



TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION MEETING
WEDNESDAY, AUGUST 27, 1997
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: Laurel Baker, Chairman
John H. Schuler, Vice-Chairman
Sally Gingras, Member
Robert E. Deziel, Member
Joanna Frost-Golino, Member
Floyd Wideman, Alternate Member
Eric Adams, Alternate Member
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
John C. Randolph, Town Attorney

ABSENT:
Ethel Kinsella, Member
Lowry M. Bell Jr., Member
Marvin Rosenberg, Alternate Member

RECORDING SECRETARY: Gretchen Dayton

III. DISCUSSION RELATING TO CLARIFICATION TO THE PALM BEACH CODE OF ORDINANCES, ARTICLE IX. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387 CRITERIA REGARDING DEFINITION OF NEIGHBORHOODS.

Mrs. Baker said there seems to be some confusion on what constitutes a neighborhood for comparisons of lot sizes, CCR and FAR. Mr. Moore said the staff believes the language in the Ordinance is clear when defining a neighborhood. He said it is the Guidelines that are confusing by giving the applicants another option to use.

Mr. Randolph said he drafted a letter for the Chairman's signature as requested at the last meeting. He said for comparison purposes, the ordinance states for houses facing upon the same or intersecting public or private ways and within two-hundred feet of the proposed site. He said the applicant cannot just look at the first one without looking at the rest of the properties within two-hundred feet. He said if the Commission feels the Ordinance needs to be clarified and they want it to be amended, it needs to go back to the Town Council. He said the Guidelines are not binding upon the Commission, but help assist them in addition to what is in the Ordinance. He said sometime ago the Commission passed a Guideline which said, that in certain instances they would like to look where a house appears on a major roadway beyond 200 feet. He said he felt the Ordinance is clear the way it is written.

Much discussion took place regarding "intersecting" and "parallel" streets as stated on the Ordinance. Mr. Moore said the ordinance has never been interpreted as the "intersecting" street to be the controlling factor as to the point of measurement for the two-hundred feet. The two-hundred feet have always been the controlling factor. After discussion it was agreed to take the wording out of the Ordinance with any reference to streets, and just state "within two-hundred feet of the proposed site."

MOTION BY MR. SCHULER TO DIRECT THE TOWN ATTORNEY TO DRAFT A LETTER TO THE TOWN COUNCIL AMENDING THE LANGUAGE IN THE CRITERIA IN ARTICLE IX, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387, SUB SECTION F.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SCHULER TO BEGIN THE REGULAR MEETING.

MOTION SECONDED BY MRS. FROST-GOLINO

MOTION CARRIED UNANIMOUSLY.

IV. APPROVAL OF THE MINUTES FROM THE JULY 23, 1997 MEETING.

Mr. Schuler said he had announced ex-parte communications regarding some of the projects and they were not noted in the Minutes. Mr. Schuler said he would fill out a form indicating these communications. Mrs. Frost-Golino said the minutes reflect that she had voted on one of the projects, but she was absent from the meeting.

Note: The minutes must have been corrected prior to the meeting as the secretaries copy did not indicate Mr. Frost-Golino making any motions during the July meeting.

V. SWEARING IN OF PERSONS TESTIFYING

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

VI. PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B16-97 Demolition and New Residence

Applicant: James Woolems
Address: 1080 North Ocean Blvd.
Architect: Glen Harris
Project Description: Demolition of existing residence and construction of new residence.

This project was deferred from the March, April, May, June and July meetings.
Mrs. Baker wanted it noted that this is the second time Mr. Harris has presented the project.

Attorney Peter Broberg addressed the Commission and discussed the cubic content of the existing surrounding homes.

Architect Glen Harris presented the CCR calculations and handed out charts. Mr. Harris said the beam height was reduced which reduced the cubic content of the house and he felt it would be an asset to the neighborhood. The house will have a yellow smooth stucco and the windows will be casement with white aluminum frames. The muntin bars will be applied to the glass. Mr. Harris did not want to use true divided lites in the windows because he felt mullions are too heavy. A debate took place at this time regarding true divided muntins vs. applied muntin bars.

The Commission discussed the front entry, especially the one foot wide beam across the arched transom. They felt the entry would be improved if the beam were eliminated and the transom was lowered.

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Mr. Broberg said the project has been on the agenda five times, the averages have been given, and the project fits into the neighborhood.

There was much discussion whether the project fits into the neighborhood or not, relative to the size and style.

The Commission's suggestions and comments are as follows:

The house that was demolished was half the size of the proposed house.

Eliminate the balcony off of the master bedroom and put a one story element on the south east corner of the house.

Lower the arch and remove the beam at the front entrance

The house is attractive, but is too large for the site.

The architect needs to draw a street scape of Monterey Road and figure the average square footage of the homes in the neighborhood.

Mr. Adams said he felt the houses on Monterey Road are large and this project may be just slightly larger than the others in the neighborhood.

Mr. Deziel felt the house should be no larger than 5,000 square feet.

MOTION BY MR. DEZIEL TO DENY THE PROJECT.

After further discussion Mr. Deziel withdrew his motion.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. FROST-GOLINO.

ROLL CALL:

MR. DEZIEL	YES
MRS. FROST-GOLINO	YES
MR. SCHULER	YES
MRS. GINGRAS	YES
MR. WIDEMAN	YES
MR. ADAMS	YES
MRS. BAKER	YES

MOTION CARRIED UNANIMOUSLY.

B54-97 New Residence

Applicant: Edward D. Lewis, Trustee
Address: 220 Kawama Lane
Architect: Ames Bennett
Project Description: New Residence

This project was deferred from the June and July meetings.

Mr. Deziel said he spoke with the developer regarding the project. Mr. Schuler, Mrs. Baker and Mrs. Frost-Golino said they spoke with Mr. Bennett and with Mr. Kolins regarding the project. Mr. Adams said he spoke with Mr. Kolins.

Attorney Ron Kolins addressed the Commission and said the front portion of the house is seventy feet from the road a side loading garage twenty-six feet from the road. He said the windows were cymetrically spaced and the side facade was broken up eliminating the long straight line. Mr. Kolins passed out CCR charts and discussed the figures with the Commission. He said this project is eclectic and this house is a Regency Style.

Architect Ames Bennett presented a site plan and elevation drawings. He said the windows were centered on the house and the house colors will be a light yellow with a white trim.

Donald Kino who resides at 205 Sanford Avenue said that it is refreshing to see an applicant pay attention to the comments from the Commission.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B66-97 New Residence

Applicant: Martin Atkins/Boston Homes
Address: 201 Monterey Road
Designer: Kenneth Lang/Lang Design Corp.
Project Description: New single family Bermuda style home.

This project was deferred from the July meeting.

Mr. Adams, Mrs. Baker and Mr. Schuler said they spoke with Mr. Broberg regarding the project. Mrs. Frost-Golino said she spoke with Mr. Broberg and Mr. Lang and drove by the site.

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Designer Kenneth Lang said the proposed project is on two lots that have been combined. He presented a perspective elevation drawing and photographs of the surrounding homes. He said there will be a random shape site wall around the property. The house will face Monterey Road and there will be an entrance off of North Ocean Blvd. He said the house will have smooth stucco, white flat cement tile roofing material and Marvin windows with true divided lites.

The Commission felt the project was much too large for the area. Mr. Lang said he felt the comparable properties are not fair if he has to compare his project with a fifty-year-old, 2,000 square foot cottage on the same size lot. He felt that he could calculate the proposed project as though two single homes were being placed on one lot. Mrs. Baker said based on the figures the designer has given, the average lot size is 13,348. The project lot size is 19,173 square feet, which is approximately 43% larger and the average size home is 4,100 square feet. She said the proposed house should be 6,728 square feet which she felt was being generous. Mr. Lang said if there are two lots, the same comparable would mean the house size could be doubled. Mr. Deziel explained that the neighborhood would look less dense with two 4,000 square foot homes as opposed to one 8,000 square foot home on one lot. He said the reason people buy two lots is not to double up on the square footage, but to increase the green space. Don Kelderone of Boston Homes addressed the Commission and said his client has two lots and would like to maximize the potential of the lot so he doesn't lose money. He said the compromise is to try to come somewhere between what his client wants and what the Committee would like to have built. He said he felt if they could stay around 7,000 square feet he may be able to "get that through his boss." Mrs. Frost-Golino said that size is still too large and pointed out on the CCR chart that a 17,000 square foot lot has a 4,700 square foot home on it. Mr. Kelderone said that house is fifty-years old and he was told that this neighborhood is in transition. He said they would like to build not at the lower level and not at the higher level, but somewhere in the middle.

Mrs. Baker said that Mrs. Sheppard, Phelps Montgomery and Myra Mann wrote letters in favor of the project with the request to have lush landscaping planted on the property.

The Commission comments are as follows:

The house is too large, too busy, too massive and has too many elements.

Bring detailed drawings of the soffit/fascia area and of the stucco.

The west to east elevation is too long and should be broken up with more reveals.

Make the house more simple and more elegant.

The site walls are shown differently in different drawings and should be simple in design.

There are too many and too many different types of french doors.

Switch the storage area and the garage which would result in a side loading garage and would allow for more court yard area.

The gross square footage should be less than 6,000 for this project.

Possibly use roll down shutters and eliminate the functional shutters.

Show the proposed house on a street scape drawing.

Move the windows away from the corners of the house.

Mrs. Gingras said she wanted the developers to know that ultimate luxury is having space around a house.

Mr. Randolph wanted to caution the Commission from making too many comments. He said this Commission could simply deny the project on the basis of the presentation. He said the Commission gives suggestions for improvements which are only guidelines that have been given by individual members. If the applicant takes all of the suggestions into account, there is a likelihood that when the project comes back, the plans still may not meet the criteria and still may not fit into the neighborhood. He said he did not want this Commission to be put into a position of someone coming back and saying we've met all of your criteria how can you possibly turn us down. He told the applicant that the suggestions given are guidelines by individual members of the Commission in an attempt to help the project.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY AND WITH THE UNDERSTANDING THAT THE COMMISSION COMMENTS ARE ONLY SUGGESTIONS FOR PROJECT IMPROVEMENT AND NOT GROUNDS FOR PROJECT APPROVAL.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B68-97 Demolition and New Parking Lot

Applicant: Robert E. List, Trustee
Address: 238-240 Sunrise Avenue
Architect: Alan Strassler
Project Description: Demolition of all buildings on site and construction of 46-48 space parking area.

This project was deferred from the July meeting.

Mrs. Frost-Golino and Mr. Adams said they drove by the site.

Mr. Glenn Smith presented the project. Mr. Smith said the structure was built in the 1926 and renovated in 1940 into efficiency apartments. He said the List Companies have owned the property for six years. The building was recently inspected and it was found to have severe structural damage. He presented a site plan of the proposed parking lot and said it will have a sliding aluminum gate.

Note for the record: No drawing of the proposed gate was presented.

MOTION BY MR. WIDEMAN TO APPROVE DEMOLITION WITH THE USUAL PROVISIONS.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECTS

B70-97 Demolition and New Residence

Applicant: Salomon Dayan
Address: 476 South Ocean Blvd.
Architect: McCarron Associates
Project Description: Demo most of existing residence to allow for new 2-story residence.

This project was deferred from the Town Council agenda for site plan review. Staff recommends deferral to the September meeting.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

B71-97 Addition

Applicant: George Straub
Address: 10 Blossom Way
Architect: Thomas Kirchhoff
Project Description: One story addition to existing one story house for an additional bedroom.

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

Architect Thomas Kirchhoff said the 600 square foot addition, consisting of a bedroom, bath and closet, will enlarge the house to 9,935 square feet.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A56-97 Entry

Applicant: Mr. and Mrs. Burkhead
Address: 680 Island Drive
Architect: Thomas Kirchhoff
Project Description: Revision to front entry

Mr. Schuler and Mrs. Frost-Golino and Mrs. Baker said they spoke with the architect and reviewed the plans.

Architect Thomas Kirchhoff said the front entry was revised by making the square transom arched and reducing the size of the balustrade.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B72-97 Demolition and New Parking Lot

Applicant: Joseph Testa and Anna Striefel
Address: 231 and 235 Sunset Avenue
Architect: Ken Spina
Project Description: Demolition of three existing boarding houses and creation of a parking lot.

Attorney Frank Lynch said the house was built in the 1920's. It is in disrepair and has received several code violations. He said the future use will be a rental parking lot.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B73-97 Addition

Applicant: Constance J. Roeder
Address: 331 Polmer Park
Architect: Robert Bell
Project Description: Addition of staff quarters above garage

Mrs. Baker said she drove by the site and Mr. Deziel said he spoke with the architect.

Architect Robert Bell presented photographs of the existing home and the homes in the neighborhood. He said the plans have been reversed since they were submitted for ARCOM review. The windows were rearranged with a single window on the west side. He said the addition is about sixty-five feet from the street.

Mrs. Frost-Golino felt that the addition was not an enhancement to the house, but it is set far away from the street.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.**

B74-97 Demolition

Applicant: Palm Beach Day School
Address: 349 Seaview Avenue
Architect: Rene Tercilla
Project Description: Demolition of two-story residence and extend green space for school use.

Martin List presented the project and stated that the house is seventy-years old and is falling down. He said there are no plans to use the property at this time and that the property has received code violations. Mr. List said the lot will be sodded and irrigated.

Mr. Frank read a letter from Jane Baker objecting to the noise that would be created if the school used the land. Ms. Baker addressed the Commission and said the property is not zoned for school use. Mr. Randolph said that zoning issues are out of ARCOM's jurisdiction. He said the Commission is being asked to allow for demolition and to allow the vacant land to be used for green space.

Mr. List said the lot will not be used for a playground at this time.

MOTION BY MR. SCHULER TO APPROVE THE DEMOLITION WITH THE PROVISION THE LOT WILL BE SOD OR SEEDED AND IRRIGATED WITH 30 DAYS. MOTION SECONDED BY MR. ADAMS. MOTION CARRIED UNANIMOUSLY.

B75-97 Remodel

Applicant: George Sharoubin
Address: 223 Worth Avenue
Architect: Island Designs
Project Description: Remodel storefront with clear glass enclosure

Architect John Bellamy presented the project. Mr. Bellamy said the storefront will be clear glass with a gold anodized aluminum frame. He said the owner wants more display area and he wants to match the storefront with the one at the Breaker's.

The Commission felt the proposed storefront had no character to it. They felt that the existing storefront is very attractive and they did not object to recessing and relocating the door, but they felt the material change is objectionable. They asked the architect to bring pictures of the store and others along the street with a color rendering of the proposed project. They also wanted the proposed signage to be presented with the facade changes.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY. MOTION SECONDED BY MRS. GINGRAS. MOTION CARRIED UNANIMOUSLY.

B76-97 Addition

Applicant: Donald E. Kino
Address: 205 Sanford Avenue
Architect: Smith Architectural Group
Project Description: New gabled entry addition, new terrace, removal of existing eave and soffit, new windows and decorative shutters.

Architect Donald Kino presented the project. He said the home has no identity as it is now with white stucco, brick shutters and a brick chimney. He said that new gable entry addition and two french doors with shutters will be added to the front. The house will be painted a peach/pink color, and the shutters and the chimney will be painted white.

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

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B77-97 Pool Pavilion

Applicant: Mr. and Mrs. Alan Scherer
Address: 417 Primavera Way
Architect: Smith Architectural Group
Project Description: New pool pavilion

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

Architect Donald Kino said the project is an open air pavilion with a sink and bar area. The pavilion is a french regency style with a copper mansard type roof.

Mrs. Baker said Harry Ackerman wrote on the plans that there was not enough information to verify zoning compliance.

MOTION BY MR. SCHULER TO APPROVE THE PROJECT SUBJECT TO ZONING COMPLIANCE.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO ELIMINATE THE INTERIOR WINDOW SEAT AREA ON THE SECOND FLOOR, FRONT ELEVATION FOR A CONTINUOUS ROOF LINE.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B79-97 New Residence

Applicant: Mr. Paul Birmingham
Address: Dodge Estates, Lot 11
Architect: Smith & Moore Architects
Project Description: New one-story Bermuda Style residence

Mr. Wideman, Mr. Schuler, Mr. Adams and Mr. Deziel said they reviewed the plans with the architect.

Note for the record: The plans presented at the meeting had been changed showing an addition of a cabana bath and a change in the finished floor level. These plans were not reviewed by the staff prior to the meeting.

Architect Harold Smith said the property is a vacant lot which was given the address of 281 Sandpiper Drive. He presented a CCR chart and a street scape drawing. He said the house is 4,439 square feet with a CCR of 3.59. The style is Bermuda with a rear loading garage and a circular driveway in the front. The roofing material will be white concrete tiles and the green shutters will be operable.

The Commission felt that even though the size is large, the architecture is well defined and is under all of the maximums.

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

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B80-97 Addition

Applicant: Edward Elson
Address: 180 Cocoanut Row
Architect: Smith & Moore Architects / Design Architect: Harry Elson
Project Description: Master bedroom suite and garage addition

Mr. Wideman said he met with the architect and visited the site. Mr. Deziel, Mr. Schuler, Mrs.

Baker and Mr. Adams said they met with the architects.

Architect Harry Elson presented the project and said the style of the home is Regency. A roof will be added to the house which will have a flat clay roofing material. The house will be painted an okra yellow and new paving material will be installed in the driveway.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

A52-97 Entry Gates

Applicant: William Elias
Address: 230 Brazilian Avenue
Architect: Smith & Moore Architects
Project Description: Entry gates

William Elias presented the project and said his clients requested gates. He said the wall was lowered and a metal railing was added which will match the sliding entry gates.

**MOTION BY MR. DEZIEL TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

B81-97 Demolition and New Residence

Applicant: Laura Andre
Address: 1072 North Ocean Blvd.
Architect: SKA Architects
Project Description: Demolition and new two-story Mediterranean residence.

Mr. Schuler, Mrs. Baker and Mrs. Frost-Golino said they reviewed the plans with the architect.

Architect Patrick Seagraves presented a CCR calculation chart and photographs of the surrounding homes. He said the house was built in 1969 by E.T. Dieguardi, Inc. and it is a contemporary style in fair condition. He said the new two-story, Mediterranean style home will have cast stone elements, aluminum railings and clay barrel tile roofing material.

After discussion, it was agreed to move the house further away from the street. Mr. Seagraves said he will provide a forty-five or a fifty-foot front setback. Mr. Seagraves also agreed to lower the second story ceiling height to nine feet which will reduce the plate height to twenty-one feet.

The Commission felt the project would be improved if the size of the pediment at the front entrance were reduced, to reduce the width of the window over the front door, and to use wrought iron rather than cast stone above the front door. Mr. Seagraves was asked to come back with detailed drawings of the front entrance and a roof tile sample. It was suggested to make the roof pitch 4/12.

Mr. Robert Jackson addressed the Commission and spoke in favor of the project.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. WIDEMAN TO APPROVE DEMOLITION OF THE EXISTING RESIDENCE WITH THE PROVISION TO COMMENCE CONSTRUCTION OR SOD/SEED AND IRRIGATE THE VACANT LAND WITHIN 90 DAYS.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B82-97 Demolition and New Residence

Applicant:	Ocean Lane Partners Limited
Address:	2 and 3 Ocean Lane
Architect:	SKA Architects
Project Description:	Demolition of existing residence at 2 Ocean Lane and demolition of existing residence at 3 Ocean Lane. Construction of new two-story Mediterranean style residence.

Mr. Schuler and Mrs. Baker said they spoke with the architect. Mrs. Frost-Golino said she drove by the site and spoke with the architect.

Mr. Seagraves said the house at 3 Ocean Lane is a brick house built in 1953 by Architect E.A. Pachner. He said the house at 2 Ocean Lane was built in 1959 by Architect Allen Babcock for Michael Burrows for resale. He said both houses are in fair condition.

Mr. Seagraves said the replacement house is a Mediterranean style with clay barrel tile roofing material, cast stone fascia details and french doors. The garage will face North County Road with an off center curb cut.

Attorney Gregory Kino addressed the Commission and said there is an easement/buffer area at the Beach Club north of this lot. He said that the owner would be willing to take over the

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maintenance of this area if the Beach Club agrees. Mr. Kino presented a zoning map and said it is an unusual situation as the zoning for the cul-d-sac is RB in between RA and RAA zoning districts. He said that in 1952 someone subdivided a parcel for small lots. He said they are trying to make it more consistent with what is along the ocean front. He said the lots combined total 25,000 square feet.

The Commission felt the style of the house is not in keeping with the other houses in the neighborhood. It was felt that there are too many windows and french doors and that the project needs to be scaled down.

Attorney Ron Kolins addressed the Commission and said he represents Dr. and Mrs. Marder who live at 1 Ocean Lane. He said they object to the size of the proposed house. He presented a CCR chart of the neighborhood and compared the lot sizes within two hundred feet.

Mr. Kino said he knows that the neighbors reviewed the plans. He said that letters were sent to the neighbors asking for their input, but no response was received. He encouraged the neighbors to share their ideas with them regarding the project.

The Commission comments are as follows:

The County Road elevation is not the most attractive elevation.

The project is very large and dominating as the lot is high and the style is very heavy.

There are no other Mediterranean style homes in the neighborhood.

The project needs to be totally restudied.

John Rowe introduced himself and said he is the son of the current property owner. He spoke in favor of the project and asked for project deferral.

Mr. Moore said it is an RB neighborhood because of the size of the lots and the size of the houses. He said the message he believes they are sending to all of the buyers and all of the sellers is, if you are going to assemble property, be prepared to not maximize it with the "average square footage" using just the numbers. Mr. Moore asked the Commission to consider a deferral as this is the first time this project has been presented.

Mrs. Frost-Golino said she felt the project size and style are not consistent with the neighborhood, but would not be against a project deferral.

Mr. Deziel said it is a sensitive site and that the neighbors should be noticed again as the project will be totally different from what has been presented.

MOTION BY MR. DEZIEL TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE IX, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387, D. THE PROPOSED BUILDING OR STRUCTURE IS NOT IN HARMONY WITH THE PROPOSED DEVELOPMENTS ON LAND IN THE GENERAL AREA, WITH THE COMPREHENSIVE PLAN FOR PALM BEACH, OR WITH ANY PRECISE PLANS ADOPTED PURSUANT TO THE COMPREHENSIVE PLAN. AND G. THE PROPOSED BUILDING OR STRUCTURE IS NOT APPROPRIATE IN ITS RELATION TO THE ESTABLISHED CHARACTER OF OTHER STRUCTURES IN THE IMMEDIATE AREA OR NEIGHBORING AREAS IN RESPECT TO SIGNIFICANT DESIGN FEATURES SUCH AS MATERIAL OR QUALITY OR ARCHITECTURAL DESIGN AS VIEWED FROM ANY PUBLIC OR PRIVATE WAY (EXCEPT ALLEYS).

MR. SCHULER SECONDED THE MOTION.

ROLL CALL VOTE:

MR. DEZIEL	YES
MR. SCHULER	YES
MRS. GINGRAS	YES
MRS. FROST-GOLINO	NO
MR. WIDEMAN	YES
MR. ADAMS	YES
MRS. BAKER	NO

MOTION CARRIED 5-2.

B83-97 New Residence

Applicant:	J.F. Brennan Properties, Inc.
Address:	160 Clarendon Avenue
Architect:	Ralph Cantin
Project Description:	Construct a new two-story residence with a separate two-story coach house and a separate single story cabana with swimming pool.

Designer Joe Brennan presented the project and said Clarendon Avenue has eight vacant lots. One of the lots received approval for a new home a few months ago and this project will consist of the remaining seven lots. The lot size is 31,900 square feet and building size is 10,594 square feet which include all of the buildings. The project will have a drive through coach house separate from the main house. The house is a Northern Italian style with stucco, precast banding and clay barrel roofing material. He said the louvered shutters are operable storm shutters. Mr. Brennan said the plans show a kitchen in the coach house which will be removed.

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The Commission asked that shutters be applied to both sides of the windows. Mrs. Baker said an unsigned letter was received regarding the project.

MOTION BY MR. SCHULER TO APPROVE THE PROJECT WITH THE PROVISION TO USE FULL SHUTTERS AND HAVE THE SITE WALLS REVIEWED WITH THE LANDSCAPE PLANS.

MOTION SECONDED BY MR. ADAMS

MOTION CARRIED UNANIMOUSLY.

B84-97 Addition and Remodel

Applicant: American Farm Investment Corp.
Address: 231 El Vedado Road
Architect: Ralph Cantin
Project Description: Pool house addition, changes to the south facade, barrel tile roof (from white cement) and new windows.

Mr. Brennan presented photographs of the home. He said the flat roof will be changed to a pitched roof with square, flat clay tiles.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A59-97 Gate

Applicant: W. Trent Steele
Address: 161 East Inlet Drive
Architect: Ralph Cantin
Project Description: New front entry gate and new stucco quoins.

Architect Ralph Cantin presented the project and said a new pedestrian metal entry gate will be added to screen the pool from the street. He said quoins painted white will be added to the beige house.

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

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

B85-97 New Residence

Applicant: Sam and Felice Forman
Address: 1072 North Lake Way
Architect: Robert Henry
Project Description: New two-story house

Project Designer Denis LaBarge presented the project and a CCR diagram of the subject property and the surrounding homes. He said the gross square footage of the proposed house is 9,230 square feet. The house will be set back from the street forty-seven feet. Mr. LaBarge presented a model of the house and said the size was reduced about 8% since the model was built. The Commission felt that the architecture was very attractive, but the house was too big. It was suggested to remove the two, second story projecting wings on the front elevation which are the guests rooms.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

B86-97 New Residence

Applicant: Mr. and Mrs. Arthur S. Loring
Address: 209 Via Tortuga
Architect: Architectural Alliance/Designer: Carlos Martin
Project Description: New Single Family Residence

Designer Carlos Martin presented a site plan showing the proposed project in relation to the neighboring properties. He said the property has an existing ficus hedges and trees. He said the house is a British Colonial style with flat roofing material and it will be set back from the street sixty-feet.

The two large windows on the front elevation were discussed and Mr. Martin agreed to reduce the size of the windows six to eight inches. It was suggested to use the same french doors on the rear elevation on the front elevation. The windows on the east elevation were discussed and it was felt that there were too many different sized windows.

MOTION BY MR. DEZIEL TO APPROVE THE PROJECT WITH THE PROVISION TO COME BACK FOR ARCOM APPROVAL OF THE WINDOWS ON THE FRONT AND WEST ELEVATIONS.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A41-97 Decorative Iron Gates

Applicant: Mr. and Mrs. Harvey Werner
Address: 215 Via Tortuga
Designer: Richard Himmel
Project Description: change gates from preliminary drawing to finished gates.

This project was deferred from the July meeting.

Designer Larry White presented the project and said the gates will be painted white.

**MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.
MR. SCHULER OPPOSED.
MOTION CARRIED 6-1.**

Mr. Wideman left the meeting at this time.

A45-97 Landscape

Applicant: Vivian Lopata
Address: 1076 North Ocean Blvd.
Architect: Robert Kolany
Project Description: Landscape plan for an approved project.

This project was deferred from the July meeting.

Mr. Deziel said he drove by the site. Mrs. Baker said she drove by the site and spoke with Mr. Kolany.

Architect Robert Kolany introduced Larry Detrich who presented the project. Mr. Detrich said tall vegetation cannot be planted in the front yard as there are powerlines across the front of the property. He said weeping podocarpus will be planted at the front corners of the house.

Mrs. Gingras said she has a weeping podocarpus in her yard and they are not very salt tolerant. Mrs. Frost-Golino said this site needs a lot of landscaping. Mr. Deziel said the Commission needs to see an elevation drawing of the house with the proposed landscaping.

MOTION BY MR. DEZIEL TO DEFER THE LANDSCAPING TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

Mr. Kolany presented house color samples at this time. The house will be green and the roofing material will be a slate color.

Some of the Commission felt the project would have a lot of green. Contractor Gregory Giuliano addressed the Commission and said the color combination is very attractive.

It was agreed to paint the base coat on the house and paint a few of the quoins. The Commission members will visit the site and call Tim Frank with their comments. If the majority of the Commission members do not like the colors, Mr. Kolany will present different colors at next month's meeting.

MOTION BY MR. SCHULER TO HAVE STAFF APPROVE THE HOUSE COLORS AFTER THE COMMISSION MEMBERS CALL IN THEIR VOTE TO MR. FRANK.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Kolany presented the hardscape material at this time. The width of the driveway was discussed and it was agreed to have fourteen-foot curb cuts and taper the driveway to twelve-feet.

MOTION BY MR. DEZIEL TO APPROVE THE DRIVEWAY LAYOUT AS DESCRIBED ABOVE AND APPROVE THE DRIVEWAY MATERIAL.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MINOR PROJECTS

A46-97 Gate

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

Applicant requests deferral to the September meeting.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY GOLINO.

MOTION CARRIED UNANIMOUSLY.

Mr. Deziel left the meeting at this time.

A48-97 Roof Entry and Driveway

Applicant: Mr. Joseph Bianco
Address: 180 Barton Avenue
Architect: The Pandula Architects
Project Description: Extend roof at main entry and revise configuration of driveway

Architect Eugene Pandula presented a site plan. He said one thousand square feet will be deleted from the ground floor area and six hundred and fifty square feet will be added to the second floor above the garage. A second floor porch area will be added and a copper roof will be added at the front entrance.

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

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A49-97 Entrance Porch

Applicant: Mr. and Mrs. James Keenan
Address: 140 El Mirasol
Architect: The Pandula Architects
Project Description: Add entrance porch

Architect Eugene Pandula said the porch addition will replace a bull nose awning.

It was agreed to cut one foot off of each side of the porch and use one column on each side rather than two columns.

MOTION BY MRS. FROST-GOLINO TO APPROVE THE PROJECT WITH THE PROVISION TO USE A SINGLE COLUMN ON THE SIDES OF THE PORCH AND TO NARROW DOWN THE PORCH.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

A50-97 Roof Material Change

Applicant: Susan Korzenewski
Address: 209 List Road
Contractor: Gustafson Roofing
Project Description: Re-roof from flat smooth gray concrete tile to a roll two tone gray concrete tile.

Contractor Richard Carusso said the roof now has flat concrete tile and the owner wants some texture to the roof with a roll tile.

Mrs. Gingras said she didn't think that roll tile has ever been approved in town.

MOTION BY MRS. FROST-GOLINO TO DENY THE PROJECT AS SET FORTH IN ARTICLE IX, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387, SUBSECTION F. THE PROPOSED BUILDING OR STRUCTURE IS VISIBLY EXCESSIVELY DISSIMILAR IN RELATION TO ANY OTHER STRUCTURES EXISTING OR FOR WHICH A PERMIT HAS BEEN ISSUED OR TO ANY OTHER STRUCTURES INCLUDED IN THE SAME PERMIT APPLICATION, FACING UPON THE SAME OR INTERSECTING PUBLIC OR PRIVATE WAY (ALLEYS NOT INCLUDED) AND WITHIN TWO HUNDRED (200) FEET OF THE PROPOSED SITE IN RESPECT TO THE FOLLOWING FEATURE: (4) OTHER SIGNIFICANT DESIGN FEATURES SUCH AS MATERIALS OR QUALITY OF ARCHITECTURAL DESIGN. MOTION SECONDED BY MRS. GINGRAS. MOTION CARRIED UNANIMOUSLY.

A51-97 Roof Material Change

Applicant: Jan Kemper
Address: 1500 Lake Court
Contractor: Simmons Building Corp
Project Description: Change in roofing materials from clay barrel tile to concrete barrel tile.

Designer Laurie Simmons introduced Lisa Littlehale. Ms. Littlehale said she is the Sales Representative for Pioneer Concrete Tile Co. Several samples of roofing material, both concrete and clay were presented. Ms. Simmons said Mrs. Kemper did not like the look of the clay, orange for her roof. She liked the roof at 1330 North Lake Way which is concrete. Ms. Simmons said that it would take four months to receive the clay tile due to back orders and the roof is ready to be done now. Mr. Frank said he hasn't heard of back orders for clay roofing material and said it is poor planning if that is the case. Mrs. Frost-Golino said the clay is clearly superior to the concrete.

MOTION BY MR. ADAMS TO DENY THE PROJECT AS SET FORTH IN ARTICLE IX, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387, SUBSECTION F. THE PROPOSED BUILDING OR STRUCTURE IS VISIBLY EXCESSIVELY DISSIMILAR IN RELATION TO ANY OTHER STRUCTURES EXISTING OR FOR WHICH A PERMIT HAS BEEN ISSUED OR TO ANY OTHER STRUCTURES INCLUDED IN THE SAME PERMIT APPLICATION, FACING UPON THE SAME OR INTERSECTING PUBLIC OR PRIVATE WAY (ALLEYS NOT INCLUDED) AND WITHIN TWO HUNDRED (200) FEET OF THE PROPOSED SITE IN RESPECT TO THE FOLLOWING FEATURE: (4) OTHER SIGNIFICANT DESIGN FEATURES SUCH AS MATERIALS OR QUALITY OF ARCHITECTURAL DESIGN. MOTION SECONDED BY MRS. FROST-GOLINO. MOTION CARRIED UNANIMOUSLY.

Mrs. Frost-Golino left the meeting at this time.

A53-97 Property Wall

Applicant: Dr. and Mrs. Rosenberg
Address: 101 Nightingale Trail
Architect: John Lang
Project Description: Property wall

Mrs. Baker said she spoke with Mrs. Bell who resides on Nightingale Trail and she said she is concerned about all of the changes this project has had. She said there is a note in the file that Mrs. Bell called to voice her concern regarding the property wall.

Mrs. Baker said there is a note on the plans that said the gates must be 18 feet from the road and the wall cannot intersect the site triangle at the corner.

Landscape Architect John Lang said the gate will be designed by someone else. There was discussion regarding the starting point of measurement for the site triangle. Mr. Lang said the existing hedge is in bad shape and they realized that traffic is very visible on North Ocean Blvd.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

A54-97 Landscape

Applicant: Mr. Mochorowski
Address: 1494 North Lake Way
Architect: John Lang
Project Description: Landscape plan and hardscape revisions.

Landscape Architect John Lang said that not much of the house can be seen as there is a tall existing ficus hedge. He said there were not easements shown on the survey. Therefore, he did not show the easements on the landscape plans.

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

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

A55-97 Wall and Gates

Applicant: Richard and Susan Smith
Address: 1100 North Ocean Blvd.
Architect: The Lawrence Group
Project Description: New decorative front yard wall with metal gates, remove muntins from windows and doors on the east elevation and add a window on the second floor east elevation.

Architect Richard Lija presented the project. He said the property wall will be 4 ½ feet from the edge of the pavement with a six foot high hedge in front of the wall. The wall will be yellow stucco with balustrades and a concrete rail. The gates will be black iron.

The Commission felt the wall and gates should be simpler and should not emphasize the house.

Discussion took place regarding the seagrapes that were removed on the site. It was a provision for project approval that the seagrapes remain as long as possible during construction. Mr. Leja said the seagrapes would have been removed anyway because they were in the way of construction.

MOTION BY MR. SCHULER TO DEFER THE WALL AND GATES TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mr. Leja said the project was approved with divided lite windows throughout the house. He said they would like to remove all of the lites from all of the windows and door on the east elevation for the view.

MOTION BY MR. SCHULER TO DEFER THE REMOVAL ALL OF THE MUNTINS IN THE WINDOWS AND DOORS ON THE EAST ELEVATION TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MRS. GINGRAS TO APPROVE THE ADDITION OF A WINDOW ON THE SECOND FLOOR, EAST ELEVATION.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A57-97 Landscape

Applicant: Lodar, Inc.
Address: 107 Indian Road
Architect: Steven Dauber
Project Description: Landscape plan

Landscape Architect Steven Dauber presented the project. He said there is a mixture of plant material, some tropical and some casual. The front will be semi formal with cocoanut palm trees planted along the existing the wall. He said the irrigation will be done by others and the site triangle will not be intersected.

**MOTION BY MR. ADAMS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.**

A58-97 Landscape

Applicant: Burnap
Address: 740 Hi-Mount Road
Architect: Mark Henegan
Project Description: Landscape plan

Landscape Architect Mark Henegan presented the project. He said that 64% of the lot will be landscaped. The driveway was moved closer to the corner to off center the approach from the garage. He said the neighbors on either side have existing tall and lush vegetation.

Mr. Adams said he is familiar with the site and that some time ago the neighbors to the north have expressed concern because the house is very close to them.

Mr. Henegan said he will add more and very tall vegetation on the north property line for added screening.

**MOTION BY MR. SCHULER TO APPROVE THE LANDSCAPING WITH THE
PROVISION TO ADD MORE LANDSCAPING ON THE NORTH SIDE.
MOTION SECONDED BY MR. GINGRAS.
MOTION CARRIED UNANIMOUSLY.**

VII. OTHER BUSINESS

The Commission discussed the meeting dates for November and December meetings. It was decided to change the November meeting date from the 21st to the 25th and change the December meeting date from the 19th to the 16th.

VIII. ADJOURNMENT

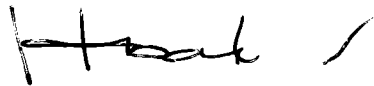
MOTION BY MR. ADAMS TO ADJOURN THE MEETING AT 7:00 P.M.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held September 24, 1997 at 9:00 a.m. in the Town Hall, Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Laurel Baker', followed by a large checkmark.

Laurel Baker,
Chairman
/gd

A47-97

DeMoss

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

LAST NAME—FIRST NAME—MIDDLE NAME DEZIER ROBERT EDWARD		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARLON	
MAILING ADDRESS P.O. Box 936		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 8-27-97		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, Robert E. Deziel, hereby disclose that on 8-27, 19 97.

(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 Mrs. Anton Deatoss, 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:

Mrs. Anton Deatoss is a client of so
Robert E. Deziel, P.A., which is my
law firm.

8-28-97

Date Filed

Robert Deziel

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.

B7797

Scherer

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

ST NAME—FIRST NAME—MIDDLE NAME DEZIE ROBERT EDWARD		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE AIRCOM	
MAILING ADDRESS P.O. Box 936		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: Town	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 8-27-97		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

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

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

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, ROBERT E. DEZIEL, hereby disclose that on 8-27, 19 97.

(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 MR. & MRS. Scherer, 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 Mr. and Mrs. Scherer are clients of Robert E. Deziel, P.A., which is my law firm.

8-27-97

Date Filed

Robert Deziel
Signature

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