

**MINUTES OF THE ARCHITECTURAL COMMISSION MEETING
WEDNESDAY, APRIL 23, 1997
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

The meeting was called to order at 9:10 a.m.

II. ROLL CALL

PRESENT: Laurel Baker, Chairman
John H. Schuler, Vice-Chairman
Ethel Kinsella, Member
Sally Gingras, Member
Lowry M. Bell Jr., Member
Robert E. Deziel, Member
Joanna Frost-Golino, Member
Floyd Wideman, Alternate Member
Marvin Rosenberg, Alternate Member
Eric Adams, Alternate Member
Timothy M. Frank, Planner/Projects Coordinator
Robert L. Moore, Director of Planning, Zoning & Building
John C. Randolph, Town Attorney

RECORDING SECRETARY: Gretchen Dayton

III. APPROVAL OF THE MINUTES FROM THE MARCH 26, 1997 MEETING.

Mrs. Baker asked that a street name be corrected on page 12 of the minutes.

MOTION BY MRS. KINSELLA TO APPROVE THE MINUTES WITH THE CORRECTION OF THE STREET NAME ON PAGE 12.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Mrs. Kinsella stated for the record that the project at 1100 North Ocean Boulevard has been resolved with the planting of a noronhia hedge.

Persons presenting projects or giving testimony were sworn in at this time.

IV. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B4-97 Architectural Style Change

Applicant:	Mr. and Mrs. Norman Bahary
Address:	160 Kings Road
Architect:	Robert Bell
Project Description:	Change in style from contemporary to Spanish and the addition of a two-car garage.

This project was deferred from the January, February and March meetings.

There were no ex-parte communications announced.

Architect Robert Bell presented photographs of the neighboring homes and a perspective rendering of the proposed project.

MOTION BY MRS. FROST-GOLINO TO APPROVE THE PROJECT WITH THE PROVISION ALL OF THE COLUMN ELEMENTS WILL BE REMOVED WITH THE EXCEPTION OF THE FRONT ENTRY, ADD FENESTRATION AT THE FORMER TOWER AREA, REMOVE THE PARAPET WALL AT THE GARAGE AND SUBMIT REVISED DRAWINGS WITHIN ONE WEEK.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

B16-97 Demolition and New Residence

Applicant: James Woolems
Address: 1080 North Ocean Blvd.
Architect: Thomas Kirchhoff
Project Description: Demolition of existing residence and construction of new two-story Mediterranean style residence.

The applicant requests deferral to the May meeting.

**MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

B17-97 New Residence

Applicant: Classic Homes and Remodelers, Inc.
Address: 215 Southland Road
Architect: SGA Architects, Inc.
Project Description: New two-story Bermuda style residence.

This project was deferred from the March meeting.

Mr. Schuler, Mrs. Golino, Mrs. Gingras, Mrs. Baker, Mrs. Kinsella and Dr. Rosenberg all declared some type of ex-parte communication.

Architect Spencer Goliger described the project as a one story Bermuda style home with four columns on the front porch and french doors on the rear elevation.

The Commission members felt the project is getting better and then made suggestions to benefit the project as follows:

1. Add windows to the west elevation.
2. Present details of the soffit fascia area and of the columns.
3. The quoins are out of scale.
4. The side lites need restudy.
5. The project needs more details.
6. The drawings should be more professional looking.
7. Present a landscape plan and the building colors.

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

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B18-97 New Residence

Applicant: Mr. and Mrs. Beard
Address: 410 Chilian Avenue
Architect: Smith and Moore Architects, Inc.
Project Description: New two-story Mediterranean Revival residence.

This project was deferred from the March meeting.

Mrs. Frost-Golino, Mrs. Gingras, Mrs. Kinsella, Mrs. Baker, Mr. Schuler, Mr. Deziel and Mr. Adams had some type of ex-parte communication.

Architects Harold Smith and John Moore presented the project. Mr. Smith said the project is a two-story Mediterranean style, single family home in a multi-family neighborhood. There will be a loggia which will wrap around the rear of the house. There will be a one story living room wing and cast stone around the front entry. The roof will have a 4/12 pitch with barrel tile material, variegated in color. The windows will be casement with true divided lites.

Mr. Deziel felt the structure was very high and too massive. Mr. John Moore presented a street scape drawing comparing the neighboring buildings to the proposed project.

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

MOTION SECONDED BY MRS. FROST-GOLINO.

MR. DEZIEL AND MRS. GINGRAS OPPOSED.

MOTION CARRIED 5-2.

B. NEW BUSINESS - MAJOR PROJECTS

B19-97 Remodel

Applicant: Haisfield Investment Partnership
Address: 231 Royal Palm Way
Architect: Robert Bell
Project Description: Remove some windows, new smooth stucco, new barrel tile roof, cornice work at parapet, new balconies and brick accent panels.

Mrs. Baker, Mrs. Kinsella and Mrs. Frost-Golino stated they reviewed the plans prior to the meeting.

Architect Robert Bell presented photographs of the existing building. Mr. Bell said the building is three stories and the first floor is the parking garage. The protruding metal frame slit windows will be replaced with pairs of french doors and wrought iron railings on small balconies. Brick accents will be placed around the french doors. Cornice work and quoin details will be added to the building. A small roof area with barrel tile material will be added to the middle section of the building.

The Commission felt the roof was inappropriate, the brick was an introduction of material which did not match the proposed building material and the balcony railings were too ornate. They felt the project looked better without a roof and the front entry needed to be reworked.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.**

B20-97 New Residence

Applicant: Malasky Homes
Address: 286 Jamaica Lane
Architect: Smith and Moore
Project Description: New two-story residence.

Mrs. Frost-Golino, Mrs. Gingras, Mrs. Kinsella, Mrs. Baker, Mr. Schuler and Mr. Adams stated they had some type of ex-parte communication disclosure.

Architect Harold Smith stated the project was changed to a two-story Bermuda style residence. The windows will be double hung, true divided lites with plaster pediments above them. The building will have a smooth stucco finish with a raised stucco banding. The roof will be a terra cotta color flat tile and the house will have green shutters. The previously approved home had a CCR of 4.39 and

the proposed house has a CCR of 3.84.

**MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.**

Mrs. Frost-Golino felt that a white roof tile would help to reduce the mass, make it different from the house to the west and tie in with the Bermuda style.

**AMENDED MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT WITH
WHITE TILE ROOFING MATERIAL.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.**

B10-97 New Residence and Landscape

Applicant: David Frisbie
Address: 611 Tarpon Way
Architect: Sklar, Seckinger & Assoc.
Project Description: New residence and landscape

Mrs. Frost-Golino, Mrs. Gingras, Mrs. Kinsella, Mrs. Baker, Mr. Schuler and Mr. Deziel stated they had some type of ex-parte communication disclosure.

Attorney Doyle Rogers addressed the Commission.

Architect Rolf Seckinger stated the square footage is close to the square footage of the project that was presented at last month's meeting. He said the details have been simplified and presented a small model showing the angles of the building. Mr. Seckinger said the client wanted the roof pitch to remain at 5/12.

Chairman Baker asked the architect to respond to the eleven Commission comments that were recorded from last month's meeting.

The style of the home was again questioned and the architect stated the proposed style is what "Mr. Tomsick would like to see."

The Commission commented that the 5/12 roof pitch, the many angles of the house, all of the cast stone and embellishments makes the house look much larger and busier. They asked that the landscape plan be brought back for approval.

Mr. Frank read letters from George and Susan Cohen and from Jane Smith in support of the project.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION TO REDUCE THE TOWER ENTRY ROOF TO 4/12 PITCH AND BRING THE LANDSCAPING PLAN BACK FOR APPROVAL.

MOTION SECONDED BY MRS. KINSELLA.

ROLL CALL:

MR. BELL	YES
MRS. KINSELLA	YES
MRS. GINGRAS	NO
MR. DEZIEL	NO
MRS. FROST-GOLINO	NO
MR. WIDEMAN	YES
MRS. BAKER	YES

MOTION CARRIED 4-3.

Note: Mr. Schuler was out of the meeting room for a portion of this presentation.

B14-97 Addition

Applicant:	Jonathan Deitcher
Address:	175 Via Palma
Architect:	Slattery and Root
Project Description:	Addition of second floor over the garage.

The applicant requests deferral to the May meeting.

MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

B21-97 Revisions

Applicant: Mr. and Mrs. Friedman
Address: 901 North Ocean Boulevard
Architect: Mark Simon
Project Description: New guest house, add new dining room, new garden shed and an open roof canopy over an existing roof deck.

Mrs. Frost-Golino reviewed the plans and drove by the site and Mrs. Baker reviewed the plans.

Architect Mark Simon presented the project. Mr. Simon said that most of the project cannot be seen from the street. He said the project includes a new guest house, dining room, roof deck, garden shed, an entry canopy of arched glass and entry gates. The roofs of the new buildings will be lead coated copper and the existing blue roofs will remain. The roof deck will be an open pavilion and built on top of the existing flat roof.

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

Some of the Commission felt the new elements do not match the existing elements and the front glass entry was very commercial looking

It was stated that the coastal construction control line will be moved on an average for the Town of about 250 feet and that this project would be affected by the moving of this line.

Some of the Commission felt that the heights of the new roof structures were too high and had the appearance of three stories.

The architect stated the roof elements will not be visible from the street and very little of the guest house roof will be seen from the street.

It was suggested to move the proposed guest house further away from the street.

**AMENDED MOTION BY MR. DEZIEL TO APPROVE THE PROJECT WITH THE PROVISION TO COME BACK WITH A RESTUDY OF THE ENTRY PORTICO.
MOTION SECONDED BY MR. SCHULER.**

ROLL CALL:

MR. DEZIEL	YES
MR. SCHULER	YES
MRS. KINSELLA	NO
MRS. GINGRAS	NO
MR. BELL	NO
MRS. FROST-GOLINO	NO
MRS. BAKER	YES

MOTION FAILED 3-4

It was further commented that the proposed new buildings do not work together as part of the existing house.

MOTION BY MRS. FROST-GOLINO TO DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B22-97 Facade Renovation

Applicant:	Cartier
Address:	214-218 Worth Avenue
Architect:	Lawrence Group
Project Description:	Remove existing pink marble facade and install new verde marble and limestone facade. Add new display windows and signage. Add new balustrade.

Architect Richard Leja presented the project and stated green marble and limestone will replace the existing pink marble store front. The front doors and the sign band above the doors will be metal painted a gloss green. The display case windows will be framed in polished brass. A false balustrade railing will be added to the top of the building. The existing sign will remain above the front doors.

It was felt that using green marble and green metal on the same plane would not be pleasing. It was stated that the project has too much green.

MOTION BY MRS. GINGRAS TO DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B31-97 New Residence and Cabana

Applicant: Llwyd Ecclestone
Address: 1070 North Ocean Boulevard
Architect: Lawrence Group
Project Description: New two-story residence, pool and cabana.

Please note: This project was advertised with the project description "New Spanish Mediterranean residence."

Mr. Frank said there has been some transaction of sale of the property since the project was advertised. The potential buyer wants a different style and a different architect. The project involves the moving of the CCCL. Therefore, staff decided to keep it on the agenda.

Mr. Moore said the project also involves a point of measurement. He said the Town Council reviewed different plans. However the point of measurement of the new project does comply with the same terms of the variance that was granted by the Town Council.

Mrs. Frost-Golino stated she drove by the site and reviewed the plans. Mrs. Baker said she reviewed the plans. Mr. Deziel said he spoke with the contract purchaser.

Architect Eugene Lawrence stated he represents Mr. and Mrs. Mark Pulte and then described the proposed project.

Much discussion took place regarding the size of the house and it was felt that it is too big.

The Commission asked Mr. Lawrence to reduce the square footage by 2,000 feet.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE END OF THE MEETING.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

This project was called again after item #B39-97.

Mr. Lawrence said some of the square footage was eliminated in the basement, the master dressing room and in the laundry room. Mr. Leja stated the total square footage of the project was revised to be 13,368 sq.ft.

After much discussion it was decided that the house was still too big. The design changes were also discussed.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY BELL.**

The Commission agreed to approve the footprint of the house if Mr. Lawrence would reduce the total square footage to 11,000 square feet. Mr. Lawrence said they will remove the parapet, increase the side yard set back by two feet and reduce the square footage by an additional 1,000 square feet. After much discussion Mr. Lawrence was asked to reduce the footprint to 11,000 gross square feet.

Mr. Schuler withdrew his motion and Mr. Bell withdrew his second.

**MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE END OF THE
MEETING.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

This project was called again at the end of the agenda.

Mr. Lawrence stated the project square footage was reduced to 12,500 square feet.

After much discussion it was agreed to reduce the total square footage of the footprint to 11,000 square feet and come back next month with the design of the house.

**MOTION BY MR. DEZIEL TO APPROVE AN 11,000 TOTAL GROSS SQUARE FOOT
HOUSE, LEAVING THE BASEMENT AT 844 SQUARE FEET, WITH SIDE YARD
SETBACKS OF 19 FEET ON EACH SIDE, A FRONT YARD SETBACK OF 74 FEET, NOT
TO USE THIS APPROVAL FOR ANY PART OF THE DESIGN OF THE HOUSE AND
THAT THIS AGREEMENT WILL BE IN WRITING FOR ATTORNEY RANDOLPH TO
REVIEW.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.**

Mr. Lawrence agreed to have the plan for the footprint ready for staff review within one week.

Mr. Deziel stated the approval of the footprint was due to the unusual circumstances of the Coastal Construction Control Line.

B23-97 Entry Addition

Applicant: Edward and Laurie Lutz
Address: 233 Arabian Road
Architect: Miklos and Associates
Project Description: Enclosed foyer and covered entry addition, roof and wall finishes match existing.

Mrs. Frost-Golino and Mrs. Gingras stated they drove by the site and reviewed the plans.

Architect Gregory Miklos stated the foyer will be extended and a covered entry will be added. A small garden wall will be added behind an existing hedge. Stucco quoins will be added and the windows and shutters will be replaced.

The roof over the new entry was discussed and it was felt by some of the Commission the pitch could be lowered.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. BELL.**

ROLL CALL:

MR. SCHULER	YES
MR. BELL	YES
MRS. KINSELLA	NO
MRS. GINGRAS	NO
MR. DEZIEL	NO
MRS. FROST-GOLINO	YES
MRS. BAKER	YES

MOTION CARRIED 4-3.

B24-97 Renovation

Applicant: Gerald Tsai
Address: 1000 North Lake Way
Architect: Brower Architectural Associates
Project Description: Renovation of existing residence.

Mrs. Baker said she reviewed the plans.

Architect Ken Brower presented the project. Mr. Brower said the mansard roof over the garage will be removed. The finials lining the parapet walls will be removed. The lower parapet walls will be raised to meet the upper wall heights. The windows will be changed to full lite, casement type, with cast stone around the windows. The mechanisms for roll down shutters will be built into the walls.

**MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. DEZIEL
MOTION CARRIED UNANIMOUSLY.**

**MOTION BY MRS. GINGRAS TO RECONSIDER THE PROJECT TO ALLOW FOR
AUDIENCE COMMENTS.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.**

Joan Allen addressed the Commission and said she objects to the parapet walls being raised as it would eliminate her view of the lake.

**MOTION BY MR. DEZIEL TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. KINSELLA
MOTION CARRIED UNANIMOUSLY.**

B25-97 Demolition

Applicant: Robert M. Fomon and Lewis A. Fomon
Address: 974 South Ocean Boulevard
Attorney: Doyle Rogers
Project Description: Demolition of main residence.

All of the Members of the Commission declared some type of ex-parte communication.

Mr. Moore stated the project needs a special exception with a developer agreement and is scheduled to go before the Town Council at their May 12, 1997 meeting. Therefore, he suggested deferral of this project.

**MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. DEZIEL.
MOTION CARRIED UNANIMOUSLY.**

B26-97 Revisions

Applicant: Fred Keller
Address: 241 La Puerta Way
Engineer: Sinclair Engineering
Project Description: Deletion of some windows and increase square footage to garage.

Mrs. Frost-Golino stated she drove by the site and Mrs. Baker stated she reviewed the plans.

Property Manager Arthur Fifito presented the project. Mr. Fifito said the covered entry will be enclosed to create a foyer area and more square footage will be added to the garage.

Mr. Fifito did not have pictures of the existing house to present.

**MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.**

B27-97 Additions and Remodel

Applicant: Harold Oelbaum

Address: 528 North Lake Way
Architects: Denis La Berge and Bob Henry
Project Description: 398 square feet of additions and interior alterations, stucco on concrete block construction, new exterior terrace and new stucco banding on existing building.

Mrs. Baker, Mrs. Kinsella, Mrs. Gingras and Mrs. Frost-Golino stated they reviewed the plans and/or drove by the site.

Architect Denis La Berge presented the project. Mr. La Berge said the house is a one-story, Regency style. He said the owners would like to have an exercise room and a dining room added. Also proposed is a new terrace which will have open balustrade walls with pedestals. The glass sliding doors will be replaced with french doors. The roll shutter boxes will be installed in applied boxes above the windows on the rear elevation. The color of the building will be a light tan. The banding will be a deep tan and green shutters will be added.

MOTION BY MRS. SCHULER TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B28-97 Demolition

Applicant: Mr. and Mrs. Schur
Address: 1090 North Lake Way
Attorney: Charles Millar
Project Description: Demolition of existing residence.

Mrs. Baker, Mr. Schuler, Mrs. Gingras, Mrs. Deziel, Mrs. Frost-Golino and Dr. Rosenberg declared some type of ex-parte communication.

Attorney Ron Kollins presented the project. He presented photographs of the property and said the house cannot be seen from the street because of the hedges. He said the house was built in 1946 by J. Stockton Brian and it was designed by Simminson-Holly Architects. Mr. Kollins presented a conceptual site plan of the replacement house. He said the replacement house will be a modest house, approximately 7,000 square feet and consistent with the neighborhood.

Some of the Commission members felt that either the property owner or the architect should present the demolition request. And if a home has some architectural value the replacement house should be reviewed.

Mr. Kollins said they are not able to present the final plans and the owner does not want to pay taxes on the house until the replacement house is built. Mr. Kollins was asked about the for-sale sign posted on the property. Mr. Kollins said he is presenting the project for the contract purchaser.

Mr. Deziel said he would make the motion for approval for demolition based on the following reasons:

1. The house has no architectural significance.
2. The future home will be smaller than the existing home.
3. The applicant has complied with the ARCOM policies.

Mrs. Frost-Golino stated she felt this home has some significant architectural value although it has suffered some poor additions. She said there a very few homes of this style and of this era on the north end of town.

Town Attorney Randolph stated the commission can give consideration of the future use of the property when reviewing demolition requests, but it is not a criteria in the ordinances.

Mrs. Volk addressed the Commission and stated the architect of the subject house was Byron Simminson who was well known and he was the chief draftsman for Maurice Fatio.

Attorney Dean Vegosen addressed the Commission and said he represents Mr. and Mrs. Bernstein the owners of the property.

**MOTION BY MR. DEZIEL TO APPROVE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE VACANT LOT WITHIN 90 DAYS.
MOTION SECONDED BY MRS. KINSELLA.**

ROLL CALL:

MR. DEZIEL	YES
MRS. KINSELLA	YES
MR. SCHULER	YES
MRS. GINGRAS	YES
MR. BELL	NO
MRS. FROST-GOLINO	NO
MRS. BAKER	NO

MOTION CARRIED 4-3.

B29-97 Demolition

Applicant: John Crompton
Address: 1581 North Ocean Boulevard
Architect: Patrick Seagraves
Project Description: Demolition of residence

Mrs. Frost-Golino stated she drove by the site and Mr. Schuler said he spoke with the architect. Architect Patrick Seagraves stated the house was built in 1946 by Howard Chilton and the house is in disrepair. The owner lives to the east of this property and he wants to have a landscaped area.

Mr. Frank read a comment that was written on the notice to the adjacent property owners stating “fabulous idea”

MOTION BY MRS. KINSELLA TO APPROVE THE DEMOLITION WITH THE PROVISION TO LANDSCAPE THE LOT WITHIN 90 DAYS.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.

B30-97 Addition

Applicant: Philippe and Marta Malouf
Address: 1490 Via Manana
Architect: Patrick Seagraves
Project Description: Second story addition to an existing two-story house. All materials to match existing.

Mrs. Frost-Golino, Mrs. Gingras and Mr. Schuler stated they had some type of ex-parte communication.

Architect Patrick Seagraves stated the second story addition will be approximately 800 square feet.

It was stated that the Assistant Building Official Harry Ackerman recalculated the architect's figures on the plans. Mr. Frank said the discrepancy is on the second floor area.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE END OF THE MEETING TO VERIFY THE PROJECT CALCULATIONS.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

This project was called again after item #B31-97.

Mr. Seagraves stated the project has an FAR of 4.3 and a CCR of 4.08 and the total square footage is approximately 5,200.

Mr. Seagraves was asked to maintain the existing twenty foot high hedges.

MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MRS. KINSELLA.

MOTION CARRIED UNANIMOUSLY.

B32-97 New Residence

Applicant: Skip Gozzo
Address: 127 Ocean View Road
Architect: Bridges, Marsh and Carmo
Project Description: New Bermuda style residence

Mr. Deziel declared a Conflict of Interest and left the meeting during the presentation.

Mrs. Baker, Mr. Schuler, Mrs. Gingras, Mrs. Frost-Golino and Mr. Adams declared ex-parte

communications either by reviewing the plans, driving by the site or speaking with Attorney Ron Kollins.

Architect Craig Hallonquist stated the project is a two-story Bermuda style house. He said the Town Council approved the site plan with the provision to remove the portico and attach the garage to the house.

Mr. Moore stated the Town Council reviewed the foot print of the proposed house in relation to the deficiency of the size of the lot.

Much discussion took place regarding the size of the proposed project.

Attorney Ron Kollins addressed the Commission and said he represents the surrounding property owners and then quoted Section 5-387 of the Town of Palm Beach Architectural Review and Procedure, Criteria. Mr. Kollins played two video tapes, one of his clients stating they felt the proposed house is too large.

Mr. Kollins said the lot is approximately 18% smaller than other lots in the same zoning district and the proposed house is 2½ times larger than any other on the street. He suggested a one story house and one that would be more appropriate in size and in proportion to the rest of the houses on the street.

Attorney Peter Broberg addressed the Commission and spoke in favor of the proposed project. He said the surrounding houses are not RA houses, but happen to be in an RA zone.

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

B33-97 Addition

Applicant: Mr. and Mrs. Harding Willinger
Address: 324 El Bravo Way
Architect: Smith Architectural Group
Project Description: New second story addition over existing garage.

Mrs. Baker, Mrs. Frost-Golino and Mr. Bell declared ex-parte communications.

Architect Don Kino and Associate Architect Tod Elliot presented the project. Mr. Kino said the

addition would provide staff quarters and a small office above the existing garage.

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

MOTION SECONDED BY MRS. KINSELLA.

MOTION CARRIED UNANIMOUSLY.

B34-97 Revisions

Applicant:	Ronald Lauder
Address:	115 Flagler Drive
Architect:	Smith Architectural Group
Project Description:	Add two level open loggia at east elevation, demolish courtyard addition, add pool, cabana, tennis court and renovate existing house.

Mr. Deziel declared a Conflict of Interest and left the meeting during the presentation.

Mrs. Baker and Mrs. Kinsella said they drove by the site and reviewed the plans. Mrs. Frost-Golino said she drove by the site, reviewed the plans and spoke with the architect.

Mr. Kino stated the pool cabana and the loggia on the west facade are the only issues to be reviewed by ARCOM as the rest of the project cannot be seen from the street. He said the existing enclosure in the front of the house will be removed and a new loggia will be added that will mimic the interior behind it. The pool cabana will have a dressing area and a storage area on either side of a breezeway. The tennis court will be screened from the street with a ten-foot high hedge. Mr. Kino said landscaping is planned for the property.

Mr. Frank said the Commission has a right to review the landscaping for this project.

Mr. Henry McIntosh addressed the Commission and asked for the following to be conditions for project approval:

1. That some type of pest control will be done to the house to avoid unwanted pests and rodents invading the neighboring properties.
2. That any damage to the newly resurfaced street or to his property due to construction traffic will be repaired by Mr. Lauder.
3. That the landscaping on the north and south boundaries of the property will not obscure his view of the ocean.

MOTION BY MR. SCHULER TO APPROVE THE PROJECT WITH THE PROVISION THAT PEST CONTROL SHALL BE TAKEN CARE OF, THAT ANY DAMAGES DUE TO CONSTRUCTION TRAFFIC BE REPAIRED AT THE OWNER'S EXPENSE AND THE LANDSCAPING PLAN COMES BACK FOR ARCOM APPROVAL.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B35-97 Demolition and New Residence

Applicant: Addison Development
Address: 211 Via Tortuga
Architect: Carlos Martin
Project Description: Demolition of existing residence and construction of new residence.

Mrs. Baker, Mrs. Frost-Golino and Mrs. Gingras reviewed the plans prior to the meeting.

Architect Carlos Martin said the existing house was built in the 1920's by Michael Phipps and it is known as the Mushroom Cottage as many additions were added over the years. The Mushroom Cottage is a one story, wood frame with asphalt shingles. The new residence is a one story Italian/Mediterranean style, approximately 7,000 square feet with a CCR of 4.0. The house will have classical arched transoms, wood entry doors, arched colonnades and clay "S" roof tile.

The Commission felt that the same windows are being used throughout and that "S" tile should not be used on this house. They felt the tower does not work and that the front facade needs to be reworked.

Mr. Martin presented an alternate drawing of the front facade showing a narrowed entry with a hip roof rather than a parapet wall over the front doors.

The Commission felt the roof form was leading in the right direction, but the tower still looked as though it was a free form element and that the tower should be on its own as a tower and not a roof feature. It was felt that the homes in the Phipps Estates were beginning to look alike. They commented that the two/one side entry garages are on every house in the development and it was suggested to reduce the mass of the houses by cutting back on the garages.

Mr. Swanson addressed the Commission and said he felt the development has a variety of sizes and styles of homes.

The Commission asked to see the renderings of the approved projects to compare with future proposals.

MOTION BY MRS. FROST-GOLINO TO DEFER THE PROJECT TO THE MAY MEETING.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SCHULER TO APPROVE THE DEMOLITION WITH THE USUAL PROVISIONS.

MOTION SECONDED BY

MOTION CARRIED UNANIMOUSLY.

B36-97 New Residence

Applicant: Addison Development
Address: 236 Via Las Brisas
Architect: Carlos Martin
Project Description: New two-story Mediterranean style residence.

Architect Carlos Martin said the house is a two-story Spanish Mediterranean style with a side loading garage. The square footage is 9,460 and the CCR is 4.4. There will be french doors with square transom windows above. The front entry will have stone detailing and decorative wrought iron railings. There will be a canvas awning with Corinthian stone columns on the rear elevation. The Commission commented that the front doorway is very massive and that the facade is very busy. They felt there are a number of different types of windows, many different decorative elements and that the house is too big.

Mr. Swanson stated the project is within all of the rules.

Mr. Deziel said the idea is for the architect to take all of the criteria and come up with a nice project. He said the criteria is not intended to be maxed out and then come before the board and state I've met all of the zoning requirements and I'm entitled to an approval. He then suggested styles other than Mediterranean such as Bermuda, British Colonial or Monterey.

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

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B37-97 Addition

Applicant: Addison Development
Address: 228 Via Las Brisas

Architect: Architectural Alliance (Designer Glen Santayana)
Project Description: Addition to existing structure

Mrs. Baker, Mrs. Kinsella and Mrs. Baker stated they reviewed the plans.

Designer Glen Santayana presented the project. Mr. Santayana said a family room, staff quarters and a laundry room will add 4,000 square feet to the existing house. A tennis court will be added on the west side of the property.

It was suggested to flatten the roof line at the tennis pavilion back to the eave line of the tower.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION THAT THE CENTER PORTION OF THE TENNIS PAVILION ROOF TO IS TO BE FLAT AND THE HEIGHT OF THE TOWER IS TO BE RAISED SLIGHTLY. THE REVISIONS WILL BE REVIEWED BY EITHER MR. BELL OR MRS. FROST-GOLINO. MOTION SECONDED BY MRS. FROST-GOLINO. MOTION CARRIED UNANIMOUSLY.

Mr. Moore said one of the provisions in the Developers Agreement is that the zoning regulations in the RB district were frozen for five years. He said it was agreed that there will be no flat roof styles, but less than 50% of flat roof area would probably be permitted. Mr. Moore said he has told Mr. Swanson there are no maximum guarantees under the zoning ordinance. If Mr. Swanson brings a project to ARCOM which is maximized, he does so at his own risk.

B38-97 New Residence

Applicant: Addison Development
Address: 234 Via Las Brisas
Architect: Architectural Alliance (Designer Glen Santayana)
Project Description: New two-story Mediterranean style residence.

Designer Glen Santayana stated the project is a two-story house with a side loading three car garage and a motor court in the front. The rear elevation has Gothic arched transoms above the french doors and an area with a canvas roof. The total square footage of the project is 9,610.

Some of the Commission members felt this project was very similar to one of the previously presented projects. Mr. Bell suggested coming up with a creative method of hiding the garage doors from the street. Mr. Swanson was invited to attend next month's workshop meeting to discuss his projects.

**MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

B39-97 Demolition

Applicant: Euro Homes
Address: 232 Everglade Avenue
Project Description: Demolition of existing apartment building.

Property owner Zack Ciomek presented the project. Mr. Ciomek stated the six unit two story apartment building was built in 1950. He said the apartment building is in bad shape and has been empty for a few months.

Mrs. Gingras read a letter from Lawrence W. Levine stating that there is much construction noise on Everglade Avenue generated by Euro Homes. He asked that demolition not commence until the two other buildings under construction are completed and construction work not be allowed on Saturday.

Mr. Ciomek said the variance that was received for the proposed project will expire in July.

Mr. Frank read a letter from G.C. Mauer in support of the proposed project.

**MOTION BY MR. SCHULER TO APPROVE THE PROJECT WITH THE USUAL
CONDITIONS.
MOTION SECONDED BY MR. DEZIEL.
MOTION CARRIED UNANIMOUSLY.**

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A1-97 Walkway

Applicant: Stephen Norris
Address: 9 Logomar Road
Architect: George Winne
Project Description: New front walk extension with an 8' CBS wall.

This project was deferred from the January, February and March meetings.

No one was present to present the project.

**MOTION BY MRS. KINSELLA TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

A16-97 Roof Material Change

Applicant: Phyllis and Michael Dennis
Address: 1231 North Lake Way
Contractor: Turner Roofing
Project Description: Replace wood shingles with fiberglass shingles to the existing garage and attached north bedroom.

This project was deferred from the March meeting.

No one was present to present the project.

**MOTION BY MRS. DEZIEL TO DEFER THE PROJECT TO THE MAY MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

Mr. Schuler, Mr. Wideman and Dr. Rosenberg left the meeting at this time.

D. NEW BUSINESS - MINOR PROJECTS

A17-97 Hurricane Shutters

Applicant: Mary Cochrane
Address: 114 Seaspray Avenue
Contractor: Folding Shutter Corp.
Project Description: Install three rolling shutters

Howard Hemstreet of Folding Shutter Corporation presented photographs of the house. He said the owner would like to have rolling shutters installed on three windows.

The Commission felt that boxes on the outside of the windows were not appropriate.

Mr. Moore said the owner can use removable panels.

MOTION BY MR. DEZIEL TO DENY THE PROJECT IN ACCORDANCE WITH THE

CRITERIA SET FORTH IN ARTICLE IX, ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 5-387, C, THE PROPOSED BUILDING OR STRUCTURE IS, IN ITS EXTERIOR DESIGN AND APPEARANCE, INFERIOR IN QUALITY SUCH AS TO CAUSE THE NATURE OF THE LOCAL ENVIRONMENT TO MATERIALLY DEPRECIATE IN APPEARANCE AND VALUE.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

A18-97 Landscape

Applicant: 54 Clarke Limited
Address: 219 Clarke Avenue
Architect: Lang Design Group
Project Description: Landscape

Mrs. Kinsella stated she drove by the site.

Landscape Architect John Lang presented the project. Mr. Lang stated the landscaping was previously approved and minor changes have been made. He said the hardscape was simplified and the entrance gate and columns were eliminated.

MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

A19-97 Gate

Applicant: Dean and Pamela Lovett
Address: 124 Clarke Avenue
Contractor: Palm Beach Creative Development
Project Description: Gate

A representative of Palm Beach Creative Development said there will be lights on top of the columns and the iron gates will match the iron work on the front door.

Mr. Lovett addressed the commission.

MOTION BY MRS. FROST-GOLINO TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

IV. OTHER BUSINESS

Mr. Frank said the inspector on the job noticed "S" tile was loaded on the roof ready for installation and the plans indicate barrel tile roofing material for Mr. Elias' project on Brazilian Avenue. Mr. Frank said he asked Mr. Elias to present the roof material change to the Commission.

Mr. Elias stated that the use of "S" tile was the intention. He said he had a second building approved a few months earlier which had the Altousa "S" tile roofing material. He said several building on the street have the Altousa "S" tile.

MOTION BY MR. DEZIEL TO DENY THE REQUEST FOR ALTOUSA "S" TILE ROOFING MATERIAL.

MOTION SECONDED BY MRS. FROST-GOLINO.

ROLL CALL:

MR. DEZIEL	YES
MRS. FROST-GOLINO	YES
MRS. KINSELLA	YES
MRS. GINGRAS	NO
MR. BELL	NO
MR. ADAMS	NO
MRS. BAKER	NO

MOTION FAILED 3-4.

MOTION BY MR. BELL TO APPROVE THE ALTOUSA CLAY "S" TILE ROOFING MATERIAL.

MOTION SECONDED BY MRS. GINGRAS.

ROLL CALL:

MR. BELL	YES
MRS. GINGRAS	YES
MRS. KINSELLA	NO
MR. DEZIEL	NO
MRS. FROST-GOLINO	NO
MR. ADAMS	YES
MRS. BAKER	YES

MOTION CARRIED 4-3.

V. ADJOURNMENT

MOTION BY MRS. KINSELLA TO ADJOURN THE MEETING AT 7:10 P.M..

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held May 28, 1997 at 9:00 a.m. with a workshop meeting to begin at 8:00 a.m. in the Town Hall, Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

Laurel Baker,
Chairman

gd

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

LAST NAME—FIRST NAME—MIDDLE NAME DEZIEL, ROBERT EDWARD	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Commission
MAILING ADDRESS 239 S. County Rd.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: Town
CITY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: PALM BEACH
DATE ON WHICH VOTE OCCURRED 4-23-97	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, ROBERT DEZIEL, hereby disclose that on 4-23-, 19 97:

(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 Mr. and Mrs. Fredrick R. Adler, 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:

Mr. Fredrick R. Adler is a client of my law firm. Mr. Adler lives adjacent to, and opposes, a project at 127 Ocean View Road. (B 32-97)

4-23-97
Date Filed

Robert Deziel
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME DEZIEL ROBERT EDWARD		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Archiburn Commission	
MAILING ADDRESS 239 S. County Road		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 Town	
DATE ON WHICH VOTE OCCURRED 4-23-97		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, ROBERT DEZIEL, hereby disclose that on 4-23-97, 19 97:

(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 RONALD LAWSON, 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:

Ronald Lawson is a client of my law firm.

4-23-97
Date Filed

Robert Dezien
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.

B25-97

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

ST NAME—FIRST NAME—MIDDLE NAME <i>SCHULER JOHN HAMILTON</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>ARCHITECTURAL COMMISSION</i>	
MAILING ADDRESS <i>200 JONAH ROAD</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>PALM BEACH FL</i>	COUNTY <i>PALM BEACH</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: <i>ARCHITECTURAL COMMISSION</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE 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, _____, hereby disclose that on _____, 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:

Date Filed

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.