



TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
WEDNESDAY, SEPTEMBER 26, 2001 AT 9:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT:

John H. Schuler, Chairman
Lowry M. Bell, Jr., Vice-Chairman
Eric Adams, Member
Marvin Rosenberg, Member
Leslie Shaw, Member
Lindley Hoffman, Member
Morgan Dix Wheelock, Alternate Member
Nikita Zukov, Alternate Member
Robert L. Moore, Director Planning, Zoning & Building
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
Gretchen Dayton, Recording Secretary

ABSENT:

Floyd Wideman, Member (Unexcused)
William J. Strawbridge Jr., Alternate Member (Unexcused)

Note: Mr. Wheelock was a voting member throughout the meeting and Mr. Zukov was a voting member for portions of the meeting.

The pledge of allegiance and a silent prayer was lead by Chairman Schuler at this time.

III APPROVAL OF THE MINUTES FROM THE AUGUST 22, 2001 MEETING.

MOTION BY MR. SHAW TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

IV SWEARING IN PERSONS TESTIFYING.

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

V. PROJECT DEFERRALS

B77-01 Demolition and New Residence

Applicant: Gary and Dina Wexler
Address: 249 Orange Grove Road
Architect: Mojo Stumer Associates
Project Description: Demolition of existing house and build two story house. Stucco exterior with low E glass in aluminum frames, tower walls in stone facing, also stainless steel decorative accents.

The architect requested deferral to the October meeting.

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

VI. PROJECT REVIEW

A. DEFERRALS AND CONTINUATION - MAJOR PROJECTS

B58-01New Duplex

Applicant: Sunset Avenue Partners
Address: 168 Sunset Avenue
Architect: Rafael Portuando
Project Description: New duplex containing 5,000 square feet for each unit.

This project was deferred from the July meeting at the request of the architect and deferred from the August meeting for restudy. Demolition was approved at the August meeting.

Developer Ed Cury asked to defer the project to later in the meeting as the architect was not present at this time.

MOTION BY MR. BELL TO DEFER THE PROJECT TO END OF DEFERRALS AND

**CONTINUATIONS OF MAJOR PROJECTS ON THE AGENDA.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

This project was called again after item #B69-01.

Mr. Adams said he met with the architect and reviewed the plans.

Architect Rafael Portuando presented an aerial photograph which illustrated the project and the surrounding condominiums. He revised the project from the last presentation by adding pergolas to the sides of the building, extending the shutters to cover the windows and simplified the light fixtures. The building color will be light lime green, the roof will be slate and the windows, doors and railings will all be white.

Mr. Bell thought that the duplex buildings should look like independent houses as opposed to duplex buildings. The four units all look the same with the exception of the entrances. Mr. Shaw stated that the too similar rule would not apply for this part of town as there are very large condominiums surrounding these projects. He thought that the original presentation was that, they would be consistent with unique features. Mr. Hoffman felt that the building was attractive, but agreed that part of the Commission's mandate, was not to approve projects that are too similar in appearance. Mr. Adams thought that they have attempted to make the buildings look dissimilar. Dr. Rosenberg agreed that it would be inappropriate to make the two duplex buildings appear dissimilar. Mr. Wheelock hoped that the landscaping will not be symmetrical and balanced as was the proposal for the other duplex building. Mr. Zukov thought that the entrances could be redesigned, and suggested creating one entrance. He thought a white roof would be more in keeping with the Bermuda style. Mr. Portuando claimed this to be Palm Beach architecture that was a mixed breed of architectural styles.

**MOTION BY MR. SHAW TO APPROVE THE PROJECT AS PRESENTED, BUT NOT
THE LIME GREEN BUILDING COLOR.
MOTION SECONDED BY DR. ROSENBERG.
ROLL CALL:**

MR. SHAW	YES
DR. ROSENBERG	YES
MR. BELL	NO
MR. ADAMS	YES
MR. HOFFMAN	NO
MR. WHEELOCK	YES
MR. SCHULER	YES

MOTION CARRIED 5-2.

It was stated that the applicant will come back for approval of the building color.

B67-01 Exterior Modifications

Applicant: Eliot I. and Ruth F. Snider
Address: 109 El Mirasol
Architect: Glen Harris
Project Description: Renovation of existing two-story residence and modifications to exterior to reflect Mediterranean style.

This project was deferred from the August meeting for restudy.

The architect was not present at this time.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE END OF DEFERRALS AND CONTINUATIONS OF MAJOR PROJECTS ON THE AGENDA.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

Mr. Bell, Mr. Schuler, Mr. Hoffman and Mr. Adams said they met with the architect and discussed the project. Dr. Rosenberg said he had a telephone conversation with the applicant. Mr. Wheelock said he went to the site.

Architect Glen Harris presented renderings of the home with the proposed changes. The front entry will be revised and moved forward. Screen enclosures will be removed and a loggia will be added to the rear of the house. A Balcony was indicated on the second floor plans, but will not be used as a balcony. The glass doors will remain because they want light to come into the house. The only balcony will be over the covered loggia on the rear of the house. The barrel tile roof was changed to a flat cement tile in a clay color blend. The chimney cap and the columns were revised with classic details. The intention was to use bronze window frames, but acknowledged that he would use white window frames as was indicated on the renderings. The muntins in several windows were noticed to be different on the plans. Mr. Harris agreed to correspond the dividers in all of the windows making them the same.

Mr. Shaw felt the back and sides of the house have continuity, but the front entry looked out of place. Mr. Hoffman suggested “to fatten” the columns at the entry, which may bring the arch into scale. Mr. Wheelock said there was no grass on the site and insisted that a landscape plan come back for review. Mr. Zukov felt it advisable to study the front elevation and to revise the architectural style of the chimney.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE PROVISION TO USE THE SAME WINDOWS THROUGHOUT THE HOUSE, TO BRING BACK A LANDSCAPE PLAN FOR REVIEW, TO ENLARGE THE COLUMNS AT THE ENTRY, TO MATCH THE CHIMNEY WITH THE ARCHITECTURE, AND BRING THE ROOF MATERIAL SAMPLES, LANDSCAPING AND CHIMNEY DESIGN BACK FOR REVIEW.
MOTION SECONDED BY MR. ADAMS.**

ROLL CALL:

DR. ROSENBERG YES
MR. ADAMS YES
MR. BELL YES
MR. SHAW NO
MR. HOFFMAN YES
MR. WHELOCK NO
MR. SCHULER YES
MOTION CARRIED 5-2.

NOTE FOR THE RECORD: After this project was approved, the house was demolished with the exception of a few walls. The developer and the architect promised Robert Moore that the project that was presented and approved at this meeting would be built. Mr. Moore agreed that ARCOM reviewed and approved this project. Therefore, they would not have to come back to ARCOM for the replacement building as well as the demolition approval as the permit was issued after the fact. Permit #8053008-1.

B68-01 New Residence

Applicant: Frank DiMino
Address: 242 Via Las Brisas
Architect: Phoenix Architecture
Project Description: New residence

This project was deferred from the August meeting by the staff.

There were no ex-parte communications regarding this project.

Architect Lynn McColl and Project Designer Michael Hickey presented the project. Ms. McColl presented a streetscape/outline drawing of the houses on the street. She said the house will be a total of 9,336 square feet. The laminated, impact resistant windows will be manufactured by Eagle having one inch muntins. A leaded/stained-glass window section will be placed inside the window at the dining room on the front elevation. Mr. Hickey said that old Chicago brick will be used on the stair tower, the quoins and the lower banding above the cast stone base of the house. The roofing material will be handmade clay barrel tiles and the soffit will be made of Styrofoam and stucco/plaster. The driveway will have turf with brick stone inlays. Royal palm and ficus trees will be planted across the front of the property. The house will be hedged and trees on both sides with a variety of vegetation planted along the rear property line. Mr. Hickey said the brick will be washed with diluted red paint.

The Commission comments are as follows:

A pitched roof was not appropriate for the pergola and the columns were too heavy.
Line up the small bathroom window on north elevation and move it away from the wall.

There were a variety of building materials that may not work together. (the architect did not have a material sample board for the presentation).

It appears to have a lot of hardscape even though it meets the code requirements.

How will the two, two-story houses be protected from each other and will there be sufficient space for a landscape buffer? (Ms. McColl said with two 15' setbacks, there will be plenty of room for planting of trees and hedges).

The two, half-arched windows on the west elevation were out of place and the windows on the second floor appeared too close to the crown molding.

As the lot is only 115' wide, the house looks very massive to the street.

The north elevation windows were small and too close to the eave on the second floor, giving the house a more massive feeling to that facade.

The royal palm trees proposed in front of the house at the street will do nothing to break up the massiveness of the house.

The garage opening to the property line was one foot less than what would really be needed to back out of the garage.

Possibly move the garage over allowing at least 25' of paving.

Stone or stucco is traditionally used rather than brick keys on a Mediterranean style building.

A Mediterranean style house should have less glass as it appears to have more glass than solid walls.

It was asked that the architect present a perimeter scape to view each of the four sides of the project indicating the impact that this house will have on the neighbors.

Wendy Victor, who resides at 208 Via Tortuga, addressed the Commission and stated this project has the same foot print as the house to west of it.

MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR RESTUDY, SPECIFICALLY IN THE AREA OF THE SHAPE AT THE FACADE FACING THE STREET, COME BACK WITH SAMPLE BOARDS, RECONSIDERATION OF THE POSITIONING OF THE GARAGE, CORRECTING THE PERGOLA, ELIMINATING THE BRICK ON THE QUOINS, CORRECT THE LOCATION OF THE WINDOWS ON THE FRONT, POSSIBLY RESTUDY THE ENORMOUS GLASS ON THE REAR AND BRING IN THE TWO PLOT PLANS OF THE HOUSES ON EITHER SIDE SHOWING THE RELATIONSHIP TO THE OTHER HOUSES.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B69-01 New Residence, Landscape and Hardscape

Applicant:	Kings Estate, Inc.
Address:	150 Kings Road
Architect:	SKA Architect and Planner
Project Description:	New two-story Mediterranean style home including landscape and

hardscape plans.

Mr. Shaw, Mr. Bell and Mr. Schuler said they met with the architect and reviewed the plans. Mr. Hoffman said he spoke with the architect on the telephone, but was unable to meet with him. Mr. Adams said he met with the architect and the landscape designer. Mr. Wheelock declared a Conflict of Interest and left the dais during the presentation, thereby making Mr. Zukov a voting member for this project.

Architect Pat Seagraves presented the project and introduced Landscape Architect Don Skowron of Morgan Wheelock and Associates. Mr. Seagraves presented the revised elevations drawings as well as the presentation form last month. The project revisions included the reduction to four arches on the second floor balcony, and the elimination of the windows to the left of the entry. A horizontal band was added at the second floor around the building. The windows and doors were revised throughout the house and round elements were added to the tower. The back up space for the garage was increased to 30 feet and the landscaping area will remain at 4-foot along the property line. The building color will be a tan/beige with a clay barrel tile roof that will be one color.

It was stated that the appearance of the house has improved with the changes that were made, but it seems that there was still too much hardscape.

Mr. Skowron stated after meeting with some of the Commission members, they restudied the hardscape and presented the site plan with the areas outlined that are proposed to be eliminated.

MOTION BY MR. SHAW TO DEFER THE HARDSCAPE AND LANDSCAPE PORTION OF THE PROJECT TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

The comments from the Commission were as follows:

There should be a window in the stair case next to the entry.

Raise the tower above the roof lines making it more important.

The lower part of the building appeared to be nothing but glass.

Make the one garage door into two garage doors.

The windows on the east elevation appeared odd with the banding going through it.

The hardscape could be lightened up.

The fenestration on this house is overpowering.

The rendering appears that the house sits on a large lot which is not the case, it will be right on the street.

The fenestration needs to be simplified and cleaned up.

Lower the height of the French doors on the south elevation

Mr. Seagraves agreed to use two pairs of French doors rather than three as proposed, but it was

thought that the project should be revisited as they will meet to be in proportion.

Mr. Frank reminded the commission, as they were concerned about the amount of the fenestration on the south elevation, that the sun will be very strong on this side of the building.

**MOTION BY MR. ADAMS TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR RESTUDY OF THE WINDOWS AND THE DOORS.
MOTION SECONDED BY DR. ROSENBERG.**

ROLL CALL:

MR. ADAMS	YES
DR. ROSENBERG	YES
MR. BELL	YES
MR. SHAW	NO
MR. HOFFMAN	YES
MR. ZUKOV	YES
MR. SCHULER	YES

MOTION CARRIED 6-1.

B. NEW BUSINESS - MAJOR PROJECTS

B70-01 Demolition and New Residence

Applicant:	Mr. and Mrs. Atwater Kent
Address:	412 Australian Avenue
Architect:	SKA Architect & Planner
Project Description:	Demolition of existing one and two story house. Construction of new two story Mediterranean style home.

Mr. Shaw, Mr. Bell, Mr. Schuler and Mr. Adams said they met with the architect and reviewed the plans. Mr. Wheelock said he met with the architect, reviewed the plans and visited the site.

Architect Pat Seagraves presented the demolition portion of the project. The vegetation around the site will remain during demolition and construction. The house was built in 1925 for Mr. G.R. Lyman. The one and two-story Bermuda style building is in fair condition.

Chairman Schuler stated he received a letter addressed to Mr. Atwater Kent from William E.

Hutton, III with a copy to the Architectural Review Commission.

Lynn Hutton, 350 Cocoanut Row, asked that the three ficus trees that are between 350 Cocoanut Row and 412 Australian Avenue be maintained during the demolition of the existing structures, and the construction of future structures.

Mr. Seagraves said they intend to keep the three ficus trees and keep as much as possible of the hedge in the front.

Chairman Schuler requested that the motion be transcribed verbatim.

Mr. Wheelock: I'll move to approve demolition and retention of the existing landscape.

Mr. Bell: I'd like to put some stipulations on it.

Mr. Schuler: Alright. Mr. Bell?

Mr. Bell: Stipulation that the hedges and the trees that were mentioned earlier be maintained throughout the period of demolition as well as the having our normal standard with irrigating the property and putting grass in, but beyond that I've been by a number of construction sites lately after returning, and during construction they don't maintain the hedges or the landscaping that's out beyond the street, and I think that any approvals that we make on demolition or future construction should ask, insist that the construction area be maintained better than it's been done in the past. I'll second the motion with those stipulations.

Mr. Schuler: Mr. Shaw.

Mr. Shaw: Under the circumstances, I would ask that the guidelines for landmarked trees be incorporated with this. That they be staked off or perimeter marked and also to make sure that the...I can't necessarily tell, but being ficus, I know that they have an extensive root base that is covered because you don't want to protect the top of the tree and destroy it from underneath. So, there are standards for the Town and I would just ask that those standards be incorporated and agreed to for enforcement purposes.

Mr. Moore: For the record Mr. Chairman, that would be that the protection would extend out to the drip edge of the canopy.

Schuler: Alright.

Mr. Bell: Are these trees landmarked now?

Mr. Shaw and Mr. Schuler: No.

Mr. Adams: Then why are we discussing landmarked trees?

(several persons talking, unable to transcribe the conversation)

Mr. Moore: ... But if your going to maintain the tree on the property, what Mr. Shaw has indicated...

Mr. Adams: What we're saying is that the landmarked tree application is appropriate here. The way they treat a landmarked tree is how you ought to treat this.

Mr. Shaw: The guidelines for maintenance during construction will be applied so we won't have to reinvent the rules.

Mr. Schuler: Right. And Ms. Dayton if you'd pick up this exactly, verbatim relative to this motion so it's clearly written out. The motion has been made and seconded for demolition, all in favor please signify by saying aye with the stipulations that were so outlined.

The motion carried unanimously.

Mr. Shaw questioned the minimum lot size for the R-C zoning district. Mr. Seagraves stated that the lot was 75' wide and 125' deep and 9,375 total square feet. The total square footage of the home will be 6,103 square feet with a foot print of 3,200 square feet. The two-story Mediterranean style architecture will include a stucco water table, clay barrel tile roofing material, beige stucco walls, cypress wood rafter tails, cast stone window sills, and cast stone will be arched around some of the window heads and around the front door. The garage will be located on the side of the house allowing for more landscaping at the front of the property.

Mr. Wheelock stated that if the ficus trees will be treated as landmarked trees, this project will not be able to be built as the drip line of the tree would be invaded. Mr. Moore suggested an arborist cut the trees back allowing for the new construction. Mr. Shaw, in accordance with his motion for demolition approval, wanted the trees protected and if they need to be cut for new construction, that a certified company do the work.

Mr. Hoffman thought the front door looked as though it needed more space between the library projection and the stair tower.

Mr. Shaw felt the whole building was being pushed toward the rear of the property. He thought that with some cleverness of the layout, it would have a better utilization of the lot if the building were moved closer to the street, have the garage front loading, with a deed restriction for a hedge to screen it. There is a massive amount of open space in the front because of the way the garage is designed. Mr. Adams felt the town would desire the building to farther back on the property to allow greenspace.

Mr. Wheelock pointed out that the Mediterranean style building had Corinthian columns.

Mr. Seagraves agreed to use Doric style columns at the entry.

Mark Rowen, 414 Australian Avenue, requested the site plan remain as it proposed with a side loading garage.

Mrs. Hutton asked that the air-conditioning units remain at the location indicated on the plans.

Mr. Moore said the plan shows the pool equipment needs to be move off the property line and adjacent to the house.

Mr. Moore said the minimum lot size for the R-C zoning district is 10,000 square feet. He said they certainly want the Commission to go forward and approve this, they have reached that stage of the application. The one condition would be, we will need to review the ordinance in detail if in fact it needs to go to the Council for an additional site plan review, please be advised that we will send it.

MOTION BY MR. BELL TO APPROVE THE PROJECT SUBJECT TO THE CONDITIONS ON THE SWIMMING POOL EQUIPMENT AND THE AIR-CONDITIONING AS THE NEIGHBOR HAS OUTLINED, ALSO THAT DURING CONSTRUCTION, THAT THE HEDGES BE MAINTAINED BY A LANDSCAPE PERSON, CUTTING TRIMMING, AS WELL AS MAINTAINING THE GRASS OUT ON AUSTRALIAN AVENUE, INCLUDING MAINTAINING ALL OF THE TREES ON THE EAST AS SIMILAR TO WHAT WAS STATED IN THE PREVIOUS MOTION, BUT NOT IN A WAY THAT WOULD INTERFERE WITH THE CONSTRUCTION OF THE PROPERTY AND SUBJECT TO STAFF REVIEW FOR CODE COMPLIANCE. MOTION SECONDED BY MR. ADAMS. MOTION CARRIED UNANIMOUSLY.

B71-01Addition

Applicant: Harold and Ann Sorgenti
Address: 311 Seabreeze Avenue
Architect: Brower Architectural Associates
Project Description: Addition of garage, family room, library and bedrooms to the existing two story residence.

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

Mr. Frank stated that the project also involves demolition. The application did not reflect this request. Therefore, the intention to demolish three buildings was not advertised. He suggested adding to the motion that the demolition must come back to the Commission for review. Mr. Saladrigras said the demolition request was not put on the application. Chairman Schuler stated that the review of this project would be subject to the demolition review and approval.

Designer Raphael Saladrigras said that two properties were deeded together. A 3,100 square foot cottage building will remain and three other buildings will have to be demolished to complete this

project. He presented an addition project to the existing house at 311 Seabreeze Avenue and construction of a garage building on the adjacent lot.

Mr. Zukov suggested adding shutters on the north elevation of the guest house and the existing house and on the west elevation of the main house.

**MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE COMMENTS
THAT MR. ZUKOV MADE ON THE SHUTTERS.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B72-01 Storefront

Applicant: Via 313 ½ Worth Avenue, LTD
Address: 313 ½ Worth Avenue
Architect: Robert Bell
Project Description: Raise storefront height to ten feet, a new tempered glass storefront with center door and polished stainless steel trim and frame.

Mr. Wheelock said he visited the site.

Architect Robert Bell presented photographs of the existing storefront. He said the proposal is to raise the header to match the adjacent building, centering the door and using polished stainless steel frame work.

The Commission commented that the bottom of the glass storefront looked as though it was on the pavement. The two light fixtures above the door were thought to be unnecessary as there are existing light fixtures on the building. The Commission objected to the polished stainless steel as they felt that it does not have any place on the via. Anodize or a painted surface was preferred. It was suggested to develop some character to this storefront.

Mr. Shaw suggested having a discussion later in the meeting of storefront/building designs.

**MOTION BY MR. SHAW TO APPROVE THE PROJECT LESS THE TWO LIGHTS
ABOVE THE DOORWAY.
THE MOTION DIED FOR A LACK OF A SECOND.**

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR RESTUDY TO PUT SOME MORE EMPHASIS ON THE DESIGN TO MAKE IT MORE IN KEEPING WITH WORTH AVENUE.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.**

Under discussion, Mr. Moore said the Commission has the right to ask for photographs of the entire facade and the buildings on either side of the project.

B73-01 Demolition and New Residence

Applicant: Mr. and Mrs. Grant Stoddart
Address: 246 Seminole Avenue
Architect: The Pandula Architects
Project Description: New single family Mediterranean style residence two-story with open courtyard and demolition of existing residence.

Mr. Wheelock said he visited the site.

Architect Eugene Pandula presented the demolition project. The existing home is approximately 2,400 square feet and is non conforming in every way except building height. He could find no plans for this house, but the original permit was issued in 1924. Some fiscus hedges on the west side will be maintained by agreement with the neighbor.

Mr. Moore asked that the town be notified of trees that will be removed from the site.

**MOTION BY MR. SHAW TO APPROVE THE DEMOLITION SUBJECT TO THE FISCUS HEDGE BEING MAINTAINED.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

Architect Eugene Pandula stated the project has been before Town Council for site plan review for a non conforming lot as well as side yard set back variances on each side. He had letters of support of this project from all three of the contiguous neighbors, east, west, and across the

street. Mr. Moore said the letters were addressed to the Town Council. The building will be yellow textured stucco with a cast stone water table and surrounds. The roof will have a three-color blend clay barrel tile. The trim on the house will be a natural wood. Some flat roof sections will be used as balconies.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

B74-01 Demolition and New Residence

Applicant: Mr. and Mrs. Michael Gretschel
Address: 1230 North Ocean Boulevard
Architect: Smith and Moore Architects, Inc.
Project Description: Demolition of existing two story residence and construction of new two story Mediterranean style residence.

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

Architect Jon Moore introduced Associate Jeff Brasseur and read the demolition report.

Landscape Architect Paul Tracy reviewed the landscaping portion of the demolition project.

**MOTION BY MR. BELL TO APPROVE DEMOLITION WITH THE STANDARD
REQUIREMENTS FOR IRRIGATION AND LANDSCAPING, (TO SOD OR SEED AND
IRRIGATE THE LOT WITHIN 90 DAYS)
MOTION SECONDED BY MR. WHEELOCK.
MOTION CARRIED UNANIMOUSLY.**

Architect Jon Moore presented the two-story, 5,942 square foot, Mediterranean style home. The detailing will be characteristic of the Mediterranean style with a clay barrel tile roof, textured stucco finish cast stone detailing and surrounds, cypress outlookers. Impact resistant clad wood

windows will be installed. He said the beach cabana, across the street, was not on this agenda for review. There will be a four-foot landscape buffer between the property and the driveway. He presented alternate drawings of the loggia with a barrel tile roof and without the roof.

It was stated that the house would look better without the barrel tile “fringe” around the balcony. The Corinthian columns on the building were felt to be too formal. It was stated that this is a “beachy” neighborhood and the formal Mediterranean may be an over improvement. It was requested that the utilities be buried as the area is full of overhead wires. The vegetation on the north boundary was thought to be transparent. The second floor French doors on the east elevation may be brought into proportion by narrowing them.

MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING FOR SIMPLIFICATION OF THE FACADE AND MOVING THE GARAGE BACK TWO FEET.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B75-01 Revisions

Applicant:	Paul Lapidus
Address:	112 Caribbean Road
Architect:	Smith and Moore Architects
Project Description:	Change in style from post-modern to Mediterranean; modification of entry; loggia additions.

Mr. Adams and Mr. Wheelock said they met with the architect and discussed the project.

Architect Harold Smith presented a photo board of the existing home and elevation drawings of the proposed project. The applicant wanted to change the architectural style, a loggia, and a fire place. The cantilevered elements on the front and rear of the house were removed. Clad/wood casement windows will replace the single hung windows and shutter boxes. A pair of cypress garage doors will replace the single garage door. A cast stone cap will be added to an existing planter wall that wraps around the main two-story portion of the house.

The commission felt the architect accomplished his task of changing the house to a Mediterranean style. The chimney was perceived to be very high and Mr. Smith agreed to lower the height of the chimney.

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

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

B76-01 Demolition

Applicant: Maryanne Trump Barry
Address: 160 Woodbridge Road
Architect: The Lawrence Group
Project Description: Demolition of main house. Cabanas to remain.

No one was present to represent this project.

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

Architect Eugene Lawrence asked to have project number B76-01 revisited.

**MOTION BY MR. BELL TO PUT THE PROJECT BACK ON THE AGENDA.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

This project was heard after item number A50-01.

Mr. Lawrence asked to amend the ARCOM application, the project description, to include the demolition of the cabana buildings. He said the architect or record was Guss Maass. Two queen palms will be relocated in the rear of the property and a paurotis in the front.

It was asked to keep and maintain the perimeter hedges during construction.

**MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE
CONDITION OF THE RETENTION OF THE PERIPHERAL HEDGE AND THE
USUAL/STANDARD PROVISIONS (TO SOD OR SEED AND IRRIGATE WITHIN 90
DAYS).
MOTION SECONDED BY SHAW.
MOTION CARRIED UNANIMOUSLY.**

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A46-01 Landscape & Hardscape

Applicant: Josh Mendelsohn
Address: 209 Clarke Avenue
Architect: Vance Design, Inc.
Project Description: Landscape, hardscape gates and pool fountain

This project was deferred from the August meeting for restudy.

Mr. Wheelock said he visited the site and met with the architect.

Architect Edward Saung presented the hardscape portion of the project. Landscape Architect Chris Vance presented the landscaping. Attorney Jim Paine presented entry gates and water features.

Mr. Saung said the amount of hardscape material has been reduced since the last presentation. The brick entry driveway will lead into a driveway with 2'X2' cast stone pavers with grass infill. Landscaping was also added along the west and south sides of the pool deck.

Mr. Paine stated that the driveway gate and the pedestrian gate will be constructed of pecky cypress wood with wrought iron hardware and copper caps. Two fountain features are proposed. One will be symmetrical along the entry access, but will not be visible from the street, and the other will be part of the pool.

Property Owner Josh Mendelsohn presented samples of the paver materials and gate hardware.

Mr. Vance said they kept with the context of Clarke Avenue by planting tall cocoanut palm trees at the entry and the perimeter of the property. A ten-foot ficus hedge will screen the garage. An existing strangler fig tree at the corner of the Clarke Avenue and South County Road has been maintained by an arborist.

Mr. Wheelock commented that the strapping on the pedestrian gate was too small and out of proportion.

Mr. Bell thought it would be nicer to look through a metal gate and see part of the house versus being completely hidden by a wooden gate.

Mr. Adams commented that there was far too much hard surface.

Mr. Zukov agreed that transparent gates would be preferable.

Note: The plans that were submitted to the town staff did not include the pool gate, the fountains or the revisions indicating the additional green space.

Mr. Saung offered to withdraw the vehicular gates from the application, redesign and bring them back for later review.

**MOTION BY MR. BELL TO APPROVE THE PROJECT SUBJECT TO THE GATES BEING CHANGED TO SOME SORT OF SEE-THROUGH GATES, METAL, AND TO REDUCE THE HARD SURFACE AREA.
MOTION SECONDED BY MR. ADAMS.**

Under discussion, Mr. Saung offered to use a 2' coping around the swimming pool and 2' X 2' pavers with grass inbetween for the rest of the pool deck area.

The motion was not restated, but Mr. Bell asked Mr. Adams if he would accept Mr. Saung's proposal as a condition for project approval. Mr. Adams agreed to accept this concession.

Chairman Schuler stated that the motion was to come back with the gates only.

MOTION CARRIED UNANIMOUSLY.

A47-01 Windows

Applicant: Eileen Cornacchia
Address: 50 Middle Road
Architect: Graig Portman
Project Description: Add five windows on top of the tower.

This project was deferred from the August meeting as no one was present.

Architect Greg Portman said the only request is for clerestory windows in the stair tower.

The Commission had no objection to the windows, but Mr. Zukov asked that the height of the tower be raised above the main roof line.

**MOTION BY MR. BELL TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

A48-01 Landscape and Hardscape

Applicant: Stephenie and Bob Vanhellemont
Address: 1320 North Lake Way
Architect: Paul Tracy Landscape Design
Project Description: Landscape and Hardscape plans

This project was deferred from the August meeting as no one was present.

Mr. Wheelock said he met with the architect and visited the site.

Landscape Architect Paul Tracy presented the project and indicated that there are several walls located on the north and south property lines. The planting scheme is symmetrical with hedging on both sides of the bike trail.

Mr. Wheelock stated that the composition was very nice and complementary to the house. He suggested to reduce by ½ the paving which leads to the single bay garage on the north side because it only leaves 18" for screening at the property line. He asked to remove of the hedge along the west side of the bike trail.

Mr. Moore said the west side of the bike trail cannot be counted as greenspace.

Mr. Tracy agreed to increase the greenspace by approximately 300 square feet by using reinforced turf leading to the small garage and to remove some of the paving on the lake side.

Mr. Shaw thought that the use of small stones leading to the secondary garage would be practical and would help with the drainage for the property.

MOTION BY MR. WHEELOCK TO DEFER THE PROJECT TO THE OCTOBER MEETING TO REDUCE THE HARDSCAPE, REMOVE THE HEDGE ON THE LAKE SIDE AND INCREASE THE PLANTING AREA FOR SCREENING ON THE NORTH SIDE OF THE PROPERTY.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

A49-01 Landscape

Applicant: Kiam Residence
Address: 230 Barton Avenue
Architect: Krent Wieland Design
Project Description: Landscape plans

This project was deferred from the August meeting as no one was present.

Mr. Wheelock said he met with the architect and visited the site.

Landscape Architect Dan Mock said the hardscape was previously approved. The site has a lot of existing plant material that will be used. Tibouchina, (purple glory tree), screw pine and bird of paradise will be planted at the driveway entry. He presented an elevation drawing of a 10' high ficus hedge with "port holes" as viewed from Barton Avenue.

Mr. Wheelock said the plan was beautifully done which created a shady tropical garden.

**MOTION BY MR. WHELOCK TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

A50-01 Awning

Applicant: J. McLaughlin
Address: 309 Worth Avenue
Contractor: American Awning
Project Description: Awning color change

This project was deferred from the August meeting for restudy.

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

Joe Mattei, representing American Awning Company, proposed a solid yellow awning and presented a photograph of a similar awning on Via Mizner. He said the applicant would like to add six wooden tassels that will hang from the awning.

Some of the Commission Members felt the color was still too bright and the tassels were inappropriate.

MOTION BY MR. SHAW TO APPROVE THE PROJECT AS PRESENTED WITHOUT

**THE TASSELS.
MOTION SECONDED BY DR. ROSENBERG.
MR. BELL OPPOSED.
MOTION CARRIED 6-1.**

D. NEW BUSINESS - MINOR PROJECTS

A51-01 Landscape/Hardscape

Applicant: SLS Asset Management, LTD.
Address: 169 Everglade Avenue
Architect: Green Giant Landscape, Inc.
Project Description: Landscape and hardscape

Mr. Wheelock said he met with the architect and visited the site.

Landscape Consultant Nicki Christensen presented the project with old Chicago brick and buff color cast stone for the proposed driveway material and cocoanut palm trees to provide screening for house next door.

Mr. Wheelock asked that five cocoanut palm trees be planted next to the existing tamarind tree to fill in the gaps.

**MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT WITH THE
PROVISION TO ADD TWO COCOANUT PALM TREES ON THE EAST PROPERTY
LINE.**

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

Discussion took place at this time regarding rain water retention requirements for properties in town. Mr. Moore said the town can cite the property owner for failure to retain the first 2" of water on their site.

**MOTION BY MR. BELL TO RECOMMEND DOING AWAY WITH SWALES,
(RETENTION AREAS), IN THE FUTURE, BUT CONTINUE THE STUDY FOR THE
TWO INCHES OF WATER RETENTION, AND TO CONSIDER IMPLEMENTING
UNDERGROUND DRAINAGE.**

Mr. Moore said the swales are sometimes used to maintain water on one property versus dumping

onto another. Channeling of water to a certain portion of the property is also done either through hardscape or through swales to underground retention systems.

Mr. Bell said the swales should not be used as retention, they can be used as direction.

Mr. Wheelock thought it should be a combination of both because some water will need to be retained on the site. Whether they are in dry wells and swales it's a complicated engineering calculation. He said swales are an effective way to control flooding.

MR. BELL WITHDREW HIS MOTION.

Informal discussion took place regarding storefront changes on Worth Avenue and project #B72-01, but no formal action was taken. It was stated that storefronts should be compatible with the character of the building.

A52-01 Landscape/Hardscape

Applicant: Richard True
Address: 351 Crescent Drive
Architect: Scott C. Mosolf (Landscape: Brett Armstrong)
Project Description: Landscape/Hardscape

Mr. Wheelock said he visited the site.

Landscape architect Brett Armstrong said that twenty-two feet tall areca palm trees will be planted along North County Road which will block the house from the street. Areca palm trees will also be planted strategically to block second story views from the neighbors. Eight-foot bougainvilleas will grow over the north property wall which was the neighbor's request. Gumbo limbo trees and a banyan tree are existing on either side of the front yard. A low hedge and ground cover will be planted along the front property line. Mr. Armstrong discussed the water retention area along the rear property line as a one-foot wide area with beach sand so there will be no standing water.

It was commented that the driveway was very close to the north property wall with practically no screening between the two buildings. It was suggested to move the driveway closer to the house and widen the planting area.

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

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

Mr. Shaw left the meeting at 4:50 p.m. Mr. Zukov was a voting member for the remainder of the meeting.

A53-01 Landscape/Hardscape/Landscape Lighting

Applicant: Elias Management and Construction, Inc.
Address: 100 El Vedado Way
Architect: Life Force Nurseries, Inc.
Project Description: Landscape, hardscape and landscape lighting.

Mr. Wheelock said he visited the site.

Landscape Designer Steven Dauber said that light tan tumble pavers will be used in the driveway. Medjools, European fan palms and dwarf bougainvilleas will be planted along the front of the house and the property wall will have plantings on both sides. The pool area will have a tropical/jungle theme with cocoanut palms, bismarkia palms and colorful hibiscus. Seagrape and silver buttonwood hedges will buffer the sides of the property.

Mr. Bell requested having the landscaping installed immediately after approval as all of the vegetation is dead along the road. Mr. Dauber said that it becomes very difficult to maintain

irrigation systems as all of the utilities are normally rerouted during construction. Mr. Bell mentioned that hand watering of the existing vegetation should be done during construction projects.

Mr. Dauber said the landscape lighting will be mainly concentrated around the structure with up lights in the architectural features of the terraces to illuminate the columns. The medjools will be uplighted at the entry and around the pool. The walkway lighting has been reviewed by the Department of Environmental Protection so all of the turtle concerns have been addressed.

After discussion, it was decided to exclude the lighting completely and have a presentation come back to the commission for review for next month.

**MOTION BY MR. HOFFMAN TO APPROVE THE HARDSCAPE AND THE LANDSCAPE, DEFER THE LANDSCAPE LIGHTING FOR RE-SUBMISSION AND IMMEDIATELY PLANT THE AREA ALONG SOUTH OCEAN BOULEVARD.
MOTION SECONDED BY MR. WHEELLOCK.
MOTION CARRIED UNANIMOUSLY.**

Mr. Dauber said he would notify the electrician that they need to file the ARCOM application for the site lighting.

Dr. Rosenberg left the meeting at this time.

A54-01 Landscape/Hardscape

Applicant: Amigo Partnership
Address: 329-333 Australian Avenue
Architect: Mario Nievera Design
Project Description: Proposed Hardscape and planting design

Mr. Wheelock said he visited the site.

Landscape Architect Mario Nievera said the townhouses are above the sidewalk level approximately 3 or 4 feet because of the subterranean garages. Therefore, a perimeter site wall was necessary. The wall at the street will have two small fountains and coconut palm trees will be continued along the street. Eureka and Alexander palms will be planted in the gardens and along the street and pigmy date palms at each gate. The east and west property lines will be screened with a combination of travelers palms, carpentaria palms, eureka palms and Alexander palms. Gardens will be planted in the back yards having plantings peeking over the seven feet

high privacy walls between each garden.

It was thought that the landscaping and wall fountains may be too flamboyant for the character of the street. Also, the plantings were the same on both sides of the building making the entire project too similar. It was thought that there was too much concentration for the middle unit making the other sides look like service entrances.

Mr. Nievera said he had a problem making the landscaping look different when the building is so strong and symmetrical.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE OCTOBER MEETING TO COME BACK WITH DISSIMILAR LANDSCAPING IN THE FRONT AND TO REDUCE SOME OF THE HARDSCAPE.
MOTION SECONDED BY MR. WHEELLOCK.
MOTION CARRIED UNANIMOUSLY.**

A55-01 Landscape/Hardscape/Landscape Lighting

Applicant: 999 Indian Road Realty Trust
Address: 999 Indian Road
Architect: Parker Yannette Design Group
Project Description: Landscape, hardscape and landscape lighting.

Mr. Wheelock said he visited the site.

Landscape Architect Chuck Yannette presented elevation drawings showing columns with cast stone caps and terra cotta planter posts flanking the driveway entrances. Old Chicago brick in a herring bone pattern will be used in the driveway and the pool deck. Urns on the pool deck and the planters at the driveway entries will have dwarf agave planted in them. An arbor will have bougainvillea growing on it as well as the blank walls on each side of the house. Pitch apple trees will be planted in the front of the property.

Mr. Wheelock said this is a very difficult site and the landscape architect did a terrific job, but ligustrum trees should be used rather than clusia/pitch apple for more of an impact at the front corner of the property.

Mr. Yannette said that each of the large trees along the road will have 50 watt up-lights.

It was felt that the site lighting could be reduced as the other homes in the area do not have much, if any, lighting.

MOTION BY MR. ADAMS TO APPROVE THE PROJECT WITH THE PROVISION TO REDUCE SOME OF THE HARD SURFACE AT THE EXTRA PARKING AREA AND AROUND THE POOL, AND HAVE MR. FRANK REVIEW THESE CHANGES. MOTION SECONDED BY MR. WHELOCK. MOTION CARRIED UNANIMOUSLY.

A56-01 Landscape Lighting

Applicant: Mr. and Mrs. Harry Theodoracopolus
Address: 223 Via Tortuga
Contractor: Luminary Effects, Inc.
Project Description: Landscape lighting

Lighting Consultant Don Collier said that a 100-watt light fixture will be located on the inside of the front property wall. This fixture will have a diffuser on it which will reduce the wattage to about a 70-watt output. The total wattage will be 2,300 which will be filtered down to less than 2,000 watts. Mr. Wheelock asked why they were introducing light at an area that is very close to the house next door. Mr. Collier said the proposal is a wall of light on the west side at the breakfast nook which will provide privacy and have the effect of a sheer curtain.

Wendy Victor, 208 Via Tortuga, addressed the Commission and said the Phipps Estates has very

low site lighting.

It was suggested having a final inspection of the site lighting, and if it is felt to be too bright by members of the commission or a staff recommendation, to readjust the lighting. So it would be a conditional approval with the inspection.

Mr. Zukov disagreed with lighting the driveway and stated that he can see everything on his property with only five lights.

**MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISIO THAT AFTER THE LIGHTING IS INSTALLED THAT WE OR SOME OF THE COMMISSIONERS TAKE A LOOK AT IT.
MOTION SECONDED BY MR. WHEELOCK.
MR. ZUKOV OPPOSED.
MOTION CARRIED 5-1.**

A57-01 Fence

Applicant: Wakuna Vega
Address: 302 Seabreeze Avenue
Contractor: Pick-it Fence Co., Inc.
Project Description: Install a 42" scalloped PVC picket fence with a matching gate/arbor trellis.

Mr. Adams said he met with Ms. Hollis at the site and looked at the fence.

Contractor David Peterson presented photographs of the fence and apologized for installing it without a permit.

Mr. Frank said the building department received telephone calls from neighbors expressing their displeasure, especially with the PVC material.

Ms. Rebecca Williams, 232 Seabreeze Avenue, she said the bright, white, plastic fence was incongruous in the neighborhood and with the house it is front of. The street is primarily lined with hedges and unobtrusive fences. Ms. Williams submitted letters from neighbors objecting to the fence.

Ms. Toni Hollis, owner of the subject property, said she thought that the fence had a neighborhood feeling and chose it because it would be durable. The intention was to grow a ficus hedge through the fence and have vines grow on the arbor for a charming effect. She had never been approached by any of the neighbors voicing their displeasure with the fence, but she will abide by the decision that the Commission makes. Ms. Hollis stated that the fence company put her personal assistant's name on the application, but she is the owner of the property.

Mr. Adams said there are other fences of this kind in town, but he thought that if the fence were moved away from the sidewalk and hedged, it would not be as obtrusive. The only other alternative would be to remove the fence.

Ms. Hollis offered to move the fence back and eliminate the front driveway allowing for more greenspace.

Ms. Chris Martin, 312 Seabreeze Avenue, stated that the "Sea" streets have a natural environment and the introduction of a PVC fencing would change the character of the neighborhood.

The Commission agreed that the PVC was not the best material for use on Palm Beach, and that if the fence remains it should be hidden by vegetation.

Mr. Owen Williams addressed the Commission at this time.

Mr. Frank said that four feet is the maximum height for fences without vegetation in front of them. The fence is five feet high which would require half of the fence to be screened and the arbor is over the allowed height. Therefore, the fence is in violation of the town's zoning codes.

MOTION BY MR. WHELOCK TO DENY THE PROJECT PURSUANT TO THE CRITERIA SET FORTH IN ARTICLE III, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205, 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 MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

Ms. Hollis agreed to take the fence down and thanked the Commission for their time and consideration of this project.

Ms. Williams also thanked the Commission.

VII. OTHER BUSINESS

Chairman Schuler commented on the Architectural Commission Mission Statement and again asked the members to submit their comments to Mr. Frank.

The construction project at 200 El Vedado Road was discussed. Mr. Bell said they changed the cast stone to stucco around windows. Mr. Schuler said the Chief Building Inspector, Steve Carew, red tagged the job, but the new owners continued with the changes.

MOTION BY MR. BELL TO NOTIFY THE OWNER TO BE NOTIFIED THAT THEY MUST COME BEFORE ARCOM TO PRESENT WHAT THEIR INTENTIONS ARE, OTHERWISE THE PROJECT SHOULD BE RED-TAGGED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Landscape Architect John Lang asked the Commission to reconsider a change of plant material for a previously approved project at this time.

**MOTION BY MR. BELL TO HEAR THE PROJECT.
MOTION SECONDED BY MR. WHEELLOCK.
MOTION CARRIED UNANIMOUSLY.**

Mr. Lang said the property at 223 Coral Lane had three large ficus trees in the front which were supposed to be relocated on the site. He asked for removal of these trees as they were not specimen trees and in bad shape. Mr. Frank said that what was presented to the Commission on the survey was not accurate as the trees were not indicated in the proper location and not the right species. He thought the survey may have examined the wrong site.

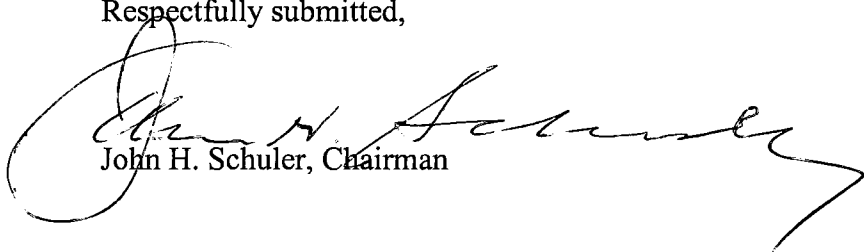
**MOTION BY MR. BELL TO APPROVE THE REMOVAL OF THREE FICUS TREES
LOCATED AT 223 CORAL LANE WITH THE PROVISION THAT A REVISED
LANDSCAPE PLAN COMES BACK TO THE COMMISSION FOR REVIEW.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

VIII. ADJOURNMENT

**MOTION BY MR. BELL TO ADJOURN THE MEETING AT 6:40 P.M.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Architectural Review Commission will be held at 9:00 a.m. on October 24, 2001.

Respectfully submitted,



John H. Schuler, Chairman

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

NAME—FIRST NAME—MIDDLE NAME ELOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 250 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9-26-01		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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 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:

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

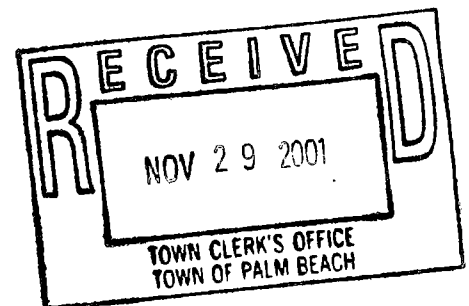
I, MORGAN WHEELLOCK, hereby disclose that on SEPT 26, 19 01:

(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:

*Applicant is my Client. Item No: B69
150 Kings Road.*



9.26.01
Date Filed

Morgan Wheellock
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 ELOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM
MAILING ADDRESS 250 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY PALM BEACH	COUNTY PB FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 9-26-01		NAME OF POLITICAL SUBDIVISION:
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

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

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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:

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:

- 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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- 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 WHEELLOCK, hereby disclose that on SEPT 26, 19 01:

(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:

*Applicant is my Client. Item No. B69
150 Kings Road.*

9.26.01
Date Filed

Morgan Wheellock
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.