



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

APRIL 23, 2008

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (tape or CD) of the meeting by contacting Gretchen Dayton, Secretary to the Architectural Commission at (561) 227-6409. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
William J. Strawbridge, Jr., Member
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery W. Smith, Member
Samuel M. Boykin, Member (left the meeting at 10:10 a.m.)
Kenn Karakul, Alternate Member
Robert J. Vila, Alternate Member
Ann L. Vanneck, Alternate Member
John C. Randolph, Town Attorney
John Page, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Mr. Boykin attended less than 3/4 of the meeting. Therefore, an unexcused absence is noted.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE MARCH 26, 2008 MEETING.

MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

V. PROJECT DEFERRALS/REMOVAL

A1-08 Fenestration Changes

Address: 893 South County Road
Applicant: Joe Cain
Architect: John Potrekus
Project Description: Fenestration changes, adding windows on the second floor and changing out the front entry door and sidelites.

The architect requests deferral to the May meeting.

B16-08 New Residence

Address: 235 Via Vizcaya
Applicant: Richard D. Kurtz
Architect: Ralph Cantin
Project Description: New two-story, single family residence.

This project was deferred from the February meeting for restudy and deferred from the March meeting at the staff's recommendation.

The architect requests deferral to the May meeting.

MOTION BY MR. FELDKAMP TO DEFER PROJECTS A1-08 AND B15-08 TO THE MAY MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

VI. PROJECT REVIEW

**A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
DEFERRALS**

Formal action may be taken relative to these projects pending Town Council approval.

None

**B. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
NEW BUSINESS**

Formal action may be taken relative to these projects pending Town Council approval

B22-08 V5-08 Artificial Turf

Address: 434 Seaspray Avenue
Applicant: Christopher and Andrea Kaufmann
Attorney: Ron Kolins
Project Description: The project is to replace portions of the private lawn with artificial turf, to solve existing drainage and landscape problems. A survey and drainage plan are submitted herewith to show the extent of the proposed modification. (A variance is requested for a reduction in landscape/open space for which the turf does not qualify.)

Mr. Youchak and Mr. Strawbridge said they met with the attorney representing this project. Mr. Wheelock, Mr. Feldkamp and Ms. Diver said they met with the attorney and visited the site.

Court Reporter Susan Kruger was in attendance to record the proceedings of this presentation.

Attorney Ron Kolins, representing the property owners, submitted invoices for sod replacement from the past few years. He said the yard gets very little light, it has fungus problems, the ground is basically muck and the drainage is very bad. Mr. Brazil, from the Public Works Department requested that a civil engineer review the drainage of this artificial product. Mr. Kolins submitted, for the record, a report from Dunkelberger Engineering and Testing indicating that this system drains better than natural grass. He also noted that the muck had to be removed in order to install the artificial turf. He contended that the request for the variance deals with the natural condition of the land (muck, fungus and sunlight) thus the need for artificial grass.

Jim Walton, representing Southwest Screens of Florida, stated that the artificial grass is made of polyethylene fiber and the backing is made of polypropylene with a weed blocking fabric. He said that these plastics are petroleum-based products.

Mr. Wheelock suggested lowering the height of the southern hedge by ten feet to allow more sunlight into the property. In addition, the muck and fungus are non issues because the muck has been removed and the fungus can be treated. Responding to the question whether ARCOM has the authority to review this project, he stated that if the hedge were removed the artificial turf would be visible from the street. He read notes that he had taken which stated; natural turf mitigates runoff problems by absorbing, holding and straining rain water, plastic grass does not. He said it was stated earlier that artificial turf drains ten times better than natural turf. Natural turf consists of healthy root clusters which builds soil. Soil is a critical player in the balance of the environment. Soil supports microbiotic and macrobiotic life, bugs and worms that are part of

the food chain that supports birds and other creatures who depend on these for protein and nourishment. Soil filters out pollutants in rain water as it passes through the ground in which all life depends. By eliminating soil and installing plastic grass, we eliminate a vital element in nature. When plastic is heated by the sun and high temperatures, it usually emits gasses into the atmosphere.

Mr. Feldkamp thought that a landscape architect should have made the presentation to respond to the Commission's questions. He had a hard time with Mr. Kolins' statement that the legal hardship was the natural condition of the land. Mr. Kolins responded, that this street has terrible drainage problems and his client has chosen to solve it in this particular way.

Civil Engineer Chad Gruber, representing Doug Winter Companies, reported that the soil was replaced so that the drainage will work for this site.

Mr. Kolins noted the variance is for 21.7% of landscape/open space from the 50% that is required.

It was again stated that the problem could be solved through good design.

Zoning Administrator Paul Castro clarified that artificial turf is not considered landscape/open space material as defined in the zoning code. Landscape open/space is defined as natural materials.

Town Attorney Randolph informed the Commission that this issue is in front of the Code Enforcement Board. Mr. Castro explained that the property owner was stopped at the beginning of the installation of the artificial turf and was told to get a building permit for the drainage plans. The contractor worked over the "stop work order" and completed the job.

Property owner Christopher Kaufmann addressed the commission and stated that he tried to grow grass on his property and put the artificial turf in as a last resort.

Attorney Randolph, responding to the question if this proposal did not require a variance would ARCOM review this project, cited Section 18-175, "that unless request for demolition or construction, any future building and landscaping plans, elevations and proposed signs that involve a significant change in materials or appearance must be approved by the Architectural Commission." He said that staff has determined that this is a significant change in materials and requires a building permit. The issue in front of the Code Enforcement Board is whether this project requires a building permit or not.

Mr. Kolins argued that nothing is being done to a building and they are not altering the use of the land, therefore a building permit should not be required.

Mr. Feldkamp commented that a landscape architect was not consulted and Mr. Kolins could not answer questions that are specific to the site design. He also felt that a variance is not necessary.

MOTION BY MR. FELDKAMP TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE III. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205 CRITERIA (3) THE PROPOSED BUILDING OR STRUCTURE IS, IN ITS EXTERIOR DESIGN AND APPEARANCE, OF INFERIOR QUALITY SUCH AS TO CAUSE THE NATURE OF THE LOCAL ENVIRONMENT TO MATERIALLY DEPRECIATE IN APPEARANCE AND VALUE.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

MR. FELDKAMP	YES
MR. STRAWBRIDGE	YES
MS. DIVER	YES
MR. YOUCHAK	NO
MR. SMITH	NO
MR. BOYKIN	YES
MR. WHEELOCK	YES

MOTION CARRIED 5-2.

MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. FELDKAMP	YES
MS. DIVER	YES
MR. STRAWBRIDGE	YES
MR. YOUCHAK	NO
MR. SMITH	NO
MR. BOYKIN	YES
MR. WHEELOCK	YES

MOTION CARRIED 5-2.

Mr. Boykin left the meeting at this time (10:10 a.m.).

Mr. Karakul was voting for the remainder of the meeting.

B23-08 V6-08 Generator

Address: 6 Windsor Court
Applicant: Herbert J. Siegel and Phyllis M. Siegel
Architect: Keshavarz & Associates
Project Description: Installation of a 45-KW generator. (A variance is requested to allow a 45-KW generator to be placed in the street side yard setback of 15.1 ft. in lieu of the 25 ft. minimum required.)

Ms. Vanneck recused herself from the review of this project and left the dias during the discussion.

Attorney Maura Ziska, representing the property owner, proposed a generator to be located in the street yard setback. She pointed out that the house is bordered by three streets making it difficult to place the generator within the code requirements.

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

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. SMITH	YES
MS. DIVER	YES
MR. FELDKAMP	NO
MR. STRAWBRIDGE	YES
MR. YOUCHAK	NO
MR. KARAKUL	YES
MR. WHEELOCK	YES

MOTION CARRIED 5-2.

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

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. SMITH	YES
MS. DIVER	YES
MR. FELDKAMP	NO
MR. STRAWBRIDGE	YES
MR. YOUCHAK	NO
MR. KARAKUL	YES
MR. WHEELOCK	YES

MOTION CARRIED 5-2.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B19-08 New Residence

Address: 210 Via Tortuga
Applicant: James and Judith Pizzagalli
Architect: Smith and Moore Architects
Project Description: Two-story Italian Renaissance design with three-car garage and pool

This project was approved at the April meeting with the provision to return to the May meeting with revisions to the front facade.

Mr. Wheelock declared a prior Conflict of Interest and passed the gavel to Vice Chairman Feldkamp. He then left the dias during the review of this project.

Architect Jon Moore presented the revisions as requested last month. He reduced the size of the entry element, relocated the oval windows to be centered with columns and balustrades, and decreased the pitch of the pediment.

**MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SMITH.
MOTION CARRIED UNANIMOUSLY.**

B20-08 New Residence

Address: 228 Seabreeze Avenue
Applicant: Mr. and Mrs. Robert Feldman
Architect: Ames Bennett
Project Description: Construction of a new two-story residence.

This project was approved at the April meeting with the provision to return to the May meeting with a revised facade.

Mr. Vila and Mr. Wheelock said they visited the site.

Designer Michael Perry noted the revisions to the project which included removal of some of the transoms over the tops of windows.

After discussion, it was requested to remove the round transom windows on the second floor and to remove the square transom windows on the first floor.

MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH THE PROVISION TO PUT BACK THE TRANSOM WINDOWS ON THE SECOND FLOOR MAKING THEM SMALLER THAN THE WINDOWS ON THE FIRST FLOOR.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B27-08 Landscape & Hardscape

Address: 228 Seabreeze Avenue
Applicant: Robert & Amy Feldman
Landscape Architect: Mario Nievera
Project Description: Proposed planting and hardscape design for final approvals.

Note: This project was moved from the New Business-Major Projects portion of the agenda.

Mr. Vila and Mr. Wheelock said they visited the site.

Landscape Architect Keith Williams proposed a centered driveway entrance leading into a cast stone and grass motor court. Decorative piers will flank the driveway entrance with a four-foot high wall along the north property line. He stated that the hedges will be kept along the west property line.

MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B21-08 New Residence & Landscape/Hardscape

Address: 242 Kenlyn Road
Applicant: Mr. and Mrs. Mark Schroder
Architect: Ames Bennett
Project Description: Construction of a new two-story residence and new landscape and hardscape

At the March meeting, demolition was approved and the new residence was deferred for restudy.

Mr. Vila said he drove by the site and Mr. Wheelock said he visited the site.

Designer Michael Perry reported the changes that were made to the house. He said that the garage roof was lowered and the chimney was revised allowing room for shutters for the two flanking windows. He explained that the street scape drawing presented last month was incorrect. It depicted this house taller than the house next door. As a result, the height of the

roof was not lowered as requested last month, but will match the tie beam height of the neighboring homes.

It was suggested using smooth stucco for all of the columns on the entry feature (as opposed to the mixture of materials proposed last month) to add a copper roof over the bay window and to center the laundry room door.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT WITH THE PROVISION TO USE WOOD AS THE EXTERIOR MATERIAL FOR RAILINGS, BALUSTRADES, COLUMNS, ETC., TO RESTUDY THE ROOF OVER THE GARAGE, CENTER THE LAUNDRY ROOM DOOR AND USE A COPPER ROOF OVER THE BAY WINDOW.

MOTION SECONDED BY MR. YOUCHAK.

Landscape Architect Keith Williams proposed coral stone walkways and a tumbled mini brick driveway with a cast stone border. All of the banyan trees will remain on the property with the exception of one which is in poor condition. It was requested to increase the number of palm trees on the east and west sides of the property for screening and to plant the areca palms so that the seeds do not fall on the neighbor's property.

MR. STRAWBRIDGE ADDED TO THE PREVIOUS MOTION TO APPROVE THE LANDSCAPE WITH THE PROVISION TO ADD PALM TREES TO THE EAST AND WEST PROPERTY LINES AND TO CHECK WITH THE NEIGHBORS ON THE ARECA PALM SITUATION.

MR. YOUCHAK SECONDED THE MOTION.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MAJOR PROJECTS

B24-08 New Residence

Address:	516 South Ocean Blvd.
Applicant:	Mr. John Scarpa
Architect:	Smith & Moore Architects
Project Description:	Extension of a previously approved two-story Italian Renaissance design with a three-car garage, pool cabana and pool.

Mr. Vila said he drove by the site.

Architect Jon Moore explained that his client has not started construction because a family member with a health problem has taken much of his time. Mr. Scarpa plans to start construction on the house this summer.

MOTION BY MS. DIVER TO EXTEND OF THE PROJECT APPROVAL FOR THREE MONTHS.

MOTION SECONDED BY MR. FELDKAMP.

MR. WHELOCK OPPOSED.

MOTION CARRIED 6-1.

B25-08 Addition

Address: 324 El Bravo Way
Applicant: Patricia Quick
Architect: Ames Bennett/MPerry Design
Project Description: Second floor addition over existing garage and laundry room, all exterior finishes to match existing.

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

Designer Michael Perry proposed a second story addition over the existing garage. He agreed to revise the windows to be smaller on the second floor and to be consistent with the window sizing.

It was suggested lowering the eve height to be lower than the main house and possibly introduce a string course to break up the stucco walls.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B26-08 Demolition, Landscape& Hardscape

Address: 171 Via Del Lago
Applicant: Frances Scaife
Landscape Architect: Mario Nievera Design
Project Description: Proposed demolition of an existing building at 171 Via Del Lago.
Proposed new driveway and parking layout. Proposed new planting and relocation of existing planting.

Ms. Vanneck and Mr. Wheelock said they visited the site. Mr. Vila said he drove by the site.

Landscape Architect Mario Nievera proposed demolition of the existing house located at 171 Via Del Lago. The demolition report stated that the house was built in 1934 by Architects Wyeth & King for owner James Alexander. The house is in poor condition. The vacant land will be joined by a Unity of Title with 179 Via Del Lago.

MOTION BY MR. FELDKAMP TO APPROVE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND SUBMIT PHOTOGRAPHS OF THE HOUSE TO THE PRESERVATION FOUNDATION AND THE TOWN FOR THEIR RECORDS.

Mr. Nievera proposed extending the driveway from the main house across the vacant property with new piers and gates, facing east and west, with the driveway apron turning into Via Del Lago. The site wall along the front of the property will be removed and replaced with a fence and hedges.

Responding to the question if a Unity of Title has been filed, the Attorney for the owner, Carter Randolph, stated that the Town Manager's signature is required and then the document will be recorded.

It was suggested to enlarge the garage and face the doors to the east. By doing so, would improve the appearance of the front of the house.

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

MOTION SECONDED BY MR. SMITH.

ROLL CALL:

MR. STRAWBRIDGE	YES
MR. SMITH	YES
MR. FELDKAMP	YES
MS. DIVER	NO
MR. YOUCHAK	YES
MR. KARAKUL	YES
MR. WHEELLOCK	YES

MOTION CARRIED 6-1.

B28-08 Addition

Address:	200 Via Palma
Applicant:	Ms. Jane Goldman
Architect:	Lee Kvarnberg
Project Description:	Demolition and reconstruction of kitchen and outdoor eating area. Addition of a second story and stairs to the cabana structure.

Ms. Vanneck said she met with the architect and visited the site. Mr. Wheelock, Mr. Feldkamp and Ms. Diver said they met with the architect and discussed the design.

Architect Lee Kvarnberg stated that the original house was designed by Mr. Wyeth in 1950.

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The project involves removal of an outdoor kitchen in order to enlarge the existing kitchen. A second story addition is also proposed above the existing one-story cabana.

It was suggested keeping the same style of doors that exists on the house and match the hip roof with dormer windows on the other side of the house.

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

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

B29-08 Storefront

Address: 150 Worth Avenue

Applicant: Tory Burch

Architect: David A. Udkow

Project Description: New storefront for new tenant (Tory Burch) at Esplanade Shops.

Mr. Vila said he visited the site.

Certified Planner Michael Sanchez, representing the architect, presented the project. He explained that Tory Burch has consistent storefront styles and logos throughout the country. He proposed a polished brass storefront frame and an orange lacquered wood door.

The orange door was not well received by the Commission. Also, it was noted that the brass will weather very quickly being so close to the ocean.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

Under discussion:

Ms. Diver suggested project deferral to bring back pictures of other stores on Worth Avenue.

MR. STRAWBRIDGE WITHDREW HIS SECOND TO THE MOTION.

MOTION DIED FOR A LACK OF A SECOND.

MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

None

F. NEW BUSINESS - MINOR PROJECT

A2-08 Pediment

Address: 674 Island Drive
Applicant: Ernie Bourne
Architect: Douglas Root
Project Description: Minor aesthetic changes (remove shutters, add a pediment, add a parapet and add a wall fountain.)

There were no ex parte communications disclosed regarding this project.

Architect Douglas Root indicated that the owner would like to make some minor aesthetic changes to the house. These changes include a new pediment over the front door, removal of shutters, addition of window headers and sills, reworking the banding details, changing the quoining style, addition of a wall fountain at the garage and changing the raised parapet above the garage.

Even though the pediment at the front door was thought to be an improvement, it was commented that the style of this house is going the wrong way. Some of the suggestions were to make the quoins the same size and to lower the pediment over the garage.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

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

Discussion took place regarding synthetic grass and if ARCOM should be reviewing this type of project. Mr. Frank clarified that if the landscape/open space were within the code requirements and the grass cannot be seen from any right of way, then ARCOM would not be involved. Mr. Page suggested that the Commission move to recommend to the Town Council that artificial turf not be allowed, or allowed in certain situations with Town Council or ARCOM approval.

MOTION BY MR. STRAWBRIDGE TO RECOMMEND TO THE TOWN COUNCIL THAT ARTIFICIAL TURF BE PROHIBITED IN THE TOWN OF PALM BEACH.

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Under discussion comments were made as follows:

- Artificial turf does not meet the standards that are appropriate to this town.
- Plastic may omit toxins into the air.
- There are sanitation problems with artificial turf in children's playgrounds in which chemicals are used to control bacteria.
- Prohibit artificial turf unless permitted by the Town Council or ARCOM.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

It was recommended to add to the ARCOM application that all new construction include the location of generators or the future generators.

MOTION BY MS. DIVER TO DIRECT STAFF TO ADD TO THE ARCOM APPLICATION THAT THE LOCATION OF GENERATORS WILL BE NOTED ON ALL NEW CONSTRUCTION PROJECTS.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

IX. ADJOURNMENT

MOTION BY MS. DIVER TO ADJOURN THE MEETING AT 12:50 P.M.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on Wednesday, May 28, 2008 at 9:00 a.m.

Respectfully submitted,



Morgan Dix Wheelock, Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME VANNECK ANN LILJA		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM, Town of Palm Beach	
MAILING ADDRESS 217 West Indies Drive		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 4-23-08		NAME OF POLITICAL SUBDIVISION: Palm Beach, Town of	
		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 in a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

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

RECEIVED

MAY 15 2008

TOWN CLERK

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ann Lilja Vanneck, hereby disclose that on April 23rd, 2008:

(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:

My husband is opposed to the granting of a variance for 6 Windsor Court. No monetary gain is involved. He has informed the Town Council of his position in writing unaware that it would first come before Arcam.

4/23/08
Date Filed

Ann Vanneck
Signature

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

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

LAST NAME—FIRST NAME—MIDDLE NAME VANNECK ANN LILJA		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM, Town of Palm Beach	
MAILING ADDRESS 217 West Indies Drive		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 4-23-08		NAME OF POLITICAL SUBDIVISION: Palm Beach, Town of 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, Ann Lilja Vanneck, hereby disclose that on April 23rd, 2008

(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:

My husband is opposed to the granting of a variance for 6 Windsor Court. No monetary gain is involved. He has informed the Town Council of his position in writing unaware that it would first come before Arcor.

4/23/08
Date Filed

Ann Vanneck
Signature

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