

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
WEDNESDAY, AUGUST 24, 2005
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

CALL TO ORDER

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

I. ROLL CALL:

Floyd L. Wideman, Jr., Chairman
Marvin Rosenberg, Member
Leslie A. Shaw, Member
William P. Feldkamp, Member
Leslie C. Diver, Alternate Member
Thomas M. Youchak, Alternate Member
Jeffery Smith, Alternate Member
Robert Moore, Director Planning, Zoning & Building
John C. Randolph, Town Attorney
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Secretary

ABSENT:

Morgan Dix Wheelock, Vice-Chairman (un excused)
Nikita Zukov, Member (un excused absence)
William J. Strawbridge Jr., Member (excused)

Ms. Diver, Mr. Youchak and Mr. Smith were voting members throughout the meeting.

III PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Chairman Wideman.

IV APPROVAL OF THE MINUTES FROM THE JULY 27, 2005 MEETING.

MOTION BY MR. SHAW TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. FELDKAMP.

IV APPROVAL OF THE MINUTES FROM THE JULY 27, 2005 MEETING.

MOTION BY MR. SHAW TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

V SWEARING IN PERSONS TESTIFYING.

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

VI PROJECT DEFERRALS/REMOVALS

B68-05 Second Story Addition

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

Staff recommends project deferral to the September meeting as it is on the Town Council's October agenda.

B83-05 Demolition

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

The designer requests deferral to the September meeting.

A6-05 Landscape, Hardscape & Gate

A6-05 Landscape, Hardscape & Gate

Address: 444 North Lake Way

Applicant: Robert Jaffe

Designer: Mario Nievera Design

Project Description: Proposed hardscape, planting and gate design.

This project was deferred from the March and June meetings for restudy, and it was deferred from the April, May July meetings at the designer's request.

The landscape designer requests deferral to the September meeting.

MOTION BY MR. SHAW TO DEFER PROJECT NUMBERS B68-05, B83-05 AND A6-05 TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Mr. Wideman reminded the Commission to consider the criteria in the town's code when reviewing the architecture of projects for possible approval.

VII TOWN COUNCIL PROJECTS - VARIANCE REQUESTS

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

B41-05/SP7-05 Demolition & New Hotel

Address: 215 Brazilian Avenue

Applicant: Ajit Asrani

Architect: Rafael Cruz-Munoz

Project Description: Demolition of existing building and rebuilding within approved footprint.

This project was deferred from the May and June meetings to be placed on the Town Council's August agenda for site plan review. It was also deferred from the July meeting.

Attorney Jim Brindell announced that the architect of record was not in attendance at this time.

MOTION BY MR. SHAW TO DEFER THIS PROJECT TO THE END OF THIS SECTION OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

This project was called to the table after item number B70-05.

There were no ex parte communications relative to this project.

Attorney Jim Brindell listed the variances being requested for this project as follows:

Place the existing surface parking underground.
Widen the building in the east/west direction by six feet on the first two floors.
Keep the front and rear set backs that were approved for the existing building.
Have less landscape/open space area.
The building height.
To have one smaller sized parking stall.
To have storage areas under the garage.

Architect Rafael Cruz-Munoz presented the site plan and noted that the new building will be placed on the lot to make room for a garden area on the west side of the property. He explained that he revised the plans eliminating the balconies on the third floor after he was informed the balconies would require a variance. He presented the street side elevation and said that it will be more in character and compatible with the other buildings on the street than the old building. The preliminary landscape plan indicated that sufficient buffer will be provided for the neighbors.

Mr. Shaw said the underground parking was commendable, but the ramp should be relocated away from the driveway. He suggested eliminating the roof on the second floor above the balconies to give the building a cleaner look. As well, some of the details on the front of the building and the different styles of windows on each floor should be restudied.

Mr. Feldkamp recommended that the Town Council approve this project. He suggested raising the stone height of the first floor to the belt course so that the second and third floors read as one. An alternate suggestion would be to bring the third floor belt course up to the window height.

Responding to Dr. Rosenberg's comment that the building would be more attractive with a continuous balcony on the second floor, Mr. Cruz-Muniz said it would require another variance.

Ms. Diver thought that an awning or some type of cover should be provided at the hotel entrance.

Attorney Ray Royce, representing the residences to the west of this property, pointed out that this application requests ten variances, none of which have legal hardships. Also, this project was originally approved in 2004 by the Town Council and ARCOM, but it now requires further expansion of the non-conforming building.

MOTION BY MR. SHAW TO APPROVE THE PRESENTATION TO THE TOWN COUNCIL AND THAT IT ARCHITECTURALLY MERITS THE VARIANCES.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

B59-05/V25-05 New Residence

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

This project was deferred from the July meeting.

Mr. Feldkamp said he met with the architect.

Attorney Maura Ziska, representing the property owners, informed the Commission that the Town Council denied the variance to build on a lot with a non conforming width. Therefore, they are working with the eastern neighbors to deed to them an additional four feet of their property.

Because the deed of four feet of land has not been recorded, it was questioned whether the project should be discussed at this meeting. Attorney Randolph said that any action the Commission takes would have to be conditional.

Architect Harold Smith presented the new home for the vacant lot. He indicated that the two-story massing will be located toward the front of the lot.

Mr. Frank read a letter from Susan Gordon Guttman, 216 West Indies Drive, in opposition of a large, two-story home for this location.

Ann Vanneck, 217 West Indies Drive, stated that the street is not in transition. The neighbors have put a lot of money and a lot of care into keeping their homes in good condition. She requested denial of this project.

Attorney Todd Messinger, representing Mr. and Mrs. Guttman, presented a deed to the Guttman property to establish that they are especially affected as the next door neighbors. He presented photographs of the neighboring houses on West Indies Drive and said the application does not comply with the town codes in terms of the criteria the Architectural Commission reviews when considering a building. He requested denial or deferral to redesign the house with consideration to the neighbors.

The Commission agreed that this house was dissimilar in terms of mass and formality to the houses on West Indies Drive. Also, the homes on the street are not in decay and the neighborhood is not in transition.

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

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

B70-05/V32-05 Addition

Address: 123 Kings Road
Applicant: Robert E. Jackson
Architect: Robert L. Bell
Project Description: Addition of a new master bath on the existing open deck off of the master bedroom with a new tower addition above.

There were no ex parte communications disclosed regarding this project.

Attorney Peter Broberg, said there are three variances requested. The property is 160' long by 50' wide. He explained that this house was once part of one large estate which had been cut into five separate houses. Therefore, none of the houses are conforming to the zoning code. The proposal is to build a master bathroom on top of an existing deck and add an observation tower on top of the master bedroom. He presented a photograph of the original house which indicated that there was an observation tower at one time.

Architect Robert Bell presented elevation drawings of the proposed second floor addition and the tower.

Jody Weissman, 122 Kings Road, felt that the tower element was unnecessary and would interfere with the view from her home.

Morris Weissman remarked that the bathroom addition may not be a problem, but the addition of a tower above it would be too massive.

Mr. Bell presented a superimposed photograph of the proposed additions and noted that the height would be slightly taller than the existing roof height.

Property Owner Robert Jackson advised that three of the adjacent property owners sent him letters in agreement with this project. He hoped to get architectural drawings of the additions to Mr. and Mrs. Weissman before the next Town Council meeting.

Mr. Shaw suggested lowering the height of the bathroom addition to bring down the mass. And, to reduce the size of the stairwell.

Mr. Youchak commented that the addition looked forced the small lot.

Dr. Rosenberg believed that the existing five feet by ten feet master bathroom was inadequate and

was indeed a hardship.

Mr. Feldkamp thought that the owner was asking for an extension of an existing nonconformity and did not see any reason why it should be granted.

MOTION BY MR. SMITH TO SEND TO THE TOWN COUNCIL THE RECOMMENDATION THAT ARCOM DOES NOT BELIEVE THAT THE PROPOSAL IS AN ARCHITECTURAL ENHANCEMENT.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Note for the record; this project will remain on the ARCOM agenda for its September meeting.

Chairman Wideman welcomed Mayor McDonald to the meeting who was in the audience. He then gave tribute to Robert Moore as this will be his last meeting due to his upcoming retirement. He stated that Mr. Moore has served the people of the Town of Palm Beach for many years and will be sorely missed. As well, all of the Commission's best wishes go with him for a very happy retirement.

Mr. Moore said he has enjoyed his association with the people he has worked with over the years. He thanked the Commission for all of their dedication and hard work.

INFORMAL REVIEW

B84-05 New Residence

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

This project will be reviewed informally as the Notice to the Neighbors was overlooked.

Discussion took place whether this project should be heard informally this meeting or deferred until next month.

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

MOTION SECONDED BY MR. SHAW.

Architect Harold Smith requested comments this month and come back next month for a formal

review.

SUBSTITUTE MOTION BY DR. ROSENBERG TO HEAR THE PROJECT INFORMALLY.

MOTION SECONDED BY MS. DIVER.

Interior Designer Polly Fawcett introduced the home owner Katherine McGuire and said they came from Boston for this meeting and may not be able to come back next month.

ROLL CALL:

DR. ROSENBERG YES

MS. DIVER YES

MR. SHAW NO

MR. FELDKAMP YES

MR. YOUCHAK YES

MR. SMITH NO

MR. WIDEMAN NO

MOTION CARRIED 4-3.

Ms. Diver said she met with the architect.

Architect Harold Smith noted that demolition of a swimming pool and a site wall will be required before construction of a new home. He proposed a West Indies style house for this lot. The architectural features include exposed wood rafter tails, a cantilevered balcony with brackets above the front door, and aluminum, impact resistant casement windows. The flat cement roof will be an off-white color.

It was commented that the building was a bit bland and that the entry could be restudied.

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B55-05 Facade Revisions

Address: 250 Royal Palm Way

Applicant: NHM Realty, LLC

Architect: The Lawrence Group Architects

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

This project was deferred from the June meeting for restudy and deferred from the July meeting at the architect's request.

There were no ex parte communications disclosed regarding this project.

Architect Eugene Lawrence presented revisions to the project at the Commission's request. He did studies of the columns to reduce them in size. The owner would like to keep the window styles that were presented earlier. In response to Mr. Smith's question of why awnings will be placed along a blank wall, Mr. Lawrence explained that awnings will provide walkway protection and some pedestrian character.

The majority of the Commission preferred the rectangular window style that had been previously presented. It was suggested to add false windows to the blank wall on the first level.

Mr. Lawrence recommended meeting with individual Commissioners to come up with an acceptable design.

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

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

B62-05 Demolition & New Residence

Address: 268 Nightingale Trail
Applicant: Palm Beach Ventures III, LLC
Architect: Garcia, Brenner, Stromberg
Project Description: Demolition and new two-story residence designed in a Bermuda style architecture.

This project was deferred from the July meeting for restudy.

There were no ex parte communications.

Architect Peter Stromberg requested demolition of the existing two-story residence that was designed in 1950 by Architect Bob Kohler. To his knowledge the house has no historical precedence.

MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE CONDITION TO RETAIN ALL OF THE PARAMETER LANDSCAPING TO PROVIDE SCREENING AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

Architect Stromberg reviewed the site plan and noted that after meeting with the Public Works

department, the existing circular driveway configuration will be retained.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECTS

B71-05 Demolition & New Residence

Address: 233 Coral Lane

Applicant: 233 Coral Lane

Architect: Smith & Moore Architects

Project Description: Demolition of a guest house, garage and pool. Construction of a new two-story residence.

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

Architect Harold Smith reported that the accessory buildings were originally designed by Architect John Volk in 1959.

MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION OF THE ACCESSORY BUILDINGS.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Architect Smith presented a two-story Georgian style home with a two-story pedimented entry. It will have quoins placed at the major corners, a band at the second floor elevation, and a 7/12 pitch roof with flat green tile roofing material.

Mr. Frank read a letter from Jonathan Stoll, 226 Emerald Lane, opposing any variances for size or height of this home.

Landscape Designer Mario Nievera planned several palms at the front entrance and along the rear of the property.

It was suggested to move the driveway closer to the house so that additional vegetation could be planted to screen the one-story house next door. Also, it was recommended having a one-story portico which would help to reduce the height of the building.

MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE AUGUST MEETING FOR RECONSIDERATION.

**MOTION SECONDED BY DR. ROSENBERG.
MR. FELDKAMP OPPOSED.
MOTION CARRIED 6-1.**

B72-05 Demolition

Address: 218 La Puerta Way
Applicant: Ocean Way LLC
Architect: Smith & Moore Architects
Project Description: Demolition of an existing residence.

Mr. Feldkamp said he met with the architect.

Architect Harold Smith reported that the one-story house was designed in 1951 by Architect John Volk. Additions had been built over the years altering its original design.

Mr. Smith indicated that the hedge on the east property line will be retained and the eureka palm trees will be moved to the west property line.

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

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

B73-05 Architectural Style Change & Addition

Address: 1236 North Ocean Way
Applicant: Mr. and Mrs. Sanders
Architect: Smith & Moore Architects
Project Description: The existing residence is a one and one-half story contemporary style, constructed in the 1970's. The proposed additions and alterations include adding a small second floor including two bedrooms; changing out existing sliding doors with French doors; replacing the existing concrete tile roofing with Spanish, high profile "S" tile; removing an existing terrace wall and low balustrade; replacing the wall with a double arch screen and the balustrade with a new design; providing a revised entry area and adding several Mediterranean accents and details on the exterior including cast stone and wooden brackets.

Ms. Diver said she met with the architect.

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Associate Architect William Waters presented the project which consisted of changing the architectural style from Contemporary to Mediterranean.

It was the consensus of the Commission that this house could not aesthetically be converted to a Mediterranean style.

**MOTION BY MR. SMITH TO DENY THE PROJECT.
MOTION SECONDED BY MR. YOUCHAK.**

**SUBSTITUTE MOTION BY DR. ROSENBERG TO DEFER THE PROJECT TO THE
SEPTEMBER MEETING.
MOTION SECONDED BY MR. FELDKAMP.
MR. SMITH AND MR. WIDEMAN OPPOSED.
MOTION CARRIED 4-2.**

Note: Mr. Shaw did not vote relative to this project as he returned to the meeting after the architect's presentation.

B74-05 Demolition and New Residence

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

Ms. Diver and Mr. Feldkamp met with the architect and reviewed the plans.

Associate Architect Edward Saung addressed the request to demolish an existing house. He presented photographs of a one-story house and said it was built in 1987 by J.C. Spradley Construction. The landscaping that will be retained includes a sapodilla tree and royal palm trees along the water. He noted that a healthy ficus hedge exists along the north and south property lines and along Island Drive.

**MOTION BY MR. SHAW TO APPROVE THE DEMOLITION WITH THE PROVISION
TO INCORPORATE ALL OF THE LANDSCAPE FEATURES AND MAINTENANCE,
AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

Edward Saung presented a 6,410 s.f., two-story, French-Eclectic house to the Commission.

Landscape Architect Don Skrown presented the preliminary landscaping which included the hedges and trees as noted in the demolition review.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE AUGUST MEETING.

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

B75-05 Demolition and New Residence

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

Architect Ames Bennett introduced his Associate Architect Tony Zia. Mr. Bennett read the demolition report which stated that the building did not have any architectural merit.

MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISION TO PRESERVE THE PERIMETER LANDSCAPING AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MR. SHAW WITH THE ADDITION TO PROVIDE PHOTOGRAPHS AND THE APPROPRIATE DEMOLITION DOCUMENTS PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

MOTION CARRIED UNANIMOUSLY.

Tony Zia proposed a one-story Bermuda style home to replace the existing Spanish style home.

MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY AND A MAJOR RESTUDY OF THE GARAGE SECTION.

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

B76-05 Cabana

Address: 246 Monterey Road
Applicant: Gerald M. and Emily Jane A. Lemole
Architect: Ames Bennett
Project Description: Build a new detached cabana building adjacent to an existing swimming pool. It will match the Bermuda style residence.

Associate Architect Tony Zia stated that the cabana building will match the architectural style of the main house.

The mansard style roof was discussed and it was preferred having a hip roof on the cabana to match the main house. It was discovered that the plans indicated changes to the main house that was not part of this presentation.

MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE STIPULATION THAT THE ROOF GETS CHANGED TO A HIP ROOF TO MATCH THE PITCH OF THE MAIN HOUSE, AND THAT THE QUOINS AND COLOR MATCH THE MAIN HOUSE.

MOTION SECONDED BY MS. DIVER.

MR. FELDKAMP OPPOSED.

MOTION CARRIED 6-1.

The architect was asked to submit a new set of drawings for the cabana building only. Mr. Frank stated that he will stamp the ARCOM approval on the upgraded set of plans.

B77-05 Demolition

Address: 650 Island Drive
Applicant: Gene S. Levi and Jim L. Darrah
Architect/Designer: Ames Bennett/MPerry Design
Project Description: Demolition of an existing residence.

Architect Ames Bennett introduced Building Contractor Tim Givens. Mr. Givens proposed demolition of a house designed in 1951 by Wyeth, King & Johnson. Several additions had been built over the years. The current ficus hedges and eureka palm trees will remain on the site.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B78-05 Addition

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

Mr. Smith said he spoke with Mr. Chopin and Mrs. Miller "against the project." Ms. Diver said she spoke to Nancy Mendez, a concerned neighbor. Dr. Rosenberg said he spoke to Frank Chopin who strongly recommended deferral.

Mr. Frank read a letter from the law firm of Page Mrachek Fitzgerald and Rose stating that there is a pending lawsuit regarding the easement of the north 25 feet of 995 North Ocean Boulevard.

Architect Digby Bridges explained that the house was designed by Dillard Duff for Howard Earl the famous Buick designer. The 770 square feet, second floor addition will be located in the middle of the house. All of the awning windows will be replaced with impact resistant windows. It was commented that the proposed addition was not an enhancement to the architecture of the house.

Attorney Jackie Miller, representing Frank Chopin, stated that this proposal was non-conforming in several ways. She requested project deferral to allow Mr. Chopin to address the Commission regarding this addition project.

Attorney Maura Ziska, representing the property owners, said this project is in the RA zoning district which does not have a cubic content requirement. It does meet the zoning code as an addition to a non-conforming house.

Nancy Mendel, who resides at 100 Via del Lago, disliked the idea of an addition to a house that already looks forced on the lot.

Attorney Julie Ferguson, representing Ms. Mendel, informed the Commission that the lot is non-conforming. In the RA district the minimum lot size is 20,000 square feet. This lot is about 9,500 square feet. She asked the Commission to take into consideration the architectural integrity of this proposal.

Mr. Wideman was not fond of the "pop-up" look. But, thought that it is a small house with a very small addition.

As well, a 770 square feet addition would not be detrimental to the neighborhood.

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

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

B79-05 Demolition

Address: 516 South Ocean Blvd.
Applicant: South Ocean Drive LLC
Attorney: Adam Gottbetter
Project Description: Demolition of an existing structure.

Mr. Smith declared a Conflict of Interest and left the dias during the discussion.

Architect Don Kino reported that the existing house was designed by Architect John Volk in 1958. The house has had several additions over the years and it is in disrepair. All of the perimeter landscaping will remain on the site.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B80-05 Demolition and New Residence

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

Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Shaw said he met with the applicant.

Architect Pat Seagraves and Landscape Designer Mario Nievera presented the demolition proposal

MOTION BY MR. SHAW TO APPROVE THE DEMOLITION WITH THE PROVISION TO MAINTAIN THE LANDSCAPING DURING DEMOLITION AND THE NEW CONSTRUCTION AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Architect Pat Seagraves presented a Mediterranean style home with one-story wings. He noted that the windows were designed with wide gothic arches.

Mr. Seagraves was asked to restudy the windows above the front door, possibly reduce them from three to two.

MOTION BY MS. DIVER TO APPROVE THE PROJECT SUBJECT TO MINOR CHANGES TO BE REVIEWED NEXT MONTH.

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

B81-05 Demolition

Address: 12 Lagomar Road
Applicant: Roberto A. and Joanne M. deGuardiola
Architect: Thomas M. Kirchhoff
Project Description: Demolition of existing residence.

Architect Thomas Kirchhoff presented the demolition proposal. The house was originally the staff quarters for a larger estate. It was designed by Addison Mizner in 1929.

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

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

B82-05 Addition

Address: 1342 North Lake Way
Applicant: Richard B. Skubal and David J. Jenkins
Designer: Solis Designs
Project Description: Addition to the master closet and a new elevator shaft.

Designer Anthony Solis presented the project.

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

MOTION SECONDED BY DR. ROSENBERG.

MOTION CARRIED UNANIMOUSLY.

C. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A9-05 Revisions

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

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

Staff received a letter from the applicant requesting project deferral to the September meeting.

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

MOTION SECONDED BY MR. SHAW.

MOTION CARRIED UNANIMOUSLY.

A17-05 Hardscape & Landscape

Address: 1230 North Ocean Blvd.
Applicant: Michael Gretscher
Architect: Paul Tracy, Scott Brown Landscape Architectural Design
Project Description: Hardscape and landscape

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

Landscape Architect Scott Brown proposed a seagrape hedge along the south property line and sabal palms along the front of the property.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MINOR PROJECTS

None

VIII OTHER BUSINESS

None

IX ADJOURNMENT

**MOTION BY MS. DIVER TO ADJOURN THE MEETING AT 3:54 P.M.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the architectural commission will be held on September 28, 2005 at 9:00 a.m.

Respectfully submitted,


Floyd L. Wideman Jr., Chairman

B79-05

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

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PALM BEACH	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 8/24/05		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.

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.

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

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

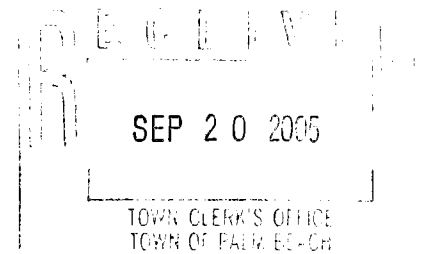
DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on AUGUST 24, ²⁰⁰⁵~~19~~:

(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 MARK TOMPKIN (ADAM GOTTBETTER, ATTORNEY) 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:



8/24/2005
Date Filed

[Signature]
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.

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