



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, FEBRUARY 22, 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

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

II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	ABSENT (Unexcused)
John David Corey, Member	PRESENT
Maisie Grace, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Kenn Karakul, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Elizabeth Connaughton, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	PRESENT

Please note: Mr. Floersheimer voted in the absence of Mr. Sammons.

Staff Members present were:
Sarah Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Acting Town Clerk
John C. Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Smith led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM JANUARY 25, 2023, MEETINGS

Motion made by Ms. Grace and seconded by Mr. Karakul to approve the minutes from the January 25, 2023, meeting as presented. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Ms. Pardue asked to modify the agenda with one additional deferral:

Deferral of ARC-23-012 (ZON-23-027), 206 Caribbean Road to March 29, 2023

Motion made by Mr. Corey and seconded by Mr. Karakul 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. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

No one indicated a desire to speak.

VIII. PROJECT REVIEW

A. CONSENT AGENDA- MINOR PROJECTS

1. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO)** The applicant, LR PALMHOUSE, 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.

This item was pulled from consent. The item was immediately heard.

1. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO)** The applicant, LR PALMHOUSE, 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.

Ms. Grace explained the reasons she pulled the item from consent. Mr. Floersheimer agreed with her assessment.

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

Kathy Logan, Cooper Carry, presented the architectural plans for the proposed bollard lighting. She explained the reason for the proposed lighting.

Ms. Shiverick asked if they had to be installed at the proposed height. Ms. Logan responded. She inquired if they could be lowered. Ms. Logan discussed why lowering the proposed bollard would not be successful.

Mr. Floersheimer asked about additional lighting around the pool. He was not in favor of the proposed fixture that was proposed. He was not

in favor of the location and that they were not screened by landscaping.

Motion made by Mr. Floersheimer and seconded by Ms. Grace to defer the project to the March 29, 2023, meeting. Motion carried unanimously, 7-0.

B. MAJOR PROJECTS-OLD BUSINESS

1. **ARC-22-094 249 MONTEREY RD.** The applicant, Michael Peacock, has filed an application requesting Architectural Commission review and approval for the demolition of an existing single-family residence and the construction of a new single-family residence with related hardscape and landscape improvements. (contd. from 07/27/22, 09/27/22, 10/26/22)

Mr. Hodges provided staff comments on the project.

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

Rick Gonzalez, REG Architects, presented the architectural modifications proposed for the new residence.

Ms. Grace thought the changes were good. She thought the garage bays were still protruding significantly. She also inquired about the windows in the garage doors. Mr. Gonzalez responded. She wished the proposed material used was a bit warmer. She also asked about the truck logistics plan, to which Mr. Gonzalez provided the plan.

Mr. Corey had an issue with the garage addition that pushed out toward the street. He would have preferred the addition portion to appear as a single story. He thought the addition was too large for the home; he wished there was a break in the scale. He questioned the roof pitch as well. He did not believe the house contextually fit onto the street.

Ms. Connaughton thought the west portion of the home seemed out of scale with the remainder of the home.

Mr. Kirchhoff thought the home design had come a long way. He thought the garage was appropriate. He thought the 8-inch step of the roof over the garage was unnecessary; he thought it should be flush. He thought the hip and valley in that roof at 8 inches was not going to look right. He asked about the small windows on the rear of the home. Mr. Gonzalez showed the changes.

Mr. Floersheimer pointed out the increase of the garage protrusion.

Mr. Karakul agreed with Mr. Kirchhoff and thought the design had come a long way. He suggested additional landscaping around the garage.

Mr. Smith took issue with the proposed glass balcony. He thought the material was not in keeping with the design.

Mr. Smith called for public comment.

David Kelso, 255 Monterey Road, asked the Commission to stop the proliferation of oversized homes on the north end of the island.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul to approve the project with the following conditions: there shall be no glass used in the balcony, any stepping on the main façade shall be removed so that the main plane of the home will be flush, the alternate plan of the windows on the rear elevation shall be approved. Motion carried 4-3, with Ms. Grace and Messrs. Floersheimer and Corey dissenting.

2. **ARC-22-126 (ZON-22-088) 240 OLEANDER AVE. (COMBO)** The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story apartment building and the construction of a new two-story single-family residence with final hardscape, landscape and pool, requiring variances due to deficient lot area and depth in the R-C zoning district and not provide required garage enclosure for two vehicles. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 08/24/22, 11/18/22)

Mr. Hodges provided staff comments on the project.

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

Gregory Bonner, B1 Architect, presented the architectural modifications proposed for the new residence.

Grace Walton, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Ms. Connaughton was not in favor of turning this multi-family structure into a single-family home. She thought the Mediterranean details needed to be worked out. She thought the building was too tall in its context. She thought the home felt top-heavy, as the Mediterranean style was typically more open on top. Mr. Bonner responded.

Mr. Floersheimer asked about the ceiling heights on each floor. Mr. Bonner responded.

Ms. Connaughton thought the heights should be lowered; she thought the proportions seemed off.

Ms. Shiverick thought the home read as a townhome. She thought the two separate garages were awkward and recommended a smaller home with a guest house. She thought the H plan took up too much space on the lot, and the home was too tall. She thought a Mediterranean style was fine but also thought other styles could be considered. Mr. Bonner stated that the size of the lot was not very deep.

Mr. Corey agreed with the other Commissioners. He thought the details of the design could work on the street. He was in favor of the landscaping. Mr. Corey thought the problem was that the street was very small and tight. He agreed the home was too tall. He appreciated the professional's effort in the design.

Mr. Kirchhoff was not in favor of the two garages and the balcony on the front. He provided a suggestion to reduce the height.

Mr. Karakul thought the professional did a good job mitigating the FEMA issues. He thought there were elements that could be reduced in height.

Ms. Grace thought the professional did a good job with the new style. She thought the rear elevation was more attractive than the front. She suggested lighter-colored windows and doors, as well as, lowering the height of the home.

Mr. Floersheimer asked if the professional considered a two-car stacking garage; he thought it would provide more breathing room on the property. Mr. Bonner responded and described the reason for the two separate garages.

Mr. Hodges stated that a tandem garage would not be considered a two-car garage.

Mr. Bonner asked if the Commissioners would prefer a one-car garage, over a two-car garage.

Mr. Smith commented on the roof line and the use of softer-colored windows. He was not in favor of the curved garage doors and questioned if they fit the Mediterranean style.

Ms. Connaughton did not believe the design appeared as two townhomes.

Mr. Corey thought two-car garages could work. He provided suggestions for the garage design.

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

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project to the March 29, 2023, meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Ms. Shiverick dissenting.

3. **ARC-22-142 232 MOCKINGBIRD TR.** The applicant, The Beach House Trust, has filed an application requesting Architectural Commission review and approval for the demolition of an existing 3,371 square foot residence. Construction of a new two-story 4,629 square foot residence with associated landscape and hardscape. (contd. from 07/27/22, 11/18/22)

Ms. Pardue provided staff comments on the project.

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

Benjamin Schreier, Affiniti Architecture, stated he was working with Bill Boyle, who would be presenting the project.

Bill Boyle, Bill Boyle Architecture, presented the architectural modifications proposed for the new residence.

Selene Basile, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the site.

Mr. Corey asked about the trees adjacent to the driveway. Ms. Basile responded. Mr. Corey thought the house was handsome. He thought the new stairwell design was nice; he asked about the window in the stairwell. Mr. Boyle responded. Mr. Corey thought the front window could be more detailed. He recommended removing the mid-banding but thought it was ok around the sleeping porch. He thought the bay window on the previous proposal was more charming. Mr. Boyle stated he would be happy to make the change.

Ms. Connaughton thought the design had come a long way. She thought the window in the stairwell could be smaller. She questioned the sloped sill on the window and wondered if it was successful. Mr. Boyle responded that the slope of the sill could be changed. Ms. Connaughton recommended lowering the height of the front bay window. She recommended engaging the columns with the front wall. Ms. Connaughton asked about the materials for the windows and mullions. She provided recommendations for the window design. She recommended lowering the sleeping porch.

Ms. Grace thought the design was a bit too formal for the street. She recommended adding more wood or cast stone to the front. She thought the rear of the house seemed very crowded and recommended reducing the size. Overall, she felt the size of the proposed structure was too large for the street.

Ms. Shiverick agreed with the assessment of the bay window; she thought it was a bit too large. She agreed the bay window could be less formal. She agreed with Ms. Connaughton that the window in the stairwell could be reduced; she also suggested adding back the eyebrow over that window. She questioned the balcony adjacent to the pool. She recommended making the railing more graceful. She thought the sleeping porch felt a bit monolithic.

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

Mr. Floersheimer questioned the size of the sleeping porch. He thought it seemed a bit narrow. Mr. Floersheimer thought the landscaping on the west side needed to be enhanced. Mr. Schreier provided an explanation of the balcony off the sleeping porch.

Mr. Schreier stated he appreciated the comments of the Commissioners.

Motion made by Ms. Shiverick and seconded by Mr. Floersheimer to defer the project to the March 29, 2023, meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Mr. Corey dissenting.

4. **ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE (COMBO)** The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application. (contd. from 06/27/22 08/24/22, 11/18/22, 12/16/22)

Please note: This item was deferred to the March 29, 2023, meeting at Item V., Approval of the Agenda.

5. **ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO)** The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval. (contd. from 12/16/22)

Ms. Pardue provided staff comments on the project.

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

Dan Kahan, Smith and Moore Architects, stated that the project had been approved at the previous meeting, with exception of the landscaping. He also stated that the vehicular gates would return to a separate meeting for approval.

Chris LaGuardia, LaGuardia Architecture, presented the landscape and hardscape modifications proposed for the site.

Mr. Floersheimer asked about the material proposed under the hedging material. Mr. LaGuardia responded.

Mr. Smith called for public comment.

Frank Lynch, Attorney on behalf of Candace Hamm, stated that the Commissioners did not address the zoning requests at the previous meeting where the project was approved. He stated that all the mechanical equipment had been moved next to his client's property. He objected to the location of this equipment. He asked for more curbing for drainage. He asked for some consideration of his client's concerns.

Ms. Grace asked about the construction screening and wondered if it could be raised

at the request of the neighbor. Mr. Kahan responded he could try even though the existing hedge was very tall.

Mr. Corey asked about the mechanical equipment and their locations. Mr. Corey appreciated the change of the Gumbo Limbo trees.

Mr. Karakul asked if any equipment had been added on the east side. Mr. Kahan responded the generator could not be replaced without a variance and, therefore, is being placed where it would be allowed on the property without a variance.

Mr. Kirchhoff suggested seeking a variance to move the generator.

Mr. Corey asked if the generator had received approval. Mr. Hodges responded and discussed the items for approval.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented with the professional's acknowledgment that more additional construction screening would be added. Motion carried unanimously, 7-0.

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

6. **ARC-23-012 (ZON-23-027) 206 CARIBBEAN RD (COMBO)** The applicant, 206 Caribbean LLC (Robert Frisbie), has filed an application requesting Architectural Commission review and approval for the construction of new two-story single-family dwelling with pool, hardscape and landscape, requiring site plan review for development of an existing nonconforming lot. 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 March 29, 2023, meeting at Item V., Approval of the Agenda.

7. **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 March 29, 2023, meeting at Item V., Approval of the Agenda.

8. **ARC-22-244 (ZON-23-004) 422 AUSTRALIAN AVE (COMBO)** The applicant, 422 Development Group LLC, has filed an application requesting Architectural Commission review and approval for the

construction of a new a two-story residence on a lot deficient in lot width and lot area in the R-C zoning district requiring (3) variances. 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.

M. Timothy Hanlon, attorney for the applicant, presented an overview of the project and zoning requests and advocated for a positive recommendation to the Town Council.

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

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

Mr. Corey thought the style of the home had come a long way. He was in favor of the large out lookers and the cypress details. He was in favor of the site plan. He did not believe the fountain matched the home; he recommended adding more detail to the fountain. He was glad to see the home stepped down. He also liked the three windows on the front façade compared to the two windows. He recommended scaling down the windows on the first floor. He thought some more character could be given to the awning on the rear of the home.

Ms. Shiverick supported the project. She liked the proposed cypress elements and the addition of the chimney. She thought some color could be added to the body of the home with the bronze windows. Mr. Segraves stated that the windows would be wood clad and added that he could add color to the windows. She also recommended looking at something different for the awnings, possibly using a stripe. Mr. Segraves responded.

Ms. Grace thought the changes on the west side were successful. She questioned the change of windows on the east side; she liked the previously proposed windows on the east side. Mr. Segraves stated he could revert to the windows on the east side. She inquired about the proposed tile for the roof. Mr. Segraves responded. She also agreed with Mr. Corey and was not in favor of the fountain in the front. She agreed with Ms. Shiverick and thought a color on the home would be nice.

Ms. Connaughton liked the proposed changes. She recommended simplifying the stucco band. She appreciated that the roof height had been brought down and thought it could be brought down a bit more. She recommended adding a column between the arched openings and recommended adding more columns on the front entrance. Mr. Segraves responded.

Mr. Floersheimer was in favor of the home. However, he was not in favor of the addition of a chimney.

Mr. Kirchhoff agreed a color added to the home would be nice. He thought the windows on the first floor could be reduced in size. He also thought some character could be added to the fountain.

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

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented with the following items to return to the March 29, 2023, meeting: the color of the home, the window color, the lighting plan, the resizing of the first-floor windows, a simplification of the band around the home and the rear awning. Motion carried unanimously, 7-0.

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

9. **ARC-22-240 1198 NOCEAN WAY** The applicant, Douglas L Williams & Gabrielle J Sirchio, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single- family residence with related landscape and hardscape improvements.

Please note: This item was deferred to the March 29, 2023, meeting at Item V., Approval of the Agenda.

10. **ARC-23-013 (ZON-23-028) 177 CLARKE AVE. (COMBO)** The applicants, James Coleman Baker and Veronica Chen Baker, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence, alterations to an existing garage structure, and landscape and hardscape improvements, including (1) Cubic Content Ratio, (2-4) to vest existing rear and side setback encroachments due to the demolition of more than 50% of the building, and (5) to allow a two-story accessory structure. 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 March 29, 2023, meeting at Item V., Approval of the Agenda.

Please note: A short break was taken at 11:07 a.m. The meeting resumed at 11:24 a.m.

11. **ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO)** The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence including variances (1) to not provide required garage enclosure for two vehicles, (2 and 3) and locate a generator in a setback which is higher than allowed and not adequately screened, in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w Site Plan Review and Variance relief for approval.

(contd. from 10/26/22)

Ms. Pardue provided staff comments on the project.

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

Dinyar Wadia, Wadia Associates, presented the architectural modifications proposed for the new residence.

Grace Walton, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Corey thought the professional had come a long way in the design. He acknowledged that the street was very tight. He thought the front elevation of the home was handsome. He inquired about the drop in the ridge for the addition. Mr. Wadia responded. He recommended reducing the height of the whole structure. He questioned the two gables on the rear of the home. He was in favor of the landscape plan. Mr. Wadia explained the design of the gables.

Mr. Floersheimer thought the home was charming.

Ms. Grace thought the home was attractive but expressed her concern for its location. She wondered if there was more opportunity to reduce the size of the home. Mr. Wadia stated that the home was pushed back from the street.

Robert Pilla, Wadia Associates, discussed the street height of the home and how the home compared to the adjacent homes.

Ms. Grace recommended using N. Ocean Blvd. both ways for the truck logistics plan. Mr. Pilla stated he could adjust the plan.

Mr. Kirchhoff thought the home was nice and charming. He thought the plan was modest. He thought the rear of the home was unresolved.

Ms. Connaughton agreed with Mr. Kirchhoff's assessment of the rear of the home. She also recommended changing a portion of the home to a one-story element on the front of the home. She thought that both the space between the windows and the expressed beam were too large and recommended narrowing that space.

Mr. Karakul thought the changes were a vast improvement. He thought some higher landscaping could be added to the street elevation. Ms. Walton responded.

Mr. Smith thought the design was a vast improvement. However, he still thought the rear of the home was unresolved.

Mr. Kirchhoff provided a suggestion for the cornice or rafter tails.

Mr. Smith called for public comment.

Michael Barasch, the adjacent neighbor, expressed his concerns for the proposed

design. He thought the home was too tall and suggested a one-story home.

Meredith Hunt, 260 Colonial Lane, offered her full support for the home.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the March 29, 2023, meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Mr. Karakul dissenting.

12. **ARC-22-187 (ZON-22-129) 441 AUSTRALIAN AVE (COMBO)** The applicant, John and Ginny Collett, 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, with variances required on a lot deficient in lot width and lot area in the R-C zoning district and including variance from landscape open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Lida Cunningham Sease, McAlpine, presented the architectural modifications proposed for the new residence.

Mr. Corey did not believe the proposed was a cottage home as discussed. He thought the home was too dissimilar to the other homes in the area. He questioned the design style and the fenestration as proposed. He did not believe the proposed looked like a home in Palm Beach.

Ms. Connaughton thought the home was beautifully designed. She thought the previously proposed circular window softened the home. She was in favor of the site plan and lack of garage. She supported the design.

Mr. Karakul thought the home was refreshing, innovative, and attractive.

Mr. Kirchhoff thought the home was great and appropriate. He liked the balcony over the front door. He supported the project.

Ms. Grace also liked the balcony. She thought the home was appropriate since there were other similar buildings in the area.

Ms. Shiverick thought the design was unique and sensitively designed. She appreciated that the professional removed the cladding.

Mr. Smith thought the design was nice but wondered if it would fit into the neighborhood.

Mr. Corey confirmed that the cladding had been removed. Ms. Sease responded. He expressed concern for the windows that were not screened and were very close to the neighbors. He thought the house was a problem in its location.

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

Motion made by Mr. Karakul and seconded by Mr. Kirchhoff to approve the project with a restudy of the landscaping on both sides adjacent to the neighbors, which will return to the March 29, 2023, meeting. Motion carried 5-2, with Messrs. Corey and Smith dissenting.

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

13. **ARC-22-247965 NOCEAN BLVD.** The applicant, 965 NOCEAN BLVD LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 SF with basement, landscape, hardscape, pool and spa.

Please note: This item was deferred to the March 29, 2023, meeting at Item V., Approval of the Agenda.

C. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-23-014 (ZON-23-029) 325 VIA LINDA (COMBO)** The applicant, Three Palm Trees, LLC, has filed an application requesting Architectural Commission review and approval of the construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator. This is a combo project that will require Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed gate and gateposts. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, provided an overview of the project. He presented the architectural plans proposed for the new residence. Mr. Janssen presented samples for the materials to be used.

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

Mr. Floersheimer acknowledged that the proposed home looked a bit smaller than the existing home. He thought the site plan worked. He expressed concern for the windows on the west side of the home. Mr. Janssen responded and explained the reason for the design. He asked about the width between the columns on the west

elevation. Mr. Janssen responded. Mr. Floersheimer thought the home was handsome.

Ms. Grace liked the John Volk references but added she did not believe the proposed felt like a Volk home. She thought the home seemed too grand. She agreed that there was too much glazing on the west side of the home.

Mr. Corey thought the home was overscaled by about 25%. He also expressed concern for the glazing on the west side. He thought the home was too forward on the lot. He was in favor of the guest home and garage structures. He stated he could not support the home as it was too large, especially for the area.

Ms. Connaughton agreed there was too much glazing on the west side. She questioned the French mansard-type roofs in the design. She thought the garage structures did not fit in with the main home. She suggested streamlining the style of the design. Mr. Janssen responded and explained the design of the garage.

Mr. Karakul thought there could be more landscaping around the pool, especially on a larger scale. Mr. Karakul thought the center section with the gable was a bit bulky. He suggested a restudy of the second-floor balcony on the rear of the home.

Ms. Shiverick liked the inspiration for the home. However, she questioned the proposed mansard roofs. She thought the front door was too ornate, and there was too much glass or arches on the rear of the home. She liked Mr. Karakul's suggestion to add more trees around the pool. Mr. Janssen responded and discussed the possibility of the addition of an awning on the rear of the home.

Mr. Floersheimer did not believe the height of the home was an issue.

Mr. Smith liked some of the details. He recommended eliminating the mansard roofs as well as simplifying the front door.

Mr. Corey wondered if there could be any relief provided to the Lake Trail in terms of landscaping. Mr. Nievera responded and stated he would study the suggestion.

Mr. Smith called for public comment.

Robert Fromer, 340 Polmer Park Road, complemented the Commissioners for the time they volunteered to the Town. He expressed concern about this property being purchased by a developer as well as the possibility that two homes could be built on the lot.

Motion made by Mr. Floersheimer and seconded by Mr. Corey to defer the project to the March 29, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Please note: A lunch break was taken at 12:55 p.m. The meeting resumed at 2:04 p.m. Mr. Martin returned at 2:09 p.m.

2. **ARC-23-019 (ZON-23-036) 247 SEASPRAY AVE (COMBO)** The applicant, Alicia Grace (ALICIA GRACE TR TITL HLDR), has filed an application requesting Architectural Commission review and approval for the construction of a second floor addition on an existing single-story detached accessory structure, requiring variances to vest existing non-conforming first story side and rear setbacks due to the demolition of more than 50% of the structure, and variances to permit the construction of a second story with reduced side and rear setbacks. This is a combination project that shall also be reviewed by Town Council as it pertains to the zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

M. Timothy Hanlon, attorney for the owner, presented the zoning requests and advocated for a positive recommendation to the Town Council.

Peter Papadopoulos, Smith and Moore Architects, presented the architectural plans proposed for the addition to the existing accessory structure.

Mr. Corey inquired about the structure behind the proposed addition. Mr. Papadopoulos responded and described the structure to the rear. Mr. Corey asked why the hip roof was removed. Mr. Papadopoulos responded and discussed the reasons he changed the roof to a flat roof. Mr. Corey indicated that he preferred the hip roof.

Mr. Floersheimer asked about access to the flat roof. Mr. Papadopoulos responded and stated it would be unusable. Mr. Floersheimer thought the flat roof worked with the railing. Mr. Floersheimer thought it would be nice if some of the hardscape on the property was removed.

Mr. Karakul thought the addition of the flat roof was more interesting than the hip roof. He stated he would support the project.

Mr. Kirchhoff wondered how the roof would be drained. Mr. Papadopoulos provided an explanation. Mr. Kirchhoff thought it would be nice to have crown molding around the roof.

Mr. Shiverick thought the hip roof was nicer than the proposed flat roof.

Ms. Connaughton asked if the professional studied bringing the section of the structure out to be flush with the rest of the building. Mr. Papadopoulos responded and described the change.

A short discussion ensued about the flat roof and the hip roof options.

Mr. Smith called for public comment.

Anne Pepper, 333 Seaspray Avenue, thought the flat roof option had more charm. She supported the original design.

Mr. Corey suggested the option of increasing the fascia. He suggested maybe that would be a feature with additional detail.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented, with the condition that the professional increases the size of the fascia and returns with the detail at the March 29, 2023, meeting. 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.

3. **ARC-23-020 576 ISLAND DR.** The applicant, 576 Florida Land Trust Towl Anne Marie Tr, has filed an application requesting Architectural Commission review and approval for exterior modifications to the entry porch and replacement of the entry door and second floor window to an existing two- story residence.

Ms. Pardue provided staff comments on the project.

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

Hillary McLean, Roy & Posey, presented the architectural modifications proposed for the existing residence.

Mr. Kirchhoff thought the columns on the front entry were too far apart. He also recommended increasing the columns around the front door. The columns on the covered entry should be the same height as the columns on each side of the front door. He thought the detail of the whole structure should be raised. Ms. McLean indicated there were height limitations.

Mr. Floersheimer inquired if the shutters were operable, to which Ms. McLean responded they were. Mr. Floersheimer questioned the proportions of the shutters. Mr. Floersheimer questioned the detailing on the second floor over the front door. He also provided suggestions for the columns around the front door.

Mr. Martin liked the existing conditions better than the proposed. He could not support any of the second-floor changes.

Ms. Connaughton inquired about past changes to the home. Ms. McLean responded. Ms. Connaughton thought the changes were not appropriate for the home, which she believed was austere. She thought the side lights around the front door were fine. She also agreed with Mr. Kirchhoff about making the columns all the same.

Mr. Corey agreed with Mr. Kirchhoff's assessment of the front door. He thought the design over the front door was too much. He inquired if the shutters worked on the front elevation, second floor. Ms. McLean responded. Mr. Corey thought he could probably support the choice of railing. He did not like the shutters on the back of the house.

Ms. Shiverick liked the Palladian style proposed. She liked Mr. Kirchhoff's suggestion for the front entrance.

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

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project to the March 29, 2023, meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

4. **ARC-23-022 (ZON-23-032) 125 WORTH AVE (COMBO)** The applicant, 125 Worth Partners LLC, has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four-story nonconforming commercial building with underground parking, including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and other nonconforming aspects of the existing building. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Jennifer Hofmeister-Drew, Planner III, provided staff comments on the project.

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

Please note: Mr. Martin declared a conflict of interest for the project and left the dais during the conversation.

Maura Ziska, attorney for the applicant, discussed the community outreach on behalf of the professionals for the project. She discussed the requested variances and provided an explanation of the variances. She advocated for a positive recommendation to the Town Council.

Jaime Torres, Fairfax & Sammons, presented the architectural modifications proposed for the existing commercial building.

Mr. Smith called for public comment.

Barry Kean, 400 S. Ocean Blvd., expressed his objections to the proposed project.

Roderick Oneglia, 101 Worth Avenue., expressed his objections to the proposed project.

Ms. Grace asked about the sheets that were handed out to the Commissioners. Ms. Hofmeister-Drew responded and provided a further explanation on the criteria provided.

Anita Seltzer, 330 Cocoanut Row, expressed her objections to the proposed project.

Anne Pepper, 333 Seaspray Avenue, expressed her objections to the proposed project.

Please note: The Commission took a short break at 3:37 p.m. The meeting resumed at 4:01 p.m.

Mark Himmelstein, 400 S. Ocean Blvd., asked for clarification to the record regarding the statement that Special Exceptions were subject to the guidelines, not the variances.

Mr. Corey asked Town Attorney Randolph to address concerns raised by the public regarding the process. He asked if the Commission could defer this to allow time for requested variances to be worked out.

Town Attorney Randolph stated that the Town Council had set the process where the Commission hears the project, weighs in on the architecture, and then makes a recommendation to the Town Council. However, in this case, since the architecture and zoning requests were so intertwined, the Commission could request a review by the Town Council first, prior to their review.

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the consideration of the architecture until the Town Council acts on the variance requests. Motion carried unanimously, 7-0.

Please note: Ms. Pardue asked to modify the agenda and to ask the Commission to hear the project at 1540 S. Ocean Blvd. and 114 Ocean View at this time.

5. **ARC-23-025 274 MONTEREY RD.** The applicant, Morton Pierce, 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.

Mr. Hodges provided staff comments on the project.

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

Michael Perry, MP Design & Architecture, presented the architectural plans proposed for the new residence.

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

Ms. Grace thought the home was very formal. She questioned the design for the proposed location.

Mr. Corey thought the proposed was very formal and clashed with the street. He also thought the landscape plan was too much for the street. Mr. Corey thought the scale and style were inappropriate for the area.

Mr. Kirchhoff agreed with the other Commissioners. He questioned the front entry and parts of the design that were on the sides of the home.

Ms. Connaughton thought the massing needed to be simplified. She thought the street was very low-key, and charming, and recommended scaling back the formality.

Mr. Smith thought the home was too large and formal for the street.

Mr. Karakul agreed with Mr. Smith. He also thought the two-story portion was too large for the street.

Ms. Shiverick made a recommendation to the professional to review an earlier project where the professional's first design was formal but returned earlier as a much less formal design.

Mr. Smith called for public comment.

Lee Duston, 282 Monterey Road, objected to the mass and scale of the home. He thought the proposed home failed to match the character of the neighborhood. He discussed the new construction crisis that was occurring in the north end and deteriorating the character.

Ms. Connaughton indicated that the Commission was aware of the crisis and that public concerns were being heard. She noted the Commission was doing its best to make good decisions for the area when there was a huge demand for construction.

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project to the April 26, 2023 meeting in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

6. **ARC-23-027 963 N LAKE WAY** The applicants, Michael and Pamela Cline, have filed an application requesting Architectural Commission review and approval for modifications to an existing residence, including fenestration and roofline alterations and the addition of a new rear covered loggia.

Mr. Hodges provided staff comments on the project.

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

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

Mr. Karakul thought the modifications looked good and were consistent with the architecture.

Mr. Floersheimer agreed with Mr. Karakul.

Motion made by Ms. Grace and seconded by Mr. Floersheimer to approve the project as presented.

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

Motion carried 6-1, with Mr. Corey dissenting.

7. **ARC-23-024 (ZON-23-033) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD. (COMBO)** The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Architectural Commission review and approval to construct a new plunge pool, deck, and landscaping for an existing 136 square foot one (1) story View Road. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Maura Ziska, attorney for the applicant, provided an overview of the project. She explained the zoning requests and advocated for a positive recommendation to the Town Council.

Jason Skinner, Dailey Janssen Architects, presented the architectural modifications proposed for the beach cabana.

Mr. Floersheimer acknowledged that the existing cabana was in rough shape. He asked if the existing cabana would be demolished and rebuilt. Mr. Skinner responded and discussed the condition of the pilings and existing decking. Mr. Floersheimer wondered why there would not be a complete rebuild. Mr. Skinner responded.

Mr. Corey asked if there were any other beach cabanas in the area. Mr. Skinner responded. Mr. Corey asked about the footprint of the renovation. Mr. Skinner stated the renovations would be all under the same footprint.

Ms. Grace stated she believed the building appeared wider. Mr. Skinner stated it was a bit wider but would remain under the same roofing footprint. Ms. Grace thought the cabana was very visible from the road and recommended designing something smaller.

Mr. Corey asked to discuss the roof plans. He asked about the cubic footage of the existing footprint to the proposed footprint. Mr. Mizell responded. Mr. Corey inquired about the height of the two roofs. Mr. Mizell responded. Mr. Corey expressed concern about the change in the direction of the proposed gables.

Mr. Kirchhoff thought the existing cabana was eclectic and the proposed one was a bit boring. He was not concerned with the size but more with style.

Mr. Karakul asked about the shutter treatments for the window that would be seen from the street. Mr. Skinner asked for clarification on Mr. Karakul's suggestion.

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

Motion made by Mr. Corey to defer the project to the March 29, 2023, meeting with the direction to take into consideration the comments of the Commissioners, which include loosening up the design.

Ms. Ziska asked if the project could move to Town Council for approval.

Mr. Floersheimer seconded the motion.

A short discussion ensued on the direction to the professional.

Motion carried unanimously, 7-0.

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-22-227 640 ISLAND DR.** The applicant, 640 Land Trust, has filed an application to the Architectural Commission for review and approval for a second-story addition over an existing one-story garage attached to an existing two-story residence. (contd. from 11/18/22, 12/16/22)

Ms. Pardue provided staff comments on the project.

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

Bryan Brown, Bryan Brown Architects, presented the architectural modifications proposed for the existing residence.

Mr. Karakul thought the changes met the Commissioners's comments.

Mr. Corey did not believe the comments were met. He did not see why the two-bay garage could not be centered over the two-story portion of the structure. He did not like the project and thought the professional had an opportunity to make the project better. Mr. Corey suggested a variance be obtained so the house could be moved forward.

Mr. Kirchhoff did not like the shed roof because it looked like it was tacked on. He recommended making a little balcony off the front of the structure.

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

Motion made by Mr. Karakul to approve the project as presented. Motion failed due to lack of a second.

Motion made by Ms. Grace and seconded by Mr. Corey to defer the project to

the April 26, 2023 meeting in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

2. **ARC-22-225 (ZON-22-147) 201 EL VEDADO RD. (COMBO)** The applicants, Perri and Robert Bishop, have filed an application requesting Architectural Commission review and approval for the installation of two vehicular driveway gates, including a variance from the backup/cueing distance requirement. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval. (contd. from 11/18/22, 12/16/22)

Please note: This item was deferred to the March 29, 2023, meeting at Item V., Approval of the Agenda.

E. **MINOR PROJECTS-NEW BUSINESS**
NONE

IX. **UNSCHEDULED ITEMS**

A. **Public Comments**
None

B. **Staff Comments**
None

C. **Commission Comments**

Ms. Shiverick inquired if the Commissioners should indicate if they reviewed the plans for ex parte communication. Town Attorney Randolph said reviewing the plans is part of the Commissioners' job. He said it is important to talk about what was in the correspondence being received and read by the Commissioners.

Mr. Martin suggested that moving forward, he thought it would be helpful for applicants to be able to come to the Commission with 60% conceptual plans, rather than 80% plans. Mr. Karakul agreed. Mr. Smith did not believe a drainage plan was needed for this stage of development. He also did not believe the trucks logistic plan was needed.

Town Attorney Randolph weighed in on the issue. He thought direction should be given to Town Council so that they ultimately give direction to staff to change the process.

Mr. Floersheimer objected to the letters and documents that were provided to them in the morning prior to and during the meeting. Town Attorney Randolph stated that the Commissioners did not have to consider any letters that were sent after the meeting began.

Mr. Floersheimer asked staff to check on the progress on the home at 757 Island Drive. Mr. Hodges stated he would investigate the issue.

Mr. Floersheimer suggested consistency with direction to professionals regarding changes to the plans.

Ms. Grace thought there was an issue with the notice to the neighbors. Mr. Hodges stated that Assistant Director Murphy gave a presentation to the Town Council regarding the notice procedures. Mr. Hodges reviewed the process for the Commission.

Ms. Shiverick asked if there were any discussions about the moratorium of construction in the north end. Town Attorney Randolph discussed how zoning in progress and moratoria were implemented.

X. **ADJOURNMENT**

Motion made by Mr. Floersheimer and seconded by Mr. Corey to adjourn the meeting at 5:19 p.m. The meeting was adjourned without the benefit of a roll call.

The next meeting will be held on Wednesday, March 29, 2023, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Jeffrey W. Smith', is written over the printed name.

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 Grace, Maisie	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission
MAILING ADDRESS 247 Seaspray Ave	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
CITY Palm Beach	COUNTY Palm Beach
DATE ON WHICH VOTE OCCURRED February 22, 2023	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Maisie Grace, hereby disclose that on February 22, 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 _____, 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-23-019 (20N-23-036)
247 Seaspray Avenue

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.

Maisie Grace

Date Filed

2/22/23

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME Martin, Joshua		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS 354 Chilean Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED February 22, 2023		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joshua Martin, hereby disclose that on February 22, 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, Frisbie group;
- ☐ 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:

ARC-23-022 (ZON-23-032)
125 North Avenue

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.

22 February 2023
Date Filed

[Signature]
Signature

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