocean Blvd.

Applicant: Emil Solimine

Professional: Richard F. Sammons/Fairfax & Sammons

Project Description: Two-story courtyard infill on the west side of the main house (not visible from the street.) Renovation of entry portico.

ZONING INFORMATION: Section 134-843 (11): a variance request to allow the construction of a 1,780 square foot two story infill addition for a first floor living room area and two second floor bedrooms that will result in a lot coverage of 30.9 % in lieu of the 27.65% existing and the 25% maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Betsy Shiverick declared a conflict of interest for the project. It was noted that Mr. Floersheimer would be voting in Ms. Shiverick's absence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Torres-Cruz agreed to the easement.

Mr. Torres-Cruz, Fairfax & Sammons, presented the architectural modifications proposed for the existing residence. Mr. Torres-Cruz explained the variance requested.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives thought the renovation was positive and added that he would support the project.

Ms. Grace generally thought the changes were attractive.

Mr. Corey lamented that the courtyard would be lost but did not believe it would impact the front façade.

Mr. Smith was in favor of the front door change and supported the project.

Mr. Kirchhoff inquired about the front entry change. Mr. Torres-Cruz responded. Mr. Kirchhoff inquired if the window above the front entry was wide enough to support the shutters. Mr. Kirchhoff supported the variance.

Mr. Floersheimer was supportive of the front entry change and supported the variance. Mr. Floersheimer questioned the balconies on the west elevation. He suggested making one large balcony or removing them altogether.

Mr. Small inquired about the door on the west elevation to the hallway. Mr. Torres-Cruz provided further explanation for the door. Mr. Small stated he would support the variance.

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

Motion made by Mr. Corey and seconded by Mr. Smith that the project at 830 S. Ocean Blvd. has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

4. B-019-2021 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 101 Nightingale Trail

Applicant: 04TST101 Nightingale LLC (Brian Libman, Manager)

Professional: Brooks & Falotico Associates, LLP

Project Description: Exterior alterations and interior renovations to two-story single family residence; revised fenestration on all elevations; reframe portions of existing roof to accommodate new fenestration height and replace existing roof tiles; renovate entry portico, frame for second floor roof deck, and face with coquina; new Dutch gables at courtyard elevations; renovate pool terrace and incorporate new retaining walls; remove existing driveway and install new hardscape and landscape.

ZONING INFORMATION: Section 134-893(13): The applicant is proposing to construct a 70 square foot one story bathroom addition and two Dutch gables that will be added to the courtyard elevations of the pool cabana and kitchen which will increase the cubic content ratio ("CCR") to 5.24 in lieu of the 5.01 existing CCR and the 3.9 maximum CCR allowed in the R-B Zoning District.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

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

Chuck Willette, Brooks & Falotico Associates, LLP, presented the architectural modifications proposed for the existing residence.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Ives thought the changes stripped the character and identity from the home. He thought the project needed a whole restudy. He was very impressed with the landscaping plan.

Ms. Grace was thankful that the owner was renovating their home rather than demolishing and rebuilding the home. She appreciated the white windows. She questioned the entry design and thought it appeared a bit heavy. She expressed concern for the amount of fenestration on the east façade. She asked for confirmation that the grass between the driveway pavers was real grass. Mr. Nievera provided confirmation that the grass would be real grass.

Mr. Corey liked the garage design and was appreciative. Mr. Corey thought the architectural changes were a complete miss. He questioned the east fenestration and thought it was overblown. He thought the front door entry clashed with roof material. He stated that the shutters did not work well with the home. He added he could not support the project.

Ms. Shiverick thought the house was light and did work in the area. She liked the white muntins on the windows. She questioned the east fenestration but liked the fenestration in the courtyard. She liked the Dutch gables as well. She thought the landscaping plan was very successful.

Mr. Smith thought the house did not have an identity. He was not in favor of the east fenestration and the front door entry design. He thought the landscaping plan was very successful.

Mr. Kirchhoff thought the professional did a good job organizing the site and agreed with Ms. Shiverick's comments. He was not in favor of the large fenestration and the popup. He was not in favor of the angled soffits and eaves. He also suggested restudying the balconies and glass railings. He thought the renovation was heading in the right direction but needed some character. He thought the landscaping plan was very successful.

Mr. Small was in favor of the landscape and hardscape plan. He thought the east fenestration needed to be addressed.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the April 28, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.

5. B-020-2021 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 167 Seaview Ave.

Applicant: Joan Gullans and Garrett Pluck

Professional: Brooks & Falotico Associates, LLP

Project Description: Main House – Two Story addition, revised fenestration on North elevation, and interior renovations to two-story single family residence. Pool House – revise/replace in kind windows and doors; interior renovations. Site – renovate hardscape and landscape.

ZONING INFORMATION: The applicant is proposing to construct a 316 square foot two story addition to the rear of the residence for an elevator/mudroom addition that will require the following variances: 1. Section 134-893(7): a west side yard setback of 9.8 in lieu of the 15 foot minimum required in the R-B Zoning District. 2. Section 134-893(13): a cubic content ratio ("CCR") of 5.05 in lieu of the 4.72 existing CCR and the 4.24 maximum CCR allowed in the R-B Zoning District.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

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

Chuck Willette, Brooks & Falotico Associates, LLP, presented the architectural modifications proposed for the existing residence.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna stated she did not have any comments.

Mr. Ives questioned whether this was an improvement but stated he could support the project.

Ms. Grace supported the project.

Mr. Corey supported the project and the variance.

Ms. Shiverick thought the changes were attractive.

Mr. Kirchhoff was in favor that the owners were remodeling the home. He thought the changes contributed to the vocabulary of the street. He also thought the addition made the west side of the home look better. He was in favor of the changes.

Mr. Floersheimer questioned the hardscape in the back and inquired if they were able to reduce the amount. Mr. Nievera stated he slightly reduced the hardscape. A short discussion ensued.

Mr. Small supported the project and the variance.

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

Motion made by Ms. Grace and seconded by Mr. Kirchhoff that the project at 167 Seaview Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

6. B-022-2021 Modifications

Address: 237 Brazilian Ave.

Applicant: Brazilian PB Land Trust (Martin V. Katz, Trustee)

Professional: MP Design and Architecture, Inc.

Project Description: Converting a two family residential building into a single family dwelling.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Perry agreed to the easement.

Michael Perry, MP Design and Architecture, Inc., presented the architectural modifications proposed for the existing building.

Che Wei Kuo, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications proposed for the existing building.

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

Mr. Small called for staff comment. Ms. Van Onna and Mr. Falco provided staff comments. Mr. Perry responded to Mr. Falco's comments.

Mr. Ives supported the project.

Ms. Grace inquired if the signage would be removed from the front site wall. Mr. Perry stated they would be removed. Ms. Grace questioned the new front site wall design. Mr. Perry responded. She suggested adding two ornamental windows on the front façade next to the front door. She also complimented some of the native plantings proposed. Mr. Perry provided a solution for the front entrance to provide a view into the courtyard.

Mr. Corey agreed with Ms. Grace's comments. He was supportive of the windows at the front and suggested adding some rustication on each window. Mr. Corey inquired about the plan for the existing landscaping plan. Mr. Kuo responded. Mr. Corey inquired about the hardscape decks and questioned if they would be matching the existing material. Mr. Perry responded. Mr. Corey thought the steps needed to be refined and studied. He also thought the coral stone wall needed to be restudied. Mr. Corey added that the railings on the two balconies and the wrought iron gate on the front entrance needed to be tied together. Mr. Perry stated the steps would be done correctly and he would be happy to bring back the gate and balconies.

Ms. Shiverick thought the home would be a nice and sophisticated home. She agreed that windows around the front door would be nice. She also agreed with Mr. Corey about the site wall material.

Mr. Floersheimer questioned if a unity of title had been obtained. Mr. Perry responded.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented with the following items to return to the April 28, 2021 meeting: front façade fenestration, balcony railings and gate, hardscape leading up to the front door and the front landscaping. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

7. B-023-2021 Additions/Modifications

Address: 162 Atlantic Ave.

Applicant: Sam Youneszadeh and Kimberly Honig

Professional: MP Design and Architecture, Inc.

Project Description: 528 SF second floor addition on an existing two story residence. Garage doors and driveway relocation to west side of property.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Perry agreed to the easement.

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

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments. Mr. Perry responded to Ms. Van Onna's comments.

Mr. Ives supported the project.

Ms. Grace thought the existing garage doors were attractive and charming. She thought the reorientation of the garage would be attractive but wondered if it would lose its distinctiveness.

Mr. Corey thought the project fit into the area. Mr. Corey inquired if the roof would be redone. Mr. Perry responded.

Ms. Shiverick thought the solution was creative for the family and supportive the project.

Mr. Smith was in favor of the new garage orientation.

Mr. Floersheimer was supportive of the project.

Motion made by Ms. Shiverick and seconded by Mr. Ives that the project at 162 Atlantic Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Please note: The meeting stopped at 5:51 p.m. Chair Small announced that the meeting would resume on Thursday, March 25, 2021 at 9 a.m.

The meeting resumed on March 25, 2021 at 9:00 a.m. Upon roll call, Messrs. Smith and Kirchhoff were absent.

8. B-024-2021 Demolition/New Construction
Address: 240 Mockingbird Trail
Applicant: Lee Fensterstock
Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Demolition of existing one story structure. New construction of two story single family house in island style, approximately 5400 s.f. Final landscape and hardscape included.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Mr. Segraves presented the plans proposed for the demolition of the existing residence. He also spoke about the landscape and hardscape plans proposed for the demolition of the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna had no comments at this time.

Mr. Corey inquired if the new construction would begin immediately after demolition. Mr. Segraves confirmed that new construction would begin immediately.

Many of the Commissioners were in favor of the demolition.

Motion made by Mr. Floersheimer and seconded by Ms. Shiverick that the proposed demolition at 240 Mockingbird Trail has met the conditions listed in Sec. 18-206 of the Town's code of ordinances and to approve the request as presented with the following caveats: sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Segraves presented the architectural plans proposed for the new residence.

Chris Simon, Nievera Williams Design, presented landscape and hardscape plans proposed for the new residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey did not believe the proposed was unreasonable in its height but recognized that the street had many one story homes. He added that the scale was reasonable. He questioned the casement windows proposed. He suggested using double hung with shutters as well adding more color on the home. Mr. Corey was in favor of the landscaping plan but questioned why it was so thin, especially the screening for the second story. He provided a landscape suggestion for the south elevation.

Mr. Ives agreed with Mr. Corey's comments. He questioned the design style and said that the style is becoming too similar in the area. He thought the home needed some identity and uniqueness.

Ms. Grace agreed with Messrs. Ives and Corey. She thought the home was taller and larger than other homes in the area. She inquired about the ceiling heights on both floors. Mr. Segraves responded. Ms. Grace suggested reducing the height of the home. She inquired about the material of the exterior of the home. Mr. Segraves responded. Ms. Grace agreed that the home needed some identity and charm and provided some suggestions. Ms. Grace inquired about the second story, door design of the front elevation. Mr. Segraves responded. Ms. Grace asked about the driveway material and asked if the turf proposed was real grass. Mr. Segraves provided confirmation that the turf would be real grass.

Ms. Shiverick agreed with all of the other Commissioners. She recommended double hung windows as well as using the bay windows in the front rather than the rear. She thought the railing above the front door should be painted a wood color along with using a color for the front door. She recommended using thicker landscaping on the south façade as well changing the pedestrian gate from a solid to an open gate, possibly in the Chippendale style.

Ms. Catlin agreed with the double hung windows suggested. She also agreed that a pop of color was a good suggestion. She expressed concern for the large driveway and parking area. She asked if it could be reduced, even slightly.

Mr. Floersheimer expressed concern for the overall height of the home. He inquired if the professional tried a side load garage for the home. Mr. Segraves responded and discussed the options they had in working with the site.

Ms. Catlin inquired if the lot needed to be raised. Mr. Segraves responded. A discussion ensued about the height of the home.

Mr. Small thought the north end was evolving and thought many of the lots would be raised eventually. He thought the house and landscaping could both use some improvements.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the April 28, 2021 meeting, for in accordance with the

comments of the Commissioners as well as a request that the project returns with a north, east, west and south cross section of the landscaping. Motion carried unanimously.

Please note: Commissioner Thomas Kirchhoff joined the meeting at 9:49 a.m.

9. B-025-2021 Landscape/Hardscape

Address: 222 Plantation Rd.

Applicant: Hawthornthwaite Trust (Stephen P. Hawthornthwaite, Trustee)

Professional: Keith Williams/Nievera Williams Design

Project Description: New hardscape and planting throughout the property; except for pool and buffer material.

Call for disclosure of ex parte communication: Disclosure by several members. Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Meyer agreed to the easement.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Grace inquired if the garage doors were new. Mr. Meyer responded.

Many of the Commissioners were in favor of the project.

Mr. Floersheimer inquired about the vines next to the front door. Mr. Meyer responded.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff that the project at 222 Plantation Road has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

F. MINOR PROJECTS – OLD BUSINESS

1. A-048-2020 Modifications

Address: 230 Atlantic Ave.

Applicant: Linda Saligman

Professional: Kyle B. Fant/Bartholemew + Partners

Project Description: Interior and exterior remodel as defined in the November and December ARCOM meeting. Present new front elevation and pergola in the rear.

Motion carried at the November meeting to defer the project to the December 18, 2020 meeting for a restudy in accordance with the comments from the Commissioners, which many questioned the proposed changes to the front façade. A motion carried at the December meeting to defer the project to the January 27, 2021 meeting to address the comments of the Commissioners, particularly relating to the recommendations on the landscape plan, lanterns, garage doors and front entrance design. A motion carried at the January meeting to defer the project to the February meeting at the request of the professional. A motion carried at the February meeting to defer the project to the March meeting due to lack of presentation materials submitted.

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

Mr. Fant presented the architectural modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey did not feel the changes were working with the design. He questioned the double front facing garage and thought it was too dark. He questioned the front entablature and questioned if the gable and the entablature were clashing. He added he couldn't support the project.

Mr. Ives agreed with Mr. Corey. He thought a lot of work still needed to be done on the design.

Ms. Grace appreciated the efforts but still was not supportive of the front entrance design and the window configuration.

Ms. Shiverick appreciated the efforts but thought the front cornice was extraneous. She made some suggestions for the front façade.

Mr. Kirchhoff agreed with Mr. Corey and thought the design needs more work, particularly the front entry. He was not in favor of the cornice over the garage door and suggested that the three windows to the right of the front door should be linked together.

Ms. Catlin agreed that the front entrance was problematic. She liked Ms. Shiverick's suggestion of adding a Juliette balcony over the single window.

Mr. Floersheimer inquired about the front elevation from the street and wondered if the sculpture element was still proposed for the front site wall. Mr. Fant responded.

Mr. Small thought the cornice on the front entrance was an intrusion.

Mr. Corey suggested that the applicant and the professional come back with a clean start.

Motion made by Mr. Corey and seconded by Ms. Catlin to defer the project for one month, to the April 28, 2021 meeting, for in accordance with the comments of the Commissioners. Motion carried unanimously.

2. A-003-2021 Awning

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 113 Atlantic Ave.

Applicant: Alexandra Murphy

Professional: Jeffrey Brasseur/Brasseur & Drobot Architects, PA

Project Description: Add a fixed awning to the west second story deck and the east second story deck between the garage and main residence.

A motion carried at the January meeting to defer the project to the February 24, 2021 meeting due to the method in which the awning was attached as well as the look of the awning. A motion carried at the February meeting to defer the project to the March meeting due to lack of presentation materials submitted.

ZONING INFORMATION: Section 134-893(b)(13): Request for a variance to allow the construction of a 210 square foot awning on the east side of the existing residence and a 644 square foot awning on the west side of the existing residence which will result in a cubic content ratio of 4.499 cubic feet in lieu of 3.998 existing and the 4.148 maximum allowed.

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

Mr. Brasseur presented the architectural modifications proposed for the existing residence. Mr. Brasseur explained the requested variance related to the project.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired about the details for the columns and how they were attached to the floor. Mr. Brasseur responded. Mr. Corey expressed concern for the attachment of the awnings into the eaves. He also expressed concern for the gutters taking on more water. He suggested both sides of the awning be anchored to the ground.

Ms. Grace was in favor of the color.

Ms. Shiverick thought that in general, awnings complimented the architecture. She suggested investing in some custom poles for the awnings. She liked the choice of color for the awning as well.

Mr. Kirchhoff stated he generally is not a fan of awnings. But he suggested attaching to the awning to the tie beam rather than the eave.

Ms. Catlin did not believe the awnings adding anything to the home. She agreed with Ms. Shiverick's suggestion by using quality poles and materials.

Mr. Small was not a fan of the awnings and believed they did not enhance the beauty of the home. He stated that he could not support the project.

Ms. Catlin inquired if retractable awnings had been investigated. Mr. Brasseur responded.

Motion made by Ms. Shiverick and seconded by Mr. Ives that the project at 113 Atlantic Ave has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried 4-3, with Messrs. Corey, Small and Ms. Catlin opposed.

A second motion made by Ms. Shiverick and seconded by Ms. Grace that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 5-2, with Mr. Small and Ms. Catlin opposed.

3. A-008-2021 Modifications

Address: 202 Onondaga Ave.

Applicant: Mark and Nina Magowan

Professional: Richard F. Sammons/Fairfax & Sammons

Project Description: Construction of new site walls with pedestrian gates.

Installation of new 48K generator. Landscape and hardscape modifications and improvements.

A motion carried at the February meeting to defer the project to the March 24, 2021 meeting in accordance with the comments of the Commissioners, which included concerns about the height of the site walls.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Betsy Shiverick declared a conflict of interest for the project. It was noted that Mr. Floersheimer would be voting in Ms. Shiverick's absence.

Scott Collison, Fairfax & Sammons, presented the architectural modifications proposed for the existing residence.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired if the neighbors were notified. Staff responded. Mr. Corey questioned the driveway material choice and thought it could be restudied.

Mr. Ives was supportive of the project.

Ms. Grace preferred the lower site walls and also stated she would be open to a different driveway material.

Mr. Kirchhoff was in favor of the site walls. He suggested raising the site wall around the generator to protect the neighbors.

Ms. Catlin and Mr. Floersheimer were supportive of the project.

Mr. Collison responded to Mr. Kirchhoff's suggestion about the site wall around the generator.

Motion made by Ms. Catlin and seconded by Mr. Corey that the project at 202 Onondaga has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented with the condition that the driveway material will be honed. Motion carried unanimously.

4. A-020-2021 Modifications

Address: 150 Worth Ave.

Applicant: Wilson 150 Worth LLC (Yvonne Jones)

Professional: Michael Dumala

Project Description: Add 14 new impact windows on south side of building at second floor level. *****Please note: Administrative Site Plan Review*****

A motion carried at the February meeting to defer the project to the March 24, 2021 meeting to allow the applicant to provide notice to the surrounding properties.

Please note: This project was deferred to the April 28, 2021 meeting at the Approval of the Agenda, Item VII.

G. **MINOR PROJECTS – NEW BUSINESS**

1. A-021-2021 Modifications

Address: 236 Via Las Brisas

Applicant: Esther Carmilani

Professional: MP Design & Architecture, Inc.

Project Description: New door and surround, window changes on north elevation, replacing barrel tile roof.

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

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

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

Mr. Small called for staff comment. Ms. Van Onna stated she did not have any comments at this time.

Many of the Commissioners were in favor of the project.

Ms. Shiverick inquired about the door material proposed. Mr. Perry responded. Ms. Shiverick inquired if the new windows would match the existing. Mr. Perry responded.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff that the project at 236 Via Las Brisas has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried unanimously.

2. A-023-2021 Modifications

Address: 22 Middle Road

Applicant: Myrna and Spencer Partrich

Professional: Keith Williams/Nievera Williams Design

Project Description: Proposed site wall on north side of property. Proposed pergola in rear. Hardscape and landscape updates throughout.

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

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Mr. Falco provided staff comments. Mr. Meyer responded to Mr. Falco's comments.

Mr. Corey thought the plan was fine however questioned if the plan was too tight and rigid.

Ms. Grace agreed with Mr. Corey.

Ms. Shiverick inquired about the color for the pergola. Mr. Meyer responded. Ms. Shiverick agreed with Mr. Corey.

Mr. Kirchhoff agreed with the other Commissioners and questioned if the height of the pergola should be reduced.

Ms. Catlin liked the idea of the louvers but was not in favor of the pergola.

Mr. Floersheimer agreed with Mr. Kirchhoff.

Mr. Small questioned the height of the pergola. Mr. Meyer responded.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the April 28, 2021 meeting, in accordance with the comments of the Commissioners.

Mr. Meyer requested the approval of the site wall on the north property line.

Motion failed 2-5, with Messrs. Ives, Kirchhoff, Small and Ms. Shiverick and Catlin opposed.

Motion made by Ms. Shiverick and seconded by Ms. Catlin to approve the building of the north site wall only and to defer the pergola and remaining landscaping changes to the April 28, 2021 meeting. Motion carried unanimously.

IX. **OTHER**

1. ARCOM Project Designation Manual and Guide

Ms. Van Onna stated that the Commission received the most updated version of the manual and guide, which included suggestions that she had received from the Commissioners. She inquired if the Commissioners had any further recommendations before this is presented to the Town Council.

A few Commissioners provided feedback to Ms. Van Onna.

2. Discussion of Mock Ups

Mr. Bergman introduced the possibility of requesting mock ups for large changes in commercial areas.

Many of the Commissioners were in favor of this idea.

The requirement of models required for new construction over 10,000 was also discussed.

X. **UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

1. **Public**

Ellen Bogdanoff, Attorney for the owners at 3140 S. Ocean Blvd., wanted to speak about the application that was deferred at the meeting.

Mr. Small asked the Commission if anyone was willing to open the motion to discuss the details the project. There was no one willing to open the motion.

2. **Staff**

Mr. Bergman stated that Jeffrey Smith declared a conflict for the project at 114 Seaspray Avenue at the February 24, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jeffrey Smith declared a conflict for the project at 1021 N. Ocean Blvd. at the February 24, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Betsy Shiverick declared a continuing conflict for the project at 202 Onondaga Avenue at the February 24, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

3. **Commission**

Ms. Catlin indicated that FEMA was revising the flood maps and that the elevations would be raised again. She thought discussions needed to occur on what the Commission should be looking for in the future plans.

Ms. Catlin also thought that ARCOM training for real estate professionals should be provided.

Ms. Shiverick stated that The Preservation Foundation would be providing training to realtors on Landmark properties but added that other issues relating to ARCOM could be added to the training.

Ms. Shiverick inquired about the number of conflicts were allowed by the Commissioners. Staff replied that 5 conflicts were allowed but that exemptions were being investigated. A discussion ensued on this issue.

Mr. Corey inquired about the Commissioners comments at the beginning of the agenda. He also pointed out the South Florida Water Management District book

where native landscaping could be found. He urged the public to attend the ARCOM meeting and to weigh in on the projects. He also discussed a letter he received from the Town regarding the undergrounding effort and where the mechanical boxes would be located on the midtown streets. Mr. Corey stated he would send the letter to staff so that they could forward it on to the Commission.

Mr. Floersheimer congratulated Mr. Corey on becoming Vice Chairman.

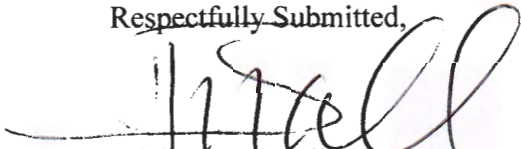
Ms. Grace inquired about the landscape specialist. Mr. Bergman responded. Ms. Grace asked further questions about the undergrounding effort in midtown. Mr. Bergman responded.

XI. **ADJOURNMENT**

Motion made by Mr. Ives and seconded by Mr. Corey to adjourn the meeting at 11:53 a.m. on Thursday, March 25, 2021. Motion carried unanimously.

The next meeting will be held virtually on Wednesday, April 28, 2021 at 9:00 a.m. via the Zoom platform.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "M. Small", is written over a horizontal line.

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Shriverick, Betsy</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>Po Box 2589</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>March 24, 2021</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- 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 Shwerick, hereby disclose that on March 24, 20 21 :

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

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Richard Sammons + Jane Fairfax ;
- ☐ 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:

B-018-2021 additions/modifications
830 S. Ocean Blvd.

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.

3/31/21
Date Filed

AR
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>Shaverick, Betsy</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>PO Box 2589</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>March 25, 2021</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- 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 Shwerick, hereby disclose that on March 25, 20 21:

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

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Richard Simmons and Anne Fairfax;
- ☐ 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:

A-008-2021 Modifications
202 Onondaga 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.

3/31/21

Date Filed

AR

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>Smith, Jeffrey</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>241 Sanford Avenue</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>March 24, 2021</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, Jeffrey Smith, hereby disclose that on March 24, 20 21:

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of MR. STEVE WYNN, 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:

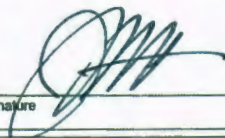
A-027-2021 Modifications
1960 S. Ocean Blvd.

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

4-1-21

Signature



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

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

LAST NAME - FIRST NAME - MIDDLE NAME <u>Smith, Jeffrey</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Architectural Review Commission</u>	
MAILING ADDRESS <u>241 Sanford Avenue</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>Palm Beach</u>	COUNTY <u>Palm Beach</u>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <u>March 24, 2021</u>		NAME OF POLITICAL SUBDIVISION <u>Town of Palm Beach</u>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- 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, Jeffrey Smith, hereby disclose that on March 24, 20 21:

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

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

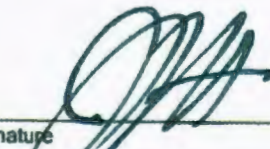
B-008-2021 Gates
114 Seaspray Avenue
Continuing Conflict

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

4.1.21

Signature



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

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>Kirchhogg, Thomas</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Architectural Review Commission</u>	
MAILING ADDRESS <u>1907 Commerce Lane # 106</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>Jupiter</u>	COUNTY <u>Palm Beach</u>	☐ CITY	☐ COUNTY ☒ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <u>March 24, 2021</u>		NAME OF POLITICAL SUBDIVISION <u>Town of Palm Beach</u>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Thomas Kirchhoff, hereby disclose that on March 24, 20 21:

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

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

B-015-20-21 Demolition
147 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

April 1 2021

Signature

Thomas Kirchhoff

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>Kirchhoff, Thomas</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>1907 Commerce Lane # 106</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Jupiter</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>March 24, 2021</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, Thomas Kirchhoff, hereby disclose that on March 24, 20 21:

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

- ☒ insured to my special private gain or loss;
- ☐ insured to the special gain or loss of my business associate, _____;
- ☐ insured to the special gain or loss of my relative, _____;
- ☐ insured to the special gain or loss of _____, by whom I am retained; or
- ☐ insured 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:

A-018-2021 Modifications
102 Flagler Drive

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 April 1 2021

Signature Thomas Kirchhoff

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>Kirchhoff, Thomas</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>1907 Commerce Lane #106</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Jupiter</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED <i>March 24, 2021</i>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Thomas Kirchhoff, hereby disclose that on March 24, 20 21:

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

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

A-028-2021 Modifications
1090 N. Lake Way

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.

April 1, 2021
Date Filed

Thomas Kirchhoff
Signature

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