



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

WEDNESDAY, JUNE 28, 2006

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. CALL TO ORDER

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

II. ROLL CALL:

Morgan Dix Wheelock, Chair
Nikita Zukov, Vice-Chair
William P. Feldkamp, Member
William J. Strawbridge, Jr., Member
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery Smith, Member
Kenn Karakul, Alternate Member
Samuel M. Boykin, Alternate Member
Mark Bennett, Alternate Member
Stirling Clark, Attorney
Veronica Close, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

None

III PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Chair Wheelock.

- IV APPROVAL OF THE MINUTES FROM THE MAY 24, 2006 MEETING.
MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

- V SWEARING IN PERSONS TESTIFYING.**
Persons testifying were sworn in at this time and periodically throughout the meeting.

IV PROJECT DEFERRALS/REMOVALS

B18-06 New Residence

Address: 230 Esplanade Way
Applicant: Mr. Michael Barasch
Architect: Bogart Architectural
Project Description: New residence on a vacant parcel of land. Constructed of concrete block and stucco, engineered truss roof, flat cement roof tile, impact resistant windows.

This project was deferred from the March, April and May meetings at the architect's request. The architect requests deferral to the July meeting.

Planning Administrator Tim Frank reported that Mr. Barasch called him requesting another deferral. He also noted that Mr. Barasch is not the legal owner of the property. As well, the property has changed ownership since the application was submitted.

**MOTION BY MR. SMITH TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B27-06 Demolition & New Residence

Address: 158 Dunbar Road
Applicant: Jay Johnston
Architect: Lee Kvarnberg
Project Description: Demolish an existing two-story house and replace it with a new two-story house.

This project was deferred from the April meeting for restudy and it was deferred from the May meeting as no one was present to represent the project.

The architect requests deferral to the July meeting.

SEE MOTION UNDER ITEM NUMBER B36-06.

B36-06 New Residence

Address: 1558 North Ocean Way
Applicant: James S. and Helen E. Cunningham
Architect: Jim Stergas
Project Description: New construction of a residence.

Demolition was approved at the May meeting and review of the new residence was deferred for restudy. The architect requests deferral to the July meeting.

MOTION BY MR. ZUKOV TO DEFER ITEM NUMBER B27-06 AND ITEM NUMBER B36-06 TO THE JULY MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B52-06 New Condominium

Address: 2315 South Ocean Blvd.
Applicant: Oakland Property, LLC
Architect: Jerome Baumoehl
Project Description: A renewal of previously approved two building, five unit condominium residences with common pool area.

The architect requests deferral to the July meeting.

Ms. Close said she believed that the applicant has withdrawn the application.

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

MOTION SECONDED BY MR. SMITH.

ROLL CALL:

MR. YOUCHAK	YES
MR. SMITH	YES
MR. ZUKOV	YES
MR. FELDKAMP	NO
MR. STRAWBRIDGE	YES
MS. DIVER	YES
MR. WHELOCK	NO

MOTION CARRIED 5-2.

B29-06\V16-06\New Cabana & New Underground Garage

Address: 750 South County Road
Applicant: GaryLumsden
Architect: James C. Paine, Jr.
Project Description: (1) New steps accessing front entry (2) New site wall along south property line. (3) New pool cabana above new underground garage structure with access from the west side.

The architect requests deferral to the **August** meeting.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

A11-06 Architectural Detail Changes

Address: 146 Australian Avenue
Applicant: Michael and Anne Flynn
Architect: SKA Architect + Planner/Jacqueline Albarran
Project Description: New front entry columns and parapet. Replace existing barrel tile roofs and incorrect Mediterranean details with stucco moldings for a more appropriate Georgian style.

The architect requests removal from the agenda.

**MOTION BY MR. ZUKOV TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. SMITH.
MOTION CARRIED UNANIMOUSLY.**

VII TOWN COUNCIL PROJECTS - VARIANCE REQUESTS

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

B11-06/SPR 5-06 Building Renovations (Demolition & Rebuild)

Address: 2842 South Ocean Boulevard
Applicant: City National Bank of Florida
Architect: Oscar Garcia
Project Description: This project is to convert an existing 134-room hotel into a 107-room condominium hotel. The building will be completely renovated, including the demolition and reconstruction of the entire interior and exterior walls, and the addition of a partially sunken 220-space parking structure to replace the existing 144-space surface parking lot. The swimming pool will be relocated to the 4th floor of the building and new tennis courts will be built on top of the new parking structure. With the new parking structure, the proposed entry drive will ramp up to the new lobby entry level. This building will remain five stories over a basement. The overall building height and widths will not change. We are proposing glass railings, light stucco and stone for the alteration of the existing building.

This project was deferred from the February and March meetings as no one was present to represent the project and it was deferred from the May meeting for restudy.

Zoning Administrator Paul Castro stated that the Town Council requested a total redesign of the architecture.

**MOTION BY MR. YOUCHAK TO DEFER THE PROJECT TO THE JULY MEETING.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B30-06\SP 7-06 Building Alterations

Address: 380 South County Road
Applicant: Rhino Real Estate, Inc.
Architect: Smith and Moore Architects
Project Description: Alterations to an existing two-story bank/office. Reconfiguration of the roof structure, window and door replacement and reconfiguration, addition of a limestone base, pilasters, cornice and window sills and surrounds. Change of second floor use from professional office to bank office.

This project was deferred from the May meeting for restudy.

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

Architect Harold Smith reminded the commission of their recommendation to approve the variance requests based on the architectural merit. On the other hand, the Town Council thought the building belonged on Wall Street rather than South County Road. They also recommended to restudy the two round windows on the east elevation and to properly screen the parking area on the south elevation. Therefore, he redesigned the project with the removal of the pilasters and stone from the front of the building. The cornice banding was simplified and the parking will be screened with lattice work. The building color scheme will be a sand color stucco with black awnings.

Zoning Administrator Paul Castro noted that it was the council's direction to redesign the project to be more in keeping with the South County Road area.

After being asked for an opinion about this project, Town Council Member William Brooks said he did not want to comment on the project until the Town Council has their vote.

It was suggested to design something between the first style of architecture that was presented and the simplified version that proposed today.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE JULY MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B41-06/SPR11-06 Awnings

Address: 100 Sunrise Avenue, Penthouse 4
Applicant: Lucky Seagull, LLC (Hashem Khosrovani)
Architect: The Lawrence Group
Project Description: Install four white awnings to existing penthouse number 4, south side.

Architect Rich Leja proposed four white retractable awnings for Penthouse #4 at the Sun and Surf Condominium.

Attorney Maura Ziska pointed out that a variance is requested for the awnings because they will be placed above 25' on a building.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

**MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE VARIANCE REQUEST IS CONSISTENT WITH GOOD ARCHITECTURE.
MOTION SECONDED BY MR. STRAWRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B42-06 /SPR9-06 Generator Screen

Address: 425 Worth Avenue
Applicant: The Villas, Inc.
Engineer: Brannon & Gillespie
Project Description: Construct screen wall for emergency generator.

Mr. Wheelock said he visited the site.

Planner/Land Developer Chuck Malar, with the law firm of Gunster and Yoakley, proposed a screen wall for an emergency generator at the Villas Condominium. The generator will be 600-kilowatts which will be enough to keep the air-conditioning running to avoid toxic mold and mildew.

Building Manager of the 401 Worth Condominium Peter McDonald stated his opposition to the generator's proposed location.

The commissioners thought the generator should be moved away from Peruvian Avenue and the condominium next door. It was suggested to divide the generator, making two or three generators, and place them on the roof, in the garage, or in the adjacent parking lot.

Attorney Dennis Kayler, representing the 401 Worth Avenue Condominium Association, expressed the resident's dislike of having to look a 9' high, 8' wide, 19' long concrete wall that will encase a loud 600-kilowatt generator. In addition, it will be only 7' inside the Peruvian Avenue right-of-way.

Landscape Architect Jennifer Morton, representing 401 Worth Avenue, said the proposed generator is the size of a semi tractor trailer. The location of the generator would have a negative aesthetic impact to the street and to their clients.

Earnest Johnson, 401 Worth Avenue, indicated that the neighboring property has an off site parking lot in which the generator could be located.

Mr. Youchak noted on the plans that a fiberglass screen was being proposed to surround the generator. He said that this screening would not buffer the noise of a 600- kilowatt generator. In addition, the noise and exhaust will travel above the walls.

Responding to Mr. Zukov's concern about the size of the generator, Attorney Kayler presented copies of the Florida State Statutes stating that generators need only enough power to run an elevator for five days, the emergency lighting system and enough power for the emergency services. He mentioned that a 200- kilowatt generator would meet the emergency power needs for this building.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL TO DENY THIS REQUEST BECAUSE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE PROPERTY AND THE SURROUNDING AREAS.

MOTION SECONDED BY MS. DIVER ROLL CALL:

MR. SMITH	YES
MS. DIVER	YES
MR. ZUKOV	NO
MR. STRAWBRIDGE	YES
MR. YOUCHAK	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

B28-06 New Storefront

Address:	239 Worth Avenue
Applicant:	Bottega Veneta
Architect:	Brower Architectural Associates
Project Description:	Minor material and color changes to facade including sign color from brown to brass, window and door frames from brown to black, and addition of ceramic tiles over the existing stucco below the storefront windows.

This project was deferred from the April and May meetings as no one was present to represent it.

No one was present today to represent the project.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B43-06 Demolition

Applicant: Mr. and Mrs. John Sculley
Architect: Smith and Moore Architects
Address: 225 Seabreeze Avenue
Project Description: Demolition of an existing three-story residence and a two-story garage/apartment.

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

Architect Harold Smith proposed demolition of a house that was built in 1925. The town records did not indicate who the original architect was, but John Volk and Belford Schumate designed later additions.

Planning Administrator Tim Frank read a letter from Mercedes Cassidy, 228 Seabreeze Avenue, in which she strongly opposed to anymore construction on this street.

MOTION BY MR. SMITH TO DEFER THE DEMOLITION UNTIL THE COMMISSION HAS THE OPPORTUNITY TO REVIEW THE REPLACEMENT HOUSE.

MOTION DIED FOR A LACK OF A SECOND.

MOTION BY MR. FELDKAMP TO APPROVE THE DEMOLITION WITH PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND TO RETAIN ALL OF THE LANDSCAPING AS SHOWN ON THE PLANS.

MOTION SECONDED BY MR. STRAWBRIDGE.

B44-06 New Residence

Address: 208 Mockingbird Trail
Applicant: Mr. and Mrs. John Casey
Architect: Smith and Moore Architects
Project Description: Request for twelve-month extension of previously granted ARCOM approval. (new residence).

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

Architect Harold Smith asked to have a previous project approval extended.

MOTION BY MR. FELDKAMP TO EXTEND THE APPROVAL OF THE PLANS FOR

SIX MONTHS.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B45-06 New Garage

Address: 127 Ocean View Road

Applicant: John and Heidi Niblack

Architect: Robert Bell

Project Description: New detached garage addition with staff quarters above to match existing residence in materials, details, colors, etc.

Mr. Wheelock said he visited the site.

Architect Robert Bell explained that the owners purchased the property next door and demolished the existing house. This lot will be used for a new driveway, entry/exit gates and a garage with staff quarters above.

The commissioner's suggestions were to make the gates not so grand to be more in keeping with the house. Move the door and the stair on the second floor to the left and bring the quoins all the way to the ground on the south side. And continue the quoins to the ground on the east side. Add two brackets under the balcony at the corners of the sliding doors and come back with a landscape plan.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT WITH THE PROVISION TO BRING BACK A LANDSCAPE PLAN, TO BRING THE QUOINS TO THE GROUND ON THE EAST AND SOUTH ELEVATIONS, ADD TWO BRACKETS UNDER THE BALCONY AND RESTUDY THE DRIVEWAY GATES.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B46-06 Additions

Address: 249 Fairview Road

Applicant: Mr. and Mrs. Alfred Fix

Architect: Ken Bosted

Project Description: 1. Replace existing open awning-covered porch with enclosed air-

conditioned porch (new dining and family space.) 2. Expand utility space (laundry.) 3. Expand kitchen with new breakfast area. 4. New front entry with a covered entry porch.

5. New sitting room. 6. Miscellaneous minor related alterations. 7. Expand the existing driveway with circular front drive in paving bricks as existing.

Architect Ken Bosted proposed several small in-fill additions to the exiting house. One of the additions will replace a covered patio at the rear of the house. Another addition will create a covered entry with a sitting area to the front of the house.

Mr. Feldkamp questioned whether the house should be raised to meet the flood level because the plans indicated that the finished floor elevation of the house was 4'.58" Mr. Frank stated that there are two ways to calculate, 50% by volume and 50% of the cost. Mr. Frank also noted that the greenspace may have to be increased in the front yard.

Mr. Smith did not think the new entry was an improvement to the house.

Mr. Feldkamp suggested removing the sitting area so that the entrance area became more important.

Mr. Wheelock thought that there were too many different styles of windows on the front elevation. He also believed that details needed to be presented, including colors and materials.

MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE JULY MEETING TO BRING A LANDSCAPING PLAN, RESTUDY THE FRONT ELEVATION, COME BACK WITH COLOR AND MATERIAL SAMPLE BOARDS.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B47-06 Landscape & Hardscape

Address: 233 Mockingbird Trail
Applicant: Failing
Landscape Designer: Efflorescence
Project Description: Landscape & hardscape, including pool, driveway and walkway.

Landscape Architect Steve Kvarnberg presented the project with a six-foot high ficus hedge along the front of the property. Within the hedge, he proposed four podocarpus columns that will be ten-feet tall. The driveway material will be clay brick and the pool deck and walkways will be cast stone.

It was suggested to remove the podocarpus columns because they added nothing to the architecture of the house. Also, the front walkway should be widened and the walkway from the driveway should be extended to the house.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT SUBJECT TO WIDENING THE FRONT WALKWAY, USE 2 X2 PAVERS FOR THE DRIVEWAY WALKWAY AND EXTEND IT TO THE HOUSE, REMOVE THE PODOCARPUS COLUMNS AND REPLACE THEM WITH A PAIR OF MAGNOLIAS.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY

B48-06 Demolition

Applicant: Adil and Ulku Sokmensuer
Address: 320 Dunbar Road
Attorney: Ronald K. Kolins
Project Description: Request to demolish existing one-story single-family. (Residence)

Mr. Wheelock said he visited the site.

Attorney Ron Kolins asked for demolition of the existing house. After discussion, he agreed to keep the perimeter vegetation through construction. Additionally, he agreed to sod or seed and irrigate the property across from the bike path.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE DEMOTION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT AND THE PROPERTY ALONG THE SEAWALL, (IF THIS PROPERTY IS OWNED BY THE APPLICANT) WITHIN 15 DAYS AND TO RETAIN THE VEGETATION THROUGHOUT CONSTRUCTION.

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

B49-06 Demolition

Address: 700 South Ocean Blvd.
Applicant: Jim Mattei - United Properties
Architect: Ames Benett/Designer: MPerry Design
Project Description: Demolition of existing residence.

Mr. Boykin declared a Conflict of Interest as the applicant is his son-in-law and then left the dais during the discussion. Mr. Wheelock said he visited the site.

Designer Michael Perry read the demolition report which stated that the two-story Island style house was designed by Peacock & Lewis in 1976.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE
PROVISION TO KEEP THE PERIMETER VEGETATION.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

B50-06 Additions

Address: 303 Arabian Road
Applicant: Charlie Boomhower
Architect: Ames Benett/Designer: MPerry Design
Project Description: Remove existing two-story, non-conforming addition, new two-story addition, new loggia addition, expand existing porch and terrace, all exterior finishes to match existing.

Designer Michael Perry presented photographs of the house and explained that a non conforming portion will be removed and replaced with a conforming two-story addition. He agreed to line up the door with the gable on the balcony.

**MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE
STIPULATION TO COME BACK TO SHOW THE COMMISSION THE
CHANGES TO THE PROJECT.**

Mr. Frank recommended deferral for a complete review of all of the changes.

MR. SMITH WITHDREW HIS MOTION.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE JULY MEETING FOR RESTUDY.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B51-06 New Residence

Applicant: Ian M. Kean
Address: 402 Primavera Avenue Applicant:
Architect: Thomas M. Kirchhoff
Project Description: New two-story Georgian residence. New pool, hardscape and preliminary landscape. Mr. Wheelock said he spoke with the attorney on the telephone.

Attorney Ron Kolins requested a one-year extension of a previously approved project.

MOTION BY MR. SMITH TO APPROVE THE PROJECT FOR SIX MONTHS.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

B53-06 Hardscape & Landscape

Applicant: Janina Radtke
Address: 211 Tangier Avenue Landscape
Architect: Lang Design Group
Project Description: Hardscape and landscape

Mr. Wheelock said he visited the site.

Landscape Architect John Lang proposed bougainvilleas to be planted at the stair tower. He added a coconut palm tree to the west elevation to fill in a blank wall which was not shown on the plans.

The landscaping at the front was thought to be too flamboyant for the street. Also, the east side of the building needed additional screening.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE JULY MEETING FOR RESTUDY.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None.

C. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

None.

D. NEW BUSINESS - MINOR PROJECTS

A9-06 Hardscape

Address: 233 El Pueblo Way
Applicant: Mr. Stanley Franks
Landscape Architect: Lang Design Group
Project Description: Hardscape

Mr. Wheelock said he visited the site.

After Landscape Architect John Lang made his presentation, the commission asked to have the amount of hardscape reduced.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE JULY MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

A10-06 Property Wall

Address: 2850 South Ocean Blvd.
Applicant: Cathy and Jon Whitcomb
Engineer: Terry Lunn
Project Description: Remove existing concrete screen wall, replace it with a solid wall with windows to match the rest of the project.

There were no ex parte communications disclosed regarding this project.

Homeowner Jon Whitcomb explained that there is an existing honeycomb shaped wall in front of what was once the sales office for the condominium building. This building contains one condominium unit and a meeting room. He said the existing detached wall is in very bad condition and should be removed.

It was stated that if the wall is in such poor condition, as Mr. Whitcomb indicated, this matter should be referred to Code Enforcement.

Mr. Whitcomb said they hoped to renovate the inside of the condominium which will include expansion to where the existing wall stands.

Mr. Frank was not aware of the proposed expansion of the unit and was not sure if they would be able to do this from a zoning standpoint.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE JULY MEETING SO THAT CODE ENFORCEMENT HAS TO OPPORTUNITY TO CHECK FOR STRUCTURAL PROBLEMS, IF THERE ARE PROBLEMS, THEN CODE ENFORCEMENT SHOULD RED TAG IT, AND THEN COME BACK WITH A COHESIVE PLAN FOR THE ENTIRE FACADE ON SOUTH OCEAN BOULEVARD AND TO MEET WITH THE ZONING ADMINISTRATOR TO DETERMINE WHETHER THE PROPOSAL TO ADD SQUARE FOOTAGE MEETS THE ZONING CODE.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

A12-06 Roof Material Change

Address: 125 Seminole Avenue
Applicant: Taja Realty
Architect: Smith & Moore Architects
Project Description: Roof material change from cedar shakes to grey concrete “rustic shake” tile and other associated changes. (Notices to the neighbors were mailed)

Ms. Diver said she met with the architect and reviewed the plans. Mr. Feldkamp, Mr. Wheelock and Mr. Zukov said they met with the architect and visited the site.

Ms. Close read a letter from the Manager of the Warden House Condominium Association, wherein, it states that six unit owners complained about the new residence. And that it lacked in architectural features, especially the building color and the flat, dark, concrete roof tiles.

Ms. Close read a letter of objection to the new residence which was addressed to Mayor McDonald from Marcia Chellis Kay and M. Hawksworth Schinabeck. Ms. Close read her response letter to Ms. Kay, which stated that the neighbors were notified prior to the Town Council and ARCOM meetings and there were no objections from the neighbors at either meeting. She indicated that Mr. Papas was asked to sign a Hold Harmless Agreement because there were three issues that ARCOM needed to review. The roof that was approved as cedar shake, which is now a grey slate, the columns that were added to the building and wood material that was replace with stucco.

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Architect Harold Smith asked approval of the roof material change, which he considered an upgrade. He indicated that the first floor building material was originally to be Hardboard, but was changed to stucco for longevity purposes. Also, the pattern of the columns was changed, the stucco was smoothed out and the columns were made round.

Mr. Wheelock pointed out that the color chip that was presented at the ARCOM meeting and the color that the building was painted was very different.

Marcia Kay and Margarita Schinabeck, 200 North Ocean Boulevard, spoke against the project.

Property Owner Jim Pappas explained that they could not find cedar shake roofing material that they originally proposed. He had no problem changing the building color. He assured the commission that he will live in the house and that it is not for sale.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT WITH THE PROVISION THAT THE COLORS BE REVISED IN CONJUNCTION WITH THE NEIGHBORS AND TO COME BACK WITH THE LANDSCAPING FOR APPROVAL. MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. FELDKAMP	YES
MS. DIVER	YES
MR. ZUKOV	NO
MR. STRAWBRIDGE	NO

MR. YOUCHAK **YES**
MR. SMITH **NO**
MR. WHELOCK **YES**
MOTION CARRIED 4-3.

**XI COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF
PLANNING ZONING AND BUILDING DEPARTMENT**

Mr. Wheelock reminded the Commission to be extremely careful with the wording of motions.

Mr. Youchak questioned the policy of landscape and hardscape review. He thought they should be reviewed with the new construction project. Mr. Wheelock said he is in favor of reviewing the new construction with the landscape and hardscape. Ms. Close suggested that landscaping projects come back to the commission a maximum of 90 days after the initial presentation or before a building permit will be issued.

Mr. Wheelock announced that Mr. Brooks suggested ARCOM have a policy to recommend to Town Council about concurrent demolition or construction on the same block. Mr. Randolph advised him that this was not an ARCOM matter.

Ms. Close mentioned that the Public Works department will be consider charging contractors for the use of roads for construction projects.

Architect Harold Smith asked for clarification of some issues for the building contractor at 125 Seminole Avenue. Building Contractor Gary Greenberg said that he will paint samples of colors on the building and ask the neighbors for their input.

X ADJOURNMENT

MOTION BY MR. SMITH TO ADJOURN THE MEETING AT 1:20 P.M.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

The next Architectural Commission meeting will be held on July 26, 2006 at 9:00 a.m.

Respectfully submitted,



Morgan Dix Wheelock, Chair

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

NAME—FIRST NAME—MIDDLE NAME <i>Samuel M. Boykin</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>ARCHITECTURAL Commission</i>	
MAILING ADDRESS <i>2852 Emerald Lane</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach, FL</i>	COUNTY <i>P.B. City</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>6-28-2006</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		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, Samuel M. Boykin, hereby disclose that on June 28, 2006, 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, Son In Law _____;
- ☐ 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:

B49-04

Date Filed

June 28, 2006

Signature

Sam M. Boykin

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

NAME—FIRST NAME—MIDDLE NAME <i>Samuel M. Boykin</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>ARCHITECTURAL Commission</i>	
MAILING ADDRESS <i>285 Emerald Lane</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach, FL</i>	COUNTY <i>P.B. City</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>6-28-2006</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		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 DECISION 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, Samuel M. Boykin, hereby disclose that on June 28, 2006, 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, Son In Law _____;
- ☐ 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:

B49-04

Date Filed

June 28, 2006

Signature

Sam M. Boykin

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

NAME—FIRST NAME—MIDDLE NAME WHELOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JUNE 26 2006		NAME OF POLITICAL SUBDIVISION: 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 DECISION 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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- 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, Margon Wheelock, hereby disclose that on July 26, 2006:

(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:

857-06 1141 North Lake Way.

My office is the Landscape Architect for the project

Date Filed

July 26, 2006

Signature

MW Wheelock

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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

ST NAME—FIRST NAME—MIDDLE NAME WHEELLOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JUNE 26 2006		NAME OF POLITICAL SUBDIVISION: 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

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.

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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 ME 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.
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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Megan Wheelock, hereby disclose that on July 26, 2006, 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 _____, 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:

857-06 1141 North Lake Way.

My office is the Landscape Architect for the project

Date Filed

July 26, 2006

Signature

Megan Wheelock

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