MINUTES OF THE ARCHITECTURAL COMMISSION MEETING
WEDNESDAY, OCTOBER 22, 1997
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. CALL TO ORDER

The meeting was called to order at 9:20 a.m.

II. APPROVAL OF THE MINUTES FROM THE SEPTEMBER 24, 1997 MEETING.

Mr. Bell said he voted against approval for project number B75-97 and the minutes do not reflect his vote correctly.

MOTION BY MRS. KINSELLA TO APPROVE THE MINUTES WITH THE CORRECTIONS TO ITEM #B75-97.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

Joanna Frost-Golino passed out a list with a proposed order of discussion for ARCOM review. She felt that meetings would go much smoother if the size of the projects were discussed first. She also felt that the presenter should state for the record the architectural details such a roofing material, type of window glass, building material, etc. as part of their presentation.

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

IV. PROJECT REVIEW

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (561) 838-5430

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B70-97 Demolition and New Residence

Applicant:	Salomon Dayan
Address:	476 South Ocean Blvd.
Architect:	McCarron Associates
Project Description:	Demolish most of existing residence to allow for new two-story residence.

This project was deferred from the August and September meetings.

Mr. Frank suggested removing this item from the agenda as the project needs approval from the State for the coastal construction control line.

MOTION BY MR. WIDEMAN TO REMOVE ITEM #B70-97 FROM THE AGENDA.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

B87-97 Demolition and New Residence

Applicant:	Donald Malasky
Address:	251 Tangier Avenue
Architect:	Steven Bruh
Project Description:	Demolition of existing residence and new two-story residence

This project was deferred from the September meeting.

Mrs Gingras said she spoke with Mr. Malasky regarding the project. Mrs. Kinsella said she drove by the site. Mrs. Frost-Golino said she spoke with Mr. Kino and Mr. Bruh.

Attorney Greg Kino and Architect Steve Bruh presented the project. Mr. Kino presented a site plan and an elevation drawing showing a yellow house with green shutters. He said the second story guest room on the west side was relocated to the rear of the house which relieved the impact to the west property line. He said the finials were removed from the front entrance and that the total square footage is now 6,258.s.f. He said there is an outdoor terrace area the owners would like to keep even though it adds to the total square footage.

Commission comments are as follows:

This house is 30% larger than the houses on either side.
The project should be less than 6,000 square feet.
Removal of the terrace would help to reduce the square footage.

The length of the two story facade on the east elevation is too massive.
Create more of a rear yard set back.
Show a perspective of the building height plane as seen from the street as it may show that the two-story wall on the east will not be that much of an impact to the neighborhood
The first floor balcony on the rear elevation should have columns to fill it in.
Use a simple metal railing at the two french doors on the rear elevation.

Discussion took place regarding the terrace on the rear elevation. It was felt that it could eventually be enclosed without ARCOM approval. Mr. Moore said a deed restriction would prevent the rear porch from ever being enclosed.

MOTION BY MRS. FROST-GOLINO TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MR. WIDEMAN OPPOSED.
MOTION CARRIED 6-1.

B91-97 New Residence

Applicant:	Classic Homes and Remodelers, Inc.
Address:	217 Miraflores Drive
Architect:	Quincy Johnson Associates
Project Description:	New residence.

This project was deferred from the September meeting.

Mrs. Gingras, Mrs. Baker and Mrs. Frost-Golino said they spoke with the architect.

Architect Fred Spencer and Owner Jon Rapaport presented the project. Mr. Spencer said the square footage was reduced 230 s.f. making the house 4,230 s.f. He said they placed the garage in the front of the house and simplified the roof lines. He said the building color will be taupe with green shutters and white flat tile on the roof. The windows will have true divided lites with clear glazing. Mr. Spencer placed an overlay drawing of small round columns over the front entrance. Mr. Spencer said the shutters will be functional and the windows without shutters will have removable panels. He said the roof was lowered one foot which brought the keystones above the windows closer to the roof line. Landscaping will come back for final approval. The total square footage was questioned as the plans that were previously submitted differed from the presentation.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO LOWER THE TWO FLANKING WINDOWS ON THE FRONT ELEVATION, USE THE ALTERNATE FRONT ENTRANCE DESIGN, ADD SHUTTERS TO THE TWO BATHROOM WINDOWS ON THE EAST ELEVATION AND THE TOTAL SQUARE FOOTAGE WILL BE NO MORE THAN 4,230 S.F.
MOTION SECONDED BY MRS. KINSELLA.
MRS. BAKER OPPOSED.
MOTION CARRIED 6-1.

B95-97 Addition

Applicant:	Mr. and Mrs. F. Quinn Stepan
Address:	1554 North Ocean Way
Architect:	Ames Bennett
Project Description:	A 1,242 square foot second floor addition.

This project was deferred from the September meeting.

Architect Ames Bennett presented the project. Mr. Bennett said the original calculations were wrong as he did not add the floor area of the stairwell on the first floor. He said the total square footage was reduced 108 s.f. and the calculations have been corrected. He said the owners wanted to keep the existing awning type windows, but are willing to apply the stick on muntins to the windows.

The Commission members preferred the awning type windows without the muntins. It was felt that the sliding doors and the balconies were too wide and should be symmetrical. It was suggested to make the sliding doors three panels wide rather than four and center the doors and balconies. Mr. Bennett said the owner did not want french doors that would swing in the wind. He said muntins were place in the sliding panels of the doors to look like french doors

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION DIED FOR THE LACK OF A SECOND.

After further discussion it was felt that there were too may revisions to approve the project at this meeting.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECTS

B98-97 New Residence

Applicant:	Gregory Gozzo
Address:	127 Ocean View Road
Architect:	Lindley Hoffman
Project Description:	New single family residence

Mr. Frank said this project was deferred from the Town Council agenda.

MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.

B99-97 New Residence

Applicant:	Mr. and Mrs. John Zenko
Address:	232 Tangier Avenue
Architect:	Eugene Pandula
Project Description:	New two story Neo-Classic residence.

Mr. Frank said the applicant requests deferral to the November meeting.

MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

B100-97 New Duplex

Applicant:	Euro-Homes
Address:	306 & 314 Chilian Avenue
Architect:	Eugene Pandula
Project Description:	New two story Mediterranean style duplex.

Mr. Frank said the applicant requests deferral to the November meeting.

Mr. Randolph said if the people in the audience cannot attend the next meeting they may speak at this time, but the applicant will not have an opportunity to hear what they have to say.

David P. Kane addressed the Commission and spoke about all of labor and work he has put into his house at 323 Chilian Avenue. He said he will attend the next ARCOM meeting to make additional comments.

Mr. Randolph said that since Mr.Kane indicated that he is able to come back, he felt it was inappropriate for the Commission to hear his comments without the applicant being present.

MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

B102-97 Revisions

Applicant:	Frisbie
Address:	611 Tarpon Way
Architect:	Sklar & Seckinger
Project Description:	Revisions to previously approved plans

Mrs. Baker said she spoke with the architect.

Architect Rolf Seckinger said the project has had two approvals. He said the second approval had more square footage which was client driven. The revision that is now being applied for has a reduction in square footage, reduction in lot coverage and a lower roof pitch. He said the house is now stylistically more in keeping with the original presentation and that the mass is closer to the second presentation. Mr. Seckinger said the roofing material will be clay barrel tile.

Mr. Deziel felt that the rear elevation had too much fenestration, there were too many different types of arches and that the project was not a contribution to Palm Beach.

MOTION BY JOANNA FROST-GOLINO TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. KINSELLA.

ROLL CALL:

MRS. FROST-GOLINO	**YES**
MRS. KINSELLA	**YES**
MRS. GINGRAS	**NO**
MR. BELL	**YES**
MR. DEZIEL	**NO**
MR. WIDEMAN	**YES**
MRS. BAKER	**YES**

MOTION CARRIED 5-2

B101-97 Demolition

Applicant:	Mr. and Mrs. George Merck
Address:	1197 North Lake Way
Architect:	Smith Architectural
Project Description:	Demolition of building and tennis court

Architect Jeffrey Smith presented the project. Mr. smith said the Mediterranean style house was designed by Treanor and Fatio in 1937. The house was drastically architecturally altered in 1940 and in 1978. Mr. Smith said that at the March 16, 1994 Landmarks' Commission meeting the Commissioners decided that the house was not qualified for landmark status. He said that although the original architect's prominence carries some significance to this property, the numerous changes to the structure have altered the original design intent and negate any historical value it might have held. He said the structure will be replaced with an irrigation system and the lot will be sodded or seeded.

Some of the Commission members felt that the house has some redeeming qualities. Mr. Wideman wanted to see what will replace the existing house. Mrs. Frost-Golino wanted it noted for the record what the square footage of the existing home is, and what the square footage of the replacement home will be. Mr. Smith did not have the figures prepared for this presentation. He said the owners wanted the house demolished before the tax roll assessment and the owners asked him to design a shingle style home.

MOTION BY MR. DEZIEL TO APPROVE DEMOLITION WITH THE USUAL CONDITIONS AND PRESENT THE FIGURES FOR COMPARISON AT THE PRESENTATION FOR THE REPLACEMENT HOUSE.
MOTION SECONDED BY MRS. KINSELLA.

ROLL CALL:

MR. DEZIEL	**YES**
MRS. KINSELLA	**YES**
MRS. GINGRAS	**NO**
MR. BELL	**NO**
MRS. FROST-GOLINO	**NO**
MR. WIDEMAN	**NO**
MRS. BAKER	**YES**

MOTION FAILED 3-4.

Mr. Randolph said that since the Landmark's Commission decided not to landmark this property, it would serve no purpose to deny the demolition request. He said he felt that under the ARCOM

ordinance, the ARCOM Commission did not have the right to keep houses from being demolished because they do not want to see a particular architect's house demolished.

MOTION BY MR. WIDEMAN TO RECONSIDER THE MOTION.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

Attorney Kenneth Beall addressed the Commission and said he represents Mr. and Mrs. Merck. He said the plan for the replacement house is not far enough along to show the Commission at this time. He said the Commission will have "total control" over the proposed project.

Mrs. Baker recuse herself and said that Mr. Beall works with her husband.

Mrs. Frost-Golino asked if the project could be deferred and if the owners would reconsider and possibly volunteer to have the house landmarked.

MOTION BY MR. BELL TO APPROVE DEMOLITION WITH THE USUAL PROVISIONS.
MOTION SECONDED BY MRS. KINSELLA.

ROLL CALL:

MR. BELL	**YES**
MRS. KINSELLA	**YES**
MRS. GINGRAS	**NO**
MR. DEZIEL	**YES**
MRS. FROST-GOLINO	**NO**
MR. WIDEMAN	**YES**
MR. ADAMS.	**YES**

MOTION CARRIED 5-2.

B103-97 New Residence

Applicant:	Mr. and Mrs. Damon Mezzacappa
Address:	1485 South Ocean Blvd.
Architect:	Smith Architectural
Project Description:	New Venetian style Residence

Mrs. Baker said she spoke with Mr. Smith regarding the project.

Architect Jeffrey Smith presented the project. Mr. Smith presented a site plan of the project and said

that the house will basically be hidden from the street. He said the garage will be set back 100' from the street and the main structure will be set back 140' from the street. He said the project is a Venetian style and then presented a photo board of other Venetian style homes in town. He said the one story guest house and two story garage will be connected with loggias and vias and the buildings will have clay barrel tile roofing material.

After discussion it was agreed to add a window to the second floor area at the garage staff quarters.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION TO ADD A WINDOW TO THE SECOND FLOOR GARAGE.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A46-97 Gate

Applicant:	Mr. and Mrs. Norman Peslar
Address:	100 Emerald Beach Way
Architect:	Smith Architectural Group
Project Description:	Gate

This project was deferred from the August and September meetings.

Mr. Deziel declared a Conflict of Interest and left the dais during the discussion of this project.

Mr. Smith requested deferral of the project to the November meeting.

MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE NOVEMBER MEETING.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.

A60-97 Landscape and Wall

Applicant:	Richard and Susan Smith
Address:	1100 North Ocean Blvd.
Architect:	John Lang
Project Description:	Landscape and property wall

This project was deferred from the September meeting.

Joanna Frost-Golino and Mrs. Gingras said they met with Mr. Lawrence and Mr. Lang. Mrs. Baker said she met with Mr. Lang.

Mr. Lang said there will be mostly cocoanut palm trees planted at the rear of the property and that canary island date palms will be planted at the porte cochere. He said 16' to 18' tall noronhia, seagrape and silver buttonwood will be planted inside the retaining wall at the tennis courts. He said a secondary buffer will be planted along the house on the north west facade. He presented a perspective drawing of the proposed landscaping. He said that very tall noronhia trees will be planted along the tennis courts and it was agreed to add more plants in this area to buffer the property next door.

MOTION BY MR. DEZIEL TO APPROVE THE PROJECT WITH THE FOLLOWING PROVISIONS:

1. THAT A DEED RESTRICTION WILL BE RECORDED STATING THAT A LANDSCAPE BUFFER SET BACK 15', 16' HIGH AND 15' DEEP WILL BE PLANTED AT THE NORTH PROPERTY LINE WHICH WILL START AT THE DRIVEWAY AND WRAP AROUND TO THE EDGE OF THE HOME FOR A CONTINUOUS BUFFER. 2. THAT THE DEED RESTRICTION WILL HAVE A PROVISION STATING THAT IT WILL SURVIVE ALL FUTURE OWNERS AND WOULD ENCUMBER AND BIND THE LAND, AND PUT AN AFFIRMATIVE OBLIGATION FOR THE PRESENT OWNERS TO ASSURE THAT THE PLANTS SURVIVE AND CONTINUE TO STAY THERE. 3. ADD AT LEAST THREE 30' HIGH COCOANUT PALM TREES TO THE LANDSCAPING. 4. PLANT ADDITIONAL LANDSCAPING AT THE EAST TENNIS COURT RETAINING WALL. 5. THAT THE EASEMENT AREA WEST OF THE PROPERTY LINE REMAIN UNENCUMBERED BY LANDSCAPING EXCEPT FOR THE HEDGE AGAINST THE WALL.
SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

Architect Eugene Lawrence presented the property wall project and displayed two options for the wall design.

MOTION BY MR. BELL TO APPROVE OPTION "B" FOR THE SITE WALL DESIGN WITH A SOLID PORTION OF WALL ALONG THE EAST/WEST BOUNDARY.
MOTION SECONDED BY MR. DEZIEL.
MRS. GINGRAS AND MRS. KINSELLA OPPOSED.
MOTION CARRIED 5-2.

D. NEW BUSINESS - MINOR PROJECTS

A63-97 Sculpture

Applicant:	David and Sondra Mack
Address:	958 North Lake Way
Architect:	Mojo and Stumer Architects
Project Description:	Sculpture

Mr. Deziel declared a Conflict of Interest and left the dais during the presentation.

Architect Donald Kino presented photographs of the sculpture and said it will be 6' from the wall and will not be seen from the bike trail.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY JOANNA FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.

A64-97 Awning

Applicant:	First United Bank
Address:	180 Royal Palm Way
Contractor:	American Awnings
Project Description:	Parking shelter (awning)

Contractor Joe Matti presented the project and said the awning will be dark green and set back from the street 100'.

Some of the Commission members felt that the awning was not a necessary structure and that it may set a precedent for others wanting awning structures for parking lots. Discussion took place regarding landscaping to hide the structure and the possibility of moving it to the other side of the parking lot.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH A LETTER OF AGREEMENT FROM THE BANK TO PLACE THE AWNING ON THE EAST SIDE OF THE PARKING LOT AND NOT TO EXCEED SIX PARKING SPACES.
MOTION SECONDED BY JOANNA FROST-GOLINO.

ROLL CALL:

MR. BELL:	**YES**
MRS. FROST-GOLINO	**NO**
MRS. KINSELLA	**NO**
MRS. GINGRAS	**YES**
MR. DEZIEL	**NO**
MR. WIDEMAN	**YES**
MRS. BAKER	**NO**

MOTION FAILED 3-4.

Discussion took place regarding reasons for approval and reasons for denial.

MOTION BY MR. DEZIEL TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE IX, SECTION 5-387, A. THE PLAN FOR THE PROPOSED BUILDING OR STRUCTURE IS NOT IN CONFORMITY WITH GOOD TASTE, GOOD DESIGN, AND IN GENERAL, DOES NOT CONTRIBUTE TO THE IMAGE OF PALM BEACH AS A PLACE OF BEAUTY, SPACIOUSNESS, BALANCE, TASTE, FITNESS, CHARM AND HIGH QUALITY.
MOTION SECONDED BY MRS. KINSELLA.

ROLL CALL:

MR. DEZIEL	**YES**
MRS. KINSELLA	**YES**
MRS. GINGRAS	**NO**
MR. BELL	**NO**
MRS. FROST-GOLINO	**YES**
MR. WIDEMAN	**NO**
MRS. BAKER	**YES**

MOTION CARRIED 4-3.

A65-97 Revisions

Applicant:	Marvin Rosenberg
Address:	101 Nightingale Trail
Architect:	Steven Yeckes
Project Description:	Revise front entry, revise balconies and house colors.

Architect Steve Yeckes presented the project and said the entry and balconies were built differently from the original approval. He said the entry is now 12" higher than the original plans and the continuous balcony was changed to three separate balconies.

Mr. Frank said the contractor told him that the roof behind the parapet wall was raised at the request of the interior designer.

The Commission members agreed that the original design was the best and should stay that way.

MOTION BY MR. DEZIEL TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE IX, SECTION 5-387, A. THE PLAN FOR THE PROPOSED BUILDING OR STRUCTURE IS NOT IN CONFORMITY WITH GOOD TASTE, GOOD DESIGN, AND IN GENERAL, DOES NOT CONTRIBUTE TO THE IMAGE OF PALM BEACH AS A PLACE OF BEAUTY, SPACIOUSNESS, BALANCE, TASTE, FITNESS, CHARM AND HIGH QUALITY. AND G. THE PROPOSED BUILDING OR STRUCTURE IS NOT APPROPRIATE IN ITS 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).
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

A representative of Georges addressed the Commission and asked for approval for building material changes to the storefront at 223 Worth Avenue. Chairman Baker told the applicant he should have a proper presentation ready for next month's meeting.

V. CONSENT AGENDA

LAWRENCE GROUP - 230 SUNRISE - SIGNS
LAWRENCE GROUP - 1250 NORTH OCEAN BLVD. - FENESTRATION CHANGES
BROWER ARCHITECTURAL - 246 WORTH AVENUE - SIGN & AWNING
PHIL ROWE SIGNS - 329 WORTH AVENUE- SIGNS
MASTER CARE SHUTTER - 1020 SOUTH OCEAN BLVD. - ACCORDION SHUTTERS
KAUFMANN WINN G.C.- 175 WORTH AVENUE - FACADE REVISIONS

MOTION BY MR. DEZIEL TO APPROVE THE CONSENT AGENDA.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

VI. OTHER BUSINESS

The consent agenda was discussed and Mr. Randolph said that staff can either review and approve or place an item on the agenda for the Commission to review. He said it would be operating outside the Sunshine Law to have a Commissionner call staff and say that one consent agenda item does not have to be reviewed and no one has to attend the meeting to present the project. He said ARCOM cannot delegate its authority to a single member of the Board. The staff has to review and approve projects as provided by the code or they can lump minor projects together under a consent agenda stating that staff approves, but then there will be a motion to approve the consent agenda. If the Commission feels they would like to have the project presented to them, the item can be pulled from the consent agenda and the applicant would be notified first thing in the morning to come to the meeting with a presentation in the afternoon.

MOTION BY MR. BELL TO PLACE THE CONSENT AGENDA AT THE BEGINNING OF THE AGENDA.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.

The Burt Harris Property Act was discussed at this time and Mr. Randolph said that even though a project may have Bert Harris implications the Commission should not be afraid to do what they think is right. The property owner has to file a certificate from an appraiser showing how their property values have been affected. Once that is received, the community has the opportunity to negotiate with the property owner. If it is not satisfactory to the property owner then they can go to court.

VII. ADJOURNMENT

MOTION BY MR. DEZIEL TO ADJOURN THE MEETING AT 3:10 P.M.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on November 25, 1997 at 9:30 a.m. with a workshop meeting beginning at 9:00 a.m. in the Town Hall, Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

Laurel Baker,
Chairman
/gd

- Laurel - Hwy to Beach

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

NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITT
BAKER, LAUREL T	ARCOM
MAILING ADDRESS 127 SEASPRAY	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY PALM BEACH COUNTY PB	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 10/2/97	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 meas··re ich inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly vo a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retai (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 ... 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:

'ou 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, Carrie Baker, hereby disclose that on October 22, 1997:

(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, B. K. Baker III (husband);

___ 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:

Mr. Burk & Mr Baker are law partners.

10/22/97

Date Filed

Carrie Baker

Signature

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