

# TOWN OF PALM BEACH

## PLANNING, ZONING AND BUILDING DEPARTMENT

### MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, DECEMBER 20, 2017.

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

#### I. CALL TO ORDER

Chairman Cooney called the meeting to order at 9:33 a.m.

#### II. ROLL CALL

|                                         |                  |
|-----------------------------------------|------------------|
| Edward Austin Cooney, Chairman          | PRESENT          |
| Richard Rene Silvin, Vice Chairman      | PRESENT          |
| Jacqueline Albarran, Member             | PRESENT          |
| Page Lee Hufty, Member                  | PRESENT          |
| Anne Fairfax, Member                    | ABSENT (excused) |
| Patrick Segraves, Member                | PRESENT          |
| John T. Gannon, Member                  | PRESENT          |
| Jacqueline Weld Drake, Alternate Member | PRESENT          |
| Kim Coleman, Alternate Member           | PRESENT          |
| Sue Patterson, Alternate Member         | PRESENT          |

Staff Members present were:

John Lindgren, Planning Administrator

Paul Castro, Zoning Administrator

Kelly Churney, Secretary to the Landmarks Preservation Commission

Thomas Baird, Attorney for the Town

Emily Stillings, Preservation Consultant for the Town of Palm Beach

Janet Murphy, Preservation Consultant for the Town of Palm Beach

*Mr. Cooney noted that Ms. Drake would be voting in the absence of Ms. Fairfax.*

#### III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

#### IV. APPROVAL OF THE MINUTES OF THE NOVEMBER 13, 2017 MEETING

**Motion made by Mr. Silvin and seconded Mr. Segraves to approve the minutes of the November 13, 2017 meeting. Motion carried with all in favor.**

**V. APPROVAL OF THE AGENDA**

Mr. Lindgren updated the Commission on project COA-041-2017 301 Australian Ave. and stated the applicant was requesting a one-month deferral. Nick Spinelli, from 301 Australian Avenue, stated he would provide a map for the Commissioners so that they could visit the property to see the newly installed window.

James Green, attorney for Dana & Steven Krumholz, requested a one-month deferral to the February 21, 2018 meeting for the Designation Hearing of 136 Dunbar Rd.

Bill Atterbury, attorney for The Estate of Jerome H. Pennock, requested a one-month deferral to the February 21, 2018 meeting for the Designation Hearing of 137 Seaspray Ave.

**Motion made by Mr. Silvin and seconded by Ms. Albarran to approve the agenda as amended. Motion carried with all in favor.**

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

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

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

Ms. Hufty extended congratulations to the Preservation Foundation on the rejuvenation of Bradley Park.

Mr. Silvin expressed concern about the removal of the historical wall at 901 N. Ocean Blvd. Mr. Silvin asked the Town's Preservation Consultants to place the property under consideration for Landmark status.

Mr. Castro stated that the removal of the wall was a condition of the lot split approval.

Mr. Gannon asked about the modifications needed to allow for a safe sight triangle. Mr. Castro responded.

A short discussion ensued regarding the removal of the wall.

Ms. Coleman stated that currently, the wall is 5 feet high and indicated that a new owner would not be able to rebuild at the same height. She asked if the seawall would be affected. Mr. Silvin spoke about the ongoing removal of the seawall.

Thomas Baird, Attorney for the Town, stated unless the owner was willing to revisit the development approval, the property would not be able to be placed under consideration. He also indicated that the owner has a right to depend on the approvals he or she has received.

Mr. Castro restated the approval of lot split condition.

Mr. Lindgren recommended that the Landmarks Commissioners speak to some of the ARCOM Commissioners to advocate that some of the wall be preserved and incorporated into the design of the new wall.

A long discussion ensued about the elimination of the wall.

Mr. Castro stated that the owner indicated they would try to save as much as the wall as possible.

Mr. Cooney stated the only motion he could support would be to study the wall on the Goodman's property. Mr. Gannon thought the best approach would be to work with the owner.

Murray Goodman, 911 N Ocean Blvd., asked Mr. Castro if a permit had been issued for the wall to be demolished. Mr. Castro stated a permit has not been issued for the front wall.

Bill Metzger, 277 Esplanade Way, inquired about an interior road that could serve both lots. Mr. Castro responded and reviewed the lot split options that were discussed.

Anne Metzger, 277 Esplanade Way, encouraged the Commission to work with the owners of the property.

Alexander Ives, 237 Jamaican Lane, reviewed the concerns presented at the ARCOM meeting. He suggested that the Commission direct the Town's Preservation Consultants to do some research so that the Commission has more information to use to advocate their concerns to the owner of the property.

Amanda Skier, Preservation Foundation, reviewed the Historical Site Survey and stated it had not been updated since 2010. She recommended that the Commission ask that the site survey be updated before 2020. Mr. Lindgren stated that ultimately the Town Council would decide when the survey would be completed.

Mr. Gannon was in favor of Mr. Ives' solution.

Ms. Hufty asked about the Historic Site Survey. Mr. Lindgren explained the Historic Site Survey.

Anne Metzger, 277 Esplanade Way, asked the Commission to send a clear message to the developer that they would like to work with them to save portions of the wall.

Mr. Castro presented a diagram of the proposed wall removal and the site triangle that would be required. A short discussion ensued regarding the wall.

Mr. Silvin asked the consultants to study, informally, the historical elements related to the wall and to request a conversation with the developer.

Mr. Silvin asked Mr. Goodman if he would entertain the motion to place his front wall and his seawall under consideration. Mr. Goodman spoke about encroachment on his walls.

**Motion made by Mr. Silvin and seconded by Mr. Gannon to place the front wall and seawall at 911 N. Ocean Blvd. under consideration for landmarking. Motion carried with all in favor.**

**A second motion made by Mr. Silvin and seconded by Ms. Albarran to bring together all three of the relevant groups, Landmark Commission, the Architectural Commission and the owners of 901 N. Ocean Blvd., to discuss preserving the wall. Motion carried with all in favor.**

## **VIII. PUBLIC HEARINGS**

### **A. Application for Certificate of Appropriateness #033-2017**

**\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCES\* - Done 10/18/17**

**Address: 8 S. Lake Trail**

**Owner/Applicant: Old Kapok, LLC**

**Architect: Harold J. Smith/Smith and Moore Architects, Inc.**

**Project Description: Interior and exterior alterations to a two-story 1938 John Volk designated residence. Interior alterations include bath and kitchen area renovations; restoration of existing architectural elements such as base, casing and cornice moldings; replacement of non-original library wood paneling and stair hall wood flooring; addition of an elevator; reconfiguration of a staff stair; conversion of a dining room to a family room; creation of a new dining room; reconfiguration of second floor bedrooms and baths. Exterior alterations include window and door replacement; the addition of a loggia on the west elevation; infill addition in the proposed dining room; the addition of a service door; replacement of two windows with doors on the east elevation; an addition to the current pool cabana.**

**Construction of a detached four-car garage and a detached one-story guesthouse.**

**Alterations to hardscape and landscape. Addition of a tennis court. Other associated changes as presented. *\*Please note that this is a tax abatement project\****

**At the July meeting, a motion carried to defer the project for one month to the August 16, 2017 meeting for restudy. At the August meeting, a motion carried to defer the project for one month to the September 15, 2017 meeting for restudy. A motion carried at the October meeting that the implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property.**

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

**Mr. Smith presented the plans for the property and presented some minor changes made since the last presentation. Mr. Smith showed the Commission a construction staging site plan on the overhead projector. Mr. Smith put an alternate guesthouse roof design on the overhead projector.**

There was a short discussion on the roof choices for the guesthouse. Some Commissioners were in favor of the alternate roof design and some preferred the original, flat roof for the guesthouse.

**Motion made by Ms. Albarran and seconded by Ms. Hufty to approve the project with the alternate guesthouse roof design presented. Motion failed 3-4 with Messrs. Silvin, Segraves, Gannon and Cooney opposed.**

**A second motion made by Ms. Albarran and seconded by Mr. Segraves to approve the project as presented with the original, flat roof for the guesthouse. Motion carried with all in favor.**

**B. Application for Certificate of Appropriateness #041-2017**

Address: 301 Australian Ave.

Owner/Applicant: CSC Brazilian LP/Adam Schlesinger

Architect: None

Project Description: At the June 21, 2017 meeting of the Landmark Commission, the Commission approved the installation of a composite insulated impact glass window to replace the existing decorative wood windows. The Applicant is requesting that the Commission reconsider only that portion of its approval that required the installation of an "insulated impact glass" as part of the replacement window in light of the extraordinary difficulty of installing impact windows on the existing structure and the possibility that such installation will (a) damage the existing structure; (b) the aesthetic similarity of the standard window proposed by the applicant; and (c) the existence of approved hurricane protection at the property. The building structure is made of hollow terracotta block. In order to obtain the required strength to make the impact glass windows meet building codes, openings of at least 18"-24" would have to be made surrounding every window, interior and exterior, would have to be opened and filled with concrete. Then the windows would need to be installed, anchored and the openings closed. This construction is not only extremely expensive, but the extensive nature of it has the potential for damage to the existing structure and may result in unsightly changes to appearance of the exterior of the building. This has the potential to defeat the goals of the Commission of preserving the aesthetic look of the property. The Brazilian Court Hotel has approved hurricane protection which has protected, and will continue to protect the property if the Commission approves the installation of traditional insulated glass windows in the approved frames. The Commission should not impose a requirement on a property owner that deals with structural issues already approved by the Building Department and that will impose undue costs and increase the potential for adversely impacting the historic look of the property. Approving the proposed insulated glass will fulfill the mission of the Commission and is consistent with its authority under the Town Code of Ordinances. Insulated and impact glass in the approved window frames are almost identical in appearance. The Commission saw and approved an insulated glass window only. Adding the requirement that the window be "impact glass" goes beyond the authority of The Landmark Commission, but also impose an unnecessary risk to the property and an undue burden on the property owner. We

respectfully request that the Commission reconsider its decision and permit installation of the approved composite window with insulated glass in the approved frame.

A motion carried at the October meeting to defer the application for one month to allow the applicant to install a single test window, preferably impact that would be approved by the Building Official to determine the cost, and possible savings if a non-impact window was used. A motion carried at the November meeting to defer the project to the December 20, 2017 meeting at the request of the applicant.

***Please note: This item was deferred to the January 17, 2018 meeting at the approval of the agenda, Item V.***

C. Application for Certificate of Appropriateness #042-2017

**\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCES\* - Done 10/18/17**

Address: 473 N. County Rd.

Owner/Applicant: Louwana Trust c/o Leslie R. Evans

Architect: Thomas M. Kirchhoff/Kirchhoff & Associates Architects

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: 473 N. County Road is the address for Louwana, the 1919 Mediterranean revival residence designed by Addison Mizner for Gurnee Munn.

The name "Louwana" was created from the contraction of Mrs. Munn's name (Marie Louise Wanamaker). Louwana is the

companion home to Amado, the 1919 Addison Mizner house situated directly to the south at 455 N. County Road. This home was designed for Gurnee Munn's brother Charles Munn Jr. Louwana has undergone numerous rehabilitations over time. The Hurricane of 1928 washed out the section of N. Ocean Blvd adjacent to Louwana and Amado. As a result, the entry access to Louwana (and Amado) changed from the east side to a parking court on the south of Louwana, accessed from N. County Road. In 1931, Architect Maurice Fatio designed a pool, pool loggia addition, and tennis/bath house.

In 1953, an elevator is added in the open stair facing the courtyard.

In 1971, Architect John Volk designed an addition to the northeast portion of the house, primarily adding staff areas and remodeling the kitchen. In 1980, Volk also designs alterations to the master bedroom suites. In 1980, Louwana is Landmarked by the Town of Palm Beach. The proposed rehabilitation of Louwana will address the needs of the residents and their lifestyle. The house has been unaltered for approximately 35 years. These changes include 1. Kitchen areas. The kitchen area is from the John Volk renovation and is strictly utilitarian. We propose to create a more open and expansive kitchen that is welcoming for family enjoyment. 2. The interior stair on the north side of the house will be replaced. The existing stair is so small, tight and not code compliant that it represents a danger to the occupants. The proposed plan will incorporate a new stair that will allow ease of vertical circulation.

3. A new laundry room will be added. The laundry room will address the insufficient size of the existing laundry room. 4. Guesthouse and garage. The

existing garage is not easily accessed and the guesthouse portion is in grave disrepair. The proposed demolition of this structure will free up the service court area and allow for a new garage/guesthouse that meets the needs of the owners. This guesthouse will have access and views of the pool area. 5. The existing entry area is currently a storage area and is not used. The proposed plan will create a game room and gym. Throughout the house there are examples of moisture problems and water intrusion. This will be addressed in three areas. First, the North wing affected by this renovation will receive new impact rated doors and windows. Second, masonry walls will receive moisture proof coating and be insulated. Third, renovated areas will receive new air conditioning system. The house will receive a new electrical service and new sanitary sewer lateral. Storm drainage and retention will be brought up to code for the entire property. New hardscape and landscape design consistent with the historic property are proposed. Dependency buildings including the ocean cabana and the pool/tennis cabana will not be altered at this time. ***\*Please note that this is a tax abatement project\****

A motion carried at the October meeting that the implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property.

Call for disclosure of ex parte communication: None.

Mr. Kirchhoff presented the proposed plans for the residence. Mr. Kirchhoff presented a small modification to the basement.

Mr. Silvin asked the Preservation Consultants their opinion regarding the tax abatement application for the project. Emily Stillings stated that they believe the proposed plans met the Secretary of Interior Standards.

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

Mr. Cooney asked if the owners would be willing to add the pedestal fountain back in the courtyard. Mr. Williams stated he would consider the request.

**Motion made by Mr. Gannon and seconded by Mr. Silvin to approve the project as presented. Motion carried with all in favor.**

- D. Application for Certificate of Appropriateness #049-2017  
**\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCES\* - Done**  
11/13/17  
Address: 310-322 Clarke Ave.  
Owner/Applicant: Katherine and Jay Horgen  
Architect: M. Mark Marsh/Bridges, Marsh & Associates  
Project Description: Demolition of the following additions to the original structure:  
1) loggia, 2) addition to garage, 3) garden nursery.

A motion carried at the November meeting that the implementation of the proposed variances will not cause negative architectural impact to the landmark property with the caveat to improve the variance for the landscape open space conditions in the front of the property.

Call for disclosure of ex parte communication: None.

Mr. Marsh stated that the Town Council approved the variance requests. He presented the proposed plans for the project and pointed out a modification made to increase the landscaping at 322 Clarke Avenue.

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

E. Application for Certificate of Appropriateness #053-2017

Address: 822 S. County Rd.

Owner/Applicant: M&M Palm Beach Property Investors, LLC

Architect: Harold J. Smith/Smith and Moore Architects, Inc.

Project Description: Window replacement on a 1939 Treanor & Fatio designed Georgian Revival style single family home. Introduction of larger windows and door sidelights in the main house morning room.

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

Mr. Smith provided a brief history of the home and presented the proposed modifications to the property.

Mr. Silvin was in favor of the changes and asked about the paint proposed for the windows. Mr. Smith responded.

Mr. Segraves asked for clarification on the west elevation. Mr. Smith provided clarification.

Mr. Cooney was in support of the project.

Mr. Smith provided a detail for the bow window.

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

*A short break was taken at 11:15 a.m. The meeting resumed at 11:30 a.m.*

F. Application for Certificate of Appropriateness #052-2017

Address: 305 Maddock Way

Owner/Applicant: Paul L. Maddock, Jr.

Architect: Keith Spina/Glidden Spina + Partners

Landscape Architect: Jorge Sanchez, SMI Landscape Architecture

Project Description: Interior and exterior additions and alterations to existing, two-story residence including the modification and enlargement of floor plan. Interior alterations include reconfiguration of spaces, restoration of existing architectural elements and structure. Exterior alterations include the addition of a changing room and pool on west side of property, removal and replacement of existing nonconforming garage with new two story garage, window replacement, and restoration of existing architectural elements and structure. Alterations to hardscape and landscape. ***\*Please note that this is a tax abatement project\****

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

Mr. Spina introduced Jay Maddock, owner of the property. Mr. Maddock spoke about the historical changes of his home and the direction of the proposed changes.

Mr. Spina presented a historical evolution of the current residence. He presented the proposed modifications for the residence.

Mr. Sanchez presented the proposed modifications for the landscape and hardscape.

Mr. Spina presented samples of the proposed materials for the project.

Mr. Segraves was a bit concern about the size of the garage. Mr. Segraves also asked about the demolition of the structure. Mr. Spina stated he would like to perform an adaptive reconstruction of the residence.

Mr. Cooney had some concerns, specifically the means and methods of construction. He also stated that he believed the project should be re-advertised as a demolition and reconstruction.

Mr. Castro stated that the project appeared to be a demolition and reconstruction for new house and as such, needed site plan review because the lot is non-conforming. He stated the project would be required to be submitted as a combination project and approved by the Town Council.

Mr. Spina asked for clarification on the non-conforming lot. Castro responded.

Jay Maddock stated that he thought issue of the non-conforming lot was resolved with a previous projects. Mr. Castro responded.

Mr. Cooney added that he believed the tax abatement application was not appropriate since it cannot be applied to a reconstruction project. Ms. Stillings confirmed the tax abatement request was not applicable to new construction.

A short discussion ensued about reconstruction of a landmarked home.

Mr. Segraves asked the applicant to document all of the architectural details before the reconstruction occurred. Mr. Spina agreed.

Mr. Gannon spoke in favor of the changes.

Mr. Silvin stated he was in favor of the changed but asked if the demolition would cause the home to lose its landmarked status. Mr. Cooney responded.

Mr. Castro reviewed the steps the applicant needed to take if he would like to move forward with the project.

Mr. Lindgren suggested withdrawing the current project and resubmitting the project as a combination project with 2018 numbers.

Mr. Spina asked the Commission to withdraw his application.

**Motion made by Ms. Albarran and seconded by Mr. Silvin to withdraw the application to allow the applicant to file a combination project with the Town. Motion carried with all in favor.**

G. Application for Certificate of Appropriateness #054-2017

Address: 17 Golfview Road, LLC

Owner/Applicant: 17 Golfview Road, LLC

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

Project Description: Decorative concrete elements are to be temporarily removed from the top of the tower in order to repair the structural deficiencies of the tower. The elements will be reinstalled after the repairs are completed. Repairs include a new tie beam. Stucco and metal lath will be removed from several portions of the main house, where there is no wood sheathing, and the metal lath is no longer attached to the studs. Wood sheathing and waterproofing will be installed and the walls re-stuccoed to match existing. Fixed glass is to be added behind a railing to enclose an exterior second floor gallery at the rear courtyard.

Call for disclosure of ex parte communication: Disclosure by Messrs. Silvin and Cooney.

*Please note: Jacqueline Albarran declared a conflict of interest for this project. Ms. Coleman voted in her absence.*

Ms. Albarran presented the proposed modifications to the residence. Ms. Albarran presented a column detail at the exterior walkway on the overhead projector.

Many of the Commissioners were in favor of the changes.

Ms. Hufty asked about the proposed change in the balustrades. Ms. Albarran responded with an explanation of the change.

**Motion made by Mr. Silvin and seconded by Ms. Hufty to approve the project as presented. Motion carried with all in favor.**

**IX. OTHER BUSINESS**

There was no other business discussed at this time.

**X. DESIGNATION HEARINGS**

Item 1: 245 Dunbar Road

Owner: Peter M. & Stephanie S. Brant

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

*Please note: Jacqueline Albarran declared a conflict of interest for this project. Ms. Coleman voted in her absence.*

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this 1903-1905 home. Ms. Murphy pointed out the design features of this home. Ms. Murphy testified that the building meets the following criteria for designation as a landmark:

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

Sec. 54-161 (2) Is identified with historic personages or with important events in national, state and local history.

Mr. Cooney asked for confirmation that the Town had proof of publication and notice with regard to this landmark designation hearing. Ms. Churney provided confirmation.

**Motion made by Mr. Silvin and second by Mr. Segraves that the designation report be made part of the record. Motion carried with all in favor.**

Ms. Drake asked if the owners were in favor of the designation. Ms. Murphy responded. Mr. Gannon stated he personally knew the owner and knew that he loved the history of the home.

Ms. Hufty asked if Ms. Murphy had any historical photos of the changes. Ms. Murphy responded. Ms. Hufty expressed concern that the tower and balustrades were missing from the home. Ms. Murphy explained that is the reason that they only recommended the home under criteria 1 and 2.

**Motion made by Mr. Gannon and second by Mr. Segraves that 245 Dunbar Road be recommended to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 2 in Section 54-161.**

A short discussion ensued about the owner's knowledge of the landmark designation.

**Motion carried with all in favor.**

Item 2: 136 Dunbar Road  
Owner: Dana & Steven Krumholz

*Please note: This item was deferred to the February 21, 2018 meeting at the approval of the agenda, Item V.*

Item 3: 137 Seaspray Avenue  
Owner: The Estate of Jerome H. Pennock

*Please note: This item was deferred to the February 21, 2018 meeting at the approval of the agenda, Item V.*

**XI. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING, ZONING & BUILDING DEPARTMENT DIRECTOR.**

Mr. Lindgren stated that the dates for the March 2018 meeting had changed and stated a new calendar was provided to the Commissioners.

Mr. Lindgren stated that John Page's last day would be January 12, 2018.

Mr. Silvin provided an update to the Commission regarding the landmark projects that were presented at the last Town Council meeting.

Mr. Cooney thanked all of the Commissioners for their efforts.

Mr. Gannon stated he was proud to see some of the changes in the Town, with many of the projects approved by the Landmark Commission.

**XII. ADJOURNMENT**

**Motion by Mr. Silvin and seconded by Ms. Hufty to adjourn the meeting at 1:05 p.m.  
Motion carried with all in favor.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 17, 2018 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

*Ed A. Cooney, Chairman*  
Edward A. Cooney, Chairman  
LANDMARKS PRESERVATION COMMISSION

kmc

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

|                                                                 |                             |                                                                                                                      |  |
|-----------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------|--|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><i>Albarran, Jacqueline</i> |                             | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>Landmarks Preservation Commission</i>              |  |
| MAILING ADDRESS<br><i>324 Royal Palm Way # 227</i>              |                             | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br><i>Town</i>                 |  |
| CITY<br><i>Palm Beach</i>                                       | COUNTY<br><i>Palm Beach</i> | <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY |  |
| DATE ON WHICH VOTE OCCURRED<br><i>12/20/17</i>                  |                             | NAME OF POLITICAL SUBDIVISION:<br><i>Town of Palm Beach</i>                                                          |  |
|                                                                 |                             | MY POSITION IS:<br><input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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, Jacqueline Albarran, hereby disclose that on December 20, 20 17:

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

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

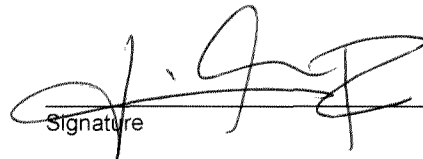
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

COA - 054 - 2017  
17 Golfview Rd  
continuing conflict

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12-20-17

Date Filed

  
Signature

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

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

|                                                                 |                             |                                                                                                                      |  |
|-----------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------|--|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><i>Albarran, Jacqueline</i> |                             | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>Landmarks Preservation Commission</i>              |  |
| MAILING ADDRESS<br><i>324 Royal Palm Way #227</i>               |                             | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br><i>Town</i>                 |  |
| CITY<br><i>Palm Beach</i>                                       | COUNTY<br><i>Palm Beach</i> | <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY |  |
| DATE ON WHICH VOTE OCCURRED<br><i>12/20/17</i>                  |                             | NAME OF POLITICAL SUBDIVISION:<br><i>Town of Palm Beach</i>                                                          |  |
|                                                                 |                             | MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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, Jacqueline Albarran, hereby disclose that on December 20, 20 17:

(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:

245 Dunbar Rd.  
Designation Hearing

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.

12-20-17  
Date Filed

[Signature]  
Signature

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