

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

MARCH 26, 2008

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

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

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT:

Morgan Dix Wheelock, Chairman

William P. Feldkamp, Vice-Chairman

William J. Strawbridge, Jr., Member

Leslie C. Diver, Member

Thomas M. Youchak, Member

Jeffery W. Smith, Member (arrived at 9:03 a.m.)

Samuel M. Boykin, Member

Kenn Karakul, Alternate Member (was in attendance for less than 3/4 of the meeting)

Ann L. Vanneck, Alternate Member

Stirling Halversen, Acting Town Attorney

John Page, Director Planning, Zoning & Building

Timothy M. Frank, Planning Administrator

Gretchen Dayton, Recording Secretary

ABSENT:

Robert J. Vila (unexcused)

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE FEBRUARY 27, 2008 MEETING.

**MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

V. ELECTION OF OFFICERS

Acting Town Attorney Stirling Halversen called for nominations for Chairman of the Architectural Commission.

MR. STRAWBRIDGE NOMINATED MR. WHELOCK FOR CHAIRMAN OF THE ARCHITECTURAL COMMISSION.

NOMINATION SECONDED BY MR. YOUCHAK.

There were no other nominations for chairman.

Ms. Halversen stated that a vote was not necessary and closed the nominations.

Attorney Halversen called for nominations for Vice-Chairman of the Architectural Commission.

MR. WHELOCK NOMINATED MR. FELDKAMP FOR VICE-CHAIRMAN OF THE ARCHITECTURAL COMMISSION.

NOMINATION SECONDED BY MS. DIVER.

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

VI. SWEARING IN PERSONS TESTIFYING.

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

VII. PROJECT DEFERRALS/REMOVAL

Chairman Wheelock moved item number B16-08 to this portion of the agenda and announced that the applicant has asked for deferral to the April meeting.

B16-08 New Residence

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

This project was deferred from the February meeting for restudy.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B3-08 Addition

Address: 355 North Lake Way
Applicant: Arthur Levine
Architect: Thomas M. Kirchhoff
Project Description: Addition of a second story to an existing one-story residence.

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

The architect requests removal from the agenda.

B7-08 Building Modifications

Address: 340 Royal Palm Way
Applicant: SCM Royal Palm Investors, LLC
Architect: Keith Spina
Project Description: Paint exterior, add decorative trim, add fenestration (grillwork) to existing windows.

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

The architect requests removal from the agenda.

A8-07 Change of Roofing Material

Address: 120 North County Road
Applicant: Palm Beach Orthodox Synagogue
Contractor: Skyhigh Roofing
Project Description: "Re tiling mansard" (change to "S" roof tiles)

This project was deferred from the December, January and February meetings as no one was present to represent the project.

The roofing contractor requests removal from the agenda.

MOTION BY MR. FELDKAMP TO REMOVE ITEM NUMBERS B3-08, B7-08 AND A8-07 FROM THE AGENDA.

MOTION SECONDED BY MS. DIVER.

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.

B111-07/SP23-07 New Building

Address: 333 Peruvian Avenue
Applicant: L.G. Lima, LLC
Architect: Bruh/Gilbert Architectural, Inc.
Project Description: Demolition of existing building and construction of approximately 10,607 square feet mixed use building. Architectural theme to be Venetian, Mediterranean Revival. (~~Ten~~ six variances are requested for: 1. height of 28.67 ft. in lieu of 25 ft max. 2. ~~backing isle for parking with a width of 21.5 ft min. required for a ninety-degree parking.~~ 3. parking spaces with a width of 8.5 ft. in lieu of 9 ft. min. 4. ~~Five~~ eight valet, stacked parking spaces. 5. ~~Front setback of 11 ft. in lieu of 13 ft. min.~~ 6. Third floor use as a fountain, open deck and open pergolas in lieu of the two-story max. 7. Total floor area of ~~22,230~~ 20,514 sq. ft. in lieu of 15,000 sq. ft. max. 8. ~~Side yard setback on both side yards of 5 ft. in lieu of 6.84 ft.~~ 9. ~~Balconies on the west and east sides with a setback of 1 ft. in lieu of 2.84 ft.~~ 10. To permit ~~no~~ commercial loading zone ~~in lieu of one required 18 feet deep in lieu of the 25 foot min. and 10 feet of clearance in lieu of the 14 feet min).~~ 18 feet deep in lieu of the 25 foot min. and 10 feet of clearance in lieu of the 14 feet min).

This project was deferred from the November, December and January meetings at the attorney's request. At the February meeting, the demolition was approved and the new building was deferred for restudy.

Ms. Vanneck said she visited the site. Mr. Karakul said he visited the site and met with the owners. Mr. Strawbridge said he spoke with the owner. Mr. Wheelock, Mr. Feldkamp and Ms. Diver said they visited the site, met with the architect and the attorney. Mr. Smith said he spoke with the attorney on the telephone, but did not discuss the project.

Attorney Bill Atterbury, representing the property owner L.G. Lima, LLC, commented that this section of town is a transition area and that he felt that the best design for this neighborhood is

something that will require some variances. He explained that since the original application was presented, five of the variances have been deleted and one was substantially reduced.

Harry Gilbert, on behalf of Bruh/Gilbert Architectural, presented the site plan and noted that there are three residential buildings to the north, a single family home to the west and a two-story commercial building to the east. He proposed landscaping of royal palm trees, washingtonia trees and a ficus hedge along the north property line to screen the neighbors. The landscaping along the west side will be traveler palms, montgomery palms and bamboo with a 12' and 10' garden wall. They have agreed to maintain this landscaping for screening of the second floor windows. A privacy wall was added to the open parking area along the east side to accommodate that neighbor. The parking for this building will be 100% valet attended with sixteen parking spaces and an eight-stack parking area. The roof top garden was eliminated, which had been previously presented, to accommodate all of the neighbors. He presented the building materials which included red terra cotta barrel tile roofing, coquina for the front building facade, precast concrete decorative elements and impact resistant windows made of mahogany.

Mr. Frank read a letter from Mary Randolph Ballanger, who resides to the north of this project, stating that she is opposed to having a three-story building on this site. She also requested that the air-conditioning units be relocated to the east side of the building. He read a letter from Attorney Maura Ziska, representing Lawrence Moens, 341 Peruvian Avenue, supporting the project with the condition that a deed restriction be filed to maintain the landscaping along the west property line for screening of the second floor windows.

Mr. Frank noted the comments from the Public Works Department, which stated that the valet and stack parking plans are not functional.

The Commission comments regarding the presentation were as follows:

The facade is overly ornate. The height variance is not necessary. The building is over scaled, too massive for the site. The applicant is asking for 1/3 more square footage than what the code allows. There is no need for two openings on the building for driveways. The towers are out of proportion being narrow and tall. The building entirely engulfs the site. The building looks the same as others on the street which begins to look like a "cookie cutter." There is not enough parking to service this building. The project needs to be completely redesigned.

MOTION BY MR. FELDKAMP TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE III. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205 CRITERIA. (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.

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MOTION SECONDED BY MR. YOUCHAK.

Under discussion:

Attorney Atterbury stated that they are asking for additional square footage because the parking is underneath the building. He further commented that the parking could be moved to the roof, but it would not be practical or architecturally appropriate.

ROLL CALL:

MR. FELDKAMP YES

MR. YOUCHAK YES

MR. STRAWBRIDGE YES

MS. DIVER NO

MR. SMITH YES

MR. BOYKIN YES

MR. WHELOCK NO

MOTION CARRIED 5-2.

Mr. Karakul left the meeting at 10:00 a.m.

B9-08/SPR1-08 Canopies & Exit Door

Address: 125 Worth Avenue
Applicant: Whalou Properties III, LLC
Architect: The Lawrence Group
Project Description: Building and site modifications

This project was approved at the February meeting with the exception of the awnings and the bank entrance.

Mr. Strawbridge declared a conflict of interest and left the dias during the discussion of the project. Mr. Wheelock said he met with the owner and the architect, and visited the site.

Attorney Maura Ziska, representing Whalou Properties, stated that ARCOM approved the project last month and the variances were recommended to Town Council. The review today is for the awnings and the entry to the bank.

Architect Eugene Lawrence presented elevation drawings showing four awnings on either side of the open bank lobby.

Attorney Ron Kolins, representing tenants of 125 Worth Avenue, asked the Commission to reconsider last month's motion for approval of this project.

There was no response from the Commission after Chairman Wheelock asked for reconsideration of the motion.

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Responding to Mr. Smith's question regarding the Americans with Disabilities Act's requirement for a ramp at the main entrance, Mr. Lawrence responded, the ramp is located at the rear of the building, but if required, they will place a ramp at the front entry.

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

MOTION SECONDED BY MR. YOUCHAK.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

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

Formal action may be taken relative to these projects pending Town Council approval
None

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

Rebecca Williams, 232 Seabreeze Avenue, referring to project number B20-08, 228 Seabreeze Avenue, asked that the hedge along the eastern property line remain and be included in the final landscape plan.

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B15-08 New Residence and Final Landscape & Hardscape

Address: 208 Mockingbird Trail
Applicant: Vince A. Elhilow
Architect: Giacomelli Architecture
Project Description: New one-story British Colonial residence, and final landscape and hardscape.

This project was deferred from the February meeting for restudy.

Ms. Vanneck said she drove by the site. Mr. Feldkamp said he met with the architect and discussed the revisions to the project. Mr. Wheelock declared a conflict of interest, passed the gavel to Vice-Chairman Feldkamp and left the dias during the discussion.

Architect Dario Giacomelli presented revisions to the front entry to be more in scale with the house. The lantern, light fixtures and columns were also made smaller.

Landscape Architect Don Skowron presented the final landscape project which included a twelve feet tall ficus hedge along the east and west property lines and a ten feet tall podocarpus hedge planted along the south property line. The hardscape material consists of a concrete material

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With a sea shell aggregate called “tabby” to be used for the driveway material. The rest of the hardscaping will be a limestone material.

**MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

D. NEW BUSINESS - MAJOR PROJECTS

B18-08 Landscape & Hardscape

Address: 280 Bahama Lane
Applicant: Dixon Boardman
Architect: Morgan Wheelock, Inc.
Project Description: Final hardscape and landscape plans

After announcing the project, Mr. Wheelock declared a conflict of interest, passed the gavel to Vice-Chairman Feldkamp and left the dias during the discussion.

Landscape Architect Don Skowron proposed a ficus hedge along the street with foxtail palms planted inside the hedge. He presented a sample of a pearl stone which will be used for the driveway material.

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

B19-08 New Residence

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

Mr. Feldkamp, Ms. Diver and Mr. Youchak said they met with the architect and discussed the plans. After announcing the project, Mr. Wheelock declared a conflict of interest, passed the gavel to Vice-Chairman Feldkamp and left the dias during the discussion.

Architect Jon Moore proposed a two-story Italian Renaissance home. The center of the front facade will be clad in a coral stone with cast stone window and door surrounds.

Landscape Architect Don Skowron stated that there is one very large banyan tree on the property

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in which they intend to have an arborist look at, but for this presentation the intention is to remove the tree. There is a strangler fig in the center of the site which will be removed. He noted that the perimeter landscaping will remain throughout construction.

The frontage piece was discussed and it was thought that it was too wide, the pediment should be a 5/12 pitch, the columns should be smaller and the elliptical windows should be restudied.

Wendy Victor, 208 Via Tortuga, requested that the tree on the southeast corner remain on the site as it gives shade to both properties. She also asked that a site wall be erected between the two properties.

Charles Henderson, 231 Via Las Brisas, was concerned that the two-story house will loom over his back yard. He asked that there be plenty of vegetative screening.

MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH THE PROVISION TO RETURN WITH THE MODIFICATION TO THE FRONT FACADE.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

Architect Moore agreed to come back next month with revised drawings.

B20-08 Demolition & New Residence

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

Ms. Vanneck said she drove by the site. Mr. Youchak and Mr. Feldkamp said they met with the architect and reviewed the plans. Mr. Wheelock said he met with the architect and visited the site. Ms. Diver said she met with Michael Perry.

Architect Ames Bennett, introduced Landscape Architect Mario Nievera and Project Captain Michael Perry.

Mr. Perry read the demolition report which stated that the house was designed by Gustave Maass in 1941.

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

**FOUNDATION AND THE TOWN FOR THEIR RECORDS.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

Michael Perry presented a one and two-story Monterey style house.

Mr. Frank read a letter from Owen and Rebecca Williams, 232 Seabreeze Avenue, asking to keep the 14' ficus hedge between the two properties.

Mr. Perry stated that the hedge on the west side will remain and that the landscape architect will change the plan reflecting the retention of this hedge.

The Commission's observations of the architecture were as follows:

The window hierarchy and sizes were wrong on this building.

The balustrade and the front entry needs further study.

Bay windows are not usually used in Mediterranean Revival style buildings.

The articulation of the architecture needs to be restudied.

It was also commented that it is sad to see that this neighborhood change from smaller Shingle/Monterey style homes to larger Mediterranean styles.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO THE
APPLICANT RETURNING NEXT MONTH WITH A REVISED FACADE.
MOTION SECONDED BY MR. YOUCHAK.**

ROLL CALL:

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

MOTION CARRIED 5-2.

B21-08 Demolition, New Residence & Landscape/Hardscape

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

Ms. Vanneck said she visited the site. Mr. Youchak and Ms. Diver said they met with the

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architect. Mr. Wheelock said he met with the architect and visited the site. Mr. Feldkamp said he met with Michael Perry.

Michael Perry reported that the existing house was built in 1949 and it was designed by Kemp Caler.

Landscape Architect Mario Nievera stated that the existing ficus hedge along the north property line will remain during construction, but will be modified in the final landscape plan. In addition, two of the three large ficus trees will remain on the lot.

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

Mr. Perry presented a two-story Bermuda style home.

After discussion, it was agreed to remove the stucco piers at the porch above the entry and to keep the wood chamfered columns. It was suggested to lower the garage roof, lower the chimney on the building facade allowing room for shutters and to take one-foot out of the building height to better relate to the neighbors.

It was requested, and agreed by the presenter, that a landscape plan will be submitted to the town reflecting the testimony given today regarding the landscaping that will remain on the property.

**MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE APRIL MEETING TAKING INTO CONSIDERATION OF THE COMMENTS THAT WERE MADE.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

None

F. NEW BUSINESS - MINOR PROJECT

A1-08 Fenestration Changes

Address:	893 South County Road
Applicant:	Joe Cain
Architect:	John Potrekus

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Project Description: Fenestration changes, adding windows on the second floor and changing out the front entry door and sidelites.

Architect Jack Potrekus proposed changing the front entry door and adding some windows for better views of the ocean.

As a result of additional windows being added to the second floor, it was suggested to come back with a study of how the window openings relate to the neighbor, to present a landscape plan showing how these windows will be screened from the neighbor and to present 1/4" scale drawings.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

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

Discussion took place regarding the removal of the mature 25' tall hedge from Donald Trump's property on North County Road. Mr. Page reported that the Code Enforcement Department is aware that the hedge was removed and they are following up with the property manager. It was suggested that the hedge be replaced at a height of 12' with a fabric screen to break the wind and salt until the hedge is established. The deed restriction relative to the hedge was also discussed.

Ms. Diver noted that a very large swing set has been placed on the front lawn of 1960 South Ocean Blvd. Mr. Page said he would check to see if this is a code violation.

Mr. Smith noticed that 120 North County Road was on the ARCOM agenda for a roof material change. He thought that because this is such a nice building that it should be referred to the Landmark's Commission for consideration.

MOTION BY MR. SMITH TO RECOMMEND TO THE LANDMARK'S COMMISSION TO STUDY 120 NORTH COUNTY ROAD FOR DESIGNATION.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

Responding to Ms. Diver's comment that the building located across from the Poinciana Chapel, 45 Cocoanut Row, is in bad condition, Mr. Frank said that if the building is an eyesore it may need code enforcement action.

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Mr. Frank informed the Commission that the ARCOM application was modified in January in which notice is given to the design professionals for certification at the end of construction projects. He said staff will begin asking for these certifications at the July meeting. Another change to the application includes the applicant's responsibility to notify the adjacent property owners of their upcoming project, just as it is done for zoning projects.

X. ADJOURNMENT

MOTION BY MR. STRAWBRIDGE TO ADJOURN THE MEETING AT 12:44 P.M.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on Wednesday, April 23, 2008 at 9:00 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Morgan Dix Wheelock", written in a cursive style.

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:

B111-07/SP23-07 New Building

Address: 333 Peruvian Avenue

Applicant: L.G. Lima, LLC

Architect: Bruh/Gilbert Architectural, Inc.

Project Description: Demolition of existing building and construction of approximately 10,607 square feet mixed use building. Architectural theme to be Venetian, Mediterranean Revival. (~~Ten~~ six variances are requested for: 1. height of 28.67 ft. in lieu of 25 ft max. 2. ~~backing isle for parking with a width of 21.5 ft min. required for a ninety-degree parking.~~ 3. parking spaces with a width of 8.5 ft. in lieu of 9 ft. min. 4. ~~Five~~ eight valet, stacked parking spaces. 5. ~~Front setback of 11 ft. in lieu of 13 ft. min.~~ 6. Third floor use as a fountain, open deck and open pergolas in lieu of the two-story max. 7. Total floor area of ~~22,230~~ 20,514 sq. ft. in lieu of 15,000 sq. ft. max. 8. ~~Side yard setback on both side yards of 5 ft. in lieu of 6.84 ft.~~ 9. ~~Balconies on the west and east sides with a setback of 1 ft. in lieu of 2.84 ft.~~ 10. To permit no commercial loading zone in lieu of one required 18 feet deep in lieu of the 25 foot min. and 10 feet of clearance in lieu of the 14 feet min).

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 26, 2008

TOWN OF PALM BEACH



Chairman, Architectural Commission

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

LAST NAME—FIRST NAME—MIDDLE NAME WHEELCOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALMBEACH	COUNTY FL PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED MARCH 26 2008		NAME OF POLITICAL SUBDIVISION: TOWN OF 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.

RECEIVED

MAR 31 2008

TOWN CLERK

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Dix Wheelock, hereby disclose that on Jan-Mar 26 2008, 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:

280 BAHAMA LANE (B18.08)
I am the Landscape Architect for this project

Date Filed

March 28 2008

Signature

Morgan Dix Wheelock

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION 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 WHEELLOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALMBEACH	COUNTY FL PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED March 26 2008		NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Dix Wheelock, hereby disclose that on ~~January~~ March 20 2008, 19__:

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

- ☒ insured to my special private gain or loss;
- ☐ insured to the special gain or loss of my business associate, _____;
- ☐ insured to the special gain or loss of my relative, _____;
- ☐ insured to the special gain or loss of _____, by whom I am retained; or
- ☐ insured 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:

280 BAHAMA LANE (B18.08)
I am the Landscape Architect for this project

March 28 2008
Date Filed

MW Wheelock
Signature

**NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISC
SURE 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 VHEELOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED MARCH 23 2008		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.

RECEIVED

MAR 31 2008

TOWN CLERK

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Dix Wheelock, hereby disclose that on March 26 2008, 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:

(B19-08) 210 VIA TORTUGA

I am the landscape architect for this project

March 28 2008
Date Filed

Morgan Dix Wheelock
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 WHEELOCK, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 AUSTRALIAN AVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED MARCH 23 2008		NAME OF POLITICAL SUBDIVISION: PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

ELECTED OFFICERS:

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

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

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

APPOINTED OFFICERS:

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

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

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

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Dix Wheelock, hereby disclose that on March 26 2008, 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:

(B19-08) 210 VIA TORTUGA

I am the landscape architect for this project

March 28 2008
Date Filed

Morgan Dix Wheelock
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 STRAWBRIDGE WILLIAM J.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCON	
MAILING ADDRESS 434 CHILENE AVE.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		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, WILLIAM STRAIN PRICE, hereby disclose that on _____, 19 _____:

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

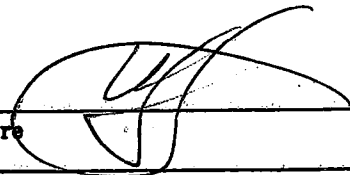
- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, 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

4/23/08

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.