

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
WEDNESDAY APRIL 28, 2004
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

The meeting was called to order at 9:00 a.m.

II. ROLL CALL

PRESENT:

Floyd L. Wideman, Jr., Chairman
Morgan Dix Wheelock, Vice-Chairman
Eric Adams, Member
Marvin Rosenberg, Member
Leslie A. Shaw, Member
Nikita Zukov, Member
William P. Feldkamp, Member
William J. Strawbridge Jr., Alternate Member
Leslie C. Diver, Alternate Member
Thomas M. Youchak, Alternate Member
Veronica Close, Assistant Director Planning, Zoning & Building
Jane Day, Staff Preservation Consultant
Gretchen Dayton, Recording Secretary

III PLEDGE OF ALLEGIANCE

The pledge of allegiance was lead by Chairman Wideman.

IV. APPROVAL OF THE MINUTES FROM THE MARCH 24, 2004 MEETING.

MOTION BY MR. ADAMS 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.

B93-03 Additions SPR2-04

Applicant: Ajit Asrani
Address: 215 Brazilian Avenue
Architect: The Lawrence Group Architects
Project Description: Expand building area by a 4-story addition - east side. Renovate to include a 90-seat function room, relocate existing bar and 44 seat dining room. Add exercise room, business center, laundry/storage area, kitchen and management office. Redesign and relocation swimming pool and deck & reconfigure off-street parking lot. Increase parking from 24 to 36, plus 6 valet spaces.

This project was deferred from the December meeting for restudy and deferred from the January meeting at the attorney's request. It was heard informally at the February meeting and deferred from the March meeting at the architect's request.

MOTION BY MR. ADAMS TO RE-ADVERTISE AND DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MR. WHELOCK.

MOTION CARRIED UNANIMOUSLY.

B31-04 Demolition and New Residence SE27-2003

Applicant: 11 Via Vizcaya, LLC
Address: 11 Via Vizcaya
Architect: Roger Janssen
Project Description: Demolition; a review of the Town of Palm Beach Building Department records on 11 Via Vizcaya (the "property") was conducted. According to the records, the building permit for the original one-story structure, designed by Architect Henry Harding, was issued in (July 1955). Various additions have been made since the single-family dwelling was constructed in 1955, including, but not limited to, additional bedroom-bath on south side (June 1959); alterations/additions to pool house and residence (June 1973); addition to south side of new living room (July 1973); bedroom addition to pool house (May 1978); roof addition (July 1978); garage addition (May 1981); installation of a fence (November 1982); an enclosed porch (October 1984); re-roof (October 1988); fill-in addition to maid's room (June, 1993) and, new roof (July, 1993). The owner and project architect, Roger Patton Janssen, AIA, are not aware of any historical significance to the property and/or structure. The extensive landscaping proposed for this property is shown on the accompanying plans. New structure; the new two-story home, the colors of which are listed on the front page of the application, has a Bermuda style of architecture, as shown on the accompanying plans.

The architect requested deferral to the May meeting.

**MOTION BY MR. WHELOCK TO DEFER PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.**

B25-04 Addition

Applicant: 171 Royal Poinciana, LLC
Address: 171 Main Street
Architect: Shibao International Corporation
Project Description: Proposed renovation and addition to an existing non-conforming residential building seeks to reduce the intensity of use by turning three units into single family and providing off-street parking where none is provided now. Challenged by the extreme site condition, the proposed strives to become a significant addition to the Town of Palm Beach both architecturally and aesthetically.

The architect requested deferral to the May meeting.

**MOTION BY MR. ADAMS TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY WHELOCK.
MOTION CARRIED UNANIMOUSLY.**

VII PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B88-03 Landscaping (*New Residence SPR7-03*)

Applicant: 13 Via Vizcaya
Address: 13 Via Vizcaya
Architects: Parker-YennetteDailey Janssen Architects/
Project Description: Pool, hardscaping and landscaping.

This project was deferred from the December, January and February meetings at the attorney's request. The design of the new residence was approved at the March meeting.

Landscape Architect Chuck Yennette presented the revised landscape plan which indicated a reduction of hardscape around the pool and side yard.

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

MOTION SECONDED BY MR. WHEELLOCK.

MOTION CARRIED UNANIMOUSLY.

B10-04 Demolition & New Residence

Applicant: David J. Jenkins
Address: 300 Indian Road
Architect: Solis Designs
Project Description: Demolish existing building & construct a new 2-story Mediterranean revival residence with detached garage & guest/cabana building.

This project was deferred from the February meeting for having an insufficient application and deferred from the March meeting as no one was present.

Mr. Wheelock said he visited the site.

Architect George Perez addressed the commission and introduced Project Designer Pablo Solis. Mr. Solis explained that the plans need to be revised as they do not meet the zoning code. Consequently, he asked for project deferral.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B22-04 New Residence

Applicant: Linda and Brian LaRue
Address: 149 Australian Avenue
Architect: Garcia, Brenner & Stromberg
Project Description: Proposed new two-story residence in the Spanish Colonial style architecture.
Total air conditioned space 5,048 s. f.; textured float finish stucco.

Demolition of the existing residence was approved and the new construction was deferred for restudy at the March meeting.

No one was present to represent the project at this time.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE END OF THE
MEETING.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

This project was called again after item number B32-04.

There were no ex parte communications disclosed regarding this project.

Architect Peter Stromberg presented the revised plans in accordance with the Commission's comments last month. He indicated that the architecture and the roof lines were simplified; windows were revised and some were added.

**MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B. NEW BUSINESS - MAJOR PROJECTS

B23-04 Demolition and New Residence

Applicant: Mortimer Finlay Curran
Address: 242 Cherry Lane
Architect: Ames Bennet
Project Description: Demolish a 1950's style ranch style residence and build a new two-story Bermuda style residence.

No one was present to represent the project at this time.

**MOTION BY MR. SHAW TO DEFER THE PROJECT TO THE END OF THE MEETING.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.**

This project was heard at the end of New Business on the agenda.

Mr. Wideman and Mr. Zukov said they met with the architect and reviewed the plans. Mr. Wheelock said he went to the site.

Architect Ames Bennett presented the proposal to demolish the existing house and construct a new single family house. His demolition report stated the house was designed by Erwin Von Wald in 1955. He noted that the configuration of the house made it impossible to renovate or remodel.

Debate took place whether or not landscaping should be planted at the time construction commences.

**MOTION BY MR. WHEELOCK TO APPROVE THE DEMOLITION WITH THE
CONDITION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND TO
CONSTRUCT A 6' SCREEN/BOARD WALL ON THE STREET FRONTAGE WHICH
WILL BE CONDITIONAL ON THE BUILDING REGULATIONS.
MOTION SECONDED BY MR. ZUKOV.
MR. SHAW OPPOSED.
MOTION CARRIED 6-1.**

Mr. Bennett presented the two-story Bermuda style replacement house to the commission. He referred to his presentation rendering and noted a four feet high wall erected along the front of the property with driveway and walkway gates.

ARCOM Minutes 4/28/04

The architect was asked to provide sufficient vegetative screening of the two-story house for the one-story homes on either side. It was commented that the gates may be out of character with the neighborhood. After discussion, Mr. Bennett agreed to tone down the pink building color, but did not agree to square off the round stair tower.

**MOTION BY MR. WHELOCK TO APPROVE THE PROJECT WITH THE PROVISION TO SUBMIT A COLOR SAMPLE OF A LIGHTER PINK, REMOVE THE GATES, AND SQUARE OFF THE STAIR TOWER.
MOTION DIED FOR THE LACK OF A SECOND.**

**MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO LIGHTEN THE BUILDING COLOR.
MOTION SECONDED BY DR. ROSENBERG.
MR. WHELOCK OPPOSED.
MOTION CARRIED 6-1.**

B24-04 New Residence SE13-2004

Applicant: Mr. John Oxley
Address: 1045 North Ocean Boulevard
Architect: Smith Architectural Group
Project Description: New, two-story British Colonial with run stucco and louvered architectural elements. Wood windows, french doors and flat clay tile roof.

Note: The demolition request will come before the commission at its May meeting.

Mr. Wheelock had ex parte communications with the architect and visited the site.

Architect Jeffrey Smith and Associate Architect Don Kino presented the proposal to the Commission. Mr. Smith said the ARCOM application, which was filled out by the attorney, did not include the request for demolition. Therefore, they will ask for demolition next month. Ms. Close informed the commission that they may take final action today, but if the Town Council does not approve the special exception, or they feel that ARCOM should further review the project, they will refer it back to the commission.

Mr. Shaw asked if the special exception request was for a hardship due to the lay of the land. Mr. Smith explained that the first variance is for a point of measurement as North Ocean Boulevard is at elevation 5' NGVD, the current house is at elevation 16' NGVD and the proposal of the new house will be at 18'NGVD. The second variance is for the height plane at the street, measured from the property

line. He remarked that if the measurement started at the edge of the road, the intent of the code would be met. He reported the square footage of the house will be 6,898 s. f., covering 23.8% of the lot; landscaped area at 16,791 s. f. having a lot coverage of 7.9%, and hardscaped area will take 18.3% of the site. The concept of the project is to enter the property through a two-story garage building which will have maids quarters and garage spaces on the ground floor, and a guest house on the second floor. Next will be a via, leading to the main house along an open court yard, with copper roofed pagodas at either end. Finally, the main house will be a classic "H" plan in a British Colonial style of architecture.

Discussion regarding State requirements relative to the coastal construction control line took place at this time. It was requested of staff to supply this information to the commission.

Mr. Smith continued with the building materials and reported that the walls will be yellow smooth stucco, the details will be white stucco, roofing material will be flat clay and the windows and french doors will be impact resistant. The architect did not have a building material sample board, but stated that they were standard building materials.

It was requested having a vegetative buffer at the street and to keep the existing seagrapes on the north property line. Mr. Smith explained that a 6' high property wall with 8' piers and gates are proposed for this area. (Note: No elevation drawing of the wall and gate were included with the ARCOM plans). Mr. Smith, responding to concerns that the parapet appeared heavy, explained that the raised parapet with finials will bring focus to this area; as well, break up the mass on this side of the house. It was Mr. Adams' observation that this house would suit a larger parcel much better. Mr. Smith replied that the owner wanted to build from set back to set back because they are paying for the ocean view. Mr. Zukov pointed out that this property has a gentle slope and they propose creating a plateau which will require huge retaining walls. Also, he thought that the house appeared to be forced on the property. Mr. Feldkamp questioned the amount of garage space and asked if five or six parking spaces would be enough for this project. In addition, he noticed that there was no turn around space in the service driveway. Mr. Smith responded, the owners were willing to sacrifice parking spaces for landscape area. Mr. Shaw thought the carriage house needed more embellishment. Ms. Diver applauded the quiet and simple design of the carriage house. She said it creates a mystery of what is behind it. Mr. Strawbridge recognized that the size of the house was a zoning issue, but he felt this house would look better on a larger lot. Mr. Youchak noticed that the louvered shutters on the carriage house were different from the shutters on the main house. In response to Ms. Close regarding the orientation of the swimming pool, Mr. Smith explained the reason it was not oriented north/south, which would allow the carriage house to be moved further in the property, was due to the State requiring the shore parallel coverage to be kept to a minimum in case of a storm surge. Mr. Wideman questioned the location of the air-conditioning units as they are proposed five feet from the neighbor's property. Mr. Smith answered, "because we are allowed to put them that close." Mr. Wheelock warned the architect,

because this house is designed from set back to set back, to be sure there will be enough room for landscape screening and that it will coordinate with the site drainage. He also noted that the demolition of the existing house was overlooked and no building material board was presented. He recommended having the landscape and hardscape presented together so that the commission is aware that the site plan works properly, and that the house does not have to be redesigned. He did not have an objection to the requested variances from an architectural point of view, but felt that ARCOM needed to review some of the unanswered issues.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT SUBJECT TO THE PRESENTATION NEXT MONTH FOR APPLICATION FOR DEMOLITION, SUBJECT TO TOWN COUNCIL APPROVAL OF THE VARIANCES AND TO COME BACK WITH LANDSCAPE AND HARDSCAPE PLANS.

THE MOTION DIED FOR THE LACK OF A SECOND.

After further discussion of the architecture as it relates to the variance request, another motion was proposed.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE MAY MEETING TO ADDRESS SOME DETAILS, BUT TELL THE TOWN COUNCIL THAT THE COMMISSION BASICALLY LIKES THE DESIGN.

MOTION DIED FOR THE LACK OF A SECOND.

Ms. Close reminded the commission that they should study the architecture as it relates to the variance and determine if their request could be minimized or eliminated.

MOTION BY MR. WHEELOCK TO DEFER THE PROJECT WITH THE NOTATION THE COMMISSION HAS NO OBJECTION TO THE VARIANCES BEING GRANTED ON ARCHITECTURAL TERMS.

MOTION SECONDED BY MR. ADAMS.

Under discussion, the on-site and off-site parking was mentioned. Mr. Smith assured the commission that if future needs require more parking, the maid's quarters could be converted into a fourth garage.

DR. ROSENBERG OPPOSED.

MOTION CARRIED 6-1.

B26-04 New Pavilion SE12-2004

Applicant: Mr. and Mrs. Robert and Carol Garvy
Address: 200 Esplanade Way
Architect: SKA Architect + Planner
Project Description: New open pavilion and one-story guest house to match existing main residence in all detailing.

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

Architect Jacqueline Albarran explained that the applicant purchased the property adjacent to them which created a staggered shape lot. The property now has four front set backs, and the set backs were increased to RA zoning. She said that they are getting a special exception to move a gate from the property line, in three feet and out of the easement. The proposed guest house will have two bedrooms and two baths, a lounge area and a garage. It will match the architecture, building materials and details of the main house. Note: She displayed a drawing of the proposed gate, but it was not included with the ARCOM package. Having no objection to the variances and special exception relative to construction of this project, the following motion was made:

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B27-04 Addition V13-2004

Applicant: Mr. And Mrs. Jarrett and Judith Kling
Address: 146 Seaspray Avenue
Architect: SKA Architect + Planner
Project Description: Detached Garage Structure: Replace an existing flat roof with a sloped roof to match existing in main residence. Small in-fill on second-story.

Mr. Youchak, Ms. Diver, Mr. Feldkamp and Mr. Adams disclosed ex parte communications with the architect. As did, Wheelock and Mr. Zukov which included a visit to the site.

Architect Jacqueline Albarran presented the project and explained that variances were required to achieve the requested changes to the garage. The proposal will replace a flat roof with a pitched roof,

matching the main house, and fill in a narrow exterior stair case. Thereby, causing the hip roof to project into the angle of vision and the in-fill will create a two-story accessory structure in the RB zoning district. The commission felt that the requested variances would be an architectural improvement.

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

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B28-04 New Residence

Applicant: Mr. Dean Vegosen, Trustee
Address: 219 Chilean Avenue
Architect: SKA Architect + Planner
Project Description: Construction of a new two-story Mediterranean style home.

Ms. Diver, Mr. Shaw, Mr. Feldkamp, Mr. Wideman and Mr. Zukov said they met with the architect and discussed the plans.

Architect Pat Seagraves presented the project. He noted that the building will have cast stone on the arches and banding around the windows and doors, clay barrel tile roofing material, and a stucco watertable. The windows will be solid glass without any division. He presented the preliminary landscape plan including an existing wall with a hedge that was originally drawn by Lang Design Group.

It was remarked that the landscaping did not take in account that the property overlooks a parking lot and four transformer poles. The architecture was described as undistinguished and similar to many other buildings in town. It was commented that the clay barrel applied to the chimney cap was too heavy for the chimney.

After discussion, Mr. Seagraves agreed to remove the transom window above the kitchen window, and to add windows to the west elevation.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE ADDITION OF A WINDOW ON EITHER SIDE OF THE FIREPLACE IN THE LIVING ROOM, A WINDOW ADDED IN THE BEDROOM UPSTAIRS, AND TO DELETE THE TRANSOM.

MOTION SECONDED BY DR. ROSENBERG.

MR. ADAMS OPPOSED.

MOTION CARRIED 6-1.

Chairman Wideman asked the architects in the audience to present the required materials that are reflected in the ARCOM application.

B29-04 Addition

Applicant: Mr. And Mrs. Jim Beqaj
Address: 1520 North Ocean Way
Architect: SKA Architect + Planner
Project Description: Single story addition to include new family room, two bedrooms, two baths, lanai and pergola. Renovation of existing home including a two-car garage.

Ms. Diver, Mr. Shaw, Mr. Feldkamp, Mr. Adams, Mr. Wideman, Mr. Wheelock and Mr. Zukok said they met with the architect and reviewed the plans.

Architect Pat Seagraves introduced Landscape Architect Jeff Blakely. Mr. Seagraves said the project is a renovation and an addition to a single story house. The garage will be converted back into a garage and new glass sliding doors will replace the old ones.

Landscape Architect Jeff Blakely presented the conceptual landscape plan. He indicated that the new motor court, new entry walkway and a small patio off of the morning room will be made of brick. All but two trees will be removed from the site; a gumbo limbo tree and a multi trunk eureka palm tree. Also, an existing four foot wall with a four-foot hedge on top of it will remain. Seven cocoanut palm trees are planned along the front of the property. Mr. Blakely explained that there have been a great deal of fish tail palms planted in the south easement because the lot is non-conforming. Mr. Seagraves added, this issue has been worked out with the Public Works Department and they do not have a problem with planting in the easement.

Ms. Day noticed the plans that were submitted to staff had a North Ocean Boulevard address and asked the architect for corrected plans indicating North Ocean Way.

It was thought that the project had too much hardscape, especially around the swimming pool. As well, the bay window's head height did not match the height of the window adjacent to it.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE MAY MEETING FOR
RESTDY OF ALL ELEVATIONS AND HARDCAPE.**

MOTION SECONDED BY MR. ADAMS.

ROLL CALL:

MR. ZUKOV YES

MR. ADAMS YES

MR. WHELOCK NO

DR. ROSENBERG YES

MR. SHAW NO

MR. FELDKAMP YES

MR. WIDEMAN NO

MOTION CARRIED 4-3.

Mr. Seagraves asked for further direction with the project design. He was told that the windows were a problem, especially the bay windows. Consequently, some of the existing windows may have to be changed. He was asked to reduce the amount of hardscape.

B30-04 New Cabana V11-2004

Applicant: Casey Cowell
Address: 150 Clarke Avenue
Architect: Searl and Associates Architect
Project Description: Construction of a new two-story cabana.

Mr. Adams said he met with Designer Raphael Saladrigas. Mr. Wheelock said he met with the architect and went to the site.

Ms. Close stated that the ARCOM application did not include some proposed additions to the rear of the property. She said the commission normally does not review major projects that have not been advertised to the neighbors. After discussion, it was decided to review the cabana so that they may present it to the Town Council and come back next month with the entire project. Attorney Maura Ziska, for the applicant, said the lack of notification of the other additions was an oversight because it is a combination project with the Town Council, and that the variance requested is for the cabana only.

Local Architect Ken Brower introduced Architect Linda Searl, the primary architect from out of state. Ms. Searl noted the additions to the rear of the house will increase the kitchen and family room areas. As well, an addition of a second story is proposed for the garage. She explained that the variance request is to locate the cabana in the set backs so that it will be centered on the swimming pool. The first floor of the cabana will contain bathrooms and changing rooms and the second floor will be an

exercise room. She presented a material board which contained flat green tile for the roof and green glass proposed for the building walls. She explained that the cabana building will have a stucco frame with wood and glass walls. She offered a more conservative facade to face the alley if the commission felt the proposal was too dissimilar to the other homes. Landscape designer Mario Nievera proposed a 10' tall hedge and cocoanut palm trees along the alley side of the property.

Mr. Wheelock perceived the two-story cabana building as very imposing on the lot. Most important, the second floor will look over a hedge into the neighbors swimming pool. He suggested building a new swimming pool centered on the cabana that would be built in the proper location. As a result, there would be no need for a variance. Dr. Rosenberg felt that the project was unique and refreshing with the introduction of different types of building materials. Mr. Shaw did not recommend using the alternate elevation that was presented by the architect. He thought the cabana should abut the main structure, which would take away the impact to the neighbor and the exterior stair case would have to be restudied. Mr. Adams was uncomfortable approving just one portion of the total project. He noted that the style of the cabana is very much an issue as it may be too much of a departure from the main house. Mr. Strawbridge felt that cabanas should be centered on swimming pools. He asked the architect to rework the exterior stair case making it match the architecture of the building. Mr. Youchak was concerned that the neighbor would be greatly impacted by this two-story structure. Mr. Shaw noted that centering a cabana on a swimming pool was not a hardship.

MOTION BY MR. WHEELOCK TO DEFER THE APPROVAL OF THE ARCHITECTURE OF THE CABANA AND RECOMMEND TO THE TOWN COUNCIL THAT THE COMMISSION FINDS NO ARCHITECTURAL MERIT IN MOVING THIS BUILDING INTO THE SET BACK.

MOTION SECONDED BY MR. SHAW.

ROLL CALL:

MR. WHEELOCK	YES
MR. SHAW	YES
MR. ADAMS	YES
DR. ROSENBEG	NO
MR. ZUKOV	NO
MR. FELDKAMP	YES
MR. WIDEMAN	YES
MOTION CARRIED 5-2	

B32-04 Demolition

Applicant: Mary Louise J. Antle
Address: 342 Seabreeze Avenue
Architect: Smith and Moore Architects
Project Description: Demolition of an existing single family residence and detached garage.

Mr. Wheelock declared a Conflict of Interest and left the dias during the presentation. There were no ex parte communications disclosed regarding this project.

Architect Harold Smith presented the demolition proposal. He reported that the existing house was designed by Architect Steven Deckman in 1941. Major renovations and additions were done in 1979 including a roof material change from flat concrete to clay barrel. The house has severe settlement, cracked foundations and wood rot.

**MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

B33-04 Addition

Applicant: Mr. And Mrs. Bruce and Leigh Failing
Address: 221 El Bravo Way
Architect: SKA Architect + Planner
Project Description: Small two-story addition on the side of an existing two-story structure. All doors, windows, roof, colors and details to match existing.

Ms. Diver disclosed ex parte communications with the architect.

The Architect was not present when this project was called.

**MOTION BY MR. WHELOCK TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

Under discussion, Mr. Lang was asked to consider adding two rafter tails to the new entry.
MOTION CARRIED UNANIMOUSLY.

VIII OTHER BUSINESS

Discussion took place regarding the preservation of vegetation at the street and the requirements of site water retention during all construction projects. Ms. Close noted that the town's storm drainage engineer uses a check list to review ARCOM projects. She offered to look into the possibility of adding to his review list the feasibility of retaining existing landscaping on properties proposed for development.

Responding to Mr. Shaw's request, Ms. Close agreed to check into supplying the commission with approval letters from the State of Florida relative to projects requiring Town Council approval.

IX ADJOURNMENT

MOTION BY MR. ADAMS TO ADJOURN THE MEETING AT 1:10 P.M.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.

X ADJOURNMENT

The next meeting of the Architectural Review Commission will be held at 9:00 a.m. on Wednesday May 26, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Floyd L. Wideman, Jr.", with a large, stylized flourish at the end.

Floyd L. Wideman, Jr., Chairman

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 PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED APRIL 29 2004		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 a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MORGAN DIX WHEELLOCK, hereby disclose that on APRIL 28 2004, 19 :

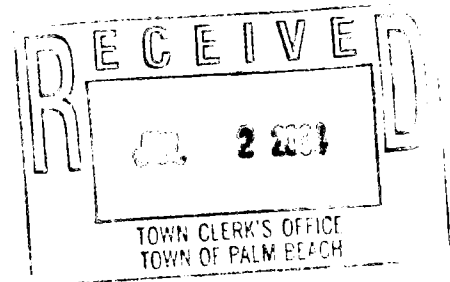
(a) A measure came or will come before my agency which (check one)

- ☒ 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:

B 32-04 Article: 342 Seabreeze. Demolition.

The Owner is my client and the project is under my design direction.



Date Filed

April 28 2004

Signature

Morgan Dix Wheellock

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 PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED APRIL 28 2004		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 VOTE WILL BE TAKEN:

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

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MORGAN DIX WHEELOCK, hereby disclose that on APRIL 28 2004, 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:

B 32-04 Antle: 342 Seabreeze. Demolition.

The Owner is my client and the project is under my design direction.

Date Filed

April 28 2004

Signature

Morgan Dix Wheelock

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