

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MAY 25, 2022

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

I. CALL TO ORDER

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

II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT (left at 6:45 p.m.)
Richard F. Sammons, Vice Chairman	PRESENT
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 (left at 5:30 p.m.)
Elizabeth Connaughton, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	PRESENT

Staff Members present were:

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

III. PLEDGE OF ALLEGIANCE

Chairman Smith led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM THE APRIL 27, 2022 MEETING

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the minutes from the April 27, 2022 meeting as amended. Motion carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Mr. Hodges asked for a motion to approve the agenda with the following changes listed on the agenda modification sheet:

Move ARC-22-101, 249 Worth Avenue to G. Minor Projects - New Business
Deferral of ARC-22-001 (ZON-22-033), 108 El Mirasol to the June 29, 2022 Meeting
Deferral of ARC-22-029, 411 Brazilian Avenue to the June 29, 2022 Meeting
Deferral of ARC-22-040 (ZON-22-037), 60-70 Blossom Way to the June 29, 2022 Meeting
Deferral of ARC-21-038 (ZON-21-002) 218 Royal Palm Way to the June 29, 2022 Meeting
Withdrawal of ARC-22-053 1020 N. Lake Way

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. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

Mr. Corey thanked the Town Council for moving forward with Code Reform. He suggested that the reform begin with the R-B District, if possible. He thought some small changes could be made sooner rather than later, particularly with an immediate reduction CCR in the R-B District.

Ms. Grace requested the addition of the architectural firm to each project on any future agendas.

VIII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **ARC-22-034 225 WORTH AVE.** The applicant, 225 Worth Avenue Holdings LLC, has filed an application requesting Architectural Commission review and approval for modifications to the exterior storefront including window glazing and awnings.

This item was pulled from consent and was not approved with the consent agenda.

2. **ARC-22-048 200 BRADLEY PL, STE. 401** The applicant, Gary Davis, has filed an application requesting Architectural Commission review and approval for the replacement of existing balcony rail with a new aluminum railing.

This item was pulled from consent and was not approved with the consent agenda.

3. **ARC-22-070 358 SEASPRAY AVE.** The applicant, Richard J Allison, has filed an application requesting Architectural Commission review and approval for a roof material change on a single-family residence.

This item was pulled from consent and was not approved with the consent agenda.

4. **ARC-22-076 (ZON-22-052) 425 WORTH AVE., PH-B (COMBO)** The applicant, Mary Randolph Ballinger, has filed an application requesting Architectural Commission review and approval for a 58 SF addition to an existing penthouse, requiring special exception with site plan review and variances for height and setback. Town Council will review the variance portion of the application.
5. **ARC-22-079 161 E INLET DR.** The applicant, Richard & Elizabeth Bauer, has filed an application requesting Architectural Commission review and approval for modifications to an existing residence, addition of a rear loggia, landscape, and hardscape revisions.
6. **ARC-22-092 213 PARK AVE.** The applicant, 213 Park Ave LLC (Carla Turco Kipiani, Manager), has filed an application requesting Architectural Commission review and approval for a like for like replacement of a roof on a single-family residence.

This item was pulled from consent and was not approved with the consent agenda.

7. **ARC-22-101 249 WORTH AVE.** The applicant, Holbrook Real Estate, LLC. (Jane Holzer), has filed an application requesting Architectural Commission review and approval for storefront alterations to an existing commercial space.

Please note: This item was moved to Minor Projects – New Business at Item V., Approval of the Agenda.

8. **ARC-22-103 200 CLARKE AVE.** The applicant, Francine C Purcell Trust, has filed an application requesting Architectural Commission review and approval for a renovation to an existing two-story residence including a new barrel tile roof, backyard loggia and exterior stairs.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: This approval did not include the following projects: ARC-22-034, 225 Worth Avenue, ARC-22-048, 200 Bradley Avenue, ARC-22-070, 358 Seaspray Avenue, ARC-22-092, 213 Park Avenue and ARC-22-101, 249 Worth Avenue.

B. DEMOLITIONS AND TIME EXTENSIONS

None

C. MAJOR PROJECTS – OLD BUSINESS

1. **B-065-2021 7 OCEAN LN.** The applicant, 7 Ocean Lane LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with pool, hardscape, and landscape on a vacant site.

Mr. Hodges provided staff comments on the project.

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

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

Mr. Corey thought the home's style worked very well in the area. He questioned the reduction of the pool. Mr. Portuondo responded. Mr. Corey liked the horizontal muntins and the railing style. Mr. Corey thought there was some opportunities to pull the symmetry in through the interior of the house.

Mr. Connaughton thought the details of the house were not consistent with the style of the home. She thought more cohesion in the style was needed.

Ms. Grace appreciated the move toward a more classical style; however, she thought the design missed the mark of being classical. She questioned whether the design fit into Palm Beach. She thought the style was a bit heavy and the details were confusing. She recommended a reduction in fenestration on the east side of the home. She also questioned the tree line to the south and wondered if the design relied too much on the neighbor's plantings.

Mr. Karakul asked about the revision to the garage entrance. Mr. Portuondo responded. Mr. Karakul thought the overall design was coming together. However, he had concerns about the landscaping and recommended carrying the scale across the front of the property, especially on the north side of the property. Mr. Portuondo responded. Mr. Karakul inquired about the material for the site walls. Mr. Portuondo responded.

Mr. Floersheimer thought the changes in style were heading in the right direction. He expressed concern for the height and placement of the proposed home. He worried that it would appear massive on the street. He also thought the landscaping on the west side could be lush.

Ms. Shiverick always thought a lighter house on this lot would be nicer than the proposed. She thought the proposed home looked like a fortress. She did not like the lack of open spaces in the design. She also thought the details felt applied and contrived. She did not believe this home was befitting in the north end. She also agreed that more landscaping was needed on the west elevation.

Mr. Kirchhoff was in favor of the home. He thought the scale was appropriate and the details were nice. He questioned the center bay of the west façade. He thought more landscaping on the west side would be beneficial.

Mr. Smith thought the design was successful. He thought it was the most successful design for the property he had seen.

Mr. Smith called for public comment.

Caren Marder, 1 Ocean Lane, expressed concern for the entrance to the home, which was located next to the beach easement. She believed the entrance would pose a danger to the pedestrian traffic. She thought the design was too heavy for the area and the home was too tall.

Dr. Gary Marder, 1 Ocean Lane, stated he agreed with the Commissioners. He thought the pool was still too large and the green space in the rear was lacking. He thought the house was too large for the property.

Mr. Portuondo addressed the comments made by the Commissioners and advocated for the design.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project for one month, to the June 29, 2022 meeting, to address the comments of the Commissioners. Motion carried 4-3, with Messrs. Sammons, Kirchhoff, and Smith dissenting.

2. **ARC-21-080 757 ISLAND DR.** The applicant, 757 Island Drive LLC, has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in the Art Moderne style containing 13,000 SF and with new landscaping and hardscape.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Mr. Sammons declared a conflict of interest for the project and left the room during the discussion of the project.*

Daniel Menard, LaBerge & Menard, Inc., presented the architectural modifications proposed for the new residence.

Ms. Grace thought the changes were positive and the entrance was much better.

Ms. Connaughton thought the style of the home would be amazing in the location. She inquired about design of the middle portion of the home. Mr. Menard responded. A short discussion ensued about the middle section of the home. She thought the middle section needed to have more study. She liked

the new front door. She also expressed concern for the window to wall portion on the second floor, front elevation.

Mr. Karakul thought the design was successful. He thought the house would be a nice contribution and fit nicely on the site. He inquired about the reduction in height. Mr. Menard responded. Mr. Karakul questioned whether the reduction was necessary.

Mr. Corey inquired if any changes were made to the north wing. Mr. Menard stated that no changes had been made since the last presentation. Mr. Corey thought that the north wing should be subservient and reduced in volume. He thought the project was too massive and too dissimilar in its size. He was in favor of the landscaping and the rest of the project.

Ms. Shiverick thought the changes were successful. She agreed with Mr. Karakul and did not believe the reduction in height was necessary. She stated she still struggled with the north side and wondered if the mass could be broken up on that end. She liked the rest of the home.

Mr. Floersheimer thought the professional had done a nice job in listening to the Commissioners comments. He was in favor of the project.

Mr. Kirchhoff thought the project had come a long way and was in favor of the style. He wondered if the curves on the center piece was significant enough and thought the north wing of the home was too heavy.

Mr. Smith was in favor of the changes and stated he could support the project.

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

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

3. **ARC-22-001 (ZON-22-033) 108 EL MIRASOL (COMBO)** The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in Contemporary Classicism style containing 15,446 SF and a 6,750 SF below grade basement/parking garage, and landscaping. Town Council to review the variance portion of the application.

Please note: This item was deferred to the June 29, 2022 meeting at Item V., Approval of the Agenda.

4. **ARC-22-029 411 BRAZILIAN AVE.** The applicant, Holy Union PB Limited (Sean Sheridan), has filed an application requesting Architectural Commission

review and approval for the construction of a new approximately 3700 SF two story residence designed in a mix of modern and classical style architecture.

Please note: This item was deferred to the June 29, 2022 meeting at Item V., Approval of the Agenda.

5. **ARC-22-032 (ZON-22-017) 1237 N LAKE WAY (COMBO)** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Architectural Commission review and approval for construction of a new 5800 SF two story residence and two-story accessory structure in the modern/classical style of architecture including variances for a two-story accessory structure to replace an existing two-story residence to be demolished. The variance portion of the application will be reviewed by Town Council.

Mr. Hodges 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 explanation of the requested variances and advocated for a positive recommendation to the Town Council.

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

Keith Williams, Nievera Williams Design, stated that there had been no changes to the landscape and hardscape plans since the last presentation.

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

Mr. Karakul thought the scale and hierarchy of the windows were better. He questioned the front entrance design and thought it could use some work. However, overall, he thought the changes were successful.

Ms. Shiverick asked Mr. Segraves to provide further explanation of the variance request. Mr. Segraves responded.

Mr. Kirchhoff thought the changes were good and added he liked the new alternate entry sketch. He questioned the height of the garage doors; he thought they were too tall and not wide enough. He questioned the first-floor transom windows and thought they looked too tall.

Mr. Corey agreed with Mr. Kirchhoff's comments on the fenestration. He asked about the headers over the doors on the west elevation. He also inquired about the bay window on the north elevation. Mr. Segraves responded. Mr.

Corey thought the fenestration on the second floor worked well but questioned the fenestration on the first floor.

Mr. Floersheimer thought there was too much glass on the west elevation of the main house. He also thought the size of the house was a bit too large for the site.

Mr. Corey questioned the variance for the second floor.

Ms. Grace was in favor of the new front door. She agreed with Mr. Floersheimer that the house was too large for the site. She also questioned the fenestration proposed.

Motion made by Ms. Shiverick and seconded by Ms. Grace that the implementation of the proposed variance for the second story will cause negative architectural impact to the subject property. Motion carried 4-3, with Messrs. Kirchhoff, Sammons and Smith opposed.

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

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the June 29, 2022 meeting, to address the comments of the Commission. Motion carried unanimously, 7-0.

Discussion ensued about the motion and how the project should return to the Commission.

6. **B-063-2021 280 VIA MARILA** Demolition of an existing two-story structure. Proposal of a new two-story residence with rear facing two-car garage, new pool, hardscape, and landscape.

Mr. Hodges provided staff comments on the project.

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

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

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

Ms. Grace inquired if the hardscape had been reduced in the rear of the property. Mr. Pilla responded.

Mr. Corey thought the design of the home was good for this location and was well executed. Mr. Corey inquired about the height of the home. Mr. Pilla responded. Mr. Corey expressed concern for the massing of the home from the street. He recommended lowering the first floor while keeping the second floor the same.

Mr. Karakul thought the professional listened to the Commissioners comments and was supportive of the project.

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

7. **ARC-21-038 (ZON-21-002) 218 ROYAL PALM WAY (COMBO)** The applicant, 218 Holdings LLC (Susan Hudson, Manager) has filed an application requesting Architectural Commission review and approval for the expansion of a third floor to an existing three-story building including variances from the parking, generator and wall height, and setback requirements. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

Please note: This item was deferred to the June 29, 2022 meeting at Item V., Approval of the Agenda.

8. **ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE (COMBO) – VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

Mr. Hodges provided staff comments on the project.

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

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

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

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

Mr. Corey thought the site plan improvements were appreciated. He thought the changes to the roof was successful. He added that he supported the project

and thought the project would add charm to the area. He questioned the pediment on the west elevation and thought the detail should return to the Commission. He also questioned the double banding around the home and wondered if there was a detailed section of the banding. Mr. Segraves stated he could return with the detail of the banding.

Ms. Grace liked the changes in the site plan. She inquired if the height of the home was the same as the existing home. Mr. Segraves responded it was the same height. Ms. Grace inquired about the material for the driveway. Mr. Mizell responded. Ms. Grace wondered if there was more opportunity for grass along the entrance pathway. Mr. Mizell responded.

Mr. Kirchhoff thought the changes with the landscape and entryway were successful. He recommended providing a detail of the banding at the mid-height. Mr. Kirchhoff questioned the corner boards on the first floor and recommended that they are mitered, like the ones on the second floor.

Ms. Shiverick liked the changes and agreed with Mr. Kirchhoff's suggestion to miter the shingles on the first floor. Ms. Shiverick inquired about the pediment over the box bay on the west elevation. Mr. Segraves responded. Ms. Shiverick wondered if the professional would consider shingles. Mr. Segraves further explained the design.

Ms. Connaughton thought many of the changes were successful. She echoed the comments about the box detail between the two floors as well as the pediment over the door. She supported a larger loggia.

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

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project as presented with the following details to the return to the June 29, 2022 meeting: the mid-banding around the home as well as the front door pediment. Carried 6-1, with Mr. Sammons opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

9. **ARC-22-026 170 N OCEAN BLVD.** The applicant, The Condominium Association of Ocean Towers, Inc., has filed an application requesting Architectural Commission review and approval for the installation of a metal railing along the entirety of an existing rooftop penthouse terrace/balcony.

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural plans for the proposed railings for the existing building.

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

Mr. Floersheimer was in favor of the design and thought it was like the Sun and Surf building, which was near the project. He stated he would support the changes.

Mr. Karakul inquired about the color proposed for the building. Mr. Janssen responded and stated the building would be painted soon with the railing approval. Mr. Karakul stated that the railings were shown to be set back but wondered about the exact location of the railings. Mr. Janssen responded. Mr. Karakul expressed concern for the mechanical equipment that was not adequately screened. He encouraged the owners to screen the equipment.

Mr. Corey liked the railing design but was not in favor of the railing for this building. He thought the breezeblock design could be modified for the building.

Ms. Grace confirmed that the proposal was for the top floor only. Mr. Janssen responded. She was in favor of the railing but wished the proposed would reflect the historical railing.

Ms. Shiverick inquired about the whether the owners accepted the change in the proposed top railing. Mr. Janssen responded.

Ms. Connaughton agreed with the other Commissioners. She was in favor of the railing but wished the design related to the historic railing.

Mr. Kirchhoff stated he would be willing to support the proposed railing but wished the railing related to the historic railing.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the proposed railing for the seventh floor only. Motion carried 5-2, with Ms. Grace and Mr. Corey opposed.

Please note: The Commission took a short break at 10:51 a.m. The meeting resumed at 11:05 a.m.

10. **ARC-22-040 (ZON-22-037) 60-70 BLOSSOM WAY (COMBO)** The applicant, Blossom Way Holdings LLC, and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a combined

50,000+ sq. ft two-story main house and two-story guest house with associated hardscape, landscape and site improvements. Town Council will perform Site Plan Review for the installation of a generator.

Please note: This item was deferred to the June 29, 2022 meeting at Item V., Approval of the Agenda.

11. **ARC-22-053 1020 N. LAKE WAY** The applicant, Three Palm Trees LLC (Mr. and Mrs. Warren Kanders), has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in a Neo-Classical architectural style containing approximately 9,352 SF of enclosed area, with related landscape and hardscape improvements and the renovation of an existing pool.

Please note: This item was deferred to the June 29, 2022 meeting at Item V., Approval of the Agenda.

12. **ARC-22-054 (ZON-22-044) 333 SUNSET AVE. (COMBO)** The applicant, Royal Poinciana South LLC (Arthur Pergament), has filed an application requesting Architectural Commission review and approval for renovations and additions to an existing 7-story apartment building, including landscaping, hardscaping, new accessory structures, changes to the lobby level and additions to the penthouse, requiring Special Exception with Site Plan Review and Variances from height, lot coverage, and setbacks. Town Council will perform review of the Special Exception, Site Plan Review and Variances.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Ms. Connaughton and Messrs. Martin and Floersheimer.

Natalia Livian, Wannemacher Jensen Architects, Inc., presented the architectural plans proposed for the renovation to the existing condominium.

Dante Cornish, KWD Landscape Architecture, presented the landscape and hardscape plans for the site. He also presented material samples.

Ms. Livian passed around a material sample board.

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

Ms. Grace inquired about the variance related to the pool area. Ms. Livian responded and stated the landscape would block the pool equipment. Ms. Grace inquired if the equipment would be heard. Mr. Cornish responded and explained the proposed area for the mechanical equipment. Ms. Grace inquired about the color for the windows. Ms. Livian responded. Ms. Grace stated she

preferred the white windows. Ms. Grace inquired about the new retail space and the windows in this area. Ms. Livian responded and explained the area.

Mr. Corey inquired about the color of the existing, first floor windows. Ms. Livian responded. Mr. Corey stated he had concerns with the project, especially the changes to some of the building and overall style. He appreciated the addition of greenspace on the site. His main concerns were the bronze materials and front entrance changes. He recommended cleaning up the existing style and pulling it through the rest of the building.

Mr. Sammons recommended lightening the color palette. He also was not convinced that the black and white color palette would be successful.

Ms. Shiverick thought the improvements were nice. She thought if everything was white, the transition of the changes would be successful. She was not in favor of the bronze color in the Porte cochère.

Mr. Karakul accepted the windows in the front entrance in bronze. However, he thought the columns needed to be cleaned up. Ms. Livian explained the design of the columns. He questioned whether the design was successful. He also was not in favor of the bronze color for the remainder of the building. He thought it was important that the lighting was subtle.

Ms. Connaughton thought the details in the design felt out of place, particularly for Palm Beach. She recommended investigating the columns as she was not in favor of the new column design. She also was not in favor of the dark aluminum.

Mr. Kirchhoff was in favor of the changes, especially with the pool area. He supported the bronze windows but recommended changing them all to white. He questioned the design of the Porte cochère.

Mr. Floersheimer inquired if a railing was required for the entrance feature. Ms. Livian showed a rendering of the proposed railings. Mr. Floersheimer inquired about the height of the pergola. Ms. Livian responded. Mr. Floersheimer asked about the greenspace calculations. Mr. Cornish responded.

Arthur Pergament, owner, addressed questions related to the site and greenspace.

Mr. Floersheimer was not in favor of the column design at the entrance and recommended using a different material.

Mr. Pergament addressed the comments made by the Commissioners.

Ms. Grace inquired about the parking structures and the proposed screening of the structures. Mr. Cornish responded.

Motion made by Mr. Sammons and seconded by Mr. Kirchhoff to approve the project as presented with the following conditions: the paving shall be lightened and reduced, new shade trees shall be introduced in the traffic islands, and the windows and metal shall be white in color. Motion carried 5-2, with Messrs. Corey and Karakul dissenting.

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

13. **ARC-22-075 301 POLMER PARK RD., LOT B** The applicant, 301 Polmer Park LLC (Richard True, Managing Member) has filed an application requesting Architectural Commission review and approval for a new two-story residence with landscape, hardscape, and pool.

Mr. Hodges provided staff comments on the project.

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

Kevin Asbacher, Asbacher Architecture, Inc., presented the architectural modifications proposed for the new residence.

Mr. Smith called for public comment.

M. Timothy Hanlon, attorney representing the remainder of the neighbors on Polmer Park Road, expressed objections to the proposed project.

Robert Fromer, 340 Polmer Park Road, expressed his objections to the proposed home.

Darrell Ross, 300 Polmer Park Road, expressed his objections to the proposed home.

Maura Ziska, attorney for the applicant, stated that the objections to the project were not in the purview of the Commission and the application was properly before the board.

Ms. Grace thought it was important during code reform to look at lot sizes. She thought a Regency style home would be most appropriate for this lot. She thought the two-story portion should be changed to one story. She inquired about the changes to the home from the last presentation, particularly on the south elevation. Mr. Asbacher responded. She also questioned the fenestration in the courtyard and thought it should be more in the Regency style.

Mr. Corey understood the neighbors' concerns. He thought the column details were in keeping with the other homes on the street. He thought the home was well designed and proportioned. He supported the project.

Mr. Sammons thought the style of the house was a Regency. He questioned the proportion of the fenestration and thought it needed some restudy. He recommended removing the false chimney. He thought the details were good.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project, for one month, to the June 29, 2022 meeting for a restudy of the fenestration and the doors in the courtyard. Motion carried 6-1, with Mr. Corey opposed.

14. **ARC-22-086 (ZON-22-059) 2219 IBIS ISLE RD. (COMBO)** The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Cape Dutch style containing 4100 SF and with new landscaping and hardscape on vacant site. Town Council will review the site plan review portion of the application.

Mr. Hodges provided staff comments on the project.

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

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

Cory Meyer, Nievera Williams Design, stated that there had been no changes to the landscape and hardscape plans.

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

Ms. Grace thought the changes were positive and the proportions were better. She still thought the home was a bit tall. Mr. Segraves thought the home looked taller than it would appear. He discussed the height calculations.

Mr. Karakul thought the home was interesting, but the changes took away the interest in the home. He thought the home was ordinary.

Mr. Corey thought the landscape plan was well done. He agreed that the house was a bit vertical. He also agreed that the water side of the home was a bit ordinary. However, he thought the home would be a good addition and supported the project.

Mr. Kirchhoff expressed concern for the massing of the home. He questioned the added detail.

Ms. Connaughton agreed a bit with Mr. Karakul. She was in favor of the double gable. She also questioned the massing in the front of the home and agreed that the fenestration was nicer in the previous proposal.

Ms. Grace was supportive of the additional wall space with the gang windows.

Ms. Connaughton liked the open, center bay window versus the two side bays which appeared more solid.

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

Motion made by Ms. Grace and seconded by Mr. Karakul to defer the project, for one month, to the June 29, 2022 meeting for a restudy of the fenestration and the doors in the courtyard. Motion carried unanimously, 7-0.

15. **ARC-22-091 256 MOCKINGBIRD TR.** The applicant, M2B Properties LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new single-family residence designed in a “Cottage” style, with associated pool, hardscape, and landscape improvements.

Mr. Hodges provided staff comments on the project.

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

Gregory Palmer, Harrison Design, presented the architectural modifications proposed for the new residence. He stated that there had been no changes to the landscape and hardscape plans.

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

Ms. Shiverick inquired about the reduction in height of the family room. Mr. Palmer responded. Ms. Shiverick inquired about the front door. Mr. Palmer responded. She wondered if a wood door would be more appropriate.

Ms. Grace was in favor of the transom windows. She thought the home was tight on the lot, compared to the other neighboring homes.

Mr. Corey thought the home was successful. He was in favor of the previous height of the family room but liked the removal of the transom windows. He liked Ms. Shiverick’s suggestion of a wood door.

Mr. Sammons commented on the lowering of the family room roof and the window proportions. He thought the house was lovely.

Mr. Karakul agreed with Ms. Shiverick; he liked the previous height of the family room and the recommendation of the wood door.

Mr. Kirchhoff liked the previous height of the family room. He thought there was issues in the entry and provided some suggestions for this area.

Ms. Connaughton liked Mr. Kirchhoff's suggestion of the front entrance. She provided some suggestion for separation of the transom and shutters.

Motion made by Mr. Karakul and seconded by Mr. Corey to approve the project as presented with the following details to return to the June 29, 2022 meeting: the entryway shall be restudied with the material change to the front door to wood, and the height of the family room shall be raised. Motion carried unanimously, 7-0.

D. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-22-043 (ZON-22-073) 143 REEF RD. (COMBO)** The applicant, John K. Criddle, has filed an application requesting Architectural Commission review and approval 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). Town Council will review the variance portion of the application.

Ms. Pardue 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 room during the discussion of the project.*

Roger Janssen, Dailey Janssen Architects, 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. Shiverick thought this type of home was appearing more on the north end and questioned if the style fit into the area. She did not believe it complemented the area. She also thought the home was too large for the lot. She also questioned the hardship for the variance. She also questioned the garage design. Mr. Janssen responded.

Mr. Floersheimer expressed concern for the scale and mass of the proposed home. He asked to see a cross section of the lot, particularly relating to the neighbors' properties. Mr. Janssen responded. Mr. Floersheimer inquired about a wall around the property to assist with drainage. Mr. Janssen responded. Mr. Floersheimer was concerned with the amount of fill to be used.

Mr. Corey thought the home would fit in to the area and was a nice home. He did express issue with the variances requested; he explained his issues and stated he could not support the variances.

Mr. Sammons thought the style was a bit overdone. He was in favor of the courtyard in front of the property. He questioned the proportions of the fenestration and materials.

Ms. Grace agreed with Ms. Shiverick about the size of the home and how it would fit into the area. She discussed the requirement for fill on the lot and how new home designs could include steps and grading rather than only using fill to raise the home.

Mr. Kirchhoff liked the courtyard design but wondered if it separated the home from the street and made the home feel more massive. He recommended exposing the front door to the street. He questioned the proposed gable design and thought a more traditional gable would be appropriate.

Mr. Karakul was in favor of the home and courtyard in design. He was supportive of the home. He thought the variance was a bigger discussion.

Ms. Connaughton thought this style fit into the area. She also understood the desire to raise the home. She liked the entry courtyard and thought there was an opportunity to raise this portion of the home. She did not believe the home would appear massive from the street.

Mr. Smith thought the variances were self-imposed; he thought if the variances were important, the size of the home should be reduced.

Mr. Smith called for public comment.

Franny Frisbie, owner, discussed the intentions of the proposed home and the grade in which they are proposing to build the home.

Ms. Grace addressed her comments about fill and reminded the Commission of alternate ways to address the increase in height.

Bill Metzger, 277 Esplanade Way, discussed elevating homes and the alternative solutions to raising a home.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month, to the June 29, 2022 meeting, to address the Commissioners' comments as well as exploring alternate ways to raise the home. Motion carried 6-1, with Mr. Karakul dissenting.

Please note: The Commission took a lunch break at 1:02 p.m. The meeting resumed at 2:00 p.m.

2. **ARC-22-063 (ZON-22-046) 1160 N. OCEAN BLVD. (COMBO)** The applicant, Paul & Cythlen Maddock, has filed an application requesting Architectural Commission review and approval for the construction of a new 500 SF beach cabana in the BA zoning district. The application will require Special Exception with Site Plan Review by Town Council.

Mr. Hodges provided staff comments on the project.

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

Conner Peede, Architect, presented the architectural plans proposed for the new beach cabana. He also touched on the landscape and hardscape proposed for the site.

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

Mr. Smith called for public comment.

Tom Maloney, neighbor, offered his support for the project. He thought the question for the Commission was whether it was acceptable to split the vista.

Mr. Corey thought the beach house was fitting for the area but questioned the size of the house. He thought it was too big for the area and recommended that it be reduced in size. He also thought there was too much hardscape proposed. He recommended making the cabana part of the dune.

Ms. Grace also thought the cabana was too large. She questioned the amount of fenestration proposed. She recommended reducing the hardscape around the area.

Mr. Floersheimer agreed with Mr. Corey. He thought the cabana was too large and had too much hardscape. He also recommended moving the cabana to the north end of the property.

Ms. Shiverick agreed with Mr. Floersheimer about the rhythm of the cabanas and recommended moving the cabana to the north. She also thought the

cabana was too simple. She recommended adding some banding under the eaves. Mr. Peede responded. She also recommended adding more detail around the windows.

Mr. Peede explained the need for the additional hardscape.

Mr. Floersheimer recommended softening the hardscape.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project, for one month, to the June 29, 2022 meeting to address the comments of the Commission. Motion carried unanimously, 7-0.

3. **ARC-22-072 (ZON-22-083) 965 N. OCEAN BLVD. (COMBO)** The applicant, 965 North Ocean Boulevard, LLC (Matthew Sellick), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with a basement exceeding 10,000 sq ft with associated landscape and hardscape improvements. Site Plan Review for 150 kW generator will be performed by Town Council.

Ms. Pardue provided staff comments on the project.

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

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

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

Cory Meyer, Dailey Janssen Architects, presented the landscape and hardscape plans proposed for the site.

Mr. Smith called for public comment.

Derek Limbocker, 977 N. Ocean Blvd., discussed the issues that he has experienced with landscaping in the location. He opposed the house because it was too massive and did not fit into the area.

John Dotterer, 1470 N. Ocean Blvd., expressed opposition to the home, particularly to its mass and height.

Joanie Goodman, 911 N. Ocean Blvd., expressed her objections to the proposed home.

Kathleen Bleznak, 960 N. Ocean Blvd, expressed her objections to the proposed home.

Ms. Grace thought the home would occupy too much of the lot, especially compared to many of the other homes on the street. Mr. Janssen responded.

Ms. Connaughton inquired about the portions of the home that were included in the site coverage calculations. Mr. Janssen responded.

Ms. Grace thought the home was very heavy, especially for the British Colonial style of the home. She thought the west elevation seemed diminutive compared to the other elevations. She questioned the brackets on the west side of the home and thought they looked heavy.

Mr. Corey thought the home was too big and out of scale. He recommended bring down the bulk of the home, restudying the outdoor spaces, and possibly separating the guest home from the main home.

Mr. Karakul thought the plan that showed the main home next to the guest home was demonstrative of how large the main house appeared. Mr. Janssen responded. Mr. Karakul recommended removing the upper covered balconies.

Mr. Floersheimer recommended placing the garage in the basement to mitigate the size of the home. He agreed with the other Commissioners' comments. He thought the professional used the landscape to their advantage.

Ms. Shiverick thought the home read as a coastal home. She thought the home and guest home needed a major reduction.

Mr. Kirchhoff inquired about the height plane measurement. Mr. Janssen responded. Mr. Kirchhoff inquired about the space between the main and guest home. Mr. Janssen responded. Mr. Kirchhoff recommended restudying many of the elements of the home and recommended a simplification of the details.

Mr. Smith thought the home was too large, even if the professional eliminated the guest home. He thought the height of the main home was too tall. Mr. Janssen responded.

A discussion ensued on what type of motion would be appropriate.

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project, for one month, to the June 29, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

4. **ARC-22-074 (ZON-22-063) 220 ARABIAN RD. (COMBO)** The applicant, Richard Carlino, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence and the construction of a new two-story residence with related landscape and hardscape improvements. Town Council will review Special Exception Request with Site Plan Review portion of the application.

Ms. Pardue provided staff comments on the project.

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

Richard Seaberg, RS Architectural Partners, LLC, presented the architectural plans proposed for the new residence.

Howard Ostrout, Howard F. Ostrout Jr., and Associates, LLC, presented the landscape and hardscape plans proposed for the site.

Mr. Smith called for public comment.

Mr. Martin thought the proposed home was out of scale, related to height, scale and mass, for the neighborhood. He recommended a denial of the project.

Ms. Shiverick agreed with Mr. Martin. She thought the proposed lacked charm. She questioned the color for the proposed home. She thought the landscaping needed to be restudied and some color added.

Mr. Sammons did not believe the house belonged in Palm Beach.

Ms. Grace appreciated that the proposed home looked like Florida but thought that many of the items needed to be reworked to fit into the neighborhood.

Mr. Floersheimer inquired about a neighborhood plan in the mini sets. He requested that the professional bring back those details.

Mr. Corey asked for the details to be included in the next submission. He thought that the landscaping should include color and shade trees. He also asked the professional to reconsider the paver material.

Mr. Smith stated that the home did not belong in Palm Beach and recommended starting over in the design.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to deny the project, based on Section 18-205 (a) 1. Motion carried 4-3, with Messrs. Corey, Kirchhoff, and Ms. Grace dissenting.

5. **ARC-22-089 315 CLARKE AVE.** The applicant, PB Island LLC (Jean-Francois Benoist D'Etiveaud), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence exceeding 10,000 sq ft with associated landscape and hardscape improvements.

Ms. Pardue provided staff comments on the project.

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

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

Cory Meyer, Dailey Janssen Architects, presented the landscape and hardscape plans proposed for the site.

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

Mr. Corey inquired about the setbacks. Mr. Janssen responded.

Mr. Janssen presented an alternate roof for the west courtyard elevation.

Mr. Corey thought the project was well executed. He thought the proposed home was worthy for the location. He appreciated the details for the home and liked the courtyard design. He questioned the second pool in the courtyard; he recommended simplifying this space. He expressed concern for the north façade and wondered if any of the neighbors weighed in on this elevation. Mr. Janssen responded. Mr. Corey recommended breaking up the space. A discussion ensued about the north elevation.

Mr. Karakul thought the home was successful. He inquired about the piers on the front façade and wondered about the scale. Mr. Janssen responded. Mr. Karakul thought the north elevation was fine and did provide relief. Mr. Karakul also thought both options for the roof in the courtyard were successful.

Mr. Kirchhoff thought the house was successful as well. Mr. Kirchhoff inquired about the fenestration on the second floor. Mr. Janssen responded and explained the asymmetry. He questioned if the stone cladding on the entry was too heavy. He questioned the north elevation and wondered if it needed cleaned up. He also recommended changing the garage space so that it would be large enough to park two automobiles.

Mr. Floersheimer thought the home was very well done. He questioned the size of the home and wondered if it would look too large on the lot. He also questioned the lack of parking for the large home. Mr. Janssen responded.

Ms. Shiverick agreed with Mr. Kirchhoff about the northwestern portion. She thought that area pushed the home too far to the west. She recommended providing relief to the western portion and the porch on the north elevation. Mr. Janssen responded, explained the design, and advocated for the space. Ms. Shiverick inquired about the material around the front door. Mr. Janssen responded.

Ms. Connaughton thought it was a successful design. She was in favor of the stone cladding on the front door. She also liked the western portion of the home and was in favor of the courtyard.

Ms. Grace thought the home was attractive and was in favor of the western wing. She thought the front door was heavy in its design. She thought the home was extremely large.

Mr. Smith thought the home was successful. He requested that the professional not use white mortar on the roof. He asked about the awning on the north elevation. Mr. Janssen responded. Mr. Smith recommended reducing the awning size. Mr. Janssen commented on the suggestion. Mr. Smith pointed out an error on the plan versus the rendering. Mr. Smith was in favor of the tile in the courtyard.

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

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project, for one month, to the June 29, 2022 meeting to restudy the following items: north elevation, particularly the length and covered porch, and the window dimensions. Motion carried unanimously, 7-0.

6. **ARC-22-095 2270 IBIS ISLE RD.** The applicant, W Ibis Isle, LLC. (Christina Bamann) has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related hardscape and landscape improvements.

Ms. Pardue provided staff comments on the project.

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

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

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

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

Mr. Sammons confirmed the shutters would be operable, to which Mr. Janssen provided confirmation.

Mr. Floersheimer wondered if the home would look out of place in the area. Mr. Janssen responded. Mr. Floersheimer questioned the scale of the fenestration. Mr. Janssen responded and explained the material choice.

Mr. Martin thought the design was good, especially the way the wings were stepped down from the center portion. He thought the design was elegant.

Mr. Corey thought the home was well designed and fit into the area. He liked the window choices on the front elevation. He also supported the landscape plan. Mr. Corey inquired about the eave depth. Mr. Janssen responded.

Ms. Grace thought the house was attractive, but she questioned the height of the fenestration. She also questioned the fenestration on the west elevation.

Mr. Karakul thought the home was attractive but questioned if it would fit into the neighborhood. He recommended adding more vertical landscaping.

Ms. Connaughton agreed with Mr. Martin and thought the design was nice. She questioned the doors on the front and rear compared to the 9 over 9 windows on the front elevation.

Mr. Shiverick agreed with Mr. Karakul and wondered if the home would fit into the neighborhood. She thought the home would be imposing. She inquired about the location of the pool to the proximity of the home. Mr. Janssen responded and explained the pool design. Ms. Shiverick also questioned the stained wood doors and windows; she recommended using white.

Mr. Kirchhoff questioned the parapet deck and questioned the need for the space.

Motion made by Ms. Grace and seconded by Mr. Sammons to defer the project for one month, to the June 29, 2022 meeting, to restudy the following items: the rear fenestration, the height of the center section of the home and using a white wood rather than the stained Mahogany. Motion carried unanimously, 7-0.

7. **ARC-22-099 (ZON-22-065) 360 EL BRILLO WAY (COMBO)** The applicant, El Brillo Way Trust u/a/d September 24, 2021 (David Klein, trustee), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence over 10,000 sq ft including variances from the angle of vision, front setback for a pool, and

building height plane, with related sitework, landscape and hardscape improvements. Town Council will review Variance portion of the application.

Ms. Pardue provided staff comments on the project.

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

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

Jorge Sanchez, SMI Landscape Architecture, presented the landscape and hardscape plans proposed for the site.

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

Mr. Smith called for public comment.

Thomas Quick, 291 El Vedado Road, expressed his objections to the proposed home and the requested variances.

David Skok, owner, explained the design and intent of the proposed home.

Mr. Floersheimer thought the home was comparable in size for the area and it fit into the neighborhood. He expressed concern for the number of requested variances. He stated he liked the scale and innovative entry to the home.

Mr. Corey stated he could not support the variances because he thought the home could be designed without the need of the variances. He thought the courtyard was rather constrained in the design. He thought the southeast corner was too tight in plan. He thought the noise for the mechanical units should be mitigated. He recommended adding more landscaping. Mr. Janssen responded and explained the design to address some of Mr. Corey's concerns.

Mr. Kirchhoff agreed with Mr. Quick and recommended using different types of mechanical units. He also recommended moving the pool equipment closer to the pool. He liked the pool but recommended removing the requested. He also thought to remove the gable elements to eliminate the need for a variance. Mr. Kirchhoff thought the north elevation looked like a duplex because of the symmetry. Mr. Sanchez advocated for the variances.

Ms. Grace questioned the lack of prominence of the front door. She also thought a change in design would be nice since many of the previously presented homes resembled the proposed home.

Mr. Karakul thought there were good elements in the design. He was not in favor of the front façade and thought the entrance section was confusing. He also questioned the fenestration in the two sections with the terraces above. He thought the design could be refined. He also thought the variances were unnecessary. He recommended working with Mr. Quick to resolve his concerns.

Mr. Sammons questioned the size and scale of the proposed fenestration.

Ms. Shiverick agreed with Mr. Karakul's suggestion to work with the neighbors. She wondered if the house was straightened if it would relieve the design of the need for variances. Mr. Janssen responded. She also expressed concern for the front façade.

Ms. Connaughton thought the design was nice for the owners. She agreed with Mr. Sammons that the windows needed to be more consistent. Mr. Janssen responded. She provided a suggestion for the front entrance. She supported the variance for the proposed pool. She recommended turning the pool and pergola.

Mr. Martin addressed two of the requested variances and advocated for them.

Mr. Smith was not in favor of the tilting of the home. He also thought that the home could be designed within the zoning code. He questioned the front façade design.

Motion made by Mr. Corey and seconded by Mr. Karakul to defer the project, for one month, to the June 29, 2022 meeting, in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Please note: The Commission took a short break at 5:17 p.m. The meeting resumed at 5:23 p.m. Mr. Sammons returned at 5:28 p.m.

8. **ARC-22-102 216 SOUTHLAND RD.** The applicant, 216 Southland LLC, has filed an application requesting Architectural Commission review and approval for the demolition of an existing residence and the construction of a new two-story residence with associated hardscape and landscape.

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

Michael Perry, MP Design & Architecture, Inc. presented the proposed demolition of the existing residence.

Motion made by Ms. Shiverick and seconded by Ms. Grace to approve the demolition of the existing residence as presented. Motion carried

unanimously, 7-0. Please note: Mr. Floersheimer voted in the absence of Mr. Sammons.

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

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

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

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

Ms. Grace thought the style of the home was attractive but questioned if it would fit into the neighborhood. She wondered if the home could be changed to allow for a one-story element in the front of the property. Ms. Grace inquired about the color for the wrought iron railing. Mr. Perry responded, explained the one-story design; He also stated the railing would be black.

Mr. Sammons questioned the window proportions.

Ms. Shiverick thought the home was charming. She thought the home was of a good scale and taste.

Ms. Connaughton agreed that the two-story home was acceptable in its position on the street. She thought the house was charming but thought the window proportions should be refined.

Mr. Martin stated he was not in favor of the façade lighting.

Mr. Karakul wondered if the black railing was studied. Mr. Perry responded. He was in favor of the home.

Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the project as presented with the condition that the wrought iron railings shall be white. Motion carried unanimously, 7-0.

Please note: Mr. Floersheimer left the meeting at 5:30 p.m.

9. **ARC-22-104 (ZON-22-067) 281 MONTEREY RD. (COMBO)** The applicant, Adam Demark has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence, detached one-story cabana, and related landscape and hardscape improvements.

Ms. Pardue provided staff comments on the project.

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

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

Caroline Forrest, MHK Architecture & Planning, presented the architectural plans proposed for the new residence.

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

Mr. Smith called for public comment.

Dean Goodman, 270 Colonial Lane, expressed his objection to the garage located on Colonial Lane.

Mr. Sammons thought the home had too many steps in it. He recommended working with the neighbor and his concerns, possibly disguising the garage in some way.

Ms. Shiverick did not believe the garage was an eyesore. She thought it was appropriate since the property had a limited use. She thought the home was attractive.

Mr. Corey thought the house was well designed. Mr. Corey inquired if there was a trellis proposed for the garage to mitigate the garage doors. He also inquired if there were any shade trees proposed for the front of the property. Mr. Corey inquired about the material for the driveway. Mr. Mizell responded with the material choice and explained the trees proposed.

Mr. Kirchhoff inquired if a hedge could be added that would screen the cars from the street. He thought the garage could be mitigated. Mr. Kirchhoff also thought there was many steps in the roof design. He thought the front entrance was a bit tall. He questioned the windows at the front entrance. He provided a suggestion for the windows in the dining room. Ms. Forrest responded and explained the design of the roof.

Ms. Grace thought the home was attractive. She was a bit concerned for the garage on Colonial Lane. She recommended changing the garage to a one car garage.

Mr. Karakul liked the home and was in favor of the steps created to mitigate the height of the roof. He wondered if there was a way to make the garage more interesting. Mr. Mizell provided a suggestion for a hedge that would solve the issue.

Ms. Connaughton thought the home was nice. She did have an issue with the stepping of the roof and wished it corresponded to the plan. She thought the screening of the garage was a good idea. She suggested the possibility of adding a second story to the garage, with a dormer and balcony, so that it appeared more residential.

Mr. Goodman raised the issue of the wall around the property; He stated the applicant's wall was located on his property. He recommended the removal of the wall, at expense of the applicant, and then planting the hedge outside of their property.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project as presented with the condition that the hedge is added to screen the garage on Colonial Lane. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Ms. Grace left the room at 6:20 p.m. She returned at 6:26 p.m.

10. **ARC-22-105 (ZON-22-071) 124 COCOANUT ROW (COMBO)** The applicant, Nedim Soylemez and Rebecca Ann Soylemez, has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story residence and the construction of a new two-story residence including variances from the cubic content ratio (CCR), height and overall height, with related landscape and hardscape improvements. Town Council will review the variance portion of the applications.

Ms. Pardue provided staff comments on the project.

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

Harold Smith, Smith and Moore Architects, presented the proposed demolition of the existing home.

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

Please note: Ms. Connaughton voted in the absence of Ms. Grace.

Maura Ziska, attorney for the applicant, provided an explanation of the variances requested and advocated for a positive recommendation to the Town Council.

Ben Sachs, Workshop/APD, presented the architectural plans proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape plans proposed for the site.

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

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

Ms. Connaughton thought the entry was too wide and made a recommendation for the proportions. She provided a suggestion for the fenestration in relation to the string course. She wondered if more windows were needed in some of the elevations.

Mr. Corey thought the home was well designed. He thought the home read as a northern house rather than Palm Beach. Mr. Corey wondered if the Commission could assist the professional with the addition of a sidewalk on Coconut Row.

Ms. Grace asked about the Ficus trees proposed. Mr. Lang responded. Ms. Grace thought it would be a good opportunity to remove the Ficus and replace them with Sea grape trees.

Mr. Kirchhoff thought the home had been seen many times and did not believe the design was special. He thought the home needed to be restudied.

Mr. Sammons commented on the portico, the entablature, and the fenestration.

Motion made by Mr. Kirchhoff and seconded by Ms. Shiverick to defer the project for one month, to the June 29, 2022 meeting, in accordance with the comments from the Commissioners. Motion carried 6-1, with Mr. Karakul dissenting.

E. MINOR PROJECTS – OLD BUSINESS

None

F. ITEMS PULLED FROM CONSENT

1. **ARC-22-034 225 WORTH AVE.** The applicant, 225 Worth Avenue Holdings LLC, has filed an application requesting Architectural Commission review and approval for modifications to the exterior storefront including window glazing and awnings.

Ms. Pardue provided staff comments on the project.

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

Mr. Smith asked which Commissioner pulled the project from the consent agenda and asked them to explain their concerns.

Ms. Grace inquired about the repetitive signage proposed. She thought the store name should only be used once.

Mr. Corey agreed with Ms. Grace and recommended using the store name once over the door.

Rico Gatmaitan, Atmosphere Design Group, stated he would take the suggestion to Gucci.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the project with the condition that one (1) Gucci name shall appear over the front door and the second name shall be removed. Motion carried unanimously, 7-0.

2. **ARC-22-048 200 BRADLEY PL, STE. 401** The applicant, Gary Davis, has filed an application requesting Architectural Commission review and approval for the replacement of existing balcony rail with a new aluminum railing.

Ms. Pardue provided staff comments on the project.

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

Mr. Smith asked which Commissioner pulled the project from the consent agenda and asked them to explain their concerns.

Ms. Shiverick asked about the plan for replacing the existing railing.

Jorge Garcia, Jorge Garcia Aluminum & Fence LLC, explained the proposed replacement of the existing railing.

Ms. Shiverick stated that a few residents called her with the concern that a change was occurring without the knowledge of the building.

Mr. Garcia stated that the building had approved the replacement.

Mr. Kirchhoff inquired about the replacement.

Mr. Garcia provided further explanation.

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

Please note: Mr. Smith left the meeting at 6:45 p.m. Ms. Connaughton voted in his absence.

3. **ARC-22-070 358 SEASPRAY AVE.** The applicant, Richard J Allison, has filed an application requesting Architectural Commission review and approval for a roof material change on a single-family residence.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Messrs. Corey, Martin, and Ms. Grace.

Mr. Sammons asked which Commissioner pulled the project from the consent agenda and asked them to explain their concerns.

Ms. Grace inquired about the roof replacement and the portion of the roof to be replaced. She suggested a different color for the roof material.

Richard Allison, owner, stated the entire roof would be replaced.

John DeMatteo, Ace Pro Roofing, explained the roof replacement, the proposed color for the roof material and presented a sample of the material to be used.

Mr. Karakul inquired about the color of the house. Mr. DeMatteo responded.

Mr. Kirchhoff inquired if the Town had a position on using metal roof material and expressed a concern that it looked commercial. Mr. DeMatteo further explained the material to be used.

Ms. Connaughton inquired if the material would change with the environment. Mr. DeMatteo responded.

Mr. Corey asked Mr. Allison the reason he chose metal for his roof material. Mr. Allison responded.

Ms. Grace inquired if there were other metal roofs in the area. Mr. Allison confirmed that there were other metal roofs and passed around a photograph to the Commissioners.

Mr. Sammons was not concerned with the replacement since it would periodically change. He did believe a lighter colored roof would be better.

The Commissioners discussed a potential motion for this project. Some requested photographs of the home in question.

Mr. DeMatteo showed the Commissioners photographs of the home and its relationship to the street.

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

4. **ARC-22-092 213 PARK AVE.** The applicant, 213 Park Ave LLC (Carla Turco Kipiani, Manager), has filed an application requesting Architectural Commission review and approval for a like for like replacement of a roof on a single-family residence.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: No one provided any disclosures at this time.

Ms. Grace stated she pulled the item since s-tile roof material was not generally approved in the Town.

Mr. Corey stated if the replacement was like for like, he saw no issue.

Mr. Sammons stated that there were different s-tile materials, and some were high quality.

A material sample was shown to the Commissioners. Mr. Sammons confirmed the material was good.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to approve the project as presented. Motion carried 6-1, with Mr. Kirchhoff dissenting.

G. MINOR PROJECTS – NEW BUSINESS

1. **ARC-22-101 249 WORTH AVE.** The applicant, Holbrook Real Estate, LLC. (Jane Holzer), has filed an application requesting Architectural Commission review and approval for storefront alterations to an existing commercial space.

Mr. Hodges provided staff comments on the project.

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

Mary Langan, Architect for David Yurman, introduced the project.

Please note: Mr. Sammons declared a conflict of interest for the project and left the room during the discussion of the project. Mr. Martin voted in the absence of Mr. Sammons.

Mr. Langan reviewed the proposed changes and provided details of the project.

Mr. Grace inquired if there were restrictions on the number of times a name could be printed on the signage. Ms. Langan responded.

Ms. Shiverick expressed concern for the rose gold material and the fluted granite proposed. She believed the materials were too dissimilar for Worth Avenue. She wondered if David Yurman would consider different materials.

Mr. Corey inquired about the light proposed to be placed in the cornice. Ms. Langan stated the light was an existing light. Mr. Corey inquired about the color of the light and expressed concern for the 4,000K proposed.

Ms. Grace was concerned for the fluted granite.

Ms. Shiverick wondered if the rose gold could be changed to an antique brass.

Mr. Langan stated that the rose gold was being used in the branding for David Yurman.

Mr. Karakul was a bit concerned about the fluted granite but thought the materials were good.

Mr. Corey was supportive of the project but wanted to make sure the lighting was not more than 3000K in color.

Mr. Langan stated the existing light was fluorescent and they would be replacing it with LED lighting.

Ms. Connaughton wondered how the other Commissioners felt about a new opening in the Via. The consensus of the Commissioners was in favor of the opening. Ms. Connaughton wondered if the building was a landmarked building. Ms. Pardue responded.

Ms. Shiverick did not believe David Yurman would change the materials if it was part of the branding. Ms. Grace disagreed and did not believe the materials were cohesive with the street.

A discussion ensued about the potential motion.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the June 29, 2022 meeting, with the direction for the professional to research whether different materials could be used as well as the specifications on the choice of lighting. Motion carried unanimously, 7-0.

Mr. Karakul recommended returning with material samples at the next meeting.

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

1. **Public**

There were no comments heard at this time.

2. **Staff**

Ms. Churney stated that Thomas Kirchhoff declared a conflict for a project at 147 Seabreeze Avenue at the April 27, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Elizabeth Connaughton declared a continuing conflict for a project at 220 Brazilian Avenue at the April 27, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

3. **Commission**

There were no comments heard at this time.

X. **NEXT MEETING DATE:** Wednesday, June 29, 2022

XI. **ADJOURNMENT**

Motion made by Mr. Corey and seconded by Mr. Karakul adjourn the meeting at 7:09 p.m. on Wednesday, May 25, 2022. Motion carried unanimously, 7-0.

The next meeting will be held on Wednesday, June 29, 2022 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

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

Application Number and Title: ARC-22-074 220 Arabian Road

Address: 220 Arabian Rd.

Applicant: Richard Carlino

Architect: Richard Seaberg

Project Description: The applicant has filed an application for approval for the demolition of an existing one-story residence and the construction of a

The above request has been denied by the Architectural Review Commission for the following reasons: new two-story residence w/related hardscape and landscape improvements. Town Council will review the Special Exception Request w/site plan review portion of the application

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

features of exterior design and appearance:

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

____ (6) The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

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

____ (7) The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any

public or private way (except alleys).

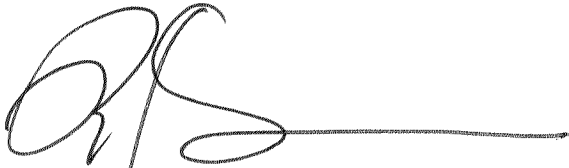
- ___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- ___ (9) The project's location and design does not adequately protect unique site characteristics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

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

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on May 25, 2022

TOWN OF PALM BEACH



Vice Chairman, Architectural Commission

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Martin, Joshua L.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>354 Chilean Ave., 3E</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>May 25, 2022</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joshua L. Martin, hereby disclose that on May 25, 20 22:

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

☐ inured to my special private gain or loss;

☒ inured to the special gain or loss of my business associate, Frannie Criddle;

☐ 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-22-043
143 Reef Road

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.

25 May 2022
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sanmons 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>May 25, 2022</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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Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on May 25, 20 22:

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

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

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

ARC-22-101
249 Worth 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.

5.25.22
Date Filed

[Signature]
Signature

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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>May 25, 2022</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:

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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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

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

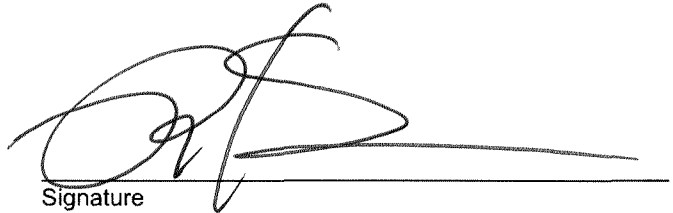
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of 757 Island Drive LLC, by whom I am retained; or
- ☐ inured to the special gain 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-21-080
757 Island Drive

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

5.25.22
Date Filed


Signature

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