**MINUTES OF THE ARCHITECTURAL COMMISSION**
**WEDNESDAY, APRIL 26, 1995 AT 9:00 A.M.**
**TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

**I. CALL TO ORDER**: The meeting was called to order by Chairman Leighton Rosenthal at 9:04 a.m.

**II. ROLL CALL**

PRESENT: Leighton Rosenthal, Chairman
Laurel Baker, Vice Chairman
Lindley Hoffman, Member
Bruce Helander, Member
Ethel Lindsey, Member
Sally Gingras, Member
John H. Schuler, Member
Lowry M. Bell, Jr. Alternate Member
Robert E. Deziel, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: George Fisher, Alternate Member (Let the record show that this is an absence pending classification at the May meeting.)

RECORDING SECRETARY: Cynthia M. Delp

**III. APPROVAL OF THE MINUTES FROM THE FEBRUARY 22, 1995 AND MARCH 22, 1995 MEETINGS**

Mrs. Lindsey pointed out, she would like on record, an omitted portion of the minutes commending the work of Mrs. Frost-Golino and Mrs. Hope whose terms recently expired. An amended portion of the February 22nd minutes is attached to the March 22, 1995 minutes.

MOTION BY MRS. LINDSEY TO APPROVE BOTH SETS OF MINUTES, AS AMENDED.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

**IV. PROJECT REVIEW**

**A. NEW BUSINESS - MAJOR PROJECTS**

**B17-95 Remodel**

Applicant: Mr. Scott Worley

Address: 171 El Pueblo Way
Architect: Art & Architecture, Inc.
Project Description: Remodel existing residence; add new garage; change existing garages into bedroom; remove existing cement tile roof; build up flat roofs with pitched wood trusses; apply new cement tile roof & landscape

Mr. Scott Worley, the landowner, stated that this house was built in 1952, and since that time, there have been no changes to the property other than a garage addition. This one story home with both pitched and flat roofs is, per Mr. Worley, in need of renovation. The project converts the existing garages into bedroom space, eliminates the existing driveways, creates a new asphalt driveway with two curb cuts on El Pueblo Way, creates an addition for a dining room, moves the garages to the back side of the property with a new concrete driveway from Ocean Way, changes the flat roof to pitched roof, replaces the roofing material with clay tile roofing material, includes replacing all the windows and painting the structure.

MOTION BY MR. HELANDER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. LINDSEY.

Under discussion, Mr. Frank read a letter from Dr. Thorstad into the record which stated that much of the requested remodeling is already underway. Mr. Deziel felt, from a planning perspective, that three curb cuts for this size lot was excessive (85'x 102'-117').
Mr. Schuler felt that the owner was accomplishing some off street parking area as there is no parking allowed on either N. Ocean Way or El Pueblo Way. Mr. Moore indicated that this is not a vacant lot...it is a remodel...that the new cut is for the newly placed garage, and that final determination regarding the cut(s) belongs to the Department of Public Works.

MOTION CARRIED UNANIMOUSLY.

Let the record show that Mr. Deziel left the Council Chambers at this point.

**B18-95 Addition**

Applicant: Mr. & Mrs. Stephan Cole
Address: 274 Monterey Road
Architect: Ralph T. Cantin
Project Description: Relocate garage door away from street; add master suite; relocate portion of driveway

Architect Ralph Cantin stated that this house exists on 1.5 lots (135'x 100') with the garage facing the street. The project removes the existing driveway, moves the garage around to the side of the house, creates a new concrete driveway off Monterey Road back to the garage, and creates a new master bedroom/bath addition of 500 sq. ft. Details of the addition will match the existing structure. Landscaping will be re-worked to accommodate the driveway changes.
MOTION BY MR. HELANDER FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

**B19-95 New Cabana**

Applicant: Mr. Brinkman
Address: 214 Jungle Road
Architect: Robert L. Bell
Project Description: Construction of new 330 square foot cabana building with covered patio (630 sq. ft) at west end of existing pool deck

Architect Robert Bell presented this request for a new pool cabana to be located between the pool deck and motorcourt. Ficus hedge will be planted west of the cabana. Some of the motorcourt pavers will be

removed to facilitate the addition of the cabana. The cabana, a long linear structure, will include a changing room, bath and toilet area, shower/steam room, a storage area and a covered patio area.

MOTION BY MRS. BAKER FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

**B20-95 Addition**

Applicant: James & Eleanor Woolems
Address: 200 Queens Lane
Architect: Bridges, Marsh & Carmo
Project Description: Demolition of existing garage with bedroom above and small garden house; new addition to be added while renovating the complete house in Mediterranean revival and addition of pool

Mr. Craig Holinquist of Bridges, Marsh & Carmo presented this request to demolish the garage/2nd fl. bedroom and garden house. This will make room for a new pool in the southwest corner of the property with a private courtyard area. A second story addition for the master bedroom and bath will be constructed in the southeast section of the property as well as a new driveway and entrance off North Ocean Way. On the first floor level, the plan creates a loggia, a new dining room, new kitchen and breakfast area, and a new garage. A new barrel tile roof replaces the existing clay tile roof. Additional changes will occur to the doors, the balcony finish, and the wood shutters.

(*Let the record show that Mr. Deziel returned at this time.)

Mrs. Baker asked whether it is possible to break the mass of the 16' garage door by using two smaller doors instead. Mr. Moore commented that it would be difficult to create double doors without having a minimum width of 20' interiorly in the garage. The width of the garage is 19', so it would be very difficult to accomplish this request. Mr. Schuler asked that the garage door be paneled rather than straight. Mrs. Baker agreed that a paneled door was preferable.

MOTION BY MR. SCHULER FOR APPROVAL WITH THE CONDITION THAT THE GARAGE DOOR BE A PANELED DOOR.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

> In the interest of brevity, for the purpose of these Minutes, let the record show that the next three items, B21-95 (88 Middle Road), B22-95 (86 Middle Road), and B23-95 (121 El Bravo Way) were ultimately discussed in concert with eachother. Before any action related to B21-95 was taken, the other two items were discussed and acted upon. Following these two items, discussion returned to B21-95 for final action. Therefore, B22-95 and B23-95 will be handled first within these Minutes.

**B22-95 Demolition; Construction 1400 Sq. Ft. Structure**

Applicant: Elizabeth Frank
Address: 86 Middle Road
Architect: Bridges, Marsh & Carmo, Inc.
Project Description: Demolition of existing residence; construction of new 1400 square foot structure*

Attorney Paul Prosperi stated that 86 Middle Road is a 1970's one story Bermuda house with a white cement tile roof. The house has approximately 4,000 sq. feet. It had been noted that the requested demolition of this house was an integral part of the plans for 88 Middle Road, as will follow.

MOTION BY MR. SCHULER TO PERMIT THE DEMOLITION OF 86 MIDDLE ROAD, WITH THE PROVISO THAT THE LAND BE SEEDED, SODDED AND IRRIGATED WITHIN 90 DAYS IF NO CONSTRUCTION COMMENCES ON THE LAND WITHIN THAT TIME PERIOD.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

*It should be noted that "construction of new 1400 square foot structure", as stated above, was deferred along with the deferred items in B21-95.

**B23-95 Demolition**

Applicant: Stuart Subotnick, Trustee
Address: 121 El Bravo Way
Architect: Bridges, Marsh & Carmo, Inc.
Project Description: Demolition of existing residence and out building

Attorney Paul Prosperi stated that this is a 1920's Mizner house which was later modified by Wyeth. The house is presently in dilapidated condition, and has very little architectural ornamentation or characteristics. The requested plan for demolition of this house is also an integral part of the plans for 88 Middle Road.

MOTION BY MR. SCHULER FOR DEMOLITION OF THE HOUSE AT 121 EL BRAVO WAY WITH THE PROVISO THAT THE PROPERTY BE SEEDED, SODDED AND IRRIGATED WITHIN 90 DAYS IF NO CONSTRUCTION IS COMMENCED ON THE LAND DURING THAT TIME PERIOD.

MOTION SECONDED BY MRS. LINDSEY.

MOTION CARRIED UNANIMOUSLY.

It should be noted that Mr. Helander wanted it stated in the record that this house is indeed a Mizner house, though demolition was approved with very little discussion. He wanted to note that it is quite deteriorated and laden with additions, and was, as such, not worthy of much attention. Mr. Frank added that the Landmarks Preservation Commission, via its historic surveys, had listed this property on two other occasions as one which might be studied for landmarking. No Landmarks Commission since that time, however, has seen it as being a structure of such importance that it should be landmarked, and it, in fact, was never landmarked.

**B21-95 Demolition; Alteration; Addition**

Applicant: Stuart Subotnick, Trustee
Address: 88 Middle Road
Architect: Bridges, Marsh & Carmo
Project Description: Demolition of an existing garage/staff apartment structure; alterations to south facade; alterations to north facade; construction of two car garage addition; flower room to east side

Attorney Paul Prosperi and Mr. Jim Carmo of Bridges, Marsh & Carmo Architects presented a model and plans for the proposed project. Mr. Prosperi stated that this house is also known as 197 El Bravo Way. Today's application, in addition to the demolition listed in the Project Description above, is to modify the

house by creating a new entranceway and a new attached two-car garage, to modify the south facade, and for landscaping. Mr. Carmo reviewed the elevations. The south facade, or El Bravo Way facade, will now be a courtyard facade.
The new addition at the north side of the property includes a new entranceway and new garage which faces east (actually on the 86 Middle Road property).

At this point, there was an outcry from the Commission for a comprehensive site plan showing for one, how access is gained to the proposed new garages, as well as other information. Mr. Prosperi stated that this project (88 Middle) can stand alone, and that three separate applications were filed due to the current ownership of the parcels. Mr. Prosperi explained that although there are many variables concerning this project, the changes requested for 88 Middle Road can be handled separately. The access question can be handled at a later date when the driveway plan is developed, subsequent to determination of the variables. Mr. Prosperi stated that the plan includes linking all three parcels (86 Middle, 88 Middle and 121 El Bravo Way) by a Unity of Title, and any approvals should be conditioned upon that. Despite Mr. Prosperi's assurances, the ARCOM members were unhappy with the presentation. They expressed their displeasure at being requested to review these piecemeal plans, and reiterated the prior request for a comprehensive site plan.

Two residents addressed the Architectural Commission members, as follows:
Mr. William Orr of 79 Middle Road was concerned about the impact of this proposal on Middle Road, and ultimately his property, and felt that the plans shown were not clear.
Mrs. Jean Ford of 4 El Bravo Way asked the board to be sensitive when approving the facade changes to the El Bravo facade. She also asked ARCOM to assist in keeping landscaping of corners in Town very low to the ground.

The point was raised that if the garage is demolished, the home will be rendered without an garage which contradicts the Code. Mr. Prosperi noted that there is another existing two-car garage on the 88 Middle Road property. The discussion relative to this project was quite lengthy, but ultimately, the following motion was made:

MOTION BY MR. SCHULER TO ALLOW THE DEMOLITION OF THE GARAGES WITH STAFF APARTMENT, WITH THE PROVISO THAT THE LAND BE SEEDED, SODDED AND IRRIGATED WITHIN 90 DAYS, UNLESS CONSTRUCTION COMMENCES, AND WITH THE PROVISO THAT THE EXISTING DRIVEWAY ACCESS BE CONTINUED UNTIL SUCH TIME AS AN ALTERNATIVE DRIVEWAY SCHEME IS DEVELOPED, SUBMITTED AND APPROVED.

MOTION SECONDED BY MRS. LINDSEY.

MOTION CARRIED UNANIMOUSLY.

At this point, Mr. Prosperi sought approval of additional portions of the application, as stated above. The commission was quite reluctant to give any further approvals without seeing a more complete plan with driveway in place, and showing its relationship to the neighborhood, etc.

MOTION BY MRS. LINDSEY TO DEFER THE REMAINDER OF B21-95 (AND THE REMAINDER OF B22-95) TO THE MAY MEETING, AS THE COMMISSION REQUESTS A COMPLETE SITE PLAN.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

**B24-95 Demolition & New Residence**

Applicant: Warwick/Robert E. List
Address: 218 Tangier Avenue

Architect: Schwab & Twitty Architects, Inc.
Project Description: Demolition of two story wood frame residence; construction of one story CBS single family Mediterranean style residence with stucco walls & barrel tile roof

Architect Paul Twitty presented this request for demolition of the existing two story house which is located in a neighborhood of primarily one story houses. The new house, with its barrel S tile roof, will have four bedrooms with a main social area, a master suite, a utility/kitchen suite. a covered lanai and a pool. There will be an entry drive and onsite parking for two-three cars, in addition to the two car garage with its arched openings. New landscaping will be planted. The house will be very liveable with a quiet elegance in a modified Mediterranean style. Mr. Twitty reviewed the plans, elevations, and the colored rendering, as well as the landscape plan which shows tropical foliage and salt tolerant materials.

Mr. Hoffman commented that ARCOM typically does not like barrel S tile roofs, and favors, instead, a barrel tile. Mr. Twitty stated, however, that the barrel tile is more difficult to fasten.

Mr. Frank read a letter into the record from Mrs. Terez Brecher, the owner of 232 Tangier Avenue, the property to the west, wherein she raised her concerns about the project. She was primarily concerned with preserving his existing fence intact, for security, and maintaining the existing foliage, which separates the properties, during the course of the demolition and following construction. Mr. Twitty stated that his client had no intention to disturb the neighbor's fence or foliage.

Mr. Schuler had concerns over the double entry doors which were, in his opinion, more contemporary than Mediterranean, and concerns over the questionable window on the front facade at the garage. He felt it was not in balance with the rest of the facade. After discussion, Mr. Twitty assured the commission that there would, in fact, be a window in this location with an appropriate interior treatment so that one could not see into the garage space.

MOTION BY MR. HELANDER TO APPROVE THE PROJECT AS PRESENTED WITH THE PROVISO THAT THE WINDOW INDICATED ON THE PLANS AT THE GARAGE WILL BE A WINDOW WITH A SHALLOW ARCH OVER THE TOP.

MOTION SECONDED BY MR. HOFFMAN, (BUT MR. HOFFMAN REQUESTED THAT BARREL TILE BE CONSIDERED RATHER THAN BARREL "S"TILE).

Under discussion, it was noted that there will be roll down hurricane shutters that will be boxed up in the soffit area. Mr. Deziel asked the architect to confirm that the window in question at the garage will be visually the same as the other windows on the facade. The architect did so confirm.

MR. HELANDER AMENDED HIS MOTION TO INCLUDE THAT THE GARAGE WINDOW WILL BE A WINDOW THAT IS VISUALLY THE SAME AS THE OTHER WINDOWS ON THE FACADE, AND INCLUDING THAT BARREL TILE BE USED ON THE ROOF RATHER THAN BARREL "S" TILE.

Mrs. Baker commented relative to the roof and its pitch, feeling that the roof pushes the house down into the ground. The architect stated that the roof has a 6/12 pitch and is 22' to the ridge line, which meets code. Mr. Schuler also reiterated his concerns over the front doors, calling them more "commercial" than residential.

MOTION CARRIED 5-2-0, WITH MRS. BAKER AND MR. SCHULER CASTING THE NEGATIVE VOTES.

*Let the record show that Item B31-95 was heard next as the presenter had a time constraint. The commission accommodated his request to be heard earlier than scheduled. out

**B31-95 Addition**

Applicant: Peyton & Loren Cole
Address: 1193 North Lake Way
Architect: Ervin Lavon Haws
Project Description: Addition of second story over existing garage; bedroom footprint usage is two additional bedrooms & bath to an existing two bedroom house with quarters

Mr. Peyton Cole, co-owner of the property, presented the project for his soon to be permanent residence. The house is on the corner of Nightingale Trail and North Lake Way in a neighborhood where most houses are at least partial two story houses. The house is a classic Bermuda stuccoed house. (Mr. Frank indicated that no letters from the public were received relative to this project, however, Mr. Cole stated that both adjacent neighbors told him that they were very pleased with the proposed changes.) Mr. Cole reviewed the plans and elevations. The addition will be in the Bermuda style, using paint and treatments to match the existing structure. During discussion, Mrs. Baker expressed concerns over the alignment of the windows on the north elevation. Mr. Schuler echoed this concern stating that there are three different types of windows on the second floor north elevation. Mr. Cole noted that although the plans show awning windows in many cases, he will use single hung sliding windows instead.
Mr. Schuler indicated that it would be preferable to use the same style window on the second floor north elevation so that they all have the same sill height. Mr. Cole stated that he would install Bahama or Bermuda shutters on the east, south, and west elevations, and Colonial shutters on the north elevation. Mr. Schuler suggested that the Bermuda shutters be the shutter of choice over all the openings.

MOTION BY MRS. BAKER FOR APPROVAL WITH THE PROVISO THAT THE SECOND FLOOR NORTH ELEVATION WINDOWS BE OF THE SAME SIZE AND STYLE, AND THAT BERMUDA SHUTTERS BE USED RATHER THAN COLONIAL SHUTTERS.

MOTION SECONDED BY MR. HELANDER.

MOTION CARRIED UNANIMOUSLY.

*At this point, 11:30 a.m., there was a ten minute recess.
The meeting was reconvened at 11:40 a.m.
Mr. Deziel was not present at this time. Mr. Helander returned at 11:45 a.m.

**B25-95 New Residence**

Applicant: Classic Homes & Remodelers
Address: 285 Jamaica Lane
Architect: Quincy Johnson, Barretta, Inc.
Project Description: Construction of New Residence

Architect Ron Wendel presented this request for a new formal house design centered on the lot with a small splash pool, center motorcourt and side entry garage. The house is designed in the Neo-Mizner or Neo-Mediterranean style and is a stucco structure with pre-cast columns and moldings, and casement windows. The two story house will have three bedrooms, three and one-half baths and an extra den bedroom. As to shutters, Mr. Wendel stated that decision will be left to the permanent owner as this is a "spec house". The commission was not satisfied with leaving the shutter question unresolved as a later decision could negatively impact the architecture. Mr. John Rappaport of Classic Homes stated that he does not wish to make a decision regarding the shutters at this point, but will certainly do so if required by the Building Department for permit. Mr. Frank stated that due to the design of the house the only shutter option is for removable shutters. Mr. Rappaport was advised that he should indicate same to any future purchaser of the house.

MOTION BY MR. SCHULER FOR APPROVAL AS PRESENTED WITH THE PROVISO THAT STORM SHUTTERS FOR THIS HOME ARE REQUIRED TO BE REMOVABLE PANELS.

MOTION SECONDED BY MRS. LINDSEY.

MOTION CARRIED UNANIMOUSLY.

**B26-95 New Residence**

Applicant: David, Robert, Richard & Frances Frisbee
Address: 614 Tarpon Way
Architect: REG Architects
Project Description: Two story single family residence 6400 square feet; 3 car garage & 1200 square feet of porches in a Mediterranean Spanish style with 'S' type clay roof; cream stucco walls; dark green shutters & dark base

Architect Rick Gonzalez and Mr. David Frisbee, owner, presented this request. Mr. Gonzalez explained that the house which was previously on this lot was removed about one year ago. This new two story home has an L-shaped design and is focused toward the water. The owner indicated it was his desire to achieve a simplistic design. Mr. Gonzalez reviewed the landscape plan which relocated the existing citrus to the northwest side of the property in a grove. There will be a three car garage which is side-loaded from the north side with 8' paneled doors. A screened area will occur on the north side for air-conditioning units. Washingtonian palms will highlight the entry, the rear of the property and the pool area and will occur at the north boundary. Mr. Frank stated that this property exceeds the code relative to green space within the R-A zoning district. The plans show a recessed entryway, shutters for all openings, and gable roofs with variegated modified S clay tile roof material.
Mr. Gonzalez reviewed the elevations.

Mr. Schuler commented that the windows with divided shutters are not appropriate. Mr. Hoffman agreed and added that S tiles are not preferred by the commission. Mr. Deziel commented that in the estate section, this house will be very prominent. He felt that the roof should be done in full barrel tiles or flat clay tiles. He also asked whether the house could be softened with some hip roofs rather than all gables. Mr. Deziel described the design as almost "barnlike" with its long gable from one end to the other. A suggestion was made to the architect to give the front entryway more impact. There was a great deal of discussion relative to this project, and the commission offered various suggestions to the applicant. Mr. Schuler made a motion to defer this project to the next meeting taking into consideration the suggestions made. The motion died for lack of a second. The owner requested some sort of approval so that his time schedule for the construction is not delayed by one month.

MOTION BY MR. SCHULER TO APPROVE THE FOOTPRINT OF THE HOUSE ALLOWING CONSTRUCTION TO BEGIN, WITH A DEFERRAL OF THE DESIGN PHASE OF THE HOUSE TO THE NEXT MEETING FOR CONSIDERATION OF THE COMMENTS MADE RELATIVE TO THE ROOF, THE FRONT ENTRY, THE DIVIDED WINDOWS ON THE FRONT ELEVATION NEXT TO THE FIREPLACE, AND COMBINING THE TWO LOWER BATH WINDOWS.

MOTION SECONDED BY MRS. BAKER.

MOTION CARRIED UNANIMOUSLY.

**B27-95 Renovations**

Applicant: Thomas Parker
Address: 215 Jamaica Lane
Architect: SKA Architect & Planner
Project Description: Separate first & second floor additions to an existing two story residence; exterior wood siding; doors, windows, and roof color and detailing to match existing

Mrs. Jacqueline Albarran de Mendoza presented this request which had previously received variance approval for the one story addition. This is an existing two story house. Mrs. Albarran de Mendoza showed

photos of the surrounding properties. A one story addition will be created on the south side of the property and will facilitate the expansion of the existing tiny kitchen/breakfast area. The second story addition, above the den, will add a bedroom.

MOTION BY MRS. BAKER FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

*Let the record show that there was a lunch break from 12:31 to 1:33 p.m.
Upon reconvening, all members, except Mr. Schuler and Mrs. Gingras were present.
Mrs. Gingras arrived at 1:38 p.m. Mr. Schuler arrived later.

**B29-95 Addition**

Applicant: Mr. & Mrs. Kevan Boyles
Address: 240 Miraflores Drive
Architect: Eugene Fagan
Project Description: New garage addition; remodel existing garage into two bedrooms; new driveway

Architect Eugene Fagan presented this request which relocates the garage such that it will be side loading (variance approved for setback) and creates a new driveway. The existing garage will be converted to a new family room and a bedroom. An existing office space in the same vicinity will be used as a bedroom. The area in the rear of the house will be enclosed to create a pool cabana. All details of the addition will match the existing house. The new garage door, however, will be paneled rather than plain. An overhang will be added to the roof at the front to serve as shelter from the elements.

MOTION BY MR. BELL FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

**B04-95 Remodel**

Applicant: Ms. Jani Whitney
Address: 127 Oceanview Road
Architect: Eugene Fagan III
Project Description: Remodel existing residence and add a partial 2nd floor

The project was approved at the February meeting with conditions the applicant restudy the front door, windows on the garage and matching windows with sidelights and return to the March meeting. The architect requested deferral to the April meeting.

Mr. Fagan requested another deferral of this matter.

MOTION BY MR. HOFFMAN FOR DEFERRAL TO THE MAY MEETING.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

Mr. Moore recommended that this be the last deferral granted, and that if the applicant was not ready by next month, the project should be withdrawn.

**B30-95 Addition**

Applicant: Mr. & Mrs. Eliot Gordon
Address: 143 Casa Bendita
Architect: Brower Architectural Associates

Project Description: Two story addition & driveway change

At the architect's request...

MOTION BY MR. HOFFMAN FOR DEFERRAL TO THE MAY MEETING.
*PLEASE NOTE THERE WAS NO SECOND TO THIS MOTION, BUT WHEN THE QUESTION WAS CALLED BY THE CHAIRMAN...
MOTION CARRIED UNANIMOUSLY.

**B32-95 Addition**

Applicant: Rychad, Trust
Address: 1029 North Ocean Boulevard
Architect: Smith Architectural
Project Description: Exterior facade changes; second story addition to pool house; new west & east loggias

Mr. Don Kino and Mr. Angelo Davila with their request modified to be limited to only changes to the west elevation and the addition of a statuary niche at the pool wall which can be seen from the street. Changes planned for the east facade are not under ARCOM jurisdiction, and a variance is necessary for the change to the pool house. Regarding the west elevation, a loggia with arches and terrace above will be added. Fenestration will be changed on the first and second stories in the form of french doors. A stone balustrade will occur on the first and second floors of the west elevation. The statuary niche occur on the wall to the west of the pool, and without the existing hedge, it could be seen from the street which is about 35' to 40' away.

MOTION BY MR. HOFFMAN FOR APPROVAL OF THE MODIFIED REQUEST AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

**B28-95 Demolition & New Residence**

Applicant: Misbah & Hend Ahdab
Address: 560 Island Drive
Architect: Randall E. Stofft Architects
Project Description: Demolition & construction of new two story single family Mediterranean style residence

Architect Randall Stofft presented this request for demolition of the existing two story residence which is in "moderate" condition. The planned new two story Mediterranean residence will be done in smooth stucco with a recessed front door, stone surrounds and columns, stone balustrades, barrel tile roofs in a 4/12 pitch, a side entry two car garage. Mr. Stofft indicated he will return to ARCOM with a landscape plan and a revised pool plan.

MOTION FOR APPROVAL BY MR. BELL.
MOTION SECONDED BY MRS. LINDSEY.

Under discussion, Mrs. Baker questioned the configuration of the windows above the front door. The architect indicated that these recessed windows were needed to bring light into the interior space at this

location. Mr. Deziel stated that the waterway elevation looks very busy with a lot of windows, half-rounds of many differing sizes and in fact, called it "non-stop windows from north to south on both floors".

*Let the record show that Mr. Schuler arrived at this point. There was a motion on the floor, however, sponsored by Mr. Bell which was ultimately acted upon.

Mr. Bell commented that the windows referenced by Mr. Deziel are on many different planes as the facade moves in and out. The architect agreed that he could re-study the rear elevation and return next month.

MOTION AMENDED BY MR. BELL FOR APPROVAL OF THE PROJECT, EXCEPT FOR THE EAST ELEVATION WHICH IS DEFERRED FOR FURTHER STUDY.

At this point, there were additional comments made relative to the window above the door being awkward, the massing of the columns at the second floor balustrade being too heavy, the hardscape coupled with the stonework and glass being too big and heavy, and the front elevation being heavy especially at the entryway. The architect stated he will also re-study the front elevation pursuant to these concerns.

AMENDED MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.

## B. DEFERRALS AND CONTINUATIONS: MAJOR PROJECTS

### B09-95 New Residence

| | |
|---|---|
| Applicant: | Dr. & Mrs. DePaola |
| Address: | 124 Onondaga Avenue |
| Architect: | R.G.D. & Associates, Inc. |
| Project Description: | Demolition/Removal of existing residence; construction of new two story residence and related improvements |

The project was deferred from the February meeting for restudy of the roof pitch, design and mass of the residence and/or consider a one story residence.

The project was deferred again from the March meeting to restudy the windows, size of the second floor west elevation and the balustrades in the front of the residence.

*Let the record show that Mr. Deziel left the meeting at 2:10 p.m.

Attorney Peter Broberg and Architect Scott Fleming presented on behalf of the DePaolas who were present in the audience. Mr. Broberg reviewed, for the benefit of all, the history related to this project. Originally, a one story Regency design with two car garage facing the street was approved. This plan changed and in August of 1994, there was a subsequent approval to place a second story on the existing residence and a two car garage in the front of the house. A variance for same was approved. Since that time, the owners reconsidered their plans and decided it was more advantageous for them to demolish the existing house and build a new house. So, in February of 1995, new house plans were brought to ARCOM for a 3,600 square foot house with a side loading garage, a smaller house than the code allows. ARCOM had certain concerns regarding the design, as stated above, and those have since been addressed. The entry has been pushed back; a large window at the garage was replaced with two small ones; the balustrades were made smaller; the house was softened as much as possible; the roof pitch was changed from 6/12 to 4/12; all as shown on the current plans. Storm shutters will be accomplished with either removable panels or roll downs which are recessed in the soffits or recessed in the walls.

Mr. Broberg made the following points: (1) The owner has a right to build a two story house in this R-B zone location. (2) The Code permits the owner to build a larger house than is planned. (3) The owner has the right to build this house which requires no variance or special exception. (4) The house is sufficiently removed from the neighboring properties. Mr. Broberg passed photos of other two story homes in the vicinity, and proposed that the house is more a North Ocean Boulevard house than an Onondaga house, and should be compared as such. Mr. Broberg reviewed the criteria listed in the Architectural Commission Ordinance, and stated his client's position that all the criteria are satisfied. He felt his client has "gone the extra mile" in trying to accomplish his plans while taking into consideration the thoughts of the ARCOM and the surrounding neighbors.

Mr. Scott Fleming, the architect, reviewed the changes which have been made since the last appearance before the commission. The only ARCOM concern which did not result in a plan change was a request to pull in the second floor west wall any further due to the desired style and function of the home. This wall is, in fact, set back 18'8" from the boundary line.

Mr. Frank read several letter of objection into the record, as follows:
1. Letter dated 4/24/95 from Walter & Moira Veith, 1464 North Ocean Boulevard
2. Letter dated 4/26/95 from E. K. Meade Jr., 210 Onondaga Avenue
3. Letter dated 4/21/95 from Gregory Faust, 211 Esplanade Way
   & Christophe Giovanetti, 202 Onondaga Avenue
   & Walter Veith, 1464 North Ocean Boulevard
   & Margot Slater, 210 Onondaga Avenue
   & Anita Hamilton, 1436 North Ocean Way
   & Elsa Messing, 201 Onondaga Avenue
   & Ronald Silverman, 1140 North Ocean Way
   & Harold Gahman, 215 Onondaga Avenue

In essence, the objections raised related to privacy issues and the current and potential impact of such a sized two story home within this neighborhood. The architect stipulated, however, that the house, as redesigned does not intrude on neighboring properties and does not "look down" into neighbor's pools or loggias.

Mr. Rosenthal, in light of the public outcry regarding this issue, asked Mr. Randolph if he had any suggestions as to the resolve of this matter to the satisfaction of all. Mr. Randolph responded that the commission is charged to apply the criteria listed in the Ordinance, and simply address the architecture. The criteria must be applied without regard to the personal preferences of either the applicant, the neighbors, or the members of the commission.

Mr. Fleming stated, in response to questioning, that the footprint area is 3,482 square feet, 28.8% of the property. The total square footage of the house is 4,364 square feet.

Mr. Greg Faust, the neighbor to the south, reiterated his concern as a neighbor as well as the concerns of other neighbors. He alleged that the De Paolas would have a very direct view into the neighboring properties; that the neighborhood, with its jungle-like feel needs the protection which could be availed via ARCOM; and that permitting such a structure within the neighborhood may be the first of more to come.

At this point, Dr. De Paolo gave a very impassioned address comparing what he has been through relative to this house due to people who sat in judgement and ruled based upon erroneous information. He stated he has been maligned in many ways here today. He further stated that he has lived in the Town for 30 years, and has always been a good neighbor. He stated that it is geometrically impossible to see Mr. Faust's house from his house due to the hedge. All that is seen is the roof of the Faust house. Further, he stated that in light of today's setbacks, having two stories is the only way to expand. Mrs. De Paola stated her amazement at the public's outcry considering that some of the persons who objected live in two story houses themselves.

MOTION BY MRS. BAKER FOR APPROVAL AS PRESENTED TODAY WITH THE CHANGES MADE.

MOTION SECONDED BY MRS. LINDSEY.

MOTION CARRIED UNANIMOUSLY.

Mr. Schuler stated, on behalf of the commission, that ARCOM has been very courteous to the De Paolas. Dr. De Paola agreed with Mr. Schuler, and apologized.

Mr. Moore stated, in support of Mr. Schuler's comments, stated that the Zoning Commission and the Mayor and Town Council are charged with deciding what the Town's neighborhoods are to be, and that this is not the charge of ARCOM. Also, the Town Council, in 1982 or 1983 required that neighbors be notified of major projects so that their opinions are made known, but likewise, an owner of property has his own rights as well, and these ultimately prevailed.

**B74-94 Modification**

Applicant: Jeffrey Raynor, P.A. (Trustee)
Address: 496 North Lake Way
Architect: Bridges, Marsh & Carmo, Inc.
Project Description: Modification of elevations and reduced square footage to an approved new residence

The Project was deferred from the March meeting. Mr. Frank stated that the architect has requested an additional deferral.

MOTION BY MRS. BAKER FOR DEFERRAL TO MAY.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

**B10-95 New Residence**

Applicant: Janina Radtke
Address: 254 Atlantic Avenue
Architect: Randall E. Stofft
Project Description: New residence

The project was deferred from the March meeting for restudy of the garage door; driveway entrance and an alternate to the 'S' tile roof.

Architect Randall Stofft stated that a side entry garage was not possible for this size lot, so he changed the single garage door to (2) 8' doors, with a landscape buffer.

*Let the record show that Mr. Schuler left the meeting at 3:10 p.m. and will return later.

Mr. Stofft brought a sample of the new roof material of a barrel "S" tile in clay. The tiles will be variegated. The commission liked this sample better than that presented in March. After

discussion, Mr. Stofft agreed to offset the driveway to the right to mitigate the impact of the garage doors.

MOTION BY MR. HOFFMAN TO APPROVE THE CHANGES AS PRESENTED INCLUDING THE MODIFICATION TO THE GARAGE DOORS AND DRIVEWAY, THE NEW "S" TILE SAMPLE, AND THE ELIMINATION OF SOME OF THE HARDSCAPE ON THE SIDE BY THE DRIVEWAY.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

**B13-95 New Two Story Residence**

Applicant: Dilow Estates, Inc. & Rori, Inc.
Address: 200 Banyan Road
Architect: John Gosman
Project Description: New two story residence, CBS, clay tile roof

The project was deferred from the March meeting for a restudy of the front door and second floor elevation.

Mr. Bell re-stated his conflict with respect to this matter a he has a business interest in the property. (Voting Conflict form on file.) Mr. Bell presented the revised drawings showing a changed front door and second floor elevation.

MOTION BY MR. HOFFMAN FOR APPROVAL AS REVISED AND PRESENTED.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

**B16-95 Demolition & New Duplex**

Applicant: Zack Ciomek
Address: 250 Everglade Avenue
Architect: Randall Stofft
Project Description: Demolition and construction of new duplex with landscaping plans

The projects demolition portion was approved and the new construction portion was deferred for restudy.

Attorney Dean Vegosen stated that these plans have been re-worked and now have less mass than was previously shown. He stated that the design of the duplex is similar enough to the neighborhood, while not being too dissimilar, and that the structure upgrades the neighborhood.
Mrs. Baker questioned why such large garages are needed, and the response was that single garages would render the units unmarketable. Ms. Connie Fisher reviewed the landscape plans which showed a large canopy of palms to mitigate the effect of the garage doors. Mr. Helander asked whether there are any other options for this lot other than a duplex. A single family dwelling is the only other allowable structure on the lot. Mr. Helander stated that he strongly disliked the design of the duplex for the Town of Palm Beach. He found the design common to any other gated community, and called it "cookie cutter development". He commented that having two garage doors as the main focus of new construction, and seeing this as necessary due to financial logistics is a dangerous precedent to set in the Town of Palm Beach. Mr. Vegosen stated that Everglade Avenue is a multi-family street, and that they are trying to establish as much of a single family feel as possible. Mrs. Baker called for a more seaside design. Mr. Helander called for a more creative design, a more inventive way to present this duplex, even if the garages must be in the front. He asked that the duplex be designed more as one continuous house rather than an obvious mirror image duplex. Mr. Moore stated that he had latitude regarding the review of the plans, i.e. townhouse vs. duplex, and with that latitude available asked Mr. Stofft if he could revise the design to accommodate the desire for a new and more creative design. Mr. Stofft felt that he could re-design as such.

MOTION BY MR. BELL TO DEFER APPROVAL OF THE PLANS FOR RE-STUDY OF DESIGN LOOKING TOWARD A LESS SYMMETRICAL DESIGN WITH A SINGLE FAMILY FEELING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

**B15-94 Remodel Facade/Modification**

Applicant: Cook International

Address: 350 Royal Palm Way
Architect: Gordon Mock
Project Description: Modification of previously approved remodel

Architect Gordon Mock showed a revised detail of the spacing of the muntin bars on the two side windows flanking the door. Three divided lites was originally approved, but this has now been changed to two. The work has already been done. Mr. Moore asked Mr. Mock if the cornice issue, which encroaches on the neighbor's property, has been settled. Mr. Mock indicated that this issue is in the hands of the lawyers. Mr. Moore stated that the building's Certificate of Occupancy will be withheld until same is settled.

MOTION BY MR. SCHULER FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.

**B55-94 Modification**

Applicant: Sidney Kimmel
Address: 1236 South Ocean Boulevard
Architect: Irwin J. Stein
Project Description: Design modifications of previously approved project

Attorney Paul Prosperi stated that this project was originally approved in August of 1994.
The footprint will be reduced by 3,000 square feet, and the size of the house will be reduced from 25,000 square feet to 20,000 square feet. Mr. Dennis Checa of the Thierry Despont firm stated that the property is very dense and jungle-like, and the desire to maintain the trees and facilitate the side entered garage prompted the reduction in size. Now, the house will be approximately 330' feet from the road.

*Let the record show that Mr. Bell left the meeting at 4:08 p.m.

MOTION BY MRS. BAKER FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.

Additionally, Mr. Checa showed samples of limestone, teak, and black fossil stone as material choices for the house.

MOTION BY MRS. LINDSEY TO APPROVE THE MATERIAL SAMPLES.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

*Let the record show that Mr. Rosenthal left the meeting at 4:12 p.m.
He passed the gavel to Mrs. Baker.

## C. NEW BUSINESS - MINOR PROJECTS TO BE HEARD AT 1:00 P.M.

**A32-95 Shutters**

Applicant: Hope Jones
Address: 218 Via Linda
Contractor: Wrol Up Shades & Shutters
Project Description: Shutters

As no one was present, this item was deferred to the end of the meeting.

MOTION BY MR. HOFFMAN TO DEFER A32-95 TO THE END OF THE MEETING.

MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

At that time, the following motion was made.

MOTION BY MR. SCHULER TO DEFER TO THE MAY MEETING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

**A33-95 Awning**

Applicant: Carol Neithold
Address: 129 Seaspray Avenue
Contractor: Robert Simpson
Project Description: Build & install fabric awning

Although the applicant had filed an application for ARCOM, he failed to submit the accompanying materials, rendering the application incomplete. The commission, however, agreed to hear the item since the representative had the information with him. The requested awning will be forest green with white trim.

MOTION BY MRS. LINDSEY TO ACCEPT THE PLANS DELIVERED TODAY WITH THE PROVISO THAT MR. FRANK BE GIVEN A FULL SET OF PLANS.

MOTION SECONDED BY MR. HELANDER.

MOTION CARRIED UNANIMOUSLY.
.....
MOTION BY MR. HELANDER FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

**A34-95 Landscaping**

Applicant: Dr. Michael & Virginia Longo
Address: 1090 North Ocean Boulevard
Architect: Jerry T. Daum
Project Description: Landscaping

Mr. Jerry Daum reviewed the landscape plan which screens the garage door on the south side of the building. He stated that the landscape had been reviewed previously, but the commission wanted more information relative to pot sizes. Mr. Helander felt the plan was well designed and clear.

MOTION BY MRS. LINDSEY FOR APPROVAL OF THE LANDSCAPE PLAN.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.

**A35-95 Roofing**

Applicant: Judith Maddock
Address: 240 Oleander Avenue
Contractor: Gemini Roofing
Project Description: Replace existing cement tile roof with 25 year Woodline Fungus Resistant Fiberglas shingles. Existing roof is approximately 25 years old

Mr. Richard Limehouse gave the presentation on behalf of Judith Maddock. He explained that the existing cement tile roof has failed, and white shingles are the owner's replacement choice.
Mr. Limehouse did not, however, have a sample with him. Mr. Frank stated that he had told the roofer to be sure that a sample was brought to the meeting, as the change to shingles represents a downgrade. The commission was concerned whether the shingles would be flat or have dimension, preferring, of course, dimensional shingles. As the roof is currently leaking, Mr. Moore advised the commission that they must weigh aesthetics against the liability involved in delaying approval of roof covering.

MOTION BY MR. HELANDER TO APPROVE WHITE DIMENSIONAL SHINGLES, NOT FLAT SHINGLES, WITH THE PROVISO THAT THE SAMPLE BE APPROVED BY MR. FRANK.

MOTION SECONDED BY MR. SCHULER

MOTION CARRIED UNANIMOUSLY.

**A36-95 Landscaping**

Applicant: Mr. & Mrs. Robert Allen
Address: 510 North Lake Way
Contractor: Brett Armstrong
Project Description: Landscape for new residence

Mr. Brett Armstrong showed the landscape plan, yet indicated that the landscaping had already been installed. One of the Town's inspectors noted that there was no approved landscape plan at the construction site. Landscape approval, of course, is a condition of the Certificate of Occupancy for a new residence. Mr. Armstrong was advised that landscape plans must be brought to the commission prior to installation, and such landscape plans will include a key.

MOTION BY MR. HELANDER FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

**A37-95 Landscaping**

Applicant: Mr. & Mrs. Harding Willinger
Address: 324 El Bravo Way
Contractor: Brett Armstrong
Project Description: Landscape for new residence

Mr. Armstrong again admitted that this landscaping had already been installed.
He reviewed the plan with the commissioners.

*Let the record show that Mr. Helander left the meeting at 4;30 p.m.

MOTION BY MRS. LINDSEY FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

**A38-95 Roofing**

Applicant: Babette S. & R. Okin
Address: 180 Canterbury Lane
Contractor: Carpenters Roofing & Sheet Metal Inc.
Project Description: Roofing

Mr. Joe Hart of Carpenters Roofing presented Timberline shingles for the mansard style roof. The owner has chosen a 40 year Timberline ultra shingle in a grey black color. The existing roof is slate. There was quite a bit of discussion as to whether the existing slate roof could be saved, but the breakage factor and economic feasibility will not allow saving it. Mr. Hart indicated the roof is leaking badly. Mr. Hoffman commented that this shingle looks nothing like slate. It was mentioned that there is a cement and fiber product which is available which designed to look like natural slate.

MOTION BY MR. SCHULER TO APPROVE THE SHINGLE, BUT STRONGLY URGING THAT THE OWNER ATTEMPT TO FIND A SIMULATED SLATE IF POSSIBLE.

MOTION AMENDED BY MR. SCHULER FOR APPROVAL OF A SIMULATED SLATE ROOFING PRODUCT, AND FAILING FINDING SAME, STAFF SHALL BE CONTACTED.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

### D. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

**A30-95 Sign**

Applicant: Cook International (Bankers Trust)
Address: 250 Royal Palm Way
Contractor: Phil Rowe Signs
Project Description: Install 12" cut-out matt black letters on front of building; install building name on west elevation

The lettering on the front of the building, over the front entrance was approved but the building identification name needed to be restudied for an alternate location other than the side of the building.

FOR LACK OF ANYONE PRESENT FOR THIS PROJECT, MOTION BY MRS. LINDSEY TO REMOVE THIS ITEM FROM THE AGENDA.

MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

**A31-95 Roof Replacement**

Applicant: Dr. Vaughn
Address: 155 Brazilian Avenue
Contractor: Therma Seal Roof Systems
Project Description: Tear off shingle and tile on existing residence and replace with standing seam metal roofing system with a 20 year rated Kynal 500 finish.

Mr. Dave Wykel of Therma Seal Roofs stated that the subject shingle roofs, modified roofs and cement tile roofs are currently leaking. The project calls for replacing each of these roof types and replacing the rotting wood, and installing a standing seam metal roof in a patina green color. The house is a bungalow style, and as such, a standing seam roof is appropriate, and is, in fact, an upgrade from the current roof. This might have been approved by staff, but as there are no other roofs of this type in the 100 block of Brazilian, staff thought it best to bring it to the commission for approval.

MOTION BY MR. HOFFMAN FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MRS. LINDSEY.
MOTION CARRIED UNANIMOUSLY.

## V. Adjournment

The meeting was adjourned at 5:08 p.m. without motion.

The next meeting of the Architectural Commission will be held on Wednesday, May 24, 1995 at 9:00 a.m. in the Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

Leighton Rosenthal
Chairman

cmd

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

| LAST NAME—FIRST NAME—MIDDLE NAME | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE |
|---|---|
| BELL, Lowry M. Jr. | ARCOM |
| MAILING ADDRESS | THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: |
| 241 BANYAN Road | CITY COUNTY OTHER LOCAL AGENCY |
| CITY COUNTY | NAME OF POLITICAL SUBDIVISION: |
| Palm Beach FL | Palm Bch |
| DATE ON WHICH VOTE OCCURRED | MY POSITION IS: |
| 26 April 95 | 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. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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.

RECEIVED
CLERK'S OFFICE
MAY - 3 1995
TOWN OF PALM BEACH

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

- You should 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 should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lowry M. Bell, Jr., hereby disclose that on 26 April 95, 19____:

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

____ inured to my special private gain; or

____ inured to the special gain of _____, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

I have A Business Interest in the Property —

200 Banyan Road Project (Voting Conflict previously declared at the March, 1995 meeting.)

4/26/95
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 $5,000.