



TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
WEDNESDAY, SEPTEMBER 24, 2008
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (tape or CD) of the meeting by contacting Gretchen Dayton, Secretary to the Architectural Commission at (561) 227-6409. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery W. Smith, Member
Samuel M. Boykin, Member
Kenn Karakul, Alternate Member
Ann L. Vanneck, Alternate Member
John C. Randolph, Town Attorney
John Page, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

William J. Strawbridge, Jr., Member, unexcused absence
Robert J. Vila, Alternate Member, unexcused absence

Note: Mr. Karakul was a voting member throughout the meeting.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF MINUTES OF THE AUGUST 27, 2008 ARCOM MEETING.

MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

VI. PROJECT DEFERRALS/REMOVAL

None

VII. PROJECT REVIEW

**A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
DEFERRALS**

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

**A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
DEFERRALS**

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

B59-08 / V11-08 Addition 3:00 & 3:11:39

Address: 410 Seabreeze Avenue
Applicant: William and Elaine Miller, Trustees
Architect: Noe Guerra
Project Description: A second story addition above the existing kitchen, at the rear of the house, totaling 422.98 square feet, and a first floor addition to slightly expand the existing family room at the rear of the home totaling 67.54 square feet. (The applicant requests a variance to permit a Cubic Content Ratio of 4.77 in lieu of the 4.29 existing and 4.08 maximum permitted by code, to allow the construction of a 422.98 square foot second story addition to accommodate a new bedroom and 67.54 square foot addition on the first floor to accommodate an expansion of the living room; a variance to allow the 67.54 square foot addition on the first floor consistent with the existing east side yard setback of 11.39 feet, in lieu of the 12.5 foot minimum required; a variance to allow the 422.98 square foot second story addition, with a second story west side yard setback of 9.6 feet, in lieu of the 15 foot minimum required.).

ARCOM Minutes 9/24/08

This project was deferred from the August meeting for restudy.

Mr. Wheelock said he met with the architect and the attorney.

Mr. Guerra did not have mini-plans for the Commission to review. Therefore, it was agreed to come back later in the meeting.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE END OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

This project was called to the table after item number A8-08.

Mr. Wheelock said that he did not speak with the architect and the attorney as he previously stated.

Architect Noe Guerra handed out mini-plans to the Commission. He pointed out that the revisions to the project include a larger roof over the bay window and simplification to the detailing underneath it.

Mr. Feldkamp remarked that the lot has been “nibbled” away over the years with all of the additions that have taken place. It was also stated that to cantilever a bay window on a cantilevered second story was not architecturally pleasing.

Attorney Ron Kolins asked the Commission for direction so that the architect can revise the plans. It was stated that the architect has the opportunity to meet with the Commission Members on an individual basis.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Chairman Wheelock noted that the variance vote will be deferred as well.

B62-08 / V9-08 Addition 8:20

Address: 355 North Lake Way
Applicant: Arthur Levine
Architect: Thomas Kirchhoff
Project Description: Addition of a second story to an existing one story residence. (A variance to construct a second story addition with a north side yard setback of 10.1ft. in lieu of the 15ft. minimum required and a south side yard setback of 13.2ft. in lieu of the 15ft. minimum required).

This project was approved with the provision to come back with a study of the balcony over the front door.

Mr. Wheelock declared a Conflict of Interest in which he had declared previously this year for the same client. He then passed the gavel to Vice-Chairman Feldkamp and left the dias during the discussion.

Architect Thomas Kirchhoff presented revisions to the front entry element which included elimination of the balcony above.

MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. KARAKUL.
MR. SMITH OPPOSED.
MOTION CARRIED 6-1.

A5-08 / SP8-08 Sign 14:31 & 1:15:00

Address: 2842 South Ocean Blvd.
Applicant: City National Bank of Florida as Trustee
Architect: Beilison & Gomez
Project Description: Construction of an identification sign at the entrance of 2842 South Ocean Blvd. (A variance is requested to provide a yard sign with no front yard setback in lieu of 10 feet minimum required).

This project was deferred for restudy from the August meeting.

Mr. Wheelock said he visited the site.

Marilia Carlson, representing the applicant, requested deferral until later in the meeting as the architect was delayed in traffic.

Chairman Wheelock placed this item at the end of this section of the agenda.

This project was called to the table after item number B32-08.

Architect Jose Gomez proposed a florescent glass signs with copper lettering and back lighting. He presented a sample of the glass and said that it will change colors in the sunlight. Responding to the comment that lighting in signs was not allowed in our code, Mr. Gomez agreed to place lights on the ground facing the signs.

It was noted that the entry/exit letters on the signs were twice the size of the hotel sign. The idea was to make these signs secondary to the main sign.

Lighting Consultant Thomas Patterson explained that the glass in the sign is defused on the front and that it will show the image quite strongly. Mr. Patterson agreed to follow the Town's policy for foot candle measurements versus what was indicated on the plans.

**MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE CONDITION TO USE AN OPAQUE, ONE COLOR SIGNS, TO HAVE THE ENTRY/EXIT SIGNS NOT TO EXCEED 2.5 FEET IN HEIGHT AND APPROVE THE LIGHTING PLAN THAT WILL BE WITHIN THE 8 FOOT CANDLE MAXIMUM LIMIT.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

The applicant was asked to submit revised plans within two weeks.

**B. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
NEW BUSINESS**

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

B74-08 V17-08 Addition 16:11

Address:	300 Polmer Park
Applicant:	Darrell and Susan Ross
Architect:	Noe Guerra
Project Description:	A 655 sq.ft. Second story addition to add two bedrooms and a 138.4 sq. ft. first floor addition to provide a pantry. (The applicant requests a variance to permit lot coverage of 31.74% in lieu of the 30.97% existing, and the 30% maximum permitted by code for a two-story house, to allow the construction of a 138.4 square foot addition on the first floor; a variance to allow the point of measurement for the purposes of calculating cubic content ratio, of 17.5 NGVD in lieu of the lowest floor slab of 14.5 feet NGVD as required by code.)

Chairman Wheelock also deferred this project to the end of the agenda in order for the architect

to produce mini-plans for the Commission.

This project was heard under Deferral and Continuations - Major Projects portion of the agenda.

Ms. Vanneck said she visited the site. Ms. Diver said she spoke with one of the applicant's friends. Mr. Wheelock said he visited the site and met with the architect, landscape architect and the attorney. Mr. Feldkamp and Mr. Youchak said they met with the architect and the attorney.

Architect Noe Guerra indicated that the new property owners need to expand the house to meet their current needs.

Landscape Architect Daryl McCann stated that the house is well screened with existing landscaping.

It was thought that because the addition was placed in the middle section of the roof, it looked like a "pop-up" addition.

Mr. Guerra had an alternate drawing showing a higher mansard roof, but to accomplish this, a variance would be required.

Attorney Ron Kolins stated that none of the neighbors had any objection to the project.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT AND THE VARIANCE RECOMMENDATION TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

B75-08 V13-08 Addition

Address:	695 South County Road
Applicant:	Lorne and Wendy Abony
Architect:	Smith and Moore Architects
Project Description:	Twenty-four hundred square foot second floor addition. (The applicant requests three variances to allow construction of a 2,484 square foot second story addition with a point of measurement of 12.77 feet NGVD for building height plane, height and overall height of the proposed addition in lieu of the 8.36 feet NGVD required.)

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

Attorney Maura Ziska, representing Mr. and Mrs. Abony, explained that the property is a corner

lot and the road is much lower than the finished floor of the house. Because it is a corner lot, the average heights of both intersecting streets are measured, and the required point of measurement is approximately 8 NGVD for overall height. The addition will match the existing building height.

Architect Jon Moore presented the project of a second floor addition which will match the existing second floor portion of the house. The top banding on the house will be embellished to add some detail. The window on the west elevation was changed from a round window to a casement window with shutters.

MOTION BY FELDKAMP TO APPROVE THE PROJECT WITH THE PROVISION TO USE A SQUARE WINDOW ABOVE THE ENTRY.

MOTION SECONDED BY MR. KARAKUL.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE ARCHITECTURE OF THE PROJECT MERITS THE VARIANCES REQUESTED.

MOTION SECONDED BY MS. DIVER.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

B76-08 /V16-08 Gates

Address: 1000 Indian Road
Applicant: Joseph and Karin Luter
Landscape Architect: Mario Nievera Design
Project Description: Both proposed entry gates require a variance. (The applicant requests a variance to allow: (i) an eight (8) foot; and (ii) eight foot two inches (8'2") setback from the edge of pavement in lieu of the eighteen (18) foot minimum required.)

There were no ex parte communications disclosed.

Attorney Maura Ziska, representing the property owners, stated that the variance request is for driveway gates to be closer to the road than what the code allows.

Landscape Architect Keith Williams presented elevation drawings of the proposed sliding gates that will be attached to the existing 6' high piers. He explained that the owners have dogs they do not want to run out into the street.

The Commissioner's agreed that the gates need to be redesigned and they need to be placed at

ARCOM Minutes 9/24/08

least 10' from the street allowing room to pull up for a call box.

Attorney Ziska requested a deferral on the variance recommendation so that they can redesign the gates.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT AND THE VARIANCE RECOMMENDATION TO THE OCTOBER MEETING.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B32-08Addition 1:14:84

Address: 110 Chateaux Drive
Applicant: Alexander L. Fanjul
Architect: Ames Bennett
Project Description: Single story 1,147 sq. ft. family room addition with recreation room appendages to northeast area of the existing two-story house.

This project was deferred from the May and June meetings for restudy. This project was deferred to the September meeting "or earlier." This project was deferred from the August meeting as the applicant is waiting for approval of a waiver from the zoning code.

Chairman Wheelock stated that the applicant has requested removal of this project from the agenda.

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

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

B41-08 Demolition & New Residence 59:44

Address: 144 Wells Road
Applicant: Mr. and Mrs. Peter Cohen
Architect: Smith and Moore Architects
Project Description: Demolition of existing residence and construction of a new two-story British Colonial style residence.

The demolition portion of this project was referred to the Town Council for review at their July meeting. The owner appealed that action and the Town Council upheld the owner's appeal. Demolition was approved and the replacement house was denied at the July meeting. Per the Town Council's action this project is placed on the agenda with notification to the adjacent neighbors. This project was deferred from the August meeting for restudy.

Mr. Wheelock, Ms. Diver and Mr. Youchak said they met with the architect. Mr. Feldkamp recused himself at the Town Council's request, and left the dias during the discussion.

Architect Harold Smith addressed the Commission's comments from last month by changing the lower windows from eight over eight to six over six windows. The second floor doors were reduced in height by 6" and the copper roof over the bay window was lowered. The building color was changed from green to white.

**MOTION BY MR. YOUCHAK TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

B46-08 New Residence 1:00:00

Address: 200 Merrain Road
Applicant: Mark Mason and Isabella Kron
Architect: Ralph Cantin
Project Description: Demolish existing one-story residence. Construct a new two-story

This project was deferred from the June meeting for restudy. Demolition was approved at the July meeting and the replacement house was deferred for restudy. This project was deferred from the August meeting to come back with a different plan.

Architect Ralph Cantin asked for project deferral to the October meeting.

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

B56-08 New Residence 1:09:04

Address: 770 South County Road
Applicant: 770 South County L.P.
Architect: Ralph Cantin
Project Description: New two-story single family residence.

This project was approved at the July meeting subject to returning with the details. This project was again deferred subject to returning with the details.

There were no ex parte communications disclosed.

Architect Ralph Cantin introduced Developer Joe Brennan who then presented the revised details of the project.

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

D. NEW BUSINESS - MAJOR PROJECTS

B77-08 New Residence 1:11:22

Address: 2315 South Ocean Blvd.
Applicant: Donna Ward
Architect: Smith and Moore Architects
Project Description: New two-story residence and swimming pool.

Ms. Diver, Mr. Wheelock and Mr. Youchak said that they met with the architect and reviewed the plans. Mr. Feldkamp said he met with the architect and visited the site.

Architect Daniel Kahan presented a model, elevation drawings and aerial pictures of the project. It was thought that the east and west facades should relate to each other as one facade was very formal and the other was not.

Landscape Architect Steve Parker presented the landscape plan which incorporated much of the existing vegetation.

**MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE OCTOBER MEETING
FOR RESTUDY.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B78-08 New Residence 2:03:56

Address: 1071 North Ocean Blvd.
Applicant: Janina Radtke
Architect: Randall Stofft Architects
Project Description: New two-story CBS residence. (Extension of ARCOM approval B85-07)

Attorney Maura Ziska, representing the applicant, requested an extension of the ARCOM approval. She explained that they have to wait to build the seawall until the end of the turtle season and the Department of Environmental Protection will not issue the permit for the house until the seawall is built.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT FOR AN ADDITIONAL SIX MONTHS.

MOTION SECONDED BY MS. DIVER.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

B79-08 Additions 2:08:40

Address: 207 Bahama Lane
Applicant: Bahama Beach Holdings, LLC
Architect: SKA Architect + Planner
Project Description: One and two-story additions at rear of property, mansard roofs, dormer windows, and other detailing to match the existing building.

Ms. Vanneck, Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Wheelock said he received a telephone call from the architect and visited the site.

Architect Jackie Albarran presented the project.

MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH THE PROVISION TO KEEP THE WESTERN HEDGE.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B80-08 New Cabana 2:18:21

Address: 661 North Lake Way
Applicant: Mr. and Mrs. Thomas Iovino
Architect: Ralph T. Cantin
Project Description: New cabana/awning in an existing courtyard to match existing Regency style colors and materials.

Mr. Wheelock declared a Conflict of Interest. He passed the gavel to Vice Chairman Feldkamp and left the dias during the discussion.

Mr. Feldkamp noted for the record that the notice to the neighbors had been mailed indicating the wrong project address. He said that this project will be heard today, but if there are any objections to the project after this presentation, it will come back to ARCOM for further review. (Note: Corrected notices were re mailed to the neighbors).

Architect Ralph Cantin presented the 80 sq. ft. cabana project.

MOTION BY MR. KARAKUL TO APPROVE THE PROJECT SUBJECT TO THERE BEING NO OBJECTION FROM THE PUBLIC WITHIN SEVEN DAYS OF THIS APPROVAL.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A3-08 Parking Lot Resurface

Address: 125 Worth Avenue
Applicant: CP 125 Worth, LLC
Property Owner: Walter C. Phillips III
Project Description: Remove an existing tile covering structural concrete deck and install an asphalt top coat on a concrete deck.

This project was deferred from the July meeting for restudy. This project was deferred from the August meeting as no one was present to represent the project.

Chairman Wheelock stated that the applicant has asked for removal of this project from the agenda.

MOTION BY MS. DIVER TO REMOVE THE PROJECT FROM THE AGENDA.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

F. NEW BUSINESS - MINOR PROJECT

A7-08 Sign

Address: 240 Sunset Avenue
Applicant: National City Bank
Attorney: Francis X. J. Lynch
Project Description: Change of signage

There were no ex parte communications disclosed.

Attorney Frank Lynch presented the signage for the new bank.

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

A8-08 Cellular Communication Antenna

Address: 2730 South Ocean Blvd.
Applicant: T-Mobile
Engineer/Contractor: Mactect Engineers & Construction /Dynamic Construction Services
Attorney: Becker & Poliakoff
Project Description: Installation of a proposed T-Mobil cellular communication antenna affixed to the Ambassador Hotel.

Ms. Vanneck and Ms. Diver said they met with the attorney. Mr. Wheelock and Mr. Feldkamp said they went to the site and met with the attorney. All of the Commissioners received a letter from Dr. Mas G. Massoumi in which they read at this time. The letter was in opposition to the installation of antennas on this building.

Attorney Neil Schiller presented the project. He said the antennas will be moved to the penthouse. Therefore, they will not be seen from the neighboring condominium.

Pauline Traunan, representing the Beach Point Condominium, requested that no antennas be place on the building at all.

Michael Copeland, 2730 South Ocean Blvd., stated that the Ambassador Condominium has been a bad neighbor.

Richard Kleid, 2660 South Ocean Blvd., requested that a stealth wall be built around the

antennas or to place them inside the penthouse.

MOTION BY MR. FELDKAMP TO APPROVE THE "FIRING-UP" THE EXISTING TRANSMITTERS FOR A PERIOD OF TIME NOT TO EXCEED SIXTY DAYS AT WHICH TIME THEY WILL BE MOVED TO THE PENTHOUSE LOCATION, THAT THE WIRING AND ANCILLARY THINGS BE PAINTED IMMEDIATELY TO MATCH THE BUILDING , WHEN THE ANTENNAS ARE REMOVED THAT THE DAMAGE TO THE BUILDING IS CORRECTED AND THAT THE NEW TRANSMITTERS ON THE PENTHOUSE WILL HAVE SOME SORT OF A STEALTH WALL PROTECTION TO BE APPROVED BY STAFF.

MOTION SECONDED BY KARAKUL.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

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

Discussion of a possible Ordinance to govern the use of artificial turf in Palm Beach.

Sharon Stewart, 225 El Pueblo, representing the Garden Club of Palm Beach, stated that artificial grass is harmful to the environment and it is toxic having a high content of lead.

Richard Kleid, Town Council President, asked ARCOM what conditions could be placed on the installation of artificial turf? Should it be very limited and approved only in certain conditions?

Zoning Administrator Paul Castro stated that artificial turf is allowed by code only if it does not encroach into the landscape/open space requirement.

MOTION BY MR. BOYKIN TO NOT ALLOW ARTIFICIAL TURF IN TOWN UNTIL BETTER CHEMISTRY IS DEVELOPED FOR THIS MATERIAL.

MOTION SECONDED BY MR. SMITH.

ROLL CALL:

MR. BOYKIN	YES
MR. SMITH	YES
MR. FELDKAMP	NO
MS. DIVER	YES
MR. YOUCHAK	YES
MR. KARAKUL	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

Mr. Kleid clarified that at this time artificial turf is allowed as long as it does not exceed the landscape/open code requirements. He asked if the Commission would like an ordinance that would preclude artificial turf under any circumstance and what to do about the residences that presently have artificial turf.

The Commissioner's agreed that the current code that does not allow artificial turf to be substituted for landscape/open space was agreeable.

IX. ADJOURNMENT

MOTION BY MR. SMITH TO ADJOURN THE MEETING AT 4:47 P.M.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on Wednesday, October 22, 2008 at 9:00 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Morgan Dix Wheelock", written in a cursive style.

Morgan Dix Wheelock, Chairman

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

ST 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 PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9/24/08		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		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

person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

RECEIVED

DEC 03 2008

TOWN CLERK

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 24, 2008.

(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 owner of this property is my Client. I act as the Landscape Architect for the Project

Date Filed

Nov. 24 2008

Signature

Morgan Dix Wheelock

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.

WHEELOCK 1350 00 641 NEW

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

LAST NAME—FIRST NAME—MIDDLE NAME WHEELOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCUM	
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 PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9/24/08		NAME OF POLITICAL SUBDIVISION: TOWN of Palm Beach	
		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 which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Dix Wheelock, hereby disclose that on September 24, 2008.

(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 owner of this property is my Client. I act as the Landscape Architect for the Project

Date Filed

Nov. 24 2008

Signature

Morgan Dix Wheelock

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.