

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
FRIDAY, NOVEMBER 22, 2002 AT 9:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I CALL TO ORDER

The meeting was called to order by Chairman Schuler at 9:00 a.m.

II ROLL CALL

PRESENT:

John H. Schuler, Chairman
Floyd L. Wideman, Jr., Vice Chairman
Eric Adams, Member
Lindley M.F. Hoffman, Member
Nikita Zukov, Member
Morgan Dix Wheelock, Alternate Member
William J. Strawbridge Jr., Alternate Member
Leslie C. Diver, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Marvin Rosenberg, Member (excused)
Leslie A. Shaw, Member (unexcused)

Note: Mr. Wheelock and Mr. Strawbridge were voting members throughout the meeting. Ms. Diver was a voting member at times during the meeting.

III PLEDGE OF ALLEGIANCE

Chairman Schuler lead the pledge of allegiance.

IV APPROVAL OF THE MINUTES FROM THE OCTOBER, 23, 2002 MEETING

MOTION BY MR. WHELOCK TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

V STAFF COMMENTS

1. Selection of ARCOM meeting dates for November and December 2003.

MOTION BY MR. WHELOCK TO SELECT NOVEMBER 21, 2003 AND DECEMBER 19, 2003 FOR ARCOM MEETING DATES.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

2. Discussion relative to the construction project at 346 Seabreeze Avenue.

Staff reported, that what was presented to the commission as a remodeling project, was in fact a total demolition. Because the presentation was less than accurate, the Commission may have reviewed this project differently. Chairman Schuler asked that they be invited back next month to hear their comments regarding this matter.

VI SWEARING IN PERSONS TESTIFYING

Persons testifying were sworn in at this time and periodically throughout the meeting.

VII PROJECT DEFERRALS/REMOVALS

A31-02 Portico

Applicant: James and Susan Keenan
Address: 233 Tradewind Drive
Architect: Ames Bennett
Project Description: "Remove an existing two-column entrance portico, and replace with a new four-column portico. Addition of new cement tile roofing material and classic Doric Order precast sheaths around structural pipe columns. Change out windows from standard single hung to hurricane resistant, casement windows with appropriate muntins."

This project was deferred from the August meeting for restudy, and it was deferred from the September and October meetings at the architects request. The architect requests removal from the agenda.

MOTION BY MR. WIDEMAN TO REMOVE THE PROJECT FROM THE AGENDA.

MOTION SECONDED BY MR ADAMS.

MOTION CARRIED UNANIMOUSLY.

B92-02 Demolition

Applicant: Arturo V. Burigaito
Address: 137 Australian Avenue
Project Description: "Demolition."

The property owner requests deferral to the December meeting.

MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE DECEMBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

VIII PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS MAJOR PROJECTS

B86-02 New Residence

Applicant: CND Property, LLC
Address: 242 Merrain Road
Contractor: Tuscany Corporation
Project Description: "New two-story Mediterranean home with clay barrel tile roof and cast stone ornamental columns."

Demolition of the existing home was approved, and review of the new residence was deferred at the October meeting.

Mr. Wideman, Mr. Adams and Mr. Zukov said they met with the architect and reviewed the plans. Mr. Wheelock said he visited the site.

Architect Greg Portman presented a street scape drawing and photographs of the two-story homes on the street. In response to the Commission's comments last month, the building height and the tower height were lowered. In addition, the overall size of the project was reduced by 246 square feet.

Thomas DiBacco, 1295 North Lake Way, stated that this two-story home was very large and formal in comparison to the other homes on the street. A letter from Dr. and Mrs. DiBacco was received by the town staff, and was made part of the record.

Mr. Wheelock said that knowing this project was a sensitive issue, he walked along the street to consider the feeling of the existing architectural style. He concluded that the proposed Mediterranean style house did not belong on the block. Other comments were made stating that the house had too much detail, and it needs to be toned down and simplified. The tower was perceived to be out of character with the other homes in the neighborhood. It was asked to be

consistent with the windows and the window surrounds.

MOTION BY MR. HOFFMAN TO DEFER THE PROJECT TO THE DECEMBER MEETING FOR RESTUDY BASED ON THE COMMENTS OF BRINGING THE HOUSE MORE IN KEEPING WITH THE HOUSES ON THE STREET, TO PAY PARTICULAR ATTENTION TO THE TOWER, AND TO COMPLY WITH THE STORM WATER ORDINANCE.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B88-02 New Residence

Applicant: 101 Casa Bendita, LLC
Address: 101 Casa Bendita
Architect: Ralph Cantin / Developer: J.F. Brennan
Project Description: "Construction of a new, two-story, single family, Mediterranean style residence with motorcourt, open terraces and open entry walls."

This project was deferred from the October meeting for restudy.

Ms. Diver said she visited the site. Mr. Zukov said he met with the architect. Mr. Wheelock said he met with the designer/developer and visited the site.

Architect Ralph Cantin presented a model of the project and pointed out the changes to the entry and the addition of a covered walkway.

The Commission responded favorably to the changes that were made.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B78-02 Addition

Applicant: Joseph C. Visconti
Address: 1430 North Ocean Boulevard
Architect: Dailey & Partners Architects
Project Description: "One-story and two-story additions to an existing one-story residence."
Project description was revised 11/12/02

This project was deferred from the October meeting for restudy.

Ms. Diver said she visited the site. Mr. Hoffman, Mr. Adams and Mr. Zukov said they met with the architect.

Architect Roger Janssen mentioned that he met with some of the neighbors. He presented a photo board of other homes on the street. The second floor addition will consist of a master bedroom suite. The one-story garage addition will be located on the existing motor court. Mr. Janssen stated that the owner's intention was to add to the house, to accommodate a growing family, rather than demolish it.

The following residents addressed the Commission:

Helen Wilkes, 1335 North Ocean Way, was opposed to the "popped up box."

Judith Bea, 1436 North Ocean Way, felt the design was not appealing.

Miriam Silverman, 1440 North Ocean Way, thought the project was lacking character. She also remarked that this house is for sale and wondered if the intention was to make the house larger to sell it for more money.

Claudia Ainsley, 1431 North Ocean Way, commented that if they do anything to the house they should have a much nicer design.

Bill and Ann Metzger, who reside at 277 Esplanade Way, were representing the Esplanade Estates Association. Mr. Metzger requested that the easement, along the north property line, remain as beach access. Also, to add buffering that may need to be provided through the use of landscaping or fencing. He asked that the owners work with the association to improve the shared cabana.

The Commissioner's thought the additions were the best possibilities for the existing house, but a landscape buffer along the north property line was important to screen the two-story addition.

**MOTION BY MR. WHELOCK TO APPROVE THE PROJECT SUBJECT TO
SUBMIT TO STAFF A LANDSCAPE BUFFERING PLAN TO THE NORTH.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B. NEW BUSINESS - MAJOR PROJECTS

B90-02 New Residence

Applicant: Mrs. Michael Orenstein
Address: 253 Ridgeview Drive
Architect: Dailey and Partners Architects
Project Description: "Two-story, CBS, single family residence with side flanking one-story wings, a side loading two-car garage, swimming pool and a separate spa. Residence is a French Country style."

Ms. Diver, Mr. Wideman and Mr. Wheelock visited the site. Mr. Hoffman said he spoke with the architect on the telephone.

Architect Ed Dailey presented a street scape drawing and introduced Landscape Architect Jorge Sanchez. Mr. Dailey indicated that the center section of the house will be two-story with flanking one-story wings. The cement tile roofing material will look like slate, and the cast stone detailing will resemble limestone. Shutters will be operable, as well as having impact glass in the windows and doors.

The Commission's comments regarding the proposed project were as follows:

It is incredibly massive for the site.
There is too much detailing on the house.
The chimneys are too high.
The central section seems high in relation to the wings.
The front, middle section of the house was too busy.
Raise the plate height of the two wings to bring them into proportion with the two-story section.
Make the chimneys less formal.
This project appears to be very large on the street and in the neighborhood.
The design needs to be a little more humble, and more in keeping with the street.

Chairman Schuler read a letter from Paul Rampell requesting three or four royal palm trees be planted on the property to integrate with the other properties along the street.

Mr. Sanchez presented the preliminary perimeter landscape plan.

The landscaping in the front of the property was thought to bring the formality of the house out to the street. The amount of hardscape was questioned as it may be more than what is allowed.

MOTION BY MR. ADAMS TO DEFER THE PROJECT TO THE DECEMBER MEETING “TAKING INTO CONSIDERATION ALL OF THE COMMENTS THAT HAVE BEEN MADE TO ADDRESS THE MASSIVENESS, MAYBE ELIMINATING ONE OF THE CHIMNEYS, WITH ATTENTION TO THE ROOFS AND SOME OF THE HEIGHTS, I WOULD ALSO TELL YOU PARENTHETICALLY, THAT THOSE SHUTTERS SEEM VERY CROWED IN ON THE FIRST LEVEL THAT FLANK THE STONE ENTRANCE, IF THEY WERE REDUCED, OR ELIMINATED THAT MIGHT ALSO HELP THE FACADE A LITTLE BIT, ALTHOUGH THE SHUTTERS ARE VERY ATTRACTIVE.”

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B91-02 New Residence Approval Extension

Applicant: Anthony P. Solo
Address: 227 Angler Avenue
Architect: The Pandula Architects
Project Description: “Request for one year ARCOM approval extension.”

Mr. Strawbridge said he spoke with the builder on the telephone.

Property owner Anthony Solo asked for an extension of this project that was previously approved by ARCOM. He stated that to the best of his knowledge there have been no code changes other than the retention of two inches of water on the site. He submitted a letter for the record from the original drainage engineer specifying that the site will sufficiently support the two-inch retention requirements.

MOTION BY MR. WIDEMAN TO EXTEND THE PROJECT APPROVAL.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B93-02 Demolition

Applicant: Amigo Partnership
Address: 346-350 Brazilian Avenue
Architect: Smith and Moore Architects
Project Description: “Demolition of two, four-unit apartment buildings.”

Mr. Zukov said he met with the architect. Mr. Wheelock said he went to the site.

Architect Harold Smith explained that no record of the initial building permits, or an architect of record were found for the existing apartment buildings. The buildings are in fair to poor condition, and they violate all four building setbacks. The existing ficus hedge at the rear of the property will remain. Three queen palm trees may be reused for site screening.

MOTION BY MR. ZUKOV TO APPROVE THE DEMOLITION WITH THE USUAL CONDITIONS*.

MOTION SECONDED BY MR. WHELOCK.

MOTION CARRIED UNANIMOUSLY.

*Ordinance 21-02; the site will be irrigated and sodded or seeded within fifteen days after demolition.

B94-02 Demolition

Applicant: Amigo Partnership
Address: 125 Gulf Stream Road
Architect: Smith and Moore Architects
Project Description: "Demolition of a single family residence and pool."

Mr. Wheelock said he visited the site.

Architect Harold Smith reported that the single family residence was designed by Belford Shoumate in 1953. The structure is in poor condition. Any historical significance that the building may have exhibited has been altered significantly by the numerous additions. The large ficus trees will remain on the lot. The perimeter wall, with the exception of the front section, will be retained.

MOTION BY MR. WHELOCK TO APPROVE THE DEMOLITION AS QUICKLY AS POSSIBLE, SUBJECT TO THE USUAL CONDITIONS, (SOD OR SEED AND IRRIGATE THE LOT WITHIN FIFTEEN DAYS).

MOTION SECONDED BY

MOTION CARRIED

B95-02 Demolition

Applicant: True 680, LLC
Address: 680 South County Road
Architect: Thomas M. Kirchhoff
Project Description: "Demolition of existing residence, sod and irrigate in accordance with town regulations."

Mr. Schuler said he had a discussion with the architect at the meeting. Mr. Wideman said he spoke with the architect on the telephone. Mr. Wheelock said he spoke with the architect on the telephone and visited the site.

Architect Thomas Kirchhoff stated that Clarence Mack designed the Regency style residence in 1953 for himself. He indicated that the replacement house will be a Georgian style of architecture. All of the hedges will remain, and the cypress trees will be maintained until a new landscaping plan is designed. Mr. Wheelock commented that the rhythm of cypress trees and hedges was absolutely beautiful.

The Commissioners agreed that this was an attractive house designed by a prominent architect. It was commented that it is a tragedy when a tradition of history is destroyed.

MOTION BY MR. ADAMS TO APPROVE THE DEMOLITION WITH THE CONDITION THAT THE CYPRESS TREES BE RETAINED AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN FIFTEEN DAYS.

MOTION SECONDED BY MR. ZUKOV.

MR. SCHULER, MR. STRAWBRIDGE, AND MR. WIDEMAN WERE OPPOSED.

MOTION CARRIED 4-3

B96-02 Demolition and New Residence

Applicant: Janette G. Egbers
Address: 162 East Inlet Drive
Architect: The Lawrence Group
Project Description: "Demolition of the existing structure with the exception of the swimming pool, and the construction of a new two-floor, Mediterranean, single family house. The project has been submitted to Town Council for zoning approvals."

Ms. Diver and Mr. Wheelock stated that they visited the site.

Architect Eugene Lawrence asked for an informal review, as this project is on the Town Council's December agenda for review of a non-conforming lot. He stated that the existing house has very little architectural value, therefore the owners request demolition.

Robert Ohl, 113 East Inlet Drive, commented that the proposed two-story Mediterranean style home would overwhelm the one-story Bermuda style homes in the neighborhood.

It was thought that the garage could be better located. And, the two-story mass was not in character with the street.

Mr. Frank stated that there was a demolition report in the ARCOM file. Mr. Lawrence presented photographs of the house.

MOTION BY MR. WIDEMAN TO APPROVE THE DEMOLITION, (TO SOD OR SEED AND IRRIGATE THE LOT WITHIN FIFTEEN DAYS).

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B97-02 Revisions

Applicant: Mitchel G. Garren and Rosemary A. Clemens
Address: 110 Atlantic Avenue
Architect: The Lawrence Group
Project Description: "Changing glazing to impact resistant materials, demolishing a permanent lanai and installing an awning, revising exterior architectural treatment to more traditional elements, and revising the pool area to increase landscape open space."

Architect Eugene Lawrence proposed altering the existing house to be more of a traditional Mediterranean style. These changes include: corbels added to the gables, the areas with clay tile screening will be replaced with windows and wooden railings, addition of cast stone window sills, and a wrought iron and glass front door.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT "WITH A CHANGE IN THE UPPER PART OF THAT MAJOR WINDOW AND SLIGHTLY SMALLER ON THE ONE ON THE FRONT FACADE."

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B98-02 New Building

Applicant: The Preservation Foundation of Palm Beach, Inc.
Address: 311 Peruvian Avenue
Architect: Smith Architectural Group
Project Description: "Two-story, stucco, Mediterranean with stone adornment, wood doors and windows, and tiled niches."

Mr. Schuler declared a Conflict of Interest, as he is an Officer of the Preservation Foundation, passed the gavel to Vice-Chairman Wideman, and left the dais during the presentation. Mr. Wideman, Mr. Adams, Mr. Zukov and Mr. Wheelock disclosed ex-parte communications with Mr. Chopin.

Discussion took place at this time regarding the numerous variances that were received and whether or not they were sincere hardships. (See attached Town Council agenda describing the site plan review No 13-2002 with special exception and variances).

Frank Chopin, as a trustee of the Preservation Foundation, presented this project. He mentioned that the watertable may be cast stone or it may be coquina depending on the cost. An arched area on the front of the building will be filled in with a mural of hand painted Portugal tiles. Impact glass shall be used in all of the windows and doors. It is intended to carve the name of the building in the stone work on the front elevation. Mr. Chopin remarked that there was concern about the size of the building. He said the fact is, it's only a little more than 3,000 gross leasable feet, and that the building reads bigger than it really is.

Some of the Commissioners thought that the tiled mural was very strong and gave the building an unbalance appearance. It was perceived the west and north facades were being ignored relative to design details. The landscaping was thought to be insubstantial for this site. Architect Jeff Smith responded to the comments about the west facade by suggesting to landscape the blank areas of the building rather than adding stone work or niches. The north elevation was further discussed, and the Commission felt that these windows did not match other windows on the building. It was remarked that the north elevation made a very bland view for the apartments that face that facade. Mr. Chopin explained that a six-foot high wall, that is three feet off of the property line, as well as twenty-five feet tall trees, will block the view to the apartment building. It was noted that the trees, that Mr. Chopin mentioned, belong to the property to the north.

MOTION BY MR. ZUKOV TO, IN PRINCIPAL, APPROVE THIS DESIGN, SO THAT THEY MAY GO AHEAD WITH THE WORKING DRAWINGS, AND NEXT MONTH PRESENT THE FINAL LANDSCAPING AND REDESIGN OF THE TWO ELEVATIONS, (NORTH AND WEST FACADES).

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

Under discussion, it was suggested allowing the applicant to accept construction bids as the concerns were with minor aesthetic details that could be reviewed at a later date.

The meeting reconvened at 2:00 p.m. after the lunch break.

B99-02 Demolition and New Residence

Applicant:	David Rosow
Address:	1460 North Lake Way
Architect:	Michael J. Johnson
Project Description:	"Demolition of an existing house, and new two-story CBS and stucco house. Request for extension of a prior ARCOM approval granted in November 2001."

There were no ex-parte communications disclosed regarding this project.

Mr. Adams, Mr. Zukov and Mr. Strawbridge were out of the meeting room when this project was announced. Therefore, Ms. Diver was a voting member.

Attorney Tim Hanlon, representing the property owners, presented the demolition report and asked for an extension of the previously approved ARCOM plans.

MOTION BY MR. WIDEMAN TO APPROVE DEMOLITION, (TO SOD OR SEED AND IRRIGATE THE LOT WITHIN FIFTEEN DAYS), AND TO EXTEND THE APPROVAL OF THE ARCOM PLANS.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B100-02 New Residence

Applicant: Janina Radtke
Address: 211 Tangier Avenue
Architect: SKA Architect & Planner
Project Description: "Construction of a new two-story Mediterranean style home."

There were no ex-parte communications regarding this project.

Ms. Diver was a voting member for this project as Mr. Strawbridge was not in attendance at this time.

Architect Pat Seagraves presented a colored site plan. He proposed a two-story home featuring a one-story loggia, and a one-story side loading garage. The building materials include stucco for the building and water table, cast stone around the windows, wood rafter tails, clay tile for the roof, and impact resistant glass for the windows.

Landscape Architect John Lang presented the perimeter/preliminary landscape plan. The main elements were a single entry courtyard driveway, and a very European, very green garden in the back yard with minimal hardscape.

Mr. Lang responded to the landscape screening issue and assured the commission that the west side of the property will be invisible to the neighbors.

Objections to the front elevation were expressed, especially the stair tower, which was thought to be extraneous and unbalanced. Further comments were made that the house was blocky, massive, the front door and tower had a "squashed" appearance, an over-window element was too wide, the side elevations had blank walls, and the garage doors looked huge. It was also commented that this house needed some character as it looks similar to a lot of others houses.

MOTION BY MR. HOFFMAN TO DEFER THE PROJECT TO THE DECEMBER MEETING FOR RESTUDY.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A34-02 Landscape

Applicant: Barbara Madsen
Address: 258 Miraflores Drive
Architect: Donald Murakami
Project Description: "Landscape Plans"

This project was deferred from the August meeting at the owner's request, deferred from the September meeting at the architect's request, and deferred from the October meeting for restudy.

Mr. Wheelock said he visited the site.

Landscape Architect Donald Murakami indicated that the concrete pavers will be a light toupe color. A large colusia tree, a royal palm tree, and seagrape tree have been maintained on the site. He indicated that the site lighting will be understated.

Clair Madsen addressed the Commission and stated that the west property line has a retaining wall, and very little hedge material is planned for this area. Mr. Murakami and Ms. Madsen agreed to add some palm trees to the landscaping on the east side.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WHEELOCK.
MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MINOR PROJECTS

A40-02 Landscape and Hardscape

Applicant: Ken Karakul
Address: 101 El Vedado Road
Designer: Mario Nievera
Project Description: "Proposed hardscape and landscape design."

No one was present when this project was called.

MOTION BY MR. WIDEMAN TO MOVE THIS PROJECT TO THE END OF THE AGENDA.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

This project was heard after item number A41-02.

Ms. Diver and Mr. Wideman said they reviewed the plans with the landscape designer. Mr. Wheelock said he visited the site.

Landscape Designer Mario Nievera stated that the owner wanted a lawn to emphasize the size of the property as the house is very large. A seagrape hedge will hide the wall along South Ocean Boulevard. Two palm trees will flank the driveway entry as well as a hedge of noronhia will provide privacy. The driveway material will be gravel with coquina aprons.

It was commented that the simplicity of this plan was very elegant.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO ADD A COUPLE OF PALM TREES IN THE FRONT, WHEREVER THE DESIGNER WOULD LIKE TO PLANT THEM.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

A41-02 Landscape and Hardscape

Applicant: Ecclestone signature homes
Address: 232 Garden Road
Architect: Lang Design Group
Project Description: "Hardscape plan and planting plan."

This project was moved behind item number A34-02 on the agenda.

Mr. Wheelock said he had been to the site.

Landscape Architect John Lang presented an overview of the site and said the intent is to use a lot of tropical plant material. The majority of the hardscape will be old Chicago brick with cast stone borders. Four large trees were saved and will be incorporated in the plan. The elevation drawing along the street, depicted an open arched hedge with three potted dwarf citrus trees behind it. Mr. Lang agreed to add trees to the east and west sides if needed for additional screening.

It was agreed that the hole in the hedge, in the front, would look better filled in.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO FILL IN THE HOLE IN THE FRONT HEDGE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

IX OTHER BUSINESS

There was no other business to be discussed.

X ADJOURNMENT

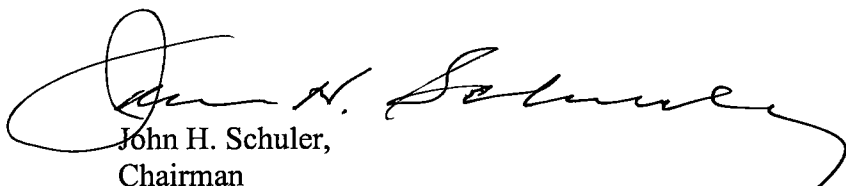
MOTION BY MR. WIDEMAN TO ADJOURN THE MEETING AT 3:00 P.M.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Review Commission will be held on Friday, December 20, 2002 at 9:00 a.m.

Respectfully submitted,


John H. Schuler,
Chairman

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

NAME—FIRST NAME—MIDDLE NAME <i>SCHULER, JOHN H.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>HERN. Comm.</i>	
MAILING ADDRESS <i>200 TOWNE ROAD</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>NOV. 22, 2002</i>		NAME OF POLITICAL SUBDIVISION:	
		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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, 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
MEETING 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.

- 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

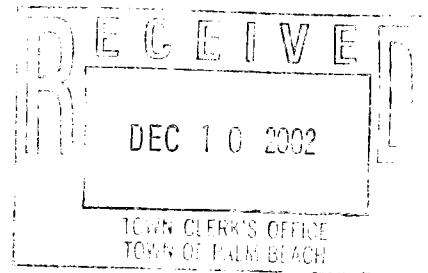
I, _____, hereby disclose that on _____, 19 _____:

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent 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:

*I AM AN OFFICER AND DIRECTOR
OF THE PRESERVATION FOUNDATION*



Date Filed

11-22-02

Signature

[Handwritten 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

NAME—FIRST NAME—MIDDLE NAME <u>SCHULER, JOHN H.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>ARCH Comm</u>	
MAILING ADDRESS <u>200 TWIGG ROAD</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <u>PALM BEACH</u>	COUNTY <u>PALM BEACH</u>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <u>NOV. 22, 2002</u>		NAME OF POLITICAL SUBDIVISION:	
		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 equally 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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, 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.
- 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, _____, hereby disclose that on _____, 19 _____:

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent 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:

*I AM AN OFFICER AND DIRECTOR
OF THE PRESERVATION FOUNDATION*

Date Filed

11-22-02

Signature

[Handwritten 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.