TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION
OCTOBER 24, 2007
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

CALL TO ORDER

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

II. PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
Nikita Zukov, Member
William J. Strawbridge, Jr., Member
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery Smith, Member
Kenn Karakul, Alternate Member
Samuel M. Boykin, Alternate Member
Stirling Halversen, Acting Town Attorney
Veronica B. Close, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Mark Bennett, Alternate Member

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE SEPTEMBER 26, 2007 MEETING.
MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

V. SWEARING IN PERSONS TESTIFYING.

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

VI. PROJECT DEFERRALS/REMOVAL

None

VII. PROJECT REVIEW

A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS DEFERRALS

Formal action may be taken relative to these projects pending Town Council approval.

B59-07 / SP14-07 (Generator) Enclosure

Address:	425 Worth Avenue
Applicant:	The Villas, Inc.
Architect:	Robert Bell
Project Description:	"One-story CBS enclosure with smooth stucco finish and concrete tile roof." (The variance request is to eliminate two off-street parking spaces. To provide two supplemental off-street parking spaces located on a property 75' west of the subject property. Also requested, is a rear yard setback variance of 5.4 feet in lieu of 30 feet minimum).

This project was deferred from the July, August and September meetings.

Mr. Wheelock said he met with one of the owners of the Villas and viewed the site from his apartment. Mr. Feldkamp said he lives directly opposite to the project and that he met with several neighbors and with a representative of a generator company to discuss the project.

Attorney Frank Lynch said they propose construction of a building which will contain a 350 k.w. generator. The building will be approximately 325 s.f. located 5.4 feet from the front yard property line. He explained that the property was platted having two front yard setbacks, one on Peruvian Avenue and one on Worth Avenue. He noted that they did study other locations for the generator, but they did not work out. He reported that FPL did a study of the electrical requirements for the building from October 2006 to November 2006. It was determined that the highest load was 200.2 k.v.a. After necessary adjustments, the block starting capacity would be 262.5 k.v.a. Therefore, the 350 k.w. generator would be the smallest size to power this building.

Leo Zemin with FPL, explained that generators need to be a bit larger because of the heat content of natural gas fuel. If the generator ran on diesel fuel, it could be a bit smaller, but natural gas burns much cleaner.

Acting Building Official Jeff Taylor, responding to the question whether the muffler system could be placed on the side of the generator in order to lower the height of the building, stated that he was not aware of any code requirement for the muffler location. He did know that only

qualified personnel would be entering the building. In that case, Mr. Youchack suggested locating the muffler on the side of the generator, with safety guards, and to lower the height of the building.
Mr. Wheelock thought that having a flat roof with a pergola expression would be a good way to completely camouflage the building.

Architect Robert Bell said he designed the building according to FPL's requirements.

When asked if an enclosure could be used just for the generator for the sound insulation, Mr. Zemin said yes, there are prefabricated building units available.

Mr. Feldkamp mentioned that one of his neighbors drew alternative locations and solutions for the generator that did not require variances.

Landscape Architect Frank Maroney proposed to completely cover the building with bougainvillea vines which will fill in the gaps where the vegetation leaves the building exposed. He also agreed to add more eureka palms.

The attorney was asked to come back with a drawing showing the building elevation and to specify the planting material. It was suggested the plant material be designated in a deed restriction to keep the screening in perpetuity.

Mr. Youchak suggested the proposal come back next month to present a landscape plan, a site analysis of alternative generator locations, a report stating whether or not the muffler can be lowered and to study a pre fabricated enclosure or make the building smaller

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

B60-07 / SP15-07 Generator Enclosure

Address:	230 Everglade Avenue
Applicant:	Villa D'Este Condominium Association
Architect:	Morgan Wheelock, Inc.
Project Description:	"Construct a three-sided wing wall to enclose 100 kilowatt generator. The existing ficus hedge will completely screen the wing wall."

This project was deferred from the July, August and September meetings.

Mr. Wheelock declared a Conflict of Interest and left the dias during the presentation.

Attorney Frank Lynch, representing Villa D'Este Condominium Association, introduced Don Skowron who has handled the architectural and engineering aspects of this project. Mr. Lynch stated that the variance is for the height of a wall of 9 ft. 9 in. and to place it in the side yard setback. He mentioned that the generator was moved from the front yard to the side yard.

Landscape Architect Don Skowron presented a gate design at the street which will allow access to the generator. He proposed Bamboo to be planted in front of the new site wall to completely screen the generator.

Mr. Smith noticed that the variance request has changed from a front yard set back to a side yard setback.

Mr. Castro stated that because the generator was relocated it required the applicant to re advertise the new variance. He indicated that a variance application was received by e-mail and staff advertised it in the newspaper, but no notices were mailed to the neighbors.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE NOVEMBER MEETING SO THAT PROPER NOTICE CAN BE GIVEN TO THE NEIGHBORS.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

B76-07/V32-07 Additions & Demolition of Pool House

Address:	3 La Costa Way
Applicant:	William Hamm 1987 Trust
Architect:	Smith Architectural Group
Project Description:	"Demolition of existing pool loggia, pool, pool deck and pool house. Small additions at east and west sides of residence. Replace pool loggia with a smaller version. Convert existing attic over garage to staff quarters."

This project was deferred from the August and September meetings at the architect's request.

Mr. Smith declared a Conflict of Interest and left the dias during the discussion.

Vice-President of Smith Architectural Group Don Kino, proposed demolition of a non conforming cabana, and the addition of living spaces in two small areas to the existing house. He explained that this project will reduce the existing CCR, but still exceeds the zoning code for CCR by a small amount.

Mr. Wheelock requested removal of one round window on the west elevation.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

B. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
NEW BUSINESS

Formal action may be taken relative to these projects pending Town Council approval

B100-07/SE14-07 Demolition, New Residence, Final Landscaping

Address:	476 South Ocean Blvd.
Applicant:	Janina Radtke Revocable Trust
Architect:	Randall Stofft
Project Description:	"Demolition of existing one-story residence, construction of a new single family home containing 8,556 square feet under air-conditioning and final landscaping."

Ms. Diver said she had a telephone conversation with a representative of this project. Mr. Smith said he received two letters from Mr. Robert Wood. Mr. Zukov said he received two letters from the adjoining property owner and he met with the owner of this property. Mr. Wheelock said he met with the architect, the landscape architect, the property owner and received letters from Mr. Wood. Mr. Boykin said he received two letters. Mr. Feldkamp said he met with the architects and received letters from Mr. Wood. Mr. Strawbridge said he received a telephone call from the property owner and received Mr. Wood's letters.

Planning Administrator Frank reviewed the requested variances and said the first one is a Special Exception with a Site Plan Review to allow a single family structure on an existing non-conforming lot of 15,001 s.f. in lieiu of 20,000 s.f. required, and 100 ft. in width in lieu of the 125 ft. required. They also ask for a variance to permit lot coverage of 29.12% in lieu of the maximum of 25% to allow construction of an 8,556 s.f. single family home. Also, requested is a variance to have the building height plane set back 42.92 ft. in lieu of the 58.67 ft. set back required.

Architect Randall Stofft proposed demolition of an existing CBS single story residence. Attorney Ron Kolins added that the 1950's bungalow style house has no outstanding architectural merits. He indicated that the existing landscaping on the north will remain during demolition. On the west and south sides of the property there will be a 7 ft. high wall erected before demolition.

There was concern that the applicant did not have a landscape plan of the perimeter vegetation and site wall locations for their demolition request. Without a plan there would be no way to enforce protection of noise and dust from the neighbors.

Mr. Smith noted for the record the demolition report was incorrect describing the house as a ranch style rather than a Bermuda style and that it was part of a typical subdivision built in the 20th century. He requested photographs of the house to be submitted to the Town and to the Preservation Foundation for their records.

Mr. Kolins requested that the review of the final landscaping be heard at a later date.

Architect Stofft described the architecture of the new house as a Southern French Villa style. It will have subterranean garage with a portion of the garage covered by an open patio. The building colors will be neutral; white smooth limestone finish with a slight texture below the water table and light buff precast concrete.

MOTION BY MR. FELDKAMP TO DEFER DEMOLITION TO THE NOVEMBER MEETING.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

Landscape Architect John Lang presented the preliminary landscape project which included relocation of several cocoanut palm trees.

Attorney Kolins stated that they would like to give the landscaping some more thought and come back later.

Mr. Smith commented that French Regency style of architecture is very symmetrical and that this

building is not. He felt that there was no reason to exceed the lot coverage and no reason that the house should not meet the set back requirements.

Mr. Frank read a letter from Robert K. Wood objecting to the proposed house in which he felt was too big and too tall to be built on a 15,000 s.f. non-conforming lot.

Mr. Feldkamp remarked that this is a variance request because they "want" them. Variances should be given because the site requires it. He did think that the Special Exception in this case was reasonable.
Attorney Kolins said they wanted to keep the house away from Mr. Wood's property, but offered moving the house farther to the rear of the property to address the height plane variance.
He asked for deferral of this project, including demolition, for 60 days in order to address the Commission's comments.

Mr. Wheelock asked the architect to redesign the double decker, "birthday cake," balcony on the front of the house.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE DECEMBER MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

Chairman Wheelock called to the table an informal review for roofing material modifications at this time.

Mr. Frank announced that Mr. Roddy has been cited by the Code Enforcement Board regarding repairs or replacement of the roof on his house. He requested using a different type of roofing material.

Mr. Roddy presented a sample of liquid synthetic rubber coating called EPDM which is strong and long lasting. He indicated that product could be applied over the existing shingles to take on the shape of shingles or he could remove the shingles and have a flat surface.

Acting Building Official Jeff Taylor said that he was not familiar with this product and he was not aware that this product has been used in Town. He did not know if any product applied over shingles would meet State of Florida requirements for roofing material.

The Commission was not in favor of using rubber coating to repair this roof or for the use in Town in general.

B101-07/V31-07 Additions

Address:	202 Seaspray Avenue
Applicant:	Paul Benk
Architect:	Smith and Moore
Project Description:	"Additions and alterations to existing one-story residence."

Planning Administrator Tim Frank explained that the applicant requests side and rear yard setback variances in order to build this project.

Attorney Maura Ziska, representing Mr. Benk, noted that they request two variances for two small additions, each within the side yard setback.

Associate Architect Peter Papadopoulos presented elevation drawings and floor plans which showed that the existing one bedroom, one bathroom house reconfigured to have two bedrooms and two bathrooms.

The Commissioners' remarked that this is a very nice project, the proposal is modest, and that the additions will look like they belong there.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

B102-07/SPR20-07 New Hotel & Landscape

Address:	215 Brazilian Avenue
Applicant:	215 Brazilian Holding, LLC
Architect:	Oliver-Glidden-Spina & Partners
Project Description:	"The applicant is seeking approval (*modifications*) from the previous ARCOM approval. The proposed modification maintains the same building footprint, height and setbacks, reduces the number of rooms from 50 to 24, extends the 3rd floor approximately 6 ft. to the east (to align with the 1st and 2nd floor below), modifies the deck, adds two "open-air" pergolas, revised the landscape design and is designed in a "classical vocabulary."

Mr. Karakul said he met with the architect and discussed the plans. Ms. Diver, Mr. Zukov, Mr. Wheelock, Mr. Feldkamp, Mr. Strawbridge and Mr. Youchak said they met with the architect and the lawyer, and discussed the plans.

Planning Administrator Frank reported that the applicant requested modification to the previously approved site plan as follows:

(a) Add a 424 sq. ft. porte cochere to the front entrance.
(b) Expand the previously approved third floor footprint by 905 sq. ft. on the west side.
(c) Relocate the swimming pool 47.8 feet to the north and reduce the size from 1,032 sq. ft. to 906 sq. ft., add bathroom pavilions and add cabanas to the west side of the property.
(d) Increase the size of the pool loggia and the second floor balcony on the west side from 147 sq. ft. to 642 sq. ft. and reduce the amount of balcony space from 1,653 sq. ft. to 842 sq. ft.
(e) Reduce and reconfigure the number of condominium/hotel units from 50 to 24.
(f) Reduce and reconfigure the number of required parking spaces in the sub-basement garage from 59 to 34.
(g) Relocate 16 interior restaurant seats to the outdoor patio on the east side.
(h) Eliminate the previously approved combination function room and utilize the area for restaurant dining and bar area.
(i) Add administrative offices, a traditional "back of the house" functions, a generator room and storage areas in the sub-basement garage.

The variance requests are as follows:

(a) A front yard setback of 4.5 feet for the porte cochere in lieu of 28.4 ft. required.
(b) East yard setback for the third floor addition to be 20 ft. in lieu of the 28.4 ft. required.
(c) Lot coverage of 39.4% in lieu of the 30% maximum allowed.
(d) A variance to allow outdoor seating 16 seats on the east side.

Attorney Maura Ziska, representing the property owner, noted some corrections to the variance application. She said that the expansion to the third floor is on the east side of the building and not the west, and the lot coverage was reduced to the percentage that was previously approved (38.9%).

Architect Ed Oliver proposed a classically inspired architectural style as opposed to the Mediterranean design that was previously approved. He said after meeting with Commission Members they decided to change the column capitals and the order, from an Ionic order to a Tuscan with Doric proportions. He indicated that the porte cochere is an awning over a concrete structure with columns. The loggia was made wider having four bays rather than the two bays that were proposed on the previous building. They added third floor balconies projecting underneath the roof of the loggia within the columned element. The site primarily remains the same as what

was previously approved with the underground garage. The 7 ft. site wall along the west property line will have ficus hedging planted on the side of the neighbors so that they will not look at a blank wall. A series of Washingtonia palm trees will be planted behind the cabanas for screening to the neighbors. The building materials include architectural cast stone, cast concrete, stucco, dark green wood trellis', tinted glass in the aluminum clad, wood windows and black concrete roofing material. The hardscape materials include coral/shell rock, which is ground shells in a cement base that will be used around the pool deck.

Mr. Frank read a letter from the President of The Brazilian of Pam Beach Association Frances C. Burns stating opposition to the 7 ft. tall wall along their property line. Also, she felt that the canvas cabanas would be a hazzard during hurricane seasons.

Mr. Castro commented on the site wall and said that it was approved as part of the Site Plan Approval in 2005, but the cabanas were not included with this approval.

President of the Brazilian Condominium Fran Burns addressed the Commission and said that their building is directly west of this project. She objected to the 7 ft. tall site wall and the cabana structures because they are a potential for noise and are dangerous if a storm occurs.

Mr. Oliver noted that the cabanas are steel structures with canvas that can be removed in case of a hurricane.

The Commission agreed that this project is superior to the previously approved structure. But, Mr. Wheelock disliked the four-story loggia element, on the west side, with the roof overhanging the cantilevered third-story balcony. Mr. Zukov requested bringing that balcony in about ½ way.

MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH THE CONDITION TO CHANGE THE THIRD FLOOR BALCONY ON THE WEST ELEVATION CUTTING THE PROJECTION IN HALF.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)
None

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B85-07 Demolition, New Residence & Landscape

Address:	1071 North Ocean Blvd.
Applicant:	Janina Radtke
Architect:	Randall Stofft Architects
Project Description:	"Demolition New two-story CBS Residence." Demolition and Landscaping were added to the project description 8/29/07

This project was deferred from the August and September meetings for restudy.

Mr. Wheelock said he met with the architect, the landscape architect and the owner, and reviewed the design. Mr. Feldkamp said he met with the architect and reviewed the design. Zukov said he met with someone regarding the project.

Architect Randall Stofft presented revised drawings and pointed out that the stone work was redesigned on the building.

Landscape Architect Krent Wieland presented the changes to the landscape design. The first change was to block the view of the garage from the street. This was done by breaking up the driveway approach and adding a planting area. Cocoanut palm trees will be planted in this area that will lean over the driveway for further screening of the garage. The hardscape materials will be clay pavers in the front of the property and either Travertine or limestone pavers will be used at the rear of the property.

Mr. Feldkamp questioned the location of the coastal construction control line, as drawn on the site plan showing the nearby lots, and cautioned the architect not to build beyond that line.

Mr. Zukov requested that the entry feature be emphasized with the use of stone details in the eave and keep the simpler fascia detail with the wood elements for the rest of he house. Also, he suggested raising the window sill one foot in the tower element.

Mr. Wheelock pointed out that real stone was being proposed for paving material and cast stone was proposed for the building, thereby, creating an unharmonious match. Mr. Stofft said they have discussed using shell stone or Florida coral stone for use on the building, but today they are proposing cast stone. Mr. Wieland felt that cast stone paving material would attract too much dirt and sand being so close to the ocean. He recommended using an acid finish if they use cast stone

Mr. Frank noted that the Town Engineer requested an updated drainage plan.

Mr. Smith objected to the amount of projection of the one wing on the front elevation. Also, by

having "clipped corners," unlike the other wing element, made it very odd in appearance. He also felt that the loggia off of the family room should be the full width of the room and not just half of the width. As a result, the room appears to be cut in half.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE CONDITION TO RAISE THE WINDOW SILLS TWELVE INCHES IN THE TOWER, USE STONE ON THE EAVES ONLY ON THE ENTRANCE FEATURE, AND IF REAL STONE WILL BE USED, TO USE IT ON THE BUILDING AND NOT ON THE PAVING, OTHERWISE USE CAST STONE EVERYWHERE.
MOTION SECONDED BY FELDKAMP.
MR. SMITH OPPOSED.
MOTION CARRIED 6-1.

D. NEW BUSINESS - MAJOR PROJECTS

B103-07 Landscape & Hardscape

Address:	242 Tangier Avenue
Applicant:	Karen True
Architect:	Mario Nievera
Project Description:	"Proposed hardscape & planting plans."

Mr. Wheelock said he visited the site.

Landscape Architect Mario Nievera presented the final landscape plan that included two canary island date palm trees framing the front facade of the house. Additional plant materials include plumbago, begonias, jasmine and bougainvillea.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

B104-07 Demolition

Address:	770 South County Road
Applicant:	770 South County, LLC, William Meyer, Manager
Attorney:	Maura Ziska
Project Description:	"Demolition of existing single family residence, accessory structures, hardscape and interior landscaping."

Mr. Wheelock said he visited the site.

Attorney Maura Ziska reminded the Commission that the demolition of this house was approved in May 2006. She indicated that the original architect was Clarence Mack and that all of the parameter landscaping will remain during demolition.

Mr. Wheelock noted that the landscaping plan did not indicate the plant species which will remain on the property after demolition.

Ms. Ziska was asked that the four ficus trees be retained on the site and be reused in the future site plan.

MOTION BY MR. FELDKAMP TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS, PHOTOGRAPH THE HOUSE, THAT THE TWO 40" AND TWO 10" FICUS TREES BE RETAINED ON THE SITE AND TO SUBMIT A LABELED LANDSCAPE PLAN TO THE BUILDING DEPARTMENT.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS
None

F. NEW BUSINESS - MINOR PROJECT

A6-07 Garden Paving & New Columbarium

Address: 60 Cocoanut Row
Applicant: Royal Poinciana Chapel
Landscape Architect: Sanchez & Maddux
Project Description: Addition of garden paving and new columbarium.

Mr. Wheelock said he visited the site.

Landscape Architect Jorge Sanchez proposed adding a small fountain in the center of the existing alley of medjool date palms. The two new columbariums will have 5'6" tall walls with niches, fountains at the far ends, and oval benches in the middle.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

VIII. COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING ZONING AND BUILDING DEPARTMENT

Mr. Wheelock discussed the Sunshine Law and declaration of ex parte communications at public meetings as a reminder to the Commissioners'.

Ms. Close also reminded the Commission that e-mail would have to be directed to staff members rather than to each other.

Mr. Frank handed out the first page of the ARCOM application which is in the process of being revised. He asked the Commissioners' to review the application and give their comments to staff. He referred to a memo from Lighting Consultant Don Collier, and again asked the Commission to review and make suggestions. These site lighting requirements will become part of the ARCOM application as well.

Discussion took place regarding the construction project at 900 North Lake Way. Mr. Frank informed the Commission that they have received approvals to extent the time for construction, but the latest extension expired the first of this month.

Mr. Wheelock asked Mr. Frank to report on storm shutters and demolition ordinances (at a future meeting).

IX. ADJOURNMENT

MOTION BY MR. YOUCHAK TO ADJOURN THE MEETING AT 3:20 P.M.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on November 16, 2007 at 9:00 a.m.

Respectfully submitted,

Morgan Dix Wheelock, Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH JEFFERY W	ARCOM
MAILING ADDRESS 241 SANFORD AVE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY COUNTY PALM BEACH, FL	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED 10/24/07	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

person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure ich 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.

YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE TE 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.

3 La Costa

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, JEFFERY W. SMITH, hereby disclose that on 10/24, 2007:

(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 WILLIAM AND CANDY HAMM, 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:

10/24/07
Date Filed

Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH JEFFREY W	ABOA
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
241 LINFORD AVE	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY / COUNTY	NAME OF POLITICAL SUBDIVISION:
PORT ST. LUCIE, FL	TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:
10/24/07	☐ 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

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.

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.

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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, JEFFERY W. SMITH, hereby disclose that on 10/24, 2007:

(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 WILLIAM AND CANDY HAMM, 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:

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