

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
WEDNESDAY, SEPTEMBER 28, 2005
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

CALL TO ORDER

Chairman Wideman called the meeting to order at 9:00 a.m.

I. ROLL CALL:

Floyd L. Wideman, Jr., Chairman
Morgan Dix Wheelock, Vice-Chairman
Marvin Rosenberg, Member
Leslie A. Shaw, Member
Nikita Zukov, Member
William P. Feldkamp, Member
Leslie C. Diver, Alternate Member
Jeffery Smith, Alternate Member
Veronica Close, Director Zoning & Building
John C. Randolph, Town Attorney
Jane Day, Staff Preservation Consultant
Paul Castro, Zoning Administrator
Harry Ackerman, Assistant Building Official
Gretchen Dayton, Secretary

ABSENT:

William J. Strawbridge Jr., Member (un excused)
Thomas M. Youchak, Alternate Member (un excused)

Note: Ms. Diver was voting a member throughout the meeting. Mr. Smith was voting until Dr. Rosenberg was in attendance after the lunch break.

III PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Chairman Wideman.

IV APPROVAL OF THE MINUTES FROM THE AUGUST 24, 2005 MEETING.

MOTION BY MR. SHAW TO APPROVE THE MINUTES.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

V SWEARING IN PERSONS TESTIFYING.

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

Mr. Wheelock presented photographs of large homes under construction and the smaller homes that neighbor them. He remarked that the Commission should to be visually reminded that size and mass in certain neighborhoods should remain with a distinct character of smallness.

Mr. Wideman reminded everyone in attendance that the agreement to retain vegetative material on construction sites will be enforced.

COMMENTS BY ASSISTANT BUILDING OFFICIAL HARRY ACKERMAN

Assistant Building Official Harry Ackerman informed the Commission that requiring landscaping to remain during demolition was a problem when construction commences. The Town Ordinance, Section 18-87 (d), states that when soil is brought in and the elevation of the property is changed, retaining walls are required at the perimeter of the lot. This is where the Commission has been requiring landscaping to remain.

If the landscaping has to be removed, it was suggested replacing it with six-feet high retaining walls, chain link fencing with green strips, or fabric fencing.

VI PROJECT DEFERRALS/REMOVALS

B55-05 Facade Revisions

Address: 250 Royal Palm Way

Applicant: NHM Realty, LLC

Architect: The Lawrence Group Architects

Project Description: Change/update the facade, windows, and entrance.

This project was deferred from the June and August meetings for restudy and deferred from the July meeting at the architect's request. The architect requests deferral to the October meeting.

B88-05 Addition

Address: 434 Seaspray Avenue

Applicant: Christopher and Andrea Kaufmann

Architect: James C. Paine, Jr.

Project Description: Second floor master bedroom suite addition over the existing garage and over loggia expansion of ground floor, south of the garage. The roof height to match existing second floor roof. The materials and finishes to matching the existing.

The architect requests deferral to the October meeting.

B92-05 Addition & Exterior Renovation

Address: 300 North Ocean Boulevard

Applicant: Denny and Jean Bottorff

Architect: Lee Kvarnberg

Project Description: Addition and exterior renovation.

The architect requests deferral to the October meeting.

B95-05 Demolition and New Residence

Address: 447 Primavera Avenue

Applicant: Randall and Barbara Smith

Architect: Smith and Moore Architects

Project Description: Demolition of an existing two-story residence and construction of a new two-story residence with pool, hardscape, and landscaping.

The architect requests deferral to the October meeting.

MOTION BY MR. WHELOCK TO DEFER THE PROJECTS B55-05, B88-05, B92-05, B95-05 TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

VII TOWN COUNCIL PROJECTS - VARIANCE REQUESTS

Formal action may or may not be taken relative to these projects.

B59-05/V25-05 New Residence

Address: 208 West Indies Drive
Applicant: 210 West Indies LLC
Architect: Smith & Moore Architects
Project Description: New two-story residence, driveway, pool.

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

Ms. Diver, Mr. Wheelock and Mr. Feldkamp said they met with the architect and discussed the plans.

Zoning Administrator Paul Castro indicated that the variance request to build on a non-conforming lot will be withdrawn because they plan to purchase some of the neighbor's property in order to meet the minimum lot width requirement.

Architect Harold Smith confirmed that the agreement to acquire 93 square-feet of land has been finalized. The project was changed from a two-story to a one-story residence. The driveway was eliminated around the rear of the property to meet the landscape/open space requirement. The 7/12 pitch roof will have flat white concrete tiles and will be broken into three main roof masses. He noted that a sixteen-foot tall hedge on the west side of the property will remain. The hedge at the rear of the property has a conflict with the easement that may have to be replaced.

The architect was applauded for redesigning the house to be a one-story to blend into the neighborhood. Some of the Commissioners questioned whether the Dutch gable entry and the protruding chimney were Bermuda style elements. Others felt the project was very much in keeping with the Bermuda style of architecture.

Ann Vanneck, 217 West Indies Drive, thanked the owners for going with a one-story house. She did feel that the house had too many elements applied to it and that it was not a cohesive design.

Attorney Todd Messinger, representing neighbors to the west Mr. and Mrs. Guttman, commended the developer for drastically reducing the mass of this house. His client has requested that the retaining wall be placed inside the existing hedge. Also, to use air-conditioning units that generate little noise which are proposed for his side of the property.

Town Preservation Consultant Jane Day confirmed that this proposal had many characteristic of Bermuda architecture.

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

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

MR. ZUKOV YES

MR. FELDKAMP YES

MR. WHEELock YES

MR. SHAW NO

MS. DIVER YES

MR. SMITH NO

MR. WIDEMAN YES

MOTION CARRIED 5-2

B70-05/V32-05 Addition

Address: 123 Kings Road

Applicant: Robert E. Jackson

Architect: Robert L. Bell

Project Description: Addition of a new master bath on the existing open deck off of the master bedroom with a new tower addition above.

This project was deferred from the August meeting.

Attorney Peter Broberg, representing the applicant, addressed the changes made to the project. He said that the total height of the project was lowered by three feet and the tower element was redesigned to meet the code which would eliminate the need for a variance.

Architect Robert Bell indicated that the new plans reflect the height of the roof reduced three-feet, two-inches. And, the open deck portion of the roof removed. This proposal reduces the mass of the tower structure and eliminates one of the variance requests. He presented an alternate drawing showing the open deck area added to the lowered tower structure.

It was agreed by most of the Commissioners that the tower element without the open deck was architecturally incorrect. Further debate took place whether the entire addition project was architecturally correct or not. It was remarked that since this is a historic home, designed by Marion Sims Wyeth, there should be some responsibility of how the additions are done. In opposition, it was stated that if this Commission judged everything in terms of pure architectural integrity they would refuse and deny everything in town.

MOTION BY MR. ZUKOV TO APPROVE THE PRESENTATION WITH THE ROOF LOWERED AND WITH THE COVERED BALCONY.

MOTION SECONDED BY MR. WHEELock.

ROLL CALL:

MR. ZUKOV YES
MR. WHELOCK YES
MR. SHAW YES
MR. FELDKAMP NO
MS. DIVER NO
MR. SMITH NO
MR. WIDEMAN YES
MOTION CARRIED 4-3

MOTION BY MR. WHELOCK TO RECOMMEND TO THE TOWN COUNCIL THAT THE PROJECT ARCHITECTURALLY MERITS THE VARIANCE APPLICATION. MOTION SECONDED BY MR. ZUKOV. MR. FELDKAMP, MS. DIVER AND MR. SMITH OPPOSED MOTION CARRIED 4-3

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B68-05 Second Story Addition

Address: 168 Kings Road
Applicant: Judith A. Embrescia
Contractor: Tara Management
Project Description: Second story addition to an existing one-story house, demolition and rebuilding of the second story above the garage, and a new entry element.

This project was deferred from the August meeting to coincide with the Town Council's agenda.

There were no ex parte communications disclosed.

Architect Mitch Laplante proposed a second story addition to the front of a Regency style home.

The front entry was perceived as impressive being two-stories high and having three different roof forms. The mansard, the flat, and the hip and roof forms were too busy and they should be more cohesive.

MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING AND REQUEST THAT THE LANDSCAPE COME BACK FOR APPROVAL. MOTION SECONDED BY MR. ZUKOV. MOTION CARRIED UNANIMOUSLY.

B71-05 New Residence

Address: 233 Coral Lane
Applicant: 233 Coral Lane
Architect: Smith & Moore Architects
Project Description: Demolition of a guest house, garage and pool. Construction of a new two-story residence.

Demolition was approved and the building project was deferred for restudy at the August meeting.

Ms. Diver, Mr. Wheelock, Mr. Zukov and Mr. Feldkamp declared ex parte communications with the architect.

Architect Harold Smith introduced his associate, Carlos Bonilla. He addressed the concerns the Commission had last month by eliminating the bow window, the two-story entry element, and relocating the driveway.

It was remarked that this project was a nicely proportioned two-story house. On the contrary, there was a comment that the front entry appeared massive.

**MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. FELDKAMP
MR. SHAW AND MR. WIDEMAN OPPOSED.
MOTION CARRIED 5-2**

B73-05 Addition

Address: 1236 North Ocean Way
Applicant: Mr. and Mrs. Sanders
Architect: Smith & Moore Architects
Project Description: Addition

This project was deferred from the August meeting for restudy.

Ms. Diver, Mr. Zukov and Mr. Feldkamp said they met with the architect.

Architect Jon Moore proposed a second story addition above an existing master bedroom and a covered deck. He proposed changing the roofing material from a flat white cement to a flat clay material.

Some of the Commissioners liked the clay roofing material. However, others thought that they were trying to change a modern style house into a Mediterranean style. A suggestion was made to differentiate the massing at the entry by extending the soffit/roof element across the front door.

**MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. WHELOCK.
MOTION CARRIED UNANIMOUSLY.**

B74-05 New Residence

Address: 575 Island Drive
Applicant: 575 Island Drive Trust
Architect: Smith & Moore Architects
Project Description: Demolition of existing residence; construction of a new two-story French eclectic residence.

Demolition was approved and the building project was deferred for restudy from the August meeting.

Mr. Wheelock declared a Conflict of Interest and left the dais during the discussion. Ms. Diver, Mr. Feldkamp and Mr. Zukov said they met with the architect and reviewed the plans.

Architect Edward Saung presented the project revisions which included fenestration changes that were more appropriate for the style of architecture. To address the verticality issues, the lime stone cladding was extended from the watertable to the belt line at the second floor.

Landscape Architect Don Skowron noted that greenspace was increased by changing the circular driveway to a single entry driveway.

Suggestions to improve the project were; reduce the stone work around the dormer windows, reduce the massive appearance of the roof over the garage, and eliminate the window in the stair element.

**MOTION BY MR. ZUKOV DEFER THE PROJECT TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B75-05 New Residence

Address: 248 Sandpiper Drive
Applicant: Double U.S., Inc.
Architect: Ames Bennett
Project Description: Demolish an existing 55-year-old, 4,500 square feet, single story dwelling. Build a new 4,741 square feet, single story, ranch style residence. Bringing the finished floor up to elevation 7.5 NGVD and provide 45% landscaped area.

The demolition was approved at the August meeting, and the architectural review of the new building was deferred from the August meeting.

No one was present to represent this project.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B78-05 Addition

Address: 995 South Ocean Blvd.
Applicant: Stephania and Donald Conrad
Architect: Bridges, Marsh and Associates
Project Description: New second story master bedroom/bath addition to maximum height set forth per building height plane. Addition to be consistent with the existing structure's simple Bermuda style.

This project was deferred from the August meeting for restudy.

Ms. Diver and Mr. Wheelock said they had ex parte communications with the architect.

Architect Mark Marsh presented revised drawings showing the height of the second floor addition lowered which eliminated the pop-top look. Also, to reduce the appearance of mass, he stepped the stair element eight feet away from the living area of the addition.

Some of the Commissioners thought that the addition improved the appearance of the house and that it was a nice solution for the home owners. On the contrary, Mr. Smith stated that the problem has not been solved and that this proposal was not an improvement from last month. He said this is a problem and everyone recognizes it.

Jane Day read letters objecting to the project from neighbors, Solomon Dayan, Amy Randolph Young, and Gerard Lind.

Attorney Jackie Miller, representing Frank Chopin, remarked that the proposal does not add any aesthetic quality to the street. She thought that this building should remain a beach bungalow as it was intended to be.

Attorney Julie Ferguson, representing Nancy Mendel who lives directly across the street, commented that given the size of the lot, any addition to the house would give it appearance of mass.

Attorney Maura Ziska, representing the applicant, thought that the neighbor's objections to the addition have no merit.

MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT AS PRESENTED AND COME BACK WITH THE LANDSCAPING.

Chairman Wideman passed the gavel to Mr. Shaw.

MOTION SECONDED BY MR. WIDEMAN.

ROLL CALL:

MR. WHEELOCK	YES
MR. WIDEMAN	YES
MR. SHAW	YES
MR. ZUKOV	NO
MR. FELDKAMP	NO
MS. DIVER	NO
MR. SMITH	NO

MOTION FAILED 3-4

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE OCTOBER MEETING TO RESTUDY THE RELATIONSHIP BETWEEN THE STAIRCASE AND THE SECOND FLOOR AND COME BACK WITH A LANDSCAPE PLAN.

MOTION SECONDED BY MR. FELDKAMP.

MR. ZUKOV	YES
MR. FELDKAMP	YES
MR. WHEELOCK	YES
MR. SHAW	NO
MS. DIVER	YES
MR. SMITH	YES
MR. WIDEMAN	NO

MOTION CARRIED 5-2

Mr. Shaw passed the gavel back to Chairman Wideman.

B80-05 Demolition and New Residence

Address: 261 Nightingale Trail
Applicant: Ronald and Marlene Jaffe
Architect: SKA Architect + Planner
Project Description: Demolition of an existing single story home and construction of a new two-story Mediterranean style home to be approximately 4,800 square feet.

This project was approved at the August meeting subject to review of some minor changes.

Ms. Diver said she met with the architect.

Architect Pat Seagraves presented the revised entry which had recessed doors and additional frame work around it.

It was suggested adding stone corbels at the corners to lessen the rectangular appearance of the entry.

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

MOTION SECONDED BY MS. DIVER.

MR. ZUKOV OPPOSED.

MOTION CARRIED 6-1.

B83-05 Demolition & New Residence

Address: 241 La Puerta Way
Applicant: Paul J. and Susan B. Hitt
Designer: Solis Designs
Project Description: Demolition of existing residence and propose a new two-story residence. The existing pool will be remodeled.

This project was deferred from the August meeting at the designer's request.

There were no ex parte communications disclosed.

Designer Pablo Solis reported that the existing house was designed by Emily and Harold Obst in 1955. He pointed out that the ten-foot tall hedge along the front of the property and along the swimming pool will remain.

MOTION BY MR. WHELOCK TO APPROVE THE DEMOLITION SUBJECT TO EITHER KEEPING THE EXISTING VEGETATION FOR THE WHOLE PERIMETER,

OR, IF IT HAS TO BE REMOVED, CONSTRUCT A SIX FEET TALL FABRIC SCREEN WALL AND GATE AROUND THE ENTIRE SITE.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Mr. Solis asked having the review of the new residence deferred to next month.

Note: No motion for deferral was made.

B. NEW BUSINESS - MAJOR PROJECTS

B84-05 Demolition & New Residence

Address: Lot 23, El Pubelo Way
Applicant: Ocean Way LLC
Architect: Smith & Moore Architects
Project Description: Demolition of an existing pool, deck, perimeter walls and landscaping.
Construction of a new two-story residence.

This project was reviewed informally at the August meeting.

Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Wheelock and Mr. Zukov said they met with the architect and visited the site.

Architect Harold Smith requested demolition of an existing swimming pool and site walls.

MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Architect Harold Smith addressed the comments made last month that the house was a little plain by eliminating the pediment at the entry. Also, the double French doors were changed to a single French door with shutters.

MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE PROVISION TO ELIMINATE THE TWO SCONCES ON THE SECOND FLOOR.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B85-05 Addition

Address: 245 Worth Avenue
Applicant: Jane B. Holzer
Architect: The Lawrence Group
Project Description: Addition of partial second floor of approximately 1,700 s.f. over a first floor of approximately 1,258 s.f. Materials, height and colors are compatible with the existing building. Retail use is unchanged.

The architect had requested deferral to the October meeting.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B86-05 Demolition & New Residence

Address: 235 Atlantic Avenue
Applicant: Mr. Paul L. Maddock
Architect: SKA Architect+ Planner
Project Description: Demolition of existing single story home and construction of a new two-story Mediterranean style home to be approximately 4,100 square feet.

Ms. Diver and Mr. Wheelock said they met with the architect and reviewed the plans.

Architect Pat Seagraves requested demolition of a home that was built in 1948. He noted that there was no architect listed in the town records. Mr. Seagraves indicated that the perimeter landscaping will be maintained and some coconut trees will be relocated. In addition, a fabric fence will be placed on the east side.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

Mr. Seagrave informed the Commission that they received a site plan approval from the Town Council because the lot is sub standard in size. He proposed a two-story, Mediterranean style home, with clay barrel tile roofing and stone cladding on the face of the building.

It was suggested to replace the elements below the windows at the entry feature with stone, and to add a crest above the entry. It was noticed that the proposal did not have a drainage plan. As

such, the east side of the property did not have room to plant vegetation to buffer air-conditioning units or provide proper drainage. It was noticed that the handrails on the north balcony were too tall and that the French doors should be centered.

**MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE PROVISION TO ADD MORE STONE AT THE FRONT ENTRY AND BRING THE CREST DESIGN BACK TO THE COMMISSION FOR APPROVAL.
MOTION SECONDED BY MR. ZUKOV.**

Under discussion, it was noted that this was an incomplete presentation because it was lacking the drainage plan, the preliminary landscape, and a sample board.

**SUBSTITUTE MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING TO PROVIDE THE DETAILS ABOVE THE FRONT ENTRY, PROVIDE A DRAINAGE PLAN AND A SAMPLE BOARD.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

B87-05 New Residence

Address: Lot 6, El Mirasol Subdivision
Applicant: Harvey L. and Emily A. Poppel
Architect: Ralph T. Cantin
Project Description: New two-story, single family residence on existing vacant lot.

There were no ex parte communications disclosed relative to this project.

Architect Ralph Cantin proposed a Modern/Bermuda style home having the two-story massing on the east side. The building color will be taupe with gray flat roofing and white casement window frames.

It was commented that this project was beautifully designed, it fits in the neighborhood, and the architect did a great job protecting the neighbors.

I was also commented that the articulation of the windows and the massing of the front entry need to be restudied. The hardsurface at the driveway and the motor court could be reduced. There were too many different types of roof forms. And, the three garage doors should have windows.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE OCTOBER MEETING TO RESTUDY THE ROOF LINES, WINDOWS, FRONT ENTRANCE AND GARAGE DOORS.

**MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B89-05 Demolition and New Residence

Address: 202 Coral Lane
Applicant: Mr. and Mrs. Michael McCloskey
Architect: Thomas M. Kirchhoff
Project Description: Demolition of existing residence. New two-story residence. New pool, hardscape and preliminary landscape.

Mr. Wheelock declared a Conflict of Interest and left the dias during the presentation. Ms. Diver said she met with the architect.

Architect Thomas Kirchhoff requested demolition of an existing house that was designed by Gustav Maass in 1952.

Landscape Architect Don Skowron indicated that the perimeter landscaping will remain.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

Architect Kirchhoff presented a Georgian style replacement home. The two-story main element will face Coral Lane and a one-story wing and garage will wrap around to Crescent Drive. The building facades will be brick with acid washed cast stone elements and green shutters.

The Commission disapproved of the round tower element because it does not belong on a Georgian style house. It was thought that a side loading garage with a motor court would be more efficient. As the front of the house appeared squat, it was suggested to recess the entry a few feet.

Zoning Administrator Paul Castro explained that this house has a finished floor elevation of 8' rather than the required 7.5". Therefore, the tower element would be 7" above what the town code allows.

Jane Day read a letter from Sally L. Protell, 239 Wells Road, stating that three new homes are being built on their street and she feels "that is enough for now."

MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE OCTOBER MEETING

FOR RESTUDY OF THE SIDE LOADING GARAGE AND TO READDRESS THE STAIR FEATURE.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B90-05 Addition

Address: One South County Road
Applicant: The Breaker's Palm Beach, Inc.
Architect: Peacock & Lewis Architects and Planners
Project Description: This project is a second floor interior renovation and enclosing of a 945 sq. ft. existing terrace at the Family Entertainment Center (former Golf Club House). The renovation is to provided a new employee office and lounge facilities. Terrace height, materials and color are to match existing. Also, the existing, extensive garden and landscape adjacent to this project shall remain.

There were no ex parte communications disclosed regarding this project.

Architect Steve Pollio explained that the building will be expanded with a terrace element.
|Additional features include shutters, balcony brackets and lattice work.

The columns supporting the balcony were perceived as weak, so it was asked to use solid building material in place of the lattice work.

MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE PROVISION TO CHANGE THE LATTICE AREA WITH SOLID ARCHES AND COLUMNS.

MOTION SECONDED BY MR. WHEELOCK.

After discussion, Mr. Smith withdrew his motion and Mr. Wheelock withdrew his second.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE OCTOBER MEETING
MOTION SECONDED BY MR. WHEELOCK.

ROLL CALL:

MR. SMITH	YES
MR. WHEELOCK	YES
MR. SHAW	YES
MR. ZUKOV	NO
MR. FELDKAMP	NO
MS. DIVER	YES
MR. WIDEMAN	YES

MOTION CARRIED 5-2.

The meeting was reconvened at 1:30 after a lunch break.

Dr. Rosenberg was in attendance at this time. As a result, Mr. Smith did not vote for the remainder of the meeting.

B91-05 Addition

Address: 223 Southland Road
Applicant: Cristina B. Condon
Architect: Smith Architectural Group
Project Description: Second floor addition to existing one-story structure and associated facade changes.

Mr. Smith declared a Conflict of Interest and left the meeting during the presentation.

Architect Don Kino proposed a second story addition centered on an existing one-story home.

Landscape Designer Mario Nievera presented the vegetation that will screen the new second floor addition from the neighbors.

It was questioned whether two-story homes should be approved on this street because the majority of them are one-story. Others thought that the impact on the neighbors would be minimal with this project. There were opposing opinions regarding the architectural style. Some Commissioners thought the house was “too cute” others felt that the style was understated to fit in with the neighborhood.

MOTION BY MR. WHEELOCK TO DENY THE PROJECT ON THE BASIS THAT IT IS TOO DISSIMILAR TO WHAT EXISTS IN THE NEIGHBORHOOD.

Property owner Chris Condon explained that she needed more room for her children when they come to visit her.

THE ABOVE MOTION DIED FOR A LACK OF A SECOND.

MOTION BY DR. ROSENBERG TO DEFER THE PROJECT TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

DR. ROSENBERG YES

MR. ZUKOV YES
MR. WHEELOCK NO
MR. SHAW YES
MR. FELDKAMP NO
MS. DIVER YES
MR. WIDEMAN NO
MOTION CARRIED 4-3.

B93-05 New Residence

Address: 218 La Puerta Way
Applicant: Kathryn E. (McCarthy) Maguire/Ocean Way LLC
Architect: Smith and Moore Architects
Project Description: Construction of a two-story residence.

Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Wheelock and Mr. Zukov said they met with the architect and visited the site.

Architect Harold Smith presented a two-story home with one-story wings. The site will have a circular driveway leading into a side loading garage. The intention is to keep this Mediterranean style project simplified with little detailing. The building materials include clay barrel tile roofing, cypress wood operable shutters, aluminum clad, impact resistant windows and a stucco watertable painted the color of the cast stone.

It was suggested turning the garage around to the front to make room for a court yard. Furthermore, the garage protrudes twenty feet which throws the house off balance. It was also remarked that this was another two-story project in a one-story neighborhood.

Property owner Kathryn Mcguire indicated that she preferred a front loading garage.

Jane Day read a letter in favor of the project from Mr. and Mrs. Rodman who reside at 233 El Puerta Way.

Landscape Designer Mario Nievera presented the preliminary landscape plan which had a considerable amount of cocoanut palm trees.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR RESTUDY AND TO COME BACK WITH A POSSIBLE FRONT LOADING GARAGE.
MOTION SECONDED BY MR. FELDKAMP.
MR. SHAW OPPOSED.

MOTION CARRIED 6-1.

B94-05 Demolition & New Residence

Address: 110 Angler Avenue
Applicant: Stephen Macari
Architect: Smith and Moore Architects
Project Description: Demolition of an existing one-story residence and two-story garage/guest house and construction of a new two-story residence with pool.

Ms. Diver, Mr. Wheelock, Mr. Zukov and Mr. Feldkamp said they met with the architect and reviewed the plans.

Architect Harold Smith reported that the home proposed for demolition was designed in 1953 by Architect Dillard Duff. He mentioned that there was no information regarding the two-story garage at the rear of the property. He agreed to keep the seagrapes and ficus hedge. And, if they are directed to remove the hedge in the easement, they will replace it with a water retention device or hedge material.

MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISION TO RETAIN THE SEAGRAPES ALONG ANGLER DRIVE DURING CONSTRUCTION AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Architect Smith proposed a British/West Indies/Colonial style home. The covered entry will be centered on the symmetrical front facade. The roof will have a broken pitch which ranges from 4/12 to 7/12 with a brown blend of concrete tiles. The building walls will be a cream colored stucco with a water table in a darker shade. Blue shutters are also proposed.

Some Commissioner's thought that nothing needed to be changed on this house and others thought the front facade was too busy with too many elements. Additional suggestions were made; use a pickled blue color for the shutters, eliminate the light sconces on the second floor balcony, and paint the balcony brackets the same color as the house.

MOTION BY MR. WHEELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING TO COME BACK WITH A SIMPLIFIED FRONT ELEVATION.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. WHEELOCK YES

MR. ZUKOV **YES**
DR. ROSENBERG **NO**
MR. SHAW **YES**
MR. FELDKAMP **NO**
MS. DIVER **NO**
MR. WIDEMAN **YES**
MOTION CARRIED 4-3.

B96-05 Demolition

Address: 210/214 North County Road (201 Seminole Avenue)
Applicant: Seminole BD, LLC
Architect: Smith and Moore Architects
Project Description: Demolition of an existing two-family residence.

Ms. Diver said she met with the architect.

Architect Harold Smith proposed demolition of a one-story duplex that was built in 1959.
The architect of record is unknown.

**MOTION BY MR. WHELOCK TO APPROVE THE DEMOLITION WITH THE
CONDITION THAT A SIX FEET SCREEN WITH A GATE BE ERECTED AROUND
SOUTH COUNTY ROAD AND SEMINOLE AVENUE, AND TO SOD OR SEED AND
IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. SHAW.**

Attorney Leslie Evans, representing Mrs. Barberian who lives at 209 Seminole Avenue, discussed the entry location of the new house. He wanted it known that having the entrance facing Seminole Avenue would be a hardship for Mrs. Barberian.

MOTION CARRIED UNANIMOUSLY.

B97-05 Demolition

Address: 1388 North Lake Way
Applicant: Kenan Sterling and Taja Realty Trust
Architect: Smith and Moore Architects
Project Description: Demolition of an existing two-story wood frame and brick, abandoned residence, with asphalt and gravel drive and concrete patio.

Mr. Wheelock said he visited the site.

Associate Architect Dan Kahan stated that the residence proposed for demolition was designed by Howard Chilton in 1950. Mr. Kahan indicated that the perimeter landscaping and a few large banyan trees will remain on the site during construction. Architect Smith agreed to erect a six-foot high screen if the hedge material will have to be removed for any reason.

**MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

B98-05 Demolition

Address: 1348 North Lake Way
Applicant: Taja Realty Trust
Architect: Smith and Moore Architects
Project Description: Demolition of an existing one-story abandoned residence with asphalt drive, pool and concrete pool deck.

Associate Architect Dan Kahan reported the house was constructed by owner/builder E.B. Walton. He noted that the existing building encroaches into the rear setback.

**MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR IRRIGATE THE LOT WITHIN 15 DAYS AND TO MAINTAIN THE PROPERTY UNTIL DEMOLITION.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

C. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A9-05 Revisions

Address: 1255 North Lake Way
Applicant: Darci Glazer and Joel Kassewitz
Architect: Ralph Choeff
Project Description: East brick face to be covered with new white stucco finish. Existing shutters at windows to remain with new off/white paint finish. New front entry porch, steps and walks of keystones. New keystone tile at existing rear porch, and a new front door.

This project was deferred from the March, May and July meetings as no one was present to represent the project. It was deferred from the April meeting for restudy and from the June and

July meetings at the applicant's request.

Architect Ralph Choeff and Landscape Architect Maryann Weeks-Miller presented the project together. Mr. Choeff said the project consists of a new front facade which includes stucco over the existing brick facade. Ms. Weeks-Miller proposed a garden in the front court yard with a cobble stone driveway.

MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR RESTUDY.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MINOR PROJECTS

A32-05 Renovate Front Elevation

Address:	146 Australian Avenue
Applicant:	Michael J. Flynn
Architect:	Scott D. Dyer
Project Description:	Minor site plan submission to renovate the existing front elevation of the existing residence. The front entry will be revised. However, the areas will remain the same. The facade has an existing mansard roof overhang that will be removed. The windows and doors will be changed to impact materials, and stone trim will be added.

No one was present to represent the project.

MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

A33-05 Fenestration Changes/ Landscape & Hardscape

Address: 444 North Lake Way
Applicant: Bob and Ellen Jaffee
Architect: Shope Reno Wharton
Project Description: Revise mullions in doors and windows. Moved the two chimneys further back on the roof (west). Revised the number and configuration of the doors on the second floor, east terrace. Added two windows (east garage) and changed four windows and four doors in the loggia. Landscape and hardscape.

There were no ex parte communications announced regarding this project.

Chairman Wideman remarked that most of this work has been done without approval from the Commission.

Architect Allen Shope apologized for the changes that have been done without ARCOM approval. These changes included revisions to the French doors, relocation of chimneys and enlargement of the window muntins. The pool house had two windows changed to French doors. He commented that when they applied for the building permit they were turned down for the windows in the garage. Ms. Close explained that windows in garage doors need to be impact resistant and the permit was turned down because they did not have the proper product approval indicating such.

Attorney Maura Ziska stated that she requested staff approval from Mr. Frank months ago. Because there were so many changes made to the project, he requested that it come back to the Commission for approval.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE ADDITION OF GLASS IN THE GARAGE DOORS.

MOTION SECONDED BY MR. WHELOCK.

MOTION CARRIED UNANIMOUSLY.

Landscape Designer Mario Nievera proposed the final landscape and hardscape for this project. He noted that large trees will be planted along North Lake Way replacing the ones that were removed. He proposed an English design driveway entry gate.

MOTION BY MR. WHELOCK TO APPROVE THE LANDSCAPE AND HARDSCAPE AS PRESENTED.

MOTION SECONDED BY DR. ROSENBERG.

MOTION CARRIED UNANIMOUSLY.

VIII OTHER BUSINESS

Landscape Architect Jeff Blakely commented that this house had a second floor addition approved several months ago and the neighbor behind the project, was concerned with the screening of her property. He wanted to show the Commission that the neighbor had no reason to be concerned about the vegetative screening.

After discussion, it was agreed to put this item on next month's agenda.

It was requested that each Commission member be given a mini set of plans so that they may follow along with the presentation.

MOTION BY MR. SHAW TO HAVE ALL APPLICATIONS INCLUDE A MINI SET OF PLANS AND TEN SETS OF MINI PLANS PASSED OUT TO ALL MEMBERS AT THE MEETING.

MOTION SECONDED BY MR. WHELOCK.

MR. ZUKOV OPPOSED.

MOTION CARRIED 6-1.

Discussion took place regarding changes made in the field without ARCOM approval. It was suggested imposing a fine and/or making the applicant adhere to the original plans. It was also debated that there is a timing issue when involved in construction and some of the changes made are improvements.

IX ADJOURNMENT

MOTION BY MR. SHAW TO ADJOURN THE MEETING AT 3:46 P.M.

MOTION SECONDED BY MR. WHELOCK.

MOTION CARRIED UNANIMOUSLY.

VIII OTHER BUSINESS

None

IX ADJOURNMENT

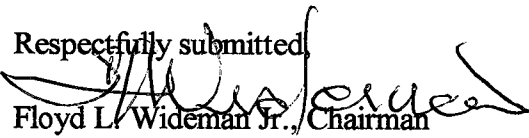
MOTION BY MS. DIVER TO ADJOURN THE MEETING AT 3:54 P.M.

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on November 18, 2005 at 9:00 a.m.

Respectfully submitted,


Floyd L. Wideman Jr., Chairman

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

NAME—FIRST NAME—MIDDLE NAME WHEELER, MORGAN DIK		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED SEPT. 28 2005		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:

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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, Megan Wheelock, hereby disclose that on Sept. 28, 19 05:

(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:

The project is mine, as landscape architect for the site. (my client)

Date Filed

Sept 28 2005

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

ST NAME—FIRST NAME—MIDDLE NAME WHEELER, MORGAN DK		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCIM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED SEPT. 28 2005		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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- The form must be read publicly at the next meeting after the form is filed.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Magan Wheelock, hereby disclose that on Sept. 28, 19 06:

(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:

The project is mine, as landscape architect for the site. (My Client)

Date Filed

Sept 28 2006

Signature

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

ST NAME—FIRST NAME—MIDDLE NAME <i>SMITH, Jeffery W</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>ARCOM</i>	
MAILING ADDRESS <i>241 Sanford Avenue</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>9/28/05</i>		NAME OF POLITICAL SUBDIVISION: <i>TOWN OF Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

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

ELECTED OFFICERS:

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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.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on Sept 28th, 19 2005

(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 C. Condon, 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:

Date Filed

9/28/05

Signature



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LAST NAME—FIRST NAME—MIDDLE NAME <i>SMITH, Jeffery W</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>ARCOM</i>
MAILING ADDRESS <i>241 Sanford Avenue</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>9/28/05</i>		NAME OF POLITICAL SUBDIVISION: <i>TOWN OF Palm Beach</i>
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE

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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.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on Sept 20th, 19 2005

(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 C. Condon, 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:

Date Filed

9/28/05

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 WHELOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 Australian Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach FL	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9-28-05		NAME OF POLITICAL SUBDIVISION: PALM BEACH, TOWN	
		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 doing 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, Morgan Dix Wheelock, hereby disclose that on September 28 2005:

(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:

874 575 Island Drive
Owens is my Client and I am the
project Landscape Architect

9.28.05

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: EXCLUSION, 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 WHEELLOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 Australian Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	FL	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 9.28.05		NAME OF POLITICAL SUBDIVISION: PALM BEACH, TOWN	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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

ELECTED OFFICERS:

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

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

APPOINTED OFFICERS:

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- 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, Megan Dix Wheelock, hereby disclose that on September 28 2005:

(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:

B74 575 Island Drive
Oahu is my Client and I am the
project Landscape Architect

9.28.05

Date Filed



Signature

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