

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JUNE 28, 2023

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. Smith called the meeting to order at 9:00 a.m.

II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT (Arrived at 9:03 a.m.)
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT (Arrived at 9:02 a.m.)
Kenn Karakul, Member	PRESENT (Arrived at 9:17 a.m.)
Elizabeth Connaughton, Member	ABSENT (Unexcused)
Dan Floersheimer, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	PRESENT
Katherine "KT" Catlin, Alternate Member	PRESENT

Staff Members present were:
Sarah Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Acting Town Clerk

III. PLEDGE OF ALLEGIANCE

Chairman Smith led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

Motion made by Ms. Shiverick and seconded by Ms. Catlin to approve the minutes from the May 24, 2023, meeting as presented. Motion carried unanimously, 6-0.

V. APPROVAL OF THE AGENDA

Ms. Pardue asked to modify the agenda with the following changes:

To move ARC-23-083, 516 S. Ocean Blvd. to E. Minor Projects, New Business, #1.

*Deferral of ARC-23-070, 60 Blossom Way to the July 26, 2023, meeting.
To move ARC-23-067, 1600 S. Ocean Blvd to be heard immediately following A. Consent Agenda.*

Motion made by Mr. Floersheimer and seconded by Ms. Catlin to approve the agenda as amended. Motion carried unanimously, 7-0.

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

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

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

Mr. Corey thanked staff for the comprehensive memorandums on all projects; he thought the memos were excellent.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3-MINUTE LIMIT, PLEASE)**

There were no comments heard at this time.

IX. **PROJECT REVIEW**

A. CONSENT AGENDA

1. **ARC-22-043 (ZON-22-073) 143 REEF RD (COMBO) – EXTENSION OF TIME** The applicant, John K. Criddle, has filed an application requesting Architectural Commission review and approval for a One (1) year Extension of Time for a previously issued Development Order for the construction of a new two-story residence with associated landscape and hardscape, with variances to exceed maximum amount of fill and to exceed maximum allowed Cubic Content Ratio (CCR). (ORIGINALLY APPROVED AT THE JUNE 29, 2022 ARCOM MEETING)
2. **ARC-23-037 991 N LAKE WAY** The applicant, 991 N Lake Way Trust, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved driveway and associated hardscape.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the consent agenda as presented. Motion carried unanimously, 7-0.

At this time, the Commission requested to hear the following project:

ARC-23-067 1600 S. OCEAN BLVD The applicant, Ninety 9798 Canada Inc, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved single-family residence including fenestration changes and a second-floor addition.

Ms. Pardue provided staff comments on the project.

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

Harold Smith, Smith and Moore Architects, presented the architectural plans for the proposed modifications to the existing home.

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

Mr. Sammons asked about the return of the architrave at the portico. Mr. Smith responded and there was a short discussion about the details. Mr. Sammons commented on a detail relating to the parapet.

Mr. Corey liked how the pediment was lowered but questioned the design on the pediment; he recommended removing the detail. Mr. Corey asked for additional landscaping at the front of the property. Mr. Smith responded and stated additional landscaping could be considered.

Ms. Shiverick was in favor of the detail on the pediment. She thought the addition was appropriate because of the location of the home. She asked about the color proposed for the home.

Juan Pablo Molyneux, Architect for the project, responded and discussed the details for the pediment as well as the proposed color for the home.

Ms. Shiverick indicated she was not in favor of the rustication on the west doors.

Mr. Kirchhoff lamented the loss of the one-story home. He thought the addition was fine but agreed with the suggestions by Mr. Sammons.

Chairman Smith agreed with the loss of the one-story home. He thought the house would seem large on the street. He thought the pediment should be plain and questioned the windows.

Motion made by Ms. Shiverick and seconded by Mr. Floersheimer to approve the project with the following conditions: the rustication of the west doors will be eliminated, the design of the pediment and the second-floor banding will be corrected, the number of palms in the front of the home will be tripled and the following items will return for approval when ready: the color of the home and the landscaping plan. Motion carried 5-2, with Messrs. Corey and Smith dissenting.

B. MAJOR PROJECTS-OLD BUSINESS

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

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

2. **ARC-22-243 (ZON-23-014) 302 SEABREEZE AVE (COMBO)** The applicant, Sean Rooney, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story

single- family residence with related landscape and hardscape improvements, requiring Site Plan Review due to deficient lot width and area, and variances to provide one garage parking space in lieu of the two required and to install air conditioning condensing units and a generator in the rear yard setback without being completely screened from the adjacent property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

3. **ARC-23-032 (ZON-23-041) 176 SEMINOLE AVE (COMBO)** The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Architectural Commission review and approval for the conversion of a rear vehicular garage into storage space, for the construction of a second-floor addition over the existing single-story garage, and landscape and hardscape alterations requiring four variances to eliminate required garage parking, to construct a second floor addition with a reduced rear setback, to exceed the maximum allowable Cubic Content Ratio (CCR), and to reduce landscape open space below code requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Dan Kahan, Smith and Moore Architects, presented the architectural plans for the proposed modifications to the existing home.

Mr. Corey thought the addition was very well integrated; however, he could not look past the requested variances. He was not in favor of the removal of the garage. He thought the variance was an indicator that the home was overbuilt. Mr. Kahan responded and described the reuse of the garage space.

Mr. Floersheimer thought the design was good. However, he agreed with Mr. Corey and was concerned with the variances and the removal of the garage. He provided suggestions on where he thought the staircase could be relocated. He recommended restudying this function.

Ms. Catlin thought the parking onsite could be screened and understood that the current garage was unusable.

Mr. Kirchhoff thought the variances were minimal. Mr. Kirchhoff asked about the turning distance in and out of the garage. Mr. Kahan described how the site was being used and how the cars were being parked. Mr. Kirchhoff thought the garden could be used as greenspace and thought the two round windows on the west side were odd.

Mr. Karakul stated as the owner next door to the home, he never had an issue with the cars on site. He supported the project and thought the variances were minimal.

Mr. Martin thought the variances were minimal. He did not understand why the Commission should be commenting on whether a garage was needed.

Mr. Smith disagreed and believed that converted garages made homes larger. He added he could not support the request.

Ms. Shiverick thought the variances were minimal but questioned the landscaped open space variance. Mr. Kahan responded and discussed how he could add green space. She was in favor of the second story and thought it balanced the west side of the home. She supported the request.

Mr. Corey restated that he felt the variances were allowing the home to be bigger than what was allowable.

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

Ms. Shiverick thought that, in general, the needs of owners have changed, and since the variances were minimal, she thought the requests were acceptable.

Motion made by Mr. Floersheimer to defer the project with the condition that the project returns to the Commission with a change to the west facing windows, the requirement for the landscape open space variance is reduced and a restudy of the access to the second floor. Motion failed for lack of a second.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul to approve the project with the direction to increase the greenspace and to change the round windows on the west side of the home. Motion carried 4-3, with Messrs. Floersheimer, Corey and Smith dissenting.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 4-3, with Messrs. Floersheimer, Corey and Smith dissenting.

4. **ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO)** The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new rooftop clerestory projection enclosing an existing open-air interior courtyard to an existing two-story residence including variances from building height, lot coverage and Cubic Content Ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

5. **ARC-23-047 269 JAMAICA LANE** The applicant, Marrano Holdings 2022 LLC. (Maura Ziska), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements.

Please note: Mr. Sammons left the room at this time. Mr. Martin voted in his absence.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin.

Grace Walton, Environment Design Group, presented the revised landscape and hardscape design for the site.

Ms. Shiverick thought the new plan was too loose; she preferred the previous plan.

Mr. Kirchhoff agreed with Ms. Shiverick. He was not in favor of blocking the view of the front door.

Mr. Corey was in favor of the new planting materials. However, he was not in favor of the proposed hardscape. He agreed with Ms. Shiverick; the first plan was too rigid, and the new plan was too loose.

Mr. Karakul liked the energy of the new plan. He thought a gate in the center of the property would be nice to allow a view to the front door.

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

Motion made by Mr. Corey to approve the project with the addition of a pedestrian gate and a restudy of the hardscape, with both items to return to the Commission for approval.

Discussion on the motion ensued.

Mr. Floersheimer seconded the motion.

Ms. Shiverick asked to see the proposed front elevation. She was not in favor of the Clusia hedge as shown; she thought it was too scattered.

Motion restated by Mr. Corey and seconded by Mr. Floersheimer to approve the project with the following conditions: a pedestrian gate shall be added, the Clusia hedge shall be cleaned up, and the hardscape shall be restudied and revised, with all items returning to the July 26, 2023, meeting. Motion carried unanimously, 7-0.

Please note: Ms. Churney asked Mr. Sammons, who returned to the room, to announce his conflict with the previous project. Mr. Sammons declared a conflict of interest for the project of 269 Jamaica Lane.

6. **ARC-23-039 (ZON-23-063) 599 S. COUNTY RD. (COMBO)** The applicant, SAS Realty Enterprises LLC (Greg Simonian, President), has filed an application requesting Architectural Commission review and approval for

construction of a new two-story single family residence and related landscape, hardscape and pool. The application shall be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

7. **ARC-23-061 (ZON-23-062) 301 PLANTATION RD (COMBO)** The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with detached pool cabana, swimming pool, and sitewide landscape and hardscape improvements, with variances related to height and pool screening. Town Council shall review the applicant as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin. ***Please note: Mr. Sammons declared a conflict of interest for the project and left the dais during the discussion. Mr. Martin voted in Mr. Sammons' absence.***

Cory Meyer, Nievera Williams Design, presented the revised landscape and hardscape design for the site.

Ms. Catlin thought the home would be very tall on the corner and did not believe the landscape would mask the height.

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

Mr. Floersheimer thought the landscape plan was responsive to the comments of the Commissioners.

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

8. **ARC-23-057 (ZON-23-049) 2 S COUNTY RD (COMBO)** The applicant, The BreakersPalm Beach, Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for the renovation and expansion of the existing tennis area, including replacements of 10 existing courts, addition of 2 courts, addition of pickleball courts, shade structures, decorative fencing, new service path, stretching area and landscape improvements; requiring town council review of special exception, site plan review, and variances. This is a combination project that shall also be reviewed by Town Council as it relates to zoning relief/approval.

Please note: This item was deferred to the September 27, 2023, meeting at Item V., Approval of the Agenda.

C. MAJOR PROJECTS-NEW BUSINESS

1. **ARC-23-033 1440 S. OCEAN BLVD** The applicant, 1440 South Ocean Trust (Ronald Kochman, Trustee), has filed an application requesting Architectural Commission review and approval for a new 2-story residence over 10,000 square feet and accompanying hardscape, landscape, pool, site walls and gates.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin.

M. Mark Marsh, Bridges Marsh & Associates, Inc., presented the architectural plans proposed for the new residence. Mr. Marsh showed a video rendering of the proposed home.

Mr. Corey thought the home had an estate feel and thought the house was successful since the house had not maximized the building envelope. He thought the west elevation was very successful since the glazing was covered from the sun. He thought more landscape could be added around the pool. He stated he could not support the slate roof proposed; he recommended a shake roof for the home. He commented and provided suggestions for the hardscape.

Mr. Kirchhoff thought the home was a bit uninspiring. He thought the front of the home was flat, and he had issues with the slate roof.

Mr. Sammons was not in favor of the slate roof. Mr. Marsh stated he supported a cedar shingle roof. Mr. Sammons thought the home was over scaled; he recommended introducing hyphens in the design. He commented on the portico, and the main block of the home.

Mr. Floersheimer appreciated the breathing room on the lot. He was not in favor of the coral stone around the front entrance. He expressed concern for the height of the home. He recommended story poles be added so the Commission could understand the height of the home. Mr. Marsh responded.

Ms. Catlin thanked the architect for not overbuilding the home. She was not in favor of the coral stone at the front of the home and felt the drive into the home was too formal for the home. She recommended less formality in the landscaping. She questioned whether the design worked. Mr. Marsh responded. Ms. Catlin thought something was missing in the design.

Ms. Shiverick thought the entry was stately. She liked the West Indies design but thought it missed some of the details. She recommended a large tree in the front entry. She questioned the mullion patterns in the fenestration, she was not in favor of the coral stone on the front and questioned the shutters as proposed. She recommended new entry gates. She preferred Bahama shutters and double hung windows.

Mr. Karakul thought the garage wing was attractive. He was not in favor of the quoins but thought the coral stone was okay. He recommended a restudy of the front section of the home and thought the design needed to be refined.

Mr. Kirchhoff suggested a revised entry into the property and a different pool. He thought there were inconsistencies in the design. He was not concerned with the height, especially due to the location of the site.

Mr. Floersheimer asked about the Banyan trees on the site.

Dustin Mizell, Environment Design Group, responded and described the landscape plan in the front of the site, and addressed the Banyan trees.

Mr. Smith thought the design was a missed opportunity. He thought the property was special. He agreed with Mr. Kirchhoff and thought there were inconsistencies in the design.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to defer the project to the August 23, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Ms. Churney called for public comment. No one indicated a desire to speak.

2. **ARC-23-015 (ZON-23-021) 320 CHILEAN AVE (COMBO)** The applicants, Valentin and Yaz Hernandez, have filed an application requesting Architectural Commission review and approval for changes to the overall site plan of an existing two-story condominium building, including landscape and hardscape improvements including the addition of artificial turf joints in a motor court and the installation of a pool in the side yard requiring variances from parking, equipment distances, setback requirements and open space. This is a combination project that shall also be reviewed by Town Council as it pertains to the zoning code relief/approval.

Mr. Hodges provided staff comments on the project. Mr. Hodges stated that the project must be deferred one month due to a problem with the notice; however, the professional would make a presentation for feedback only.

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

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

Mr. Corey thought the existing building and landscaping needed help. He thought the changes would enhance the area. He asked about the variance for the parking. Mr. Mizell responded. Mr. Corey wondered if the pool could be placed on the west side. Mr. Mizell responded. Mr. Corey asked about the proposed turf. Mr. Mizell responded. Mr. Corey wondered if the turf would work in the parking spaces. Mr. Corey questioned the proposed palms in the front of the property.

Mr. Karakul thought the design was nice and would support the project and variances.

Mr. Floersheimer was in favor of the project and thought the variances were minimal. He recommended reducing the return at the bottom of the water feature.

Ms. Shiverick thought the upgrades to the parking area were nice. She asked about the location of the pool equipment; Mr. Mizell responded. She asked for an elevation or view of the pool at its location.

Mr. Kirchhoff wondered if the building would be reconfigured and if it would return to the Commission. Mr. Mizell responded.

Valentin Hernandez, owner, spoke about the renovation of his home.

Mr. Smith wondered who would have the view of the pool equipment and wondered if they had been notified about the project. Mr. Mizell responded. Mr. Smith stated he could not support the project with the provided information. Mr. Hodges commented on the notice to the surrounding owners.

Mr. Kirchhoff asked for a neighborhood drawing.

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

Motion made by Mr. Floersheimer and seconded by Mr. Corey to defer the project to July 26, 2023, to allow proper time for the public notice to be mailed. Motion carried unanimously, 7-0.

3. **ARC-23-063 (ZON-23-059) 1265 N LAKE WAY (COMBO)** The applicant, 1265 N Lake Way LLC (Maura Ziska, Manager), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape and landscape on a nonconforming lot. The application shall be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Daniel Menard, LaBerge & Menard, presented the architectural plans proposed for the new residence. Mr. Menard showed a video rendering of the proposed home.

Todd Maclean, Todd Maclean Outdoors, presented the hardscape and landscape plans for the site.

Mr. Sammons was in favor of the landscape plans. He indicated he was not a fan of contemporary architecture. He also questioned the proportion and scale of the design. He also was not in favor of the heavy concrete top of the home. He thought the design was clunky.

Mr. Smith agreed with Mr. Sammons. He thought the second floor appeared larger than the first floor. He did not believe the design fit into the neighborhood. He agreed that he was in favor of the landscape plan.

Mr. Floersheimer thought the siting of the home worked. He thought the property to the south would be looking at this home, so he recommended landscaping for screening.

Mr. Karakul thought the professional had a clever arrangement on a narrow lot. He recommended looking at different materials and colors and varying the roof heights on the structure.

Ms. Catlin thought the skin of the home needed some study but was in favor of the layout. She thought the flow of the property worked.

Mr. Kirchhoff thought the design could be improved; however, he was not in favor of the colors and the eaves. He thought some restudy would be beneficial.

Mr. Corey thought the landscape plan was very nice. He wondered if the house was appropriate in the location proposed. He suggested a story of a one-story home.

Ms. Shiverick thought the home appeared dark and flat; she recommended changing the renderings. She loved the idea of a one-story Contemporary with lighter colors.

Mr. Menard asked the Commissioners if they would support a Polynesian design.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to defer the project to the August 23, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Ms. Churney called for public comment. No one indicated a desire to speak.

4. **ARC-23-064 (ZON-23-054) 1473 N OCEAN BLVD (COMBO)** The applicants, William C. Powers & Marianne Elaine Elmasri, have filed an application requesting Architectural Commission review and approval for renovations and additions to an existing one-story residence, requiring setback variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

Please note: The Commission took a short break at 11:24 a.m. The meeting resumed at 11:36 a.m. Mr. Karakul returned at 11:42 a.m.

5. **ARC-23-065 (ZON-23-060) 304 MADDOCK WAY (COMBO)** The applicant, 304 Maddock Way LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story primary residence, two-story detached garage, and two-story detached guest house providing over 20,000 SF of enclosed space with site

wide landscape and hardscape improvements. The application shall be reviewed by the Town Council as it pertains to the Site Plan Review.

Mr. Hodges provided staff comments on the project.

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

Maura Ziska, Attorney for the owner, introduced the design team.

Peter Papadopoulos, Smith and Moore Architects, provided an overview and history of the lot.

Please note: Mr. Martin left the meeting at 11:49 a.m. He returned after the lunch break at 2:03 p.m.

Joeb Moore, Joeb Moore + Partners Architects, LLC, presented the architectural plans proposed for the new residence.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape design proposed for the site.

Ms. Shiverick thought that the design was perfect and charming. She stated it was evident that the project was very collaborative. She thought the landscaping plan was divine. Her only criticism was that some of the fenestration and arches were a bit over scaled.

Mr. Sammons thought the home was a bit over scaled in its overall design. Mr. Moore responded. He questioned the Corinthian order. He thought the whole design should be reduced by 20%. Mr. Papadopoulos responded.

Mr. Corey thought the home was well designed; however, he questioned if the house belonged in its location. He thought the guest house and garage were very charming and tied into the location. He provided a suggestion for material changes to allow the main house to tie into the neighborhood. He was not in favor of how the main house plan was setback to setback from north to south. He thought the main house should be completely restudied, in terms of materials and design.

Mr. Karakul thought the home was beautifully designed and related to the land. He was in favor of the materials and supported the project. He thought the far section to the north needed some restudy. He also understood Ms. Shiverick's concerns for the fenestration. He was in favor of the landscaping as well.

Mr. Kirchhoff agreed with Mr. Karakul and Ms. Shiverick. He thought the details were well done. He agreed with Ms. Shiverick's concerns for the fenestration. He was curious why the entry did not begin from the cul-de-sac. Mr. Papadopoulos responded. He stated he could support the project.

Mr. Karakul also recommended adding two additional trees from the lake front elevation.

Ms. Catlin thought the house was great and agreed with Ms. Shiverick. She thought the design honored the neighborhood.

Mr. Floersheimer agreed that the design was wonderful; however, he wondered if the home could have a bit more breathing room from the north and south setbacks.

Mr. Smith liked the project but struggled a bit with the different styles of the accessory structures and the main home. He thought the arched windows on the gabled ends were a bit too large.

Mr. Smith called for public comment.

James Green, representing the owners at 528 N Lake Way, stated the owners' negotiated conditions with the applicant. He indicated that his clients supported the proposed design and requested that the negotiated conditions were included in the approval of the design.

Mr. Papadopoulos discussed the design.

Doug Ostrover, owner of the property, discussed the intent of the proposed design.

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

6. **ARC-23-074 (ZON-23-061) 100 WORTH AVE (COMBO)** The applicant, The Winthrop House, has filed an application requesting Architectural Commission review and approval for an exterior renovation to an existing seven-story residential building including the installation of new storefronts at the ground level, new stucco, repairs and paint finishes to all elevations, the removal of exterior brick finish materials along all façades, the installation of new metal balconies guardrails along all balconies, removal and replacement of balustrade parapet at rooftop, sitework including new surface material, removal of existing drive aisle and parking lanes, new landscaping, modifications to the existing porte-cochere, and new pedestrian gates and a new vehicular gate; and including a variance for the removal of on-site parking. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Mr. Smith asked to begin with public comment so that the Commission could hear if the majority of the owners supported the project.

Maura Ziska, attorney for the applicant, indicated that the applicant would not appear in front of the board if they did not have the majority vote.

Public comment:

James Wilner, 100 Worth Avenue, expressed his objections to the project.

Harry Koppel, 100 Worth Avenue, liked the existing breeze wall and would like to see a similar replacement.

Ms. Ziska outlined the variances requested and advocated for a positive recommendation to the Town Council.

David Miller, David Miller and Associates, presented the architectural modifications for the existing condominium.

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

Mr. Kirchhoff thought the modifications were much needed for the building and were very well done. He expressed concern for the elimination of the parking spaces. He was conflicted about the color proposed for the building as well as the loss of the brick.

Ms. Catlin agreed with Mr. Kirchhoff and liked the plan. However, she did not like that the building was entirely white.

Ms. Shiverick agreed with Mr. Kirchhoff and Ms. Catlin. She wondered if brick could be added back after the restoration. She thought the brick was a charming element. She thought a compromise with the tenants would be nice with the addition of the brick.

Mr. Corey asked if the brick could be replaced. Mr. Miller responded. Mr. Corey clarified that brick could be added back to the building. Mr. Corey asked about the brick breeze block on the first floor. Mr. Corey liked the landscaping design. Mr. Corey was not in favor of using one color on the entire building. He questioned whether the railing would work on the corner. He was not in favor of the cornice on the top of the building. Finally, he questioned the reflecting pools.

Mr. Karakul agreed with the comments of his fellow members. He questioned the railings, the scale of the cornice and the lack of brick; he thought there should be a discussion about the replacement of the brick. He was not in favor of the rills in the landscaping.

Mr. Floersheimer agreed with the other members. He asked if the driveway was being widened or narrowed. Mr. Miller responded. Mr. Floersheimer did not believe the proposed railings were appropriate for the replacement. He also liked the verticality of the brick and thought something should be used as a replacement.

Mr. Sammons suggested using a color to highlight the towers and to possibly extend the towers to provide additional height.

Mr. Smith expressed concern about the proposed water/fountains next to the ocean and stated his reasons.

Motion made by Mr. Kirchhoff and seconded by Mr. Floersheimer to defer the project to the August 23, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

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

Please note: The Commissioners took a lunch break at 12:57 p.m. The meeting resumed at 2:03 p.m.

7. **ARC-23-080 (ZON-23-065) 210 FAIRVIEW RD (COMBO)** The applicant, Aaron W. Ford, has filed an application requesting Architectural Commission review and approval for modification to the existing driveway, landscape modification, an addition to a one-story garage, requiring front and side yard setback variances. Town Council shall review the application as it pertains to zoning relief/approvals.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Mr. Smith declared a conflict of interest for the project and left the dais during the presentation.

Maura Ziska, Attorney for the applicant, outlined the requested variances and advocated a positive recommendation to the Town Council

Kyle Fant, Bartholomew + Partners, presented the architectural modifications to the existing garage.

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

Mr. Floersheimer expressed concern for the size of the garage extension. He recommended using one garage door to save room.

Ms. Catlin had an issue with the variance request, especially on a double lot.

Mr. Sammons asked if there was a unity of title for the property. Ms. Ziska stated they did have a unity of title and explained the request.

Mr. Kirchhoff saw more issue with the request. He supported the request.

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

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

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO)** The applicant, LR PALM HOUSE, LLC., has filed an application requesting Architectural Commission review and approval for modifications to previously approved improvements at the site, including the relocation of mechanical equipment to the roof, the construction of new site walls, parapet alterations, and pool deck lighting, requiring a variance for rooftop air conditioning equipment height and requiring Site Plan Review. This is a combination project that shall also be reviewed by Town Council as it relates to the zoning relief/approval.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

2. **ARC-23-067 1600 S. OCEAN BLVD** The applicant, Ninety 9798 Canada Inc, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved single-family residence including fenestration changes and a second-floor addition.

Please note: This project was heard immediately following the Consent Agenda.

3. **ARC-23-060 101 NIGHTINGALE TRL** The applicant, 04TST101 Nightingale LLC, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing one-story beach cabana, new spa and associated landscape and hardscape.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin.

Cody Silvio, Nievera Williams Design, presented the landscape and hardscape modifications to the site.

Mr. Smith thought the fence going to the beach should be replaced.

Mr. Floersheimer asked about the amount of hardscape proposed to be removed. He also asked for the gates to be replaced. Mr. Silvio responded.

Ms. Shiverick asked about the surface of the cabana. She asked if it could be smooth to match the main house. Mr. Silvio responded and confirmed that it would match the main home.

Mr. Corey was in favor of the new plan and thought it was well done. He asked if the gate at Ocean Blvd. could be replaced. Mr. Silvio responded and confirmed the gate change.

Mr. Floersheimer asked about the overgrown Sea grapes and the maximum height allowed. Mr. Floersheimer asked that the material be trimmed to a height allowed by the Code.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented, with the condition that the gate at Ocean Blvd. shall be replaced. Motion carried unanimously, 7-0.

E. MINOR PROJECTS-NEW BUSINESS

1. **ARC-23-083 516 S OCEAN BLVD** The applicant, 516 SOB Trust (Andrew Farkas) has filed an application requesting Architectural Commission review and approval for the construction of a second story addition above an existing single-story portion of a two-story residence.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mses. Shiverick, Catlin and Mr. Floersheimer.

Michael Perry, MP Architecture & Design, Inc., presented the architectural plans for the proposed addition to the existing home.

Mr. Sammons asked about the windows above the garage. Mr. Perry responded. Mr. Sammons provided a suggestion for the balcony railing.

Mr. Karakul thought the change was fine.

Motion made by Mr. Karakul and seconded by Mr. Shiverick to approve the project as presented, with a change to the three windows over the garage as presented with the handout. Motion carried 6-1, with Mr. Smith dissenting.

2. **ARC-23-077 241 FAIRVIEW RD** The applicant, Antonio & Ayla Farnos, has filed an application requesting Architectural Commission review and approval for replacement of a vehicular driveway and landscape approvals to an existing two-story residence.

Ms. Pardue provided staff comments on the project. Ms. Pardue stated that the project must be deferred one month due to a problem with the notice; however, the professional would make a presentation for feedback only.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin.

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

Mr. Sammons wondered if the curb cut needed to be widened to 18 feet rather than 12 feet. Mr. Mizell responded. Mr. Sammons asked about the use of synthetic turf and indicated he would not support the material.

Ms. Catlin appreciated the changes.

Mr. Corey asked about the material of the two bushes next to the driveway. Mr. Mizell responded. Mr. Corey asked about how the garage would be mitigated with landscaping. Mr. Mizell responded.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to defer the project to July 26, 2023, to allow proper time for the public notice to be mailed. Motion carried unanimously, 7-0.

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

3. **ARC-23-070 60 BLOSSOM WAY** The applicant, Blossom Way Holdings LLC and Providencia Partners (Maura Ziska, Authorized Rep.), has filed an application requesting Architectural Commission review and approval for modifications to a previously approved project for new construction, including on-grade garage expansion, relocation of previously approved utility building, and new service entry and parking with associated hardscape and landscape modifications.

Please note: This item was deferred to the July 26, 2023, meeting at Item V., Approval of the Agenda.

4. **ARC-23-079 1020 N LAKE WAY** The applicant, 1020 North Lake Way Revokable Trust (Paul Krasker), has filed an application requesting Architectural Commission review and approval for the construction of new habitable second floor living space within an existing mansard roof, the construction of new second floor dormer windows, and the installation of new roof top solar panels.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Floersheimer and Ms. Catlin.

Michael Perry, MP Architecture & Design, Inc., presented the architectural plans for the modifications to the existing home.

Mr. Smith asked about the existing space above the garage. Mr. Perry responded.

Ms. Shiverick asked about the existing dormers. Mr. Perry responded and showed the plans of the existing dormers and outlined the change. Ms. Shiverick liked the previous awnings on the dormers. Ms. Shiverick asked to see the location of the solar panels. Mr. Perry responded. Ms. Shiverick was troubled by the proposed solar panels.

Mr. Sammons thought the solar panels were good because they shaded the roof. He did not believe they would be seen from the street. He thought the dormers should be smaller than the ones on the main home. Mr. Perry stated he would reduce them but would make sure they were large enough from egress.

Mr. Kirchhoff asked about the requirements for submittal for a request for solar panels. Mr. Perry provided all the details for the solar panels. Mr. Kirchhoff thought the dormers were problematic.

Mr. Corey asked to see the profile of the solar tiles. Mr. Perry showed the plan.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project with the condition that the new roof ridge shall be raised to match the height of the solar panels and that the new dormers are reduced in size. Motion carried 5-2, with Ms. Shiverick and Mr. Smith dissenting.

5. **ARC-23-081 215 WORTH AVE** The applicant, 219 Worth Avenue Holdings LLC (rep. Zachary Baraf), has filed an application requesting Architectural Commission review and approval for storefront modifications to Hamilton Jewelers, including new storefront windows and doors, awnings, signage, and sconces.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Messrs. Karakul, Floersheimer and Ms. Catlin.

Jerome Baumoechl, Jerome Baumoechl Architects, presented the architectural plans proposed for the modifications to the existing commercial space.

Ms. Shiverick was not supportive of the gray material for Worth Avenue. She was supportive of the project but asked for a different awning color.

Mr. Sammons thought the gray color was fine.

Mr. Corey asked the proposed material. Mr. Baumoechl responded.

Mr. Smith confirmed the fluted marble would be polished. Mr. Baumoechl confirmed it was polished. Ms. Shiverick requested that the marble is honed.

Motion made by Mr. Sammons and second by Mr. Corey to approve the project as presented, with the condition that the marble shall be acid washed. Motion carried 6-1, with Ms. Shiverick dissenting.

Mr. Karakul asked if the awning could be open on the sides, rather than completely closed. Mr. Baumoechl stated he would speak to the client about the change.

6. **ARC-23-082 237(A) WORTH AVE** The applicant, 237-243 Worth Ave. LTD Partnership (rep. Andre Kinney) has filed an application requesting Architectural Commission review and approval for storefront modifications for

Poupette St. Barth, including new storefront windows and doors, awnings, and signage.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Messrs. Karakul, Floersheimer and Ms. Catlin.

Jerome Baumoehl, Jerome Baumoehl Architects, presented the architectural plans proposed for the modifications to the existing commercial space.

Mr. Floersheimer asked if the slope of the awning could be adjusted to match the adjacent building. Mr. Baumoehl confirmed he could make the change. Mr. Floersheimer asked if a curve could be added under the storefront window in the event of flooding. Mr. Baumoehl confirmed he could make that change.

Motion made by Mr. Kirchhoff and seconded by Mr. Sammons to approve the project as presented.

Ms. Catlin thought there were many all-glass fronts on Worth Avenue and expressed concern for Worth Avenue becoming all glass fronts on the street.

Mr. Corey asked if there was an A/C unit on the roof. Mr. Baumoehl stated he was not touching the A/C unit.

Ms. Shiverick was not in favor of the storefront becoming all glass.

Motion carried 4-3, with Messrs. Corey, Floersheimer and Ms. Shiverick dissenting.

7. **ARC-23-086 1230 S OCEAN BLVD** The applicant, 1230 LLC, has filed an application requesting Architectural Commission review and approval for incorporation of driveway and pedestrian gates to a previously approved landscape plan.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Messrs. Karakul, Floersheimer and Ms. Catlin.

Jacqueline Bayliss, Fernando Wong Outdoor Living Design, presented the hardscape modifications to the existing site.

Mr. Floersheimer was not supportive of the gate. He thought the gate was too solid and institutional. He was not in favor of the style.

Ms. Catlin was not supportive of the proposed gate.

Mr. Sammons asked if the walls and piers existed. Ms. Bayliss responded.

Please note: Mr. Martin left the meeting at 3:09 p.m.

Ms. Shiverick agreed and thought the gates were too solid, especially in black.

Mr. Corey thought a gate in the location was appropriate. He asked to see further photos of the home and different color options.

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project to the July 26, 2023, meeting for further study. Motion carried unanimously, 7-0.

X. **Any Other Matters**

A. **Public**

There were no comments heard at this time.

B. **Staff**

James Murphy, Assistant Director of Planning, Zoning and Building, presented a new idea to allow applicants to show conceptual plans for a new home or a commercial project. Discussion ensued. After discussion, the Commission and staff decided not to move forward with a conceptual review. To listen to the discussion, click on the meeting audio [here](#). The discussion begins at 5:03:10 in the audio.

C. **Commission**

There were no comments heard at this time.

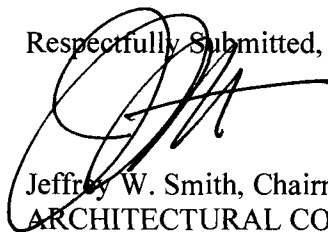
XI. **NEXT MEETING DATE:** Wednesday, July 26, 2023

XII. **ADJOURNMENT**

Motion made by Mr. Corey and seconded by Ms. Shiverick to adjourn the meeting at 3:48 p.m. Motion carried unanimously, 7-0.

The next meeting will be held on Wednesday, July 26, 2023, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

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>June 28, 2023</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 June 28, 20 23:

(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, MY DAUGHTER WORKS FOR ARCH. FIRM _____;
- ☐ inured to the special gain or loss of (NATALIE SMITH), by _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

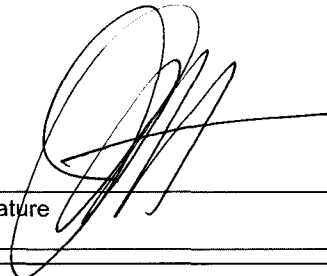
ARC-23-080 (ZON-23-065)
210 Fairview Rd

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

June 28, 2023

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>Sammons, Richard</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>
MAILING ADDRESS <i>455 Worth Ave</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
COUNTY <i>Palm Beach</i>	NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>
DATE ON WHICH VOTE OCCURRED <i>June 28, 2023</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.

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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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.
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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on June 28, 20 23.

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

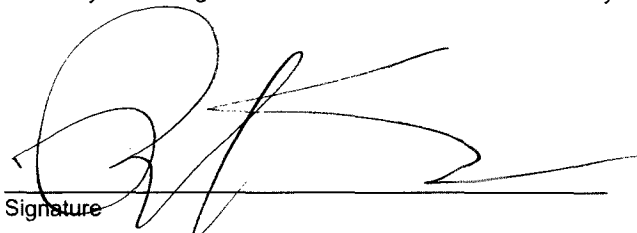
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Roberto and Joanne DeGuardiola, by whom I am retained; or
- ☐ inured to the special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

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

ARC-23-061
301 Plantation Road
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.

6/28/23
Date Filed


Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sammons, Richard</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>455 Worth Ave</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>June 28, 2023</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

ELECTED OFFICERS:

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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:

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

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

APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on June 28, 20 23:

(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 Marrano Holdings LLC, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

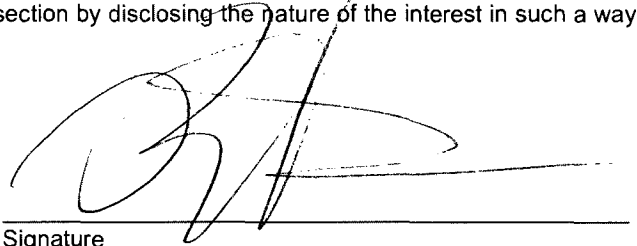
ARC-23-047
269 Jamaica Lane
Continuing conflict

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

6/28/23

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.