



TOWN OF PALM BEACH

Planning, Zoning & Building Department

ARCHITECTURAL COMMISSION MINUTES WEDNESDAY, AUGUST 26, 2009

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.

CALL TO ORDER

The meeting was called to order at 9:01 a.m.

II. ROLL CALL

Present:

William P. Feldkamp, Chairman
Jeffery W. Smith, Vice-Chairman
Samuel M. Boykin, Member
Kenn Karakul, Member
Ann L. Vanneck, Alternate Member
Nikita Zukov, Alternate Member
John C. Randolph, Town Attorney
John Page, Director of Planning, Zoning & Building
John Lindgren, Planning Administrator
Gretchen Dayton, Secretary

Absent:

William Strawbridge, Member (*unexcused per P. Clewell/per JP to Cms*)
Leslie Diver, Member
Thomas Youchak, Member (excused)
Robert Vila, Alternate Member

III. PLEDGE OF ALLEGIANCE

The pledge of Allegiance was lead by Chairman Feldkamp

IV. APPROVAL OF THE MINUTES FROM THE JULY 21, 2009 MEETING

MOTION BY MS. VANNECK TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.

V. SWEARING IN PERSONS TESTIFYING

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

VI. OTHER BUSINESS

None

VII. PROJECT REVIEW

A. PROJECT DEFERRAL/REMOVAL

B58/09 Awnings

Address: 125 Worth Avenue

Applicant: CP 125 Worth Avenue LLC

Architect: Keith Spina

Project Description: Ground Level: Install (10) new fabric awnings. Third Level: Replace fabric on existing awnings.

This project was deferred from the July meeting to restudy other options.

The architect requests deferral to the September meeting.

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

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B64/09 New Guest House/Cabana

Address: 151 Via Bellaria

Applicant: Robert Tomsich

Architect: Smith and Moore Architects

Project Description: Two-story guest house/cabana

The architect requests deferral to the September meeting

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

MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.

. B. TOWN COUNCIL PROJECTS VARIANCE REQUESTS NEW BUSINESS

B60/09 V22/09 Addition

1098 North Lake Way

Applicant: Franklyn DeMarco

Architect: Glidden Spina & Partners

Project Description: One-story breakfast-room addition on the east side of existing two-story residence, one-story kitchen addition on the south side of the existing two-story residence, second-floor bedroom addition on west side of residence over existing first floor. The applicant is requesting a point of measurement of 10.50 ft. NGVD (the existing main floor slab elevation) in lieu of 8.78 ft. NGVD, which is 18 inches above the highest point of the centerline of the adjacent street. The applicant is requesting a Cubic Content Ratio of 4.76 in lieu of the 4.50 allowed by code and the 4.25 existing, which is the CCR when calculated from the existing main floor slab elevation.

Ms. Vanneck said she drove by the site and Mr. Feldkamp said he met with the architect.

Architect Keith Spina explained that his father's architectural firm originally designed the house and that; his father originally drew the plans that are being presented today.

The Commission Members agreed that the proposed additions did not add to the architecture of the existing home. Furthermore, the introduction of flat roof sections takes away from the nice presence of the the pitched roof system.

Mr. Randolph explained that the Commission was not to determine if the variance request is a hardship, but to determine that the architecture merits the variance.

MOTION BY MS. VANNECK TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION DIED FOR A LACK OF A SECOND.

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

MOTION SECONDED BY MS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

B61/09 & V20/09 Addition

Address: 179 Main Street

Applicant: 177 Main Street LLC

Architect: SKA Architect + Planner

Project Description: First floor renovation and addition, and second floor addition in a contemporary style. Variances are being requested to allow the depth of the two proposed garages to be 16.8 feet deep in lieu of the 18 foot minimum required, allow landscaped open space on the west lot to be 23.5% in lieu of 40% minimum required, and allow lot coverage to the east lot to be 33% in lieu of the 30% maximum allowed

Ms. Vanneck and Mr. Zukov said they met with the architect and reviewed the plans. Mr. Feldkamp said he met with the architect and visited the site.

Attorney Maura Ziska stated that three variances are being requested. The building is in disrepair. Therefore, they proposed keeping 50% of the cubic content, building-shell and remodel into two-units.

Architect Pat Segraves presented the project to the Commission and Architect Mindy Schawb presented the building materials.

Landscape Architect Alan Stopeck presented the preliminary landscaping for this project.

The Commissioner's agreed that the design was very attractive and it makes good use of the space. However, the dormer windows were thought to be a distraction to the architecture.

Mr. Lindgren read a letter from Marion Gorelick, 173 Main Street, stating the project will reduce density, enhance the neighborhood and provide off-street parking. He also read a letter from J. L. Carter, 165 Main Street, who was opposed to the project indicating that the owners have not shown hardship, by granting a variance would set an unnecessary precedent and a departure from the landscape code should be unacceptable.

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL TO APPROVE THE VARIANCE DUE TO THE VERY WONDERFUL DESIGN PRESENTED.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

C. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None

D. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B35/09 Two-Story Addition

Address: 221 Ocean Terrace

Applicant: Robert and Helen Ficalora

Architect: MP Design & Architecture

Project Description: A one and two-story addition consisting of a master suite, guest bedroom/office with a bath and enlarging the dining room and family room.

This project was deferred from the May meeting for restudy and deferred from the June and July meetings at the attorney's request. This project has had a change of architects.

Ms. Vanneck said she spoke with the architect on the telephone and that she has spent quite a lot of time in the neighborhood. Mr. Feldkamp said he met with the architect and the attorney. Mr. Zukov said he met with the architect.

Attorney Maura Ziska, representing Mr. and Mrs. Ficalora, addressed the variance request. She explained that a point of measurement variance is being requested because the house is on a coral ridge with a finished floor elevation of 11.5 ft. The point of measurement is for cubic content ratio, which is between the road, the finished floor, and the dirt required to construct the addition.

Michael Perry, MP Design Architecture, presented the addition project, which will add a master bedroom, master bathroom, and enlarge the first floor area.

Landscape Architect Daryl McCann stated that the landscaping will be brought up to the required 45% landscape/open space and the xeriscape requirements will also conform to the code. He indicated that traveler palm trees will be used to buffer the addition from the neighbors.

Mr. Lindgren read a letter from Sten A. Lilja, 1330 North Ocean Blvd., stating his objection to the approval of the variance. He pointed out that the RB zoning laws are in place to preserve the neighborhood.

Ms. Vanneck noted for the record that this letter was written by her father.

Zoning Administrator Paul Castro reminded the Commission that they advised the last architect of this project that the addition could be designed to meet the code.

Mr. Karakul thought that the redesigned project was architecturally pleasing.

Mr. Smith agreed that the last presentation was not pleasing and the new design blends very nicely. He believed that because the grade is high and the road is low, that they do have a hardship.

Ms. Vanneck noted that the properties on the other side of the street are much lower and this house will be the only two-story on that side of Ocean Terrace.

Mr. Feldkamp recalled that at the last meeting the Commission gave direction to

reduce the size of the house such that a variance would not be required.

Ms. Ziska stated that the neighbors have been contacted and none of them had a problem with the addition.

MOTION BY MR. KARAKUL TO RECOMMEND TO THE TOWN COUNCIL THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. KARAKUL YES

MR. ZUKOV YES

MR. SMITH YES

MR. BOYKIN YES

MS. VANNECK NO

MR. FELDKAMP NO

MOTION CARRIED 4-2.

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

MOTION SECONDED BY MR. ZUKOV.

MS. VANNECK AND MR. FELDKAMP OPPOSED.

MOTION CARRIED 4-2.

B52/09 Additions

Address: 201 Garden Road

Applicant: Mr. and Mrs. Pepe Fanjul, Jr.

Architect: Smith and Moore Architects

Project Description: One and two-story additions and alterations to an existing two-story residence. Final landscape and hardscape.

This project was approved at the July meeting with the provision to bring the fenestration changes back to the Commission.

Mr. Feldkamp and Mr. Zukov said they met with the architect and discussed the plans

Architect Harold Smith presented the changes made to the windows. He noted that the width of the dormer windows was increased, the width of the larger casement windows were decreased and the shutters were made proportionate to the windows.

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

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B54/09 New Commercial/Residential/Office Building

Address: 333 Peruvian Avenue

Applicant: L. G. Lima LLC

Architect: LaBerge & Menard

Project Description: New construction, two-story commercial/residential/office building. Cast stone/stucco, clay barrel tile roof, aluminum doors/windows, and (preliminary) landscape and hardscape.

This project was deferred from the July meeting for restudy.

Mr. Feldkamp said he spoke with the architect and Mr. Moore on the telephone. Ms. Vanneck and Mr. Zukov said they met with Mr. Moore and the architect to discuss the plans.

Attorney Chris Benvenuto, representing L. G. Lima, LLC, entered the Curriculum vitas and qualifications of the professionals and consultants of Daniel Menard, Robert Moore, Michael Johnson and Alan Stopeck into the record. He also entered into the record the transcript of the July 21, 2009 ARCOM meeting.

Architect Michael Johnson, on behalf of Mr. and Mrs. Robert Lloyd George, stated that they would like to build a two-story commercial building, which received a site plan approval in June 2009.

Project Designer Daniel Menard presented the revised drawing to the Commission.

The Commissioner's agreed that the changes that were made were a tremendous improvement.

The rear elevation was discussed and it was suggested to raise the height of the wall at the rear of the property to screen the first floor garage from the neighbors.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO RAISE THE WALL (NORTH ELEVATION) ALL THE WAY OR PART OF THE WAY AND INTRODUCE SOME SORT OF GRILL WORK, POSSIBLY CLAY TILES TO SCREEN THE VIEW INTO THE GARAGE AND TO ANCHOR THE STAIRCASE TO THE GROUND.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B59/09 Demolition

Address: 170 Barton Avenue

Applicant: 170 Barton Avenue, LLC

Architect: Bridges, Marsh & Associates

Project Description: Demolition of existing residence

This project was deferred from the July meeting at the attorney's requests.

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

Attorney Timothy Hanlin, representing 170 Barton Avenue, LLC, stated that this application is for demolition of the main residence, the driveway and motor court.

Landscape Architect Alan Stopeck stated that three ficus nitida trees, ficus hedges on the east and west perimeter and the cocoanut palm trees in the swale would remain on the property.

Mr. Feldkamp commented that when designing the new building; make sure that the architecture is better than what existed.

MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE PROVISION THAT PHOTOGRAPHS BE TAKEN OF THE INSIDE AND OUTSIDE OF THE HOUSE AND THE PHOTOGRAPHS BE GIVEN TO THE TOWN AND THE PRESERVATION FOUNDATION, AND THAT IF CONSTRUCTION HAS NOT BEGUN WITHIN TWELVE MONTHS OF DEMOLITION, THAT THE ACCESSORY STRUCTURES BE REMOVED.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.

E. NEW BUSINESS MAJOR PROJECTS

B/62 Addition

Address: 332 Seaspray Avenue

Applicant: Mr. & Mrs. Jack Lucks

Architect: MP Design & Architecture

Project Description: A one-story 512 sq. ft. addition with exterior finishes to match existing.

Ms. Vanneck said she visited the site, Mr. Feldkamp and Mr. Zukov said they met with the architect and discussed the plans.

Michael Perry, representing Mr. and Mrs. Lucks, presented the project.

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

B/6309 Demolition

Address: 657 Island Drive

Applicant: United Properties Group, LLC

Owner: Adelaide M. Wean Residence Trust

Architect: MP Design & Architecture

Project Description: Demolition of existing residence

There were no ex parte communications disclosed

Michael Perry and Landscape Architect Keith Williams presented the project to the Commission.

MOTION BY MS. VANNECK TO APPROVE DEMOLITION WITH THE PROVISION THAT THE FRONT HEDGE BE REPLACED DURING CONSTRUCTION.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

Mr. Boykin asked the Town Attorney if he should recuse himself because he has a step-son-in-law involved with this project. Attorney Randolph advised him to do so. At this time, Mr. Boykin declared a conflict of interest.

B65/09 Landscape

Address: 640 Crest Road

Applicant: Diane De La Begassier

Landscape Architect: Newlands Design Group

Project Description: Final landscape plans

Ms. Vanneck said she visited the site.

Landscape Architect Rayworth Wall proposed the landscaping for this property. He recommended potted oleander plants in the easement area to fill in a gap in the hedge.

MOTION BY MR. KARAKUL TO APPROVE THE PLAN AS PRESENTED WITH THE PROVISION TO KEEP HIBISCUS AND OLEANDER PLANTS AWAY FROM EACH OTHER.

MOTION SECONDED BY MS. VANNECK.

MOTION CARRIED UNANIMOUSLY

.F. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

None

A13/09 PVC Fence

Address: 315 South Lake Drive

Applicant: The Southlake Association

Attorney: Gregory S. Kino

Project Description: Request for the installation of a premium 6-foot PVC fence between a condominium common area and two commercial properties to be screened by hedge material on both sides.

Ms. Vanneck said she spoke with the building manager. Mr. Feldkamp and Mr. Smith said they spoke with the attorney by telephone.

Attorney Greg Kino, representing The Southlake Association, presented photographs of the site and the proposed fencing.

MOTION BY MR. KARAKUL TO APPROVE THE PROJECT WITH THE PROVISION TO PLANT A CLUSIA HEDGE TO COVER THE FENCE AND THAT

THE FENCE IS A BEIGE COLOR.
MOTION SECONDED BY MR. SMITH.
MOTION CARRIED UNANIMOUSLY.

A14/09 Entry Portico Renovation

Address: 3 La Costa Way
Applicant: Candace and William Hamm
Architect: Fairfax, Sammons & Partners
Project Description: Entry portico renovation and window trim/stucco surround replacement.

Ms. Vanneck said she visited the site.

Architect Richard Sammons proposed an updated design for the existing entry portico.

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

A15/09 New Covered Entry

Address: 409 Antigua Lane
Applicant: Mr. & Mrs. Thomas Pournaras
Architect: MP Design & Architecture
Project Description: New covered entry and new front door.

Mr. Zukov and Mr. Feldkamp said they met with the architect and reviewed the plans. Ms. Vanneck said that she was contacted, but unable to meet with the architect.

Michael Perry proposed two options for the front entry addition.

The Commission preferred the second version, which showed double columns and two light fixtures.

MOTION BY MR. ZUKOV TO APPROVE OPTION TWO HAVING A WIDER ENTRY.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.

A16/09 Accordion Shutters

Address: 140 Royal Palm Way
Applicant: Palma Plaza Owner's Association, Inc.
Representative: Andrew Kobosko, Guardian Storm Protection
Project Description: The owner's of the building prefer to leave the upper shutters an ivory color as it blends better with the building. (ARCOM approved the shutters in a bronze color at the June 2009 meeting)

Ms Vanneck and Mr. Feldkamp said they visited the site.

Landscape Architect Jorge Sanchez explained that the Commission approved the shutters is a bronze color, but after they were put in place, the bronze color stood out too much. They propose painting the shutters the same color as the building.

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

MOTION SECONDED BY MS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

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

Discussion took place regarding how a flat clay roof was put on an accessory building when the main house had clay barrel tile. It was noted that the roof on the accessory building was approved by staff, but without the knowledge that the main house had a different style of roofing material. The Commission reconfirmed the policy of not allowing "S" tile on new construction and if 50% of a roof having "S" tile will be replaced, that it be replaced with barrel tile. It was also commented that barrel tile holds up in strong winds as well as flat roofing material and that should not be an argument to replace barrel with something else.

Mr. Page informed the Commission the Ordinance Rules and Standards Committee recommended to the Town Council to create a landscape ordinance for re-landscaping. This would involve ARCOM and the applicant would obtain a building permit.

IX. ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

The next meeting of the Architectural Commission will be held on Wednesday, September 23, 2009.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Wm Feldkamp". The signature is stylized with a large "W" and a cursive "Feldkamp".

William P. Feldkamp, Chairman

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

NAME—FIRST NAME—MIDDLE NAME BOURIN SAMUEL		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCHITECTURAL COMMISSION	
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY	COUNTY	☒ CITY	☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED AUGUST 26, 2009		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

SEP 23 2009

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, SAMUEL BOYKIN, hereby disclose that on AUGUST 26, 2009, 1909:

(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:

B63-09

8/26/09
Date Filed

Sam M. Boykin
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.

Boykin 457 Island B63/09

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

ST NAME—FIRST NAME—MIDDLE NAME BOYKIN SAMUEL		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCHITECTURAL COMMISSION	
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY	COUNTY	☒ CITY	☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED AUGUST 26, 2009		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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ELECTED OFFICERS:

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

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

APPOINTED OFFICERS:

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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.

Feldkamp B69-09 144 Wells

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

LAST NAME - FIRST NAME - MIDDLE NAME FELDKAMP William		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS 401 Peruvian Ave #403		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 23 Sep 09		NAME OF POLITICAL SUBDIVISION: Palm Beach	
		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.

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.