

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

MARCH 28, 2007

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. CALL TO ORDER

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

II. PRESENT:

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

ABSENT:

Leslie C. Diver, Member (un excused)

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

**IV. APPROVAL OF THE MINUTES FROM THE FEBRUARY 28, 2007 MEETING.
MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

Revised: 6/20/07



V. ELECTION OF OFFICERS

Town Attorney John C. Randolph called for nominations for Chairman of the Architectural Commission.

MOTION BY MR. FELDKAMP TO NOMINATE MR. WHELOCK CHAIRMAN OF THE ARCHITECTURAL COMMISSION.

MOTION SECONDED BY MR. ZUKOV.

As there were no other nominations for chairman, the nominations were closed.

MOTION CARRIED UNANIMOUSLY.

Chairman Wheelock called for nominations for Vice-Chairman of the Architectural Commission.

MOTION BY MR. STRAWBRIDGE TO NOMINATE MR. FELDKAMP VICE-CHAIRMAN OF THE ARCHITECTURAL COMMISSION.

MOTION SECONDED BY MR. YOUCHAK.

As there were no other nominations for vice-chairman, the nominations were closed.

MOTION CARRIED UNANIMOUSLY.

VI. SWEARING IN PERSONS TESTIFYING.

Persons testifying were sworn in at this time and periodically throughout the meeting.

VII. PROJECT DEFERRALS/REMOVALS

B95-06/SPR5-06 New Condominium-Hotel (Renovations; Demolition and Rebuild)

Address:	2842 South Ocean Boulevard
Applicant:	CSC PB Beach Limited Partnership
Owner listed as:	City National Bank/2401 2301 00 Trust
Architect:	Oscar Garcia
Project Description:	This project is to convert an existing 134-room hotel into a 107-room condominium hotel. The building will be completely renovated, including the demolition and reconstruction of the entire interior and exterior walls, and the reconfiguration of the existing surface parking lot to a tandem valet configuration with 154 spaces to replace the existing 144-space surface parking lot. The swimming pool will be relocated to the 5 th floor of the building and the pool amenity building will be demolished. This building will remain 5-stories over a basement. The overall building height and widths will not change. We are proposing glass railings, light stucco and stone for the alteration of the existing building.

At the November meeting, this project was deferred for restudy and the variance requests were recommended to the town council. It was deferred from the December, January and February meetings at the applicant's request.

The architect requests deferral to the April meeting.

MOTION BY MR. FELDKAMP TO REMOVE ITEM NUMBER B95-07 FROM THE AGENDA.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

VIII. PROJECT REVIEW

A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS DEFERRALS

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

B100-06/SPR2-07 Renovation of Hotel

Address: 160 Royal Palm Way
Applicant: Royal 160 LLC
Architect: David R. Miller
Project Description: Full renovation of the existing hotel including new windows, doors, stucco, roofing and site work. Replace an existing portable structure with a permanent structure and relocation of the hotel service areas.

At the December meeting, this project was deferred for restudy and the variance requests were recommended to the Town Council. This project was deferred from the January and February meetings pending Town Council action.

Architect David Miller presented the revised plans. He pointed out that after meeting with the neighbor, they decided to reduce the two-story function room to a one-story element and widen the footprint further to the east. Also, a casement window and four dormer windows were introduced in the tower.

Responding to Mr. Castro's statement, the increase in size of the function room resulted in the elimination of twelve parking spaces, Mr. Miller stated that they propose having all valet parking. Which would require an additional variance for the parking.

Some of the Commissioners felt the dormer windows were inappropriate for the building.

Attorney Jackie Miller submitted for the record an agreement between the neighbor and the hotel relating to these project revisions. (This agreement is attached to these minutes)

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL THAT THE

**IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE
NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY.**

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

MR. ZUKOV YES

MR. FELDKAMP YES

MR. STRAWBRIDGE YES

MR. YOUCHAK YES

MR. SMITH NO

MR. KARAKUL YES

MR. WHEELOCK YES

MOTION CARRIED 6-1.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

MR. ZUKOV YES

MR. STRAWBRIDGE YES

MR. FELDKAMP NO

MR. YOUCHAK YES

MR. SMITH NO

MR. KARAKUL NO

MR. WHEELOCK YES

MOTION CARRIED 4-3.

B1-07/V3-07 Addition

Address: 577 East Woods Road
Applicant: Lois Umbach
Architect: Theodore E. Davis
Project Description: 749 s. f. two-story addition.

At the January and February meetings, this project was deferred for restudy and the variance request was not recommended to the Town Council.

There were no ex parte communications disclosed regarding this project.

Architect Theodore Davis stated that the Town Council did not approve the second floor variance. He described the project as simple one-story addition, but noted that he left the upper family room on the plans. Windows were added above the French doors and the eyebrow roof structure was removed. The dormer windows were also removed from the east elevation to protect the neighbor's privacy.

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Mr. Wheelock commented that if a spiral staircase were added after construction, there would again be a second-story loft. Again, a two-story massing is being added to a one-story house.

Zoning Administrator Paul Castro pointed out that no windows are allowed on a one-story home above the maximum height of 14'. However, they would be allowed skylights.

Mr. Davis offered to lower the window height to 14'.

Mr. Smith suggested applying siding to the gable roof ends only and to match the style of the existing windows.

Mr. Feldkamp noticed that a full size, double-hung window was placed in what is supposed to be attic storage space.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B2-07/SPR 3-07 New Residence

Address:	324 Cherry Lane
Applicant:	Michael and Cheryl Minikes
Architect:	Mike Johnson
Project Description:	New residence

This project was deferred from the January meeting and the variance requests were recommended with the exception to raise the elevation of the property. This project was approved at the February meeting with the provision to bring back a landscape plan and location of the generator and cooling towers.

Mr. Bennett said he met with the architect. Mr. Wheelock said he met with the landscape architect and the lawyer. Mr. Smith declared a Conflict of Interest and left the dias during the discussion of this project.

Architect Michael Johnson introduced Landscape Architect Ashley Christopher who then presented the project.

Attorney Frank Chopin, representing the neighbors to the north, spoke in opposition to the project.

After review of the site plan, it was discovered that the ten-foot high retaining wall would require a variance.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE APRIL MEETING ALLOWING THE APPLICANT TO MEET WITH STAFF TO DETERMINE WHETHER A VARIANCE IS REQUIRED AND TO COME UP WITH A SOLUTION THAT WILL SCREEN THE HOUSE APPROPRIATELY.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B13-07 /V5-07 Accessory Structure

Address: 286 Jamaica Lane
Applicant: John and Elizabeth Raese
Architect: Robinson Design Group
Project Description: A 12' X12' glass greenhouse (accessory structure).

This project was deferred from the February meeting for restudy. It was deferred from the January and February meetings at the architect's request.

Architect Wayne Farrell indicated that the structure was moved on the site which now conforms to the building codes.

MOTION BY MR. SMITH TO APPROVE THE PROJECT, IN BRONZE, ACCORDING TO THE SHOP DRAWINGS.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B17-07/V7-07 Addition

Address: 315 Seaspray Avenue
Applicant: Neil Kozokoff
Architect: Ames Bennett
Project Description: Partial second floor addition with exterior stucco finish (white) with parapet style roof with decorative barrel tile.

Mr. Zukov said he met with the architect and the owner of the property.

Architect Ames Bennett described the house as a 1927 Spanish Revival or Mission style. He then turned the presentation over to his associates Tony Ziaja and Maura Ziska

Mr. Ziaja proposed a partial second floor addition for a nursery which will require a variance of the side yard setback.

Mr. Smith was not in favor of increasing an existing nonconformity. Mr. Feldkamp stated that as

a general rule the commission tries to find ways to avoid variances. On the other hand, it would be preferable to keep the original house rather than demolish it.

Attorney Maura Ziska indicated that Mr. Kozokoff spoke with the neighbors and they had no objections to the addition.

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MR. YOUCHAK.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B18-07/V9-07 Addition

Address: 1482 South Ocean Blvd.
Applicant: Mr. and Mrs. Malcolm Glazer
Architect: Ames Bennett
Project Description: Two-story elevator shaft addition.

There were no ex parte communications regarding this project.

Architect Ames Bennett explained that this addition is a matter of necessity to provide a wheelchair elevator. He commented that the best location for the elevator was at the front of the house. They are requesting a height variance of 2.5 feet higher than what the zoning code allows.

Mr. Bennett, when asked to research hydraulic types of elevators that do not require additional height to house the elevator equipment, stated that they have researched other options including placing it somewhere else on the building and felt this was the best solution.

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

MOTION SECONDED BY MR. ZUKOV

MOTION CARRIED UNANIMOUSLY.

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

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

B19-07/V5-07 Synthetic Field Grass and Lighting

Address: 340 Seaview Avenue
Applicant: Town of Palm Beach
Architect: Kimley-Horn and Associates
Project Description: Installation of a synthetic athletic field with associated lighting on the existing grass field at Seaview Park.

Recreation Director Jay Boodheshwar and Assistant Recreation Director Alan Brown presented the project. Mr. Boodheshwar presented a photograph of what the project will look like with the proposed light poles.

Mr. Wheelock was concerned with having 70' tall light poles, especially at this location because it is a major entrance into town.

Responding to Mr. Youchak's question of how much light will come from the light poles, Mr. Boodheshwar stated that area of light will be 30 foot candles. He explained that a Special Exception is requested to construct a synthetic field with the associated lighting. The variances required include, reduced landscape/open space from the current 48% to 28% in lieu of 55% required, field lighting at a height of 70' in lieu of the required 15' maximum, and to allow field lighting without having landscape material (perimeter hedges) as high as the lighting structures.

**MOTION BY MR. ZUKOV THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE, (FOR THE SYNTHETIC GRASS), WILL NOT CAUSE NEGATIVE IMPACT TO THE SUBJECT PROPERTY. (SUBJECT TO THE DRAINAGE REQUIREMENTS)
MOTION SECONDED BY MR. STRAWBRIDGE.**

Mr. Frank referenced Town Engineer Martin Gauthier's report stating that the drainage plan will need to meet the retention requirements. Mr. Zukov agreed to include the drainage requirement in his motion.

MOTION CARRIED UNANIMOUSLY.

**MOTION BY MR. ZUKOV THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE (FOR THE LIGHTING) WILL CAUSE NEGATIVE IMPACT TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BY MR. ZUKOV TO APPROVE THE SYNTHETIC TURF AS PRESENTED.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

MOTION BY MR. ZUKOV TO DENY THE LIGHTING PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE III. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205 CRITERIA. (4) THE PROPOSED BUILDING OR STRUCTURE IS NOT IN HARMONY WITH THE PROPOSED DEVELOPMENTS ON LAND IN THE GENERAL AREA.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

MR. ZUKOV	YES
MR. STRAWBRIDGE	YES
MR. FELDKAMP	NO
MR. YOUCHAK	YES
MR. SMITH	YES
MR. BOYKIN	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

B97-06 New Residence

Address: 300 Indian Road
Applicant: David J. Jenkins
Owner listed as: Richard B. Skubal
Architect: Jorge L. Perez
Project Description: New two-story single family residence.

This project was deferred from the November meeting as no one was present to represent the project. It was deferred from the December meeting for restudy. It was deferred from the January and February meetings at the architect's request. No revised plans have been submitted. Therefore, staff recommends project deferral.

**MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE APRIL MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

B14-07 Addition

Address: 175 Via Palma
Applicant: Jonathan Deitcher
Architect: Ralph T. Cantin

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Project Description: Addition from a one-story garage to a two-story garage and guest house.

This project was deferred from the February meeting for restudy.

Mr. Wheelock stated that he had a telephone conversation with the architect and discussed the project design. Mr. Zukov said he met with the architect at the site.

Architect Ralph Cantin proposed adding 21' to the existing garage and adding a two-story element to the house.

Chairman Wheelock advised that there was a letter from Theodore Fogg in the file. As Mr. Fogg was in the audience, he invited him to address the Commission.

Mr. Fogg requested that the windows on the second story be opaque and have vegetative screening adequate enough to screen the building from his property.

Mr. Cantin stated that they would agree to provide opaque material on the inside of the windows. He also stated that the landscape plan will reflect proper screening for the neighbor.

Landscape Architect Mario Nievera indicated that 15' tall areca palm trees will be planted to make the area completely dense.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED WITH THE PROVISION TO ADD ELEVEN ARECA PALM TREES ON THE NORTH SIDE.

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

MR. ZUKOV YES

MR. FELDKAMP YES

MR. STRAWBRIDGE NO

MR. YOUCHAK YES

MR. SMITH YES

MR. BOYKIN YES

MR. WHEELOCK YES

MOTION CARRIED 6-1.

The meeting was reconvened at 1:45 p.m. after a lunch break.

B15-07 Landscape & Hardscape

Address: 252 Cherry Lane

Applicant: Bob and Sandy Brady

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Landscape Architect: Jeff Houghtaling, JBD Design, Inc.

Project Description: Final planting plan for 252 Cherry Lane. (Hardscape layout and preliminary planting plan have been previously approved by ARCOM).

This project was deferred from the February meeting at the landscape architect's request.

Mr. Wheelock said he visited the site. Mr. Strawbridge said spoke with a neighbor to this property before today's meeting.

Landscape Architect Jeff Houghtaling proposed to continue the neighbors podocarpus hedge along the front of the property. Traveler palms will be planted in the back yard for screening.

Richard Weber, 257 West Indies, read a letter from Landscape Designer Bruce Armstrong. Mr. Armstrong noted that the landscaping was not adequate to screen the second story windows from the neighbors. He recommended adding sable and cocoanut palmtrees with 15' to 18' clear trunks.

Architect Jackie Albarran stated the design of the house has one-story elements facing the neighbors. The two-story portions of the house face garages and driveways.

**MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE APRIL MEETING FOR RESTUDY OF THE SOUTH AND THE EAST BOUNDARIES, ALSO PRESENTATION OF HARDSCAPE MATERIAL SAMPLES.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B20-07 Landscape

Address: 101 Seminole Avenue
Applicant: Taja Realty Trust
Architect: Sanchez and Maddux
Project Description: Presentation of final planting plan.

Landscape Architect Brian Vertesch presented the project. He proposed a site wall along North Ocean Blvd. with low ground cover planted in front of it. He stated that the plans were revised to add 4 cocoanut palm trees and 3 sable palms for additional screening. (On the west property line). All native plants will be used to landscape the beach cabana.

MOTION BY MR. FELDKAMP TO APPROVE THE FINAL LANDSCAPE PLAN WITH THE PROVISO OF AN ADDITIONAL PALM TREE ADDED IN THE RIGHT OF WAY AND THAT THE PLANTING, ON THE OCEAN SIDE, MEETS THE CODE FOR 36" MAXIMUM HEIGHT AND TO BE IN COMPLIANCE WITH THE 8' X 15' SITE TRIANGLES AT THE DRIVEWAY.

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

B21-07 Landscape & Hardscape

Address: 250 Ridgeview Drive
Applicant: Palm Beach Ventures IV, LLC
Architect: Concepts in Greenery
Project Description: Landscape and hardscape plan

Mr. Wheelock said he visited the site.

Landscape Architect Jim Glass indicated that two 20' tall areca palm trees will be relocated to the corners of the lot.

Dan Cott, representing the architect, stated that demolition was approved in November 2006 and the new residence was approved in December 2006.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO RE
SUBMITTAL TO STAFF THE PLANTING PLAN OF THE EAST PROPERTY
LINE SHOWING PLANT MATERIAL RISING TO AT LEAST SIXTEEN OR EIGHTEEN
FEET.**

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

B22-07 Demolition

Address: 271 Orange Grove Road
Applicant: Steven and April Finch
Architect: SKA Architect + Planner
Project Description: Demolition of the existing two-story frame house.

Architect Jackie Albarran reported that the existing house was built in 1952 and it was designed by Albert Babcock. The house is in fair condition and has no architectural value.

**MOTION BY MR. ZUKOV TO APPROVE THE DEMOLITION WITH THE USUAL
CONDITIONS (THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN
15 DAYS.)**

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

B23-07 V-10-07 New Residence

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Address: 615 North County Road
Applicant: Mr. Lewis Sanders
Architect: Smith Architectural Group
Project Description: New residence in a French style; limestone facade and a slate roof.

Mr. Smith declared a Conflict of Interest regarding this project and left the dais during the discussion. Mr. Boykin said he looked at the model before the meeting. (And spoke to the architect).

Architect Don Kino and Attorney Frank Chopin presented the project.

MOTION BY MR. STRAWBRIDGE TO RECOMMEND TO THE TOWN COUNCIL THAT THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE IMPACT TO THE SUBJECT PROPERTY WITH THE EXCEPTION OF THE RETAINING WALL WHICH SHOULD BE DROPPED FROM SEVENTEEN FEET TO FOURTEEN FEET AND TO ADD A THREE FEET HIGH HANDRAIL.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. STRAWBRIDGE	YES
MR. ZUKOV	YES
MR. FELDKAMP	NO
MR. YOUCHAK	NO
MR. BOYKIN	YES
MR. WHELOCK	YES

MOTION CARRIED 4-3.

Mr. Youchak left the meeting at this time.

As this was an important project and there were only five Commissioners out of ten in attendance, Mr. Wheelock suggested deferring the project to next month so that all of them could review it.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B24-07 Landscape

Address: 995 South Ocean Blvd.
Applicant: Mary S. Conrad
Architect: Bridges, Marsh & Associates
Project Description: Final landscape submittal for previously approved addition to residence.

Chairman Wheelock moved this item to the Town Council Projects/Variance Requests portion of the

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agenda, after item B2-07.

Mr. Feldkamp, Mr. Zukov and Mr. Wheelock said they received a copy of a court order, forwarded by Town Attorney Randolph, stating that anything in the 25' easement must be removed. Currently, there is a driveway and landscaping in this easement.

Chairman Wheelock advised deferral of this project as the plans showed landscape and hardscape in the easement.

Frank Chopin, property owner to the north of this property, reminded the commission that the ARCOM approval included landscape screening of his property and removal of everything from the easement.

Attorney Roy Fitzgerald, on behalf of the residents of Via Del Lago, stated that the trial may take 18 months.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE APRIL MEETING.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

None.

F. NEW BUSINESS - MINOR PROJECTS

None.

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

Mr. Wheelock reported the findings of the site lighting trip. He said they visited various sites having various foot candle readings. He noted that the Royal Poinciana Plaza parking lot lights had a reading of 10 foot candles which was very bright. Also, there were many homes with wall mounted security lights. He remarked that these lights should have an emergency circuit to come on only when the alarm is activated.

Mr. Feldkamp mentioned that Lighting Consultant Don Collier made suggestions for changes to the town's lighting code.

Staff was asked to request a memo from Mr. Collier indicating the intensity of foot candles and recommendations of what should be changed in the code.

Mr. Wheelock announced that each year the chairman of this board gives a report to the Town Council of what has transpired throughout the year. After some discussion, it was agreed to include in the report the issues of, lighting, landscaping and building color.

Mr. Frank mentioned that one of the properties visited was a site lighting project that will need to come to ARCOM for approval. It was agreed, even though the light fixtures were over 80 watts, that the lighting was nicely done.

MOTION BY MR. FELDKAMP TO DIRECT STAFF TO APPROVE THE SITE LIGHTING FOR 600 ISLAND DRIVE.
MOTION SECONDED BY STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

Ms. Close informed the Commission that if they feel that a non-resident architect should be considered for ARCOM, then they may include this in the report as well.

X. ADJOURNMENT

MOTION BY MR. SMITH TO ADJOURN THE MEETING AT 3:20 P.M.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on April 25, 2007 at 9:00 a.m.

Respectfully submitted,



Morgan Dix Wheelock, Chairman

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

Application Number and Title:

B19-07/V5-07 Synthetic Grass and Lighting

Address: 340 Seaview Avenue
Applicant: Town of Palm Beach
Architect: Kimley-Horn and Associates
Project Description: Installation of a synthetic athletic field with associated lighting on the existing grass field at Seaview Park.

The above request has been denied by the Architectural Review Commission for the following reasons:

- ☐ (1) The plan for the proposed building or structure is not in conformity with good taste and design and in general does not contribute to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- ☐ (2) The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment more desirable.
- ☐ (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.
- ☒ (4) The proposed building or structure is not in harmony with the proposed developments on land in the general area, ~~with the comprehensive plan for the town, and with any precise plans adopted pursuant to the Comprehensive Plan.~~

- ___ (5) The proposed building or structure is excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
- a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
- ___ (6) The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
- a. Height of building or height of roof.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.
 - h. Design elements that protect the privacy of neighboring property.

- ___ (7) The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- ___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- ___ (9) The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on March 28, 2007.

TOWN OF PALM BEACH



Chairman, Architectural Commission

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

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PAUM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: T OF PAUM BEACH	
DATE ON WHICH VOTE OCCURRED 3-28-07		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

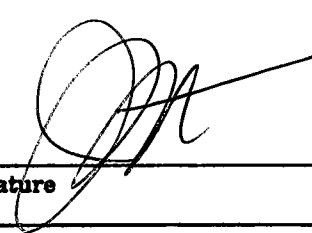
I, JEFFERY W. SMITH, hereby disclose that on 3-28, 2007, 19 :

(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 MR AND MRS. HENRY KIRAVIS, 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:

3-28-07
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.

Small B23-00

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

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3.28.07		NAME OF POLITICAL SUBDIVISION: TOF P.B.	
		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

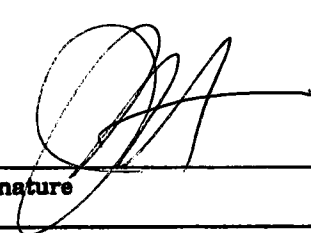
I, JEFFERY W. SMITH, hereby disclose that on 3-28, ²⁰⁰⁷~~19~~:

(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 LEWIS AND ALI SANDERS, 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:

3-28-07
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.

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

ST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: T OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 3-28-07		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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.

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

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 3-28, 19 2007:

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

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- ☐ 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. HENRY ICRAVIS, by whom I am retained; or
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3-28-07
Date Filed


Signature

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615 NO CO. RD

SMITH B89-09

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3.28.07		NAME OF POLITICAL SUBDIVISION: TOF P.B. MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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ELECTED OFFICERS:

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

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

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

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

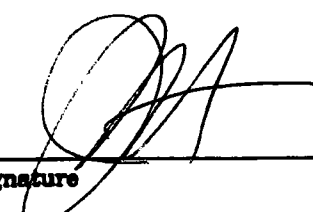
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(a) A measure came or will come before my agency which (check one)

- ☐ 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 LEWIS AND ALI SANDERS, by whom I am retained; or
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3-28-07
Date Filed


Signature

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