

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
WEDNESDAY, MARCH 25, 2009
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

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
Jeffery W. Smith, Member
Samuel M. Boykin, Member
Robert J. Vila, Alternate Member
Ann L. Vanneck, Alternate Member
John C. Randolph, Town Attorney
John Page, Director of Planning, Zoning & Building
John Lindgren, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Thomas M. Youchak, Member (excused)
Kenn Karakul, Alternate Member (unexcused)

Mr. Vila was a voting member throughout the meeting.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. ELECTION OF OFFICERS

Planning Administrator John Lindgren called for nominations for Chairman of the Architectural Commission.

**MR. STRAWBRIDGE NOMINATED MR. WHELOCK FOR CHAIRMAN OF THE ARCHITECTURAL COMMISSION.
NOMINATION SECONDED BY MS. DIVER.**

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

Planning Administrator Lindgren called for nominations for Vice-Chairman of the Architectural Commission.

**MS. DIVER NOMINATED MR. FELDKAMP FOR VICE-CHAIRMAN OF THE ARCHITECTURAL COMMISSION.
NOMINATION SECONDED BY MR. SMITH.**

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

V. APPROVAL OF THE MINUTES OF THE FEBRUARY 25, 2009 ARCOM MEETING.

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

VI. SWEARING IN PERSONS TESTIFYING.

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

VII. PROJECT DEFERRALS/REMOVAL

None

VIII. PROJECT REVIEW

Under this section Chairman Wheelock moved project numbers B23-09, B-24-09 and B-26-09 to be heard at this time due to applicants' scheduling conflicts.

B23-09 New Residence

Address: 476 South Ocean Blvd.
Applicant: Janina Radtke Revocable Trust
Architect: Randall Stofft
Project Description: Construction of new single family residence. Demolition of existing house (extension of approval of B100-07/SE 14-07).

Mr. Vila said he visited the site.

Attorney Ron Kolins requested extension of the approval of the project at 476 South Ocean Blvd.

MOTION BY MR. FELDKAMP TO EXTEND ARCOM APPROVAL FOR TWELVE MONTHS.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B24-09 New Residence & Landscape

Address: 1071 North Ocean Blvd.
Applicant: Janina Radtke
Architect: Randall Stofft
Project Description: New two-story CBS residence. Demolition of existing house. Final landscaping (extension of ARCOM approval B85-07)

Mr. Vila said he visited the site.

Attorney Maura Ziska requested extension of the approval of the project at 476 South Ocean Blvd.

Attorney James Green, representing the neighbors two houses north, John and Maryann Castle, stated that they have no objection to the requested project extension.

MOTION BY MS. DIVER TO EXTEND ARCOM APPROVAL FOR AN ADDITIONAL TWELVE MONTHS.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B26-09 Landscape Plan

Address: 569 Island Drive
Applicant: Sarah P. And Frederic Asche
Architect: Sanchez & Maddux
Project Description: Landscape - previous arch. approval from ARCOM on 5/23/07. This submittal is for final landscape

Mr. Wheelock said he visited the site.

Landscape Architect Jorge Sanchez proposed the final landscape plan for the new home at 569 Island Drive.

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

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

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

B82-08/SPR10-08 New Office Building, Landscape & Hardscape

Address: 204-210 Royal Palm Way
Applicant: BNB Venture Palm Beach, I, LLC
Architect: Oliver Gliden Spina and Partners
Project Description: This proposed three-story office building incorporates contemporary design elements with strong references to traditional Mediterranean architecture. The primary building materials are painted stucco on masonry exterior walls; divided lite doors & windows with tinted bronze glazing; cast stone accents for the columns, horizontal accent bands, window & door surrounds and balustrades. The main entry tower features a clay tile hip roof above the arched 3rd floor balcony and a corresponding arched 1st floor level entry. The Royal Palm Way entrance is further framed by an articulated stucco entryway, concrete columns and steps leading up the entry. The placement of 2nd floor level terraces along the street allow the 2nd and 3rd floors to be stepped back further from the street and along with the tower provide interest and scale to the building. Final landscaping and hardscape will be presented.

The applicant requests site plan review to construct a 14,027 square foot (gross building area), three-story commercial building; A special exception is requested to allow a three-story

commercial building in the COLI Zoning District; variances are requested as follows: For a front yard setback for the building to be .95 feet in lieu of the 15-foot minimum required; for the east side yard setback to be 0 feet in lieu of the 15-foot minimum required; for the west side yard setback to be 0 feet in lieu of the 15-foot minimum required; for lot coverage of 66.8% in lieu of the 25% maximum allowed; for landscaped open space to be 95.1% in lieu of the 30% minimum required for the entire site; for the landscaped area to be 0.0% in lieu of the 10% (of the parking and drive aisle area) minimum required for the interior parking lot; for the landscaped area to be 7.3% in lieu of the 15% (of the parking and drive aisle area) minimum required for screening and interior landscaping; for landscaped open space in the front yard to be 10.6% in lieu of the 35% minimum required; for a front yard setback for the tower to be 7.62 feet in lieu of the 20-foot minimum required; for the east side yard setback for the tower to be 6.67 feet in lieu of the 20-foot minimum required; to allow a tower feature to be 2% of the maximum gross floor area in lieu of the 2% maximum allowed; to allow the parking spaces to be situated in contradiction to the maneuvering requirements in Section 134-2172; that section provides that required parking be designed so as to not require the movement of another vehicle in order to remove another vehicle from a required parking space. The applicant is proposing stacked parking which requires the shuffling of vehicles in order to remove vehicles from required parking spaces; to provide 22 parking spaces in lieu of the 35 parking spaces required (a deficit of 13 parking spaces); to provide a loading space that is 18 feet deep with a clear height of 10 feet in lieu of the 25-foot minimum depth and 14 foot minimum clear height required; To allow the air-conditioning equipment on the roof to be 8 feet in lieu of the 4-foot maximum allowed above the roof stand.

This project was deferred from the October meeting for restudy and demolition was approved at that time. It was deferred from the November meeting at the attorney's request, deferred from the December and February meetings for restudy and deferred from the January meeting at the staff's recommendation.

Attorney Maura Ziska read the variance requests.

Mr. Feldkamp and Mr. Strawbridge said they received an e mail from the project attorney. Mr. Wheelock said he met with the attorney, the architect, visited the site and received an e mail from the attorney.

Architect Ed Oliver presented the project with a revised entry feature which was one-story rather than the originally proposed two-story element. As requested last month, the single black awning was removed from the front facade and the window frames will be white.

Mr. Smith remarked that the project has come a long way, but he thought the tower no longer worked on the building with the entry being changed from three-stories to one-story.

Mr. Oliver said that they did study other tower roof forms, but felt that they did not work.

Ms. Diver agreed that the tower no longer worked with building. She suggested removing the pitched roof element and continuing the parapet roof all around the building.

Mr. Feldkamp suggested adding clay tile around the top of the building and to use green glass rather than grey glass proposed for the windows.

Mr. Vila also thought that the Mediterranean style was lost with the redesign of the building and that the only reference to Mediterranean is the red clay roof on the tower. He suggested adding red clay tile to the building or remove all of the red clay tile from the building.

Landscape Architect Jeff Blakley pointed out that the palm trees on the second floor, east elevation will create an outdoor room. He noted that the trees on this elevation are not as tall as the model indicates.

Zoning Administrator Paul Castro clarified that the Town Council needs a recommendation from the Commission regarding the variances.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO REDUCING THE PALM TREE SIZES ON THE EAST FACADE, CHANGE THE GLASS COLOR FROM GREY TO EITHER CLEAR OR GREEN AND TO COME BACK WITH A LIGHTING PLAN FOR THE PARKING AREA.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

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

MOTION CARRIED 4-3.

MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE ARCHITECTURE OF THIS PROJECT MERITS THE VARIANCES REQUESTED.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

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

B5-09/V2-09 Additions

The applicant requests variances to construct a 2,786 square foot second story addition; to allow a point of measurement of 19.4 feet National Geodetical Vertical Datum mean sea level (“NGVD”) for building height and overall height in lieu of the 15.1 feet NGVD required; a variance to allow a building height plane setback on the north side of the lot of 56 feet in lieu of the 73.66 foot minimum required.

Ms. Vanneck said she met with a neighbor to this project. Mr. Vila said he met with the architect and visited the site. Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Wheelock declared a conflict of interest, passed the gavel to Vice-Chairman Feldkamp and left the meeting during the presentation.

Architect Patrick Segraves presented a scaled down version of the addition project that was presented last month. He pointed out that the addition is set back 32 ft. away from the east property line and that there will be no windows on the second floor on that side.

Vanessa Porreca, 1030 South Ocean Blvd., spoke in opposition of the addition project.

Planning Administrator Lingren noted that letters from Ms. Porecca, several neighbors and a

petition are in the ARCOM file.

Note: The additional letters are from Mrs. Vaughn, 112 Algoma, Todd Bainich, 1048 South Ocean Blvd., Ellen Bitton, Vicky Hunt, and Ron Mandell and Terry O'Neill, 250 Algoma.

Responding to Mr. Strawbridge's question if the project could be done without variances, Mr. Segraves stated, "anything is possible."

Mr. Smith and Ms. Diver felt that the variance request is meritorious in order to have a proper roof line.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT SO THAT THE ARCHITECT CAN COME BACK WITH A PLAN THAT STAYS WITH THE VARIANCES.

MOTION FAILED FOR THE LACK OF A SECOND.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT SUBJECT TO REDUCING THE ROOF HEIGHT SO THAT NO VARIANCE IS REQUESTED.

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

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

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

B14-09/V4-09 Additions & Renovations

Address: 190 South Ocean Blvd.
Applicant: 190 South Ocean Land Trust
Architect: Smith Architectural Group
Project Description: Additions and renovations to existing residence

The following variances are requested: A north side yard setback of 15.6 feet in lieu of the 20.6 foot existing and 22 foot minimum required in the R-B Zoning District for a lot over 20,000 square feet in area and in excess of 150 feet in width; to construct six (6) small one and two-story additions and infill additions totaling 2,467 square feet that will increase the overall cubic content ratio. The variance request is to allow a cubic content ratio of 5.34 in lieu of the 4.30 existing and 3.72 allowed in the R-B Zoning District and a variance to have a point of measurement of 17.79 National Geodetical Vertical Datum mean sea level (NGVD) for building height in lieu of the 16.05 feet NGVD required.

In Mr. Smith's absence, Mr. Wheelock announced for him that he has a Conflict of Interest relative to this project.

Attorney Maura Ziska, on behalf of the applicant, stated that the owners wish to bring the house up to their living standards.

Architect Sophia Lagerholm proposed six, small, one and two-story additions to the existing house. These additions include an infill for a covered two-story area (east side), two-story additions on the north and west sides, and second story additions over existing one-story spaces. She stated that the additions will expand the master suite, enlarge the foyer and add two powder rooms, expand the kitchen, butlers pantry add a laundry room, and create storage areas. The expansion will add approximately 3,000 sq. ft. to the home.

After review of the project, it was agreed to keep the triple arched element on the east facade and eliminate the proposed infills for additional storage.

Mr. Page noted that a letter from E. Burke Ross is on file which states that he lives next door, he has reviewed the plans and is satisfied with the proposal.

**MOTION BY MS. DIVER TO RECOMMEND TO THE TOWN COUNCIL THAT THE COMMISSION FEELS THAT ARCHITECTURALLY THE VARIANCES ARE NEEDED WITH THE EXCEPTION OF THE VARIANCE FOR THE TRIPLE ARCHED EAST FACADE CHANGE AND THE INFILL ON THE SOUTH.
MOTION DIED FOR A LACK OF A SECOND.**

**MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE VARIANCES REQUESTED ARE ARCHITECTURALLY MERITORIOUS WITH THE EXCEPTION OF THE REQUESTS FOR THE ENCLOSURE OF THE EAST, OPEN FRONT LOGGIA AT THE SECOND FLOOR, THE TWO STORY "BUMP OUT" ON THE NORTH FACADE AND THE ONE-STORY STORAGE CLOSET AT THE SOUTHWEST CORNER OF THE HOUSE.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BY MR. FELDKAMP TO APPROVE THE DESIGN AS PRESENTED WITH THE EXCEPTION THAT THE EAST, OCEANFRONT LOGGIA REMAINS UNCHANGED, THE NORTH FACADE REMAINS UNCHANGED AND THAT NO STORAGE CLOSET WILL BE BUILT INTO THE SOUTHWEST CORNER AT THE FIRST FLOOR.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

Ms. Diver left the meeting at this time (11:35 p.m.) Ms. Vanneck was voting for the remainder of the meeting.

B15-09/SE2-09 Tennis Court Lighting

Address: 760 North Ocean Blvd.
Applicant: Palm Beach Country Club
Architect: SKA Architect + Planner
Project Description: Install Lighting on two existing tennis courts.

The applicant requests a special exception to allow the lighting of two existing tennis courts located on the south side of the main parcel of the Country Club. A variance is requested to allow the lights to be placed at a height of 20 feet 6 inches above finished grade in lieu of the 15-foot maximum allowed by code.

Mr. Feldkamp said he met with the architect and discussed the plans.

Attorney Frank Chopin and Architect Pat Segraves presented the project.

Zoning Administrator Castro explained that the special exception request involves additional requirements that the Town Council will incorporate with their approval dealing with the mitigation of the impact on neighboring properties.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL THAT ARCHITECTURALLY THE PROPOSAL MERITS THE VARIANCE.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B16-09/V6-09 Addition

Address: 321 Tangier Ave.
Applicant: Mr. and Mrs. George Ross
Architect: Archer & Buchanan
Project Description: Second-story laundry room addition over existing three-car garage.

The applicant requests a variance to construct a 555 square-foot second story addition above the existing garage which will increase the cubic content ratio to 4.54 in lieu of the 4.30 existing and 3.88 maximum allowed in the R-B Zoning District.

Ms. Vanneck said she went by the site.

Attorney Maura Ziska, representing the property owner, introduced the architect and stated that he is the original architect for the house.

Architect Peter Archer stated that additional space will provide for a laundry room above the existing one-story garage.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL THAT THE ARCHITECTURE MERITS THE VARIANCE WITH THE REMOVAL OF THE (EAST) WINDOW.

MOTION DIED FOR A LACK OF A SECOND.

As there were no other motions made at this time, Chairman Wheelock asked Mr. Smith to restate his motion.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL THAT THE ARCHITECTURE MERITS THE VARIANCE WITH THE REMOVAL OF THE (EAST) WINDOW.

Chairman Wheelock passed the gavel to Vice-Chairman Feldkamp.

MOTION SECONDED BY MR. WHEELOCK.

ROLL CALL:

MR. SMITH	YES
MR. WHEELOCK	YES
MR. FELDKAMP	NO
MR. STRAWBRIDGE	NO
MR. BOYKIN	YES
MR. VILA	YES
MS. VANNECK	NO

MOTION CARRIED 4-3.

Vice-Chairman Feldkamp passed the gavel back to Chairman Wheelock.

MOTION BY MR. SMITH TO APPROVE THE DESIGN AS SHOWN WITH THE DELETION OF THE WINDOW FACING EAST.

MOTION SECONDED BY MR. VILA.

ROLL CALL:

MR. SMITH	YES
MR. VILA	YES
MR. FELDKAMP	YES
MR. STRAWBRIDGE	NO
MR. BOYKIN	YES
MS. VANNECK	NO
MR. WHEELOCK	YES

MOTION CARRIED 5-2.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None.

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B1-09 New Residence

Applicant: ALJ, LLC
Address: 703 Island Drive
Architect: Thomas M. Kirchhoff
Project Description: New two-story Mediterranean house, hardscape and landscape.

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

Architect Thomas Kirchhoff requested project deferral to the April meeting.

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

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

B9-09 Additions

Applicant: Robert and Helen Ficalora
Address: 221 Ocean Terrace
Architect: Jeffrey Brasseur
Project Description: A two-story addition of a master suite and bedroom, family room and dining room on the ground level floor with a kitchen remodel. The existing family/dining room is to be demolished.

This project was deferred from the February meeting for restudy.

Chairman Wheelock stated that the architect requests removal from the agenda.

MOTION BY MR. SMITH TO REMOVE THE PROJECT FROM THE AGENDA.

MOTION SECONDED BY MS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MAJOR PROJECTS

B17-09 Landscape Plan

Address: 995 South Ocean Blvd.
Applicant: Mrs. Donald Conrad
Architect: Bridges, Marsh & Associates
Project Description: Final landscape plan approval

Chairman Wheelock called this item to the table after item number B5-09.

Mr. Wheelock stated that the applicant requests deferral to the April meeting.

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

MOTION SECONDED BY MR. DIVER.

MOTION CARRIED UNANIMOUSLY.

B18-09 Exterior Modifications

Address: 150 Worth Avenue
Applicant: Goodman Properties
Architect: Jerome Baumohl
Project Description: Exterior modifications include the removal of the (18) glass display windows and are proposing a new storefront configuration to include (3) new retail suite entrances along Worth Avenue. (Formerly Sak's Men's Store, lower level.)

There were no exparte communications regarding this project.

Architect Jerome Baumohl presented the exterior modifications for the Esplanade Building. He pointed out that three new entries will be added to the Worth Avenue side. The window frames will be anodized bronze with clear glass, which matches the exiting material.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B19-09 Landscape Plan

Address: 434 Seaspray Ave.
Property Owners: Andrea and Christopher Kaufmann
Architect: James C. Paine, Jr.
Project Description: Presentation of landscape plan for an approval showing natural landscaped area greater than 50% of lot area as per town code.

There were no exparte communications regarding this project.

Architect James Paine presented a site plan indicating the areas where the artificial turf will be removed and replaced with natural turf. He said that the plan will now meet the code of 50% landscape/open space requirement.

Mr. Wheelock requested that a drainage plan be submitted to the town because the artificial turf areas drains ten times faster than natural turf.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED
SUBJECT TO AN ACCEPTABLE DRAINAGE PLAN.**

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

B20-09 Landscape Plan

Address: 111 Seagate Road
Applicant: 111 Seagate Venture LLC
Architect: The Lawrence Group
Project Description: Site Landscaping

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

Architect Eugene Lawrence presented the landscape plan which indicated that the new addition will be screened from the neighbors.

Landscape Architect Louis Vlahos presented the landscape plan and proposed three triple Alexander palm trees on the west side of the property.

Mr. Wheelock asked the architect to change the Alexander palm trees to cocoanut palm trees.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED WITH
THE ADDITION OF A MINIMUM OF THREE COCOANUT PALM TREES TO THE
WEST PROPERTY LINE.**

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

B21-09 New Residence

Address: Lot 5, Lagomar Road
Applicant: Mr. and Mrs. Stephen Dattels/128 Ocean View, LLC
Architect: Smith Architectural Group
Project Description: Construction of a new two-story residence.

Mr. Smith declared a Conflict of Interest and left the room during the project presentation.

Architect Leslie Pearce presented a Modern Pavilion design which she said is in the spirit of Architect Hugh Newell Jacobsen. The building materials will be white stucco, a pre patina copper roof and white aluminum windows with clear glass. A NanaWall System will be used which is a folding wall/fenestration system. The garage doors will be slatted white metal.

The Commission thought that this was an exciting project, but it was missing the details. It was also suggested to take advantage of the roof style to possibly incorporate a solar system.

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

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

The meeting was reconvened at 2:00 p.m. after a lunch break.

B22-09 Project Modifications

Address: 159 Via del Lago
Applicant: William R. And Norma K. Tiefel
Architect: Smith Architectural Group
Project Description: Revision to ARCOM 159 Via del Lago B89-08 dated October 22, 2008. Proposed changes include adding French doors in lieu of bay windows and the elimination of proposed 12 ft. deep loggia with roof terrace above at south facade and other associated changes as presented.

Chairman Wheelock announced in his absence that Mr. Smith has a Conflict of Interest regarding this project.

Laura DiGregorio proposed revisions to a previously approved project. She said that the owners have decided not to proceed with the twelve foot loggia and the bay windows. French doors will

replace the bay windows and the existing wood railings will be replaced with aluminum material painted white.

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

*** B23-09 476 South Ocean Blvd. New Residence**

* This project was heard at the beginning of the meeting.

*** B24-09 1071 North Ocean Blvd. New Residence & Landscape**

* This project was heard at the beginning of the meeting.

B25-09 Demolition & New Residence

Address: 198 Via Linda
Applicant: Mr. Andrew Thomka-Gazdik
Architect: SKA Architect + Planner
Project Description: Demolition of existing one-story residence. New two-story Bermuda residence with white smooth stucco walls, gray concrete roof, white casement windows, French doors, and black louvered shutters

Architect Jacqueline Albarran read the demolition report into the record which stated that the one-story residence was built in 1957 for developer Michael Burrows. She indicated that all of the perimeter landscaping will remain throughout construction and most of it will remain after construction.

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

Architect Jacqueline Albarran proposed a Bermuda style home with a grey concrete roof, a white stucco building and operable, black shutters. She presented a detail drawing of the existing ficus hedge which indicated that this hedge will screen the second story roof from the neighbor. She agreed to center the small, second-story window on the north elevation.

Chris Layman, 201 Plantation Avenue, the property to the south of this project, commented that the proposed home does not fit in with the neighborhood because of its size.

It was suggested to restudy the second floor, the way that it steps back from west to east and to possibly move it away from the neighbor to the south. After discussion, it was recommended that the applicant meet with the neighbor and discuss a landscaping solution or redesign the second floor making it smaller.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE APRIL MEETING IN THE EFFORT THAT THE APPLICANT CAN MEET WITH THE NEIGHBOR TO TRY TO MITIGATE ANY ISSUES THE NEIGHBOR MAY HAVE REGARDING HIS PRIVACY, LIGHT AND AIR.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

*** B26-09 569 Island Drive Landscape Plan**

* This project was heard at the beginning of the meeting.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A3-09 Replace Stone Balustrade with Wrought Iron Handrails

Applicant:	Palm Beach Park Centre 4, LLC
Address:	440 Royal Palm Way
Architect:	T & L Architecture
Project Description:	Addition of new gutter and down spouts system, replacement of existing stone balustrade/poured concrete handrails with new wrought iron/brass handrails matching existing at site level.

This project was deferred from the February meeting for restudy.

Mr. Wheelock said that he visited the site.

Architect Steve Treziee stated that the owner of the property is still studying options of replacing the stone balustrades, but would like to move forward with the gutter portion of the project. Mr. Treziee proposed a copper gutter system painted to match the building.

MOTION BY MR. SMITH TO APPROVED THE COPPER GUTTER SYSTEM.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Note: This motion did not include the balustrades portion of the project. It was agreed that the applicant will come back with a new proposal if they decide to change the balustrade.

A4-09 Facade Revision

Applicant: Edward and Adele Khan
Address: 235 Peruvian Ave.
Contractor: Daly Development
Project Description: Overlay of front facade

This project was deferred from the February meeting for restudy.

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

Chairman Wheelock announced that the applicant has requested deferral to the next meeting.

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

F. NEW BUSINESS - MINOR PROJECT

A5-09 Resurface Parking Lot

Address: 125 Worth Avenue
Applicant: 125 Worth Avenue, LLC
Architect: Glidden, Spina & Partners
Project Description: Remove existing tile covering (from) structural concrete deck and install an asphalt top coat on concrete deck.

Mr. Wheelock and Mr. Feldkamp said they received a telephone call from the architect and visited the site.

Architect Keith Spina proposed replacing the existing 4 X 4, red concrete tile with a red, membrane deck know as Auto Deck.

After the presentation, it was agreed to use the paving material in a matte finish and a sand stone color.

**MOTION BY MR. FELDKAMP TO APPROVE THE PARKING MATERIAL AS
PRESENTED WITH THE COLOR TO BE A SAND STONE COLOR AND THE FINISH
TO BE AS MATTE AS POSSIBLE.
MOTION SECONDED BY MR. SMITH.
MOTION CARRIED UNANIMOUSLY.**

IX. OTHER BUSINESS

Presentation from Public Works Director Paul Brazil regarding holiday decoration /Town aesthetics.

Public Works Director Paul Brazil introduced representatives from Christmas Designers. He said that they have designed some alternative holiday decorations at no cost to the town which they will present today.

Kevin Long, representing Christmas Designers, introduced the Designer John Catenaci

Mr. Catenaci presented sketches of lamp post decorations and median displays proposed for Royal Palm Way, Royal Poinciana Way, Worth Avenue and South County Road. He proposed a banner with a crest symbol having glitter, metallic balls and LED lights. He also incorporated the symbol which appears on the town hall building into a design.

The Commission thanked the designers for all of the work they have done on this project. They suggested keeping the decorations simple and classic and they thought that floating canopies of lights would be interesting. The Worth Avenue decorations of the porters holding gift boxes were very well liked and felt that something like that could be considered.

Mr. Brazil noted that floating canopies of lights would require some type of structure and it may require the use of private property. Therefore, it would create a shared liability with the property owner and the Town.

It was suggested to advertise the discussion of the holiday decorations so that the public may attend and be heard.

Laurel Baker, Palm Beach Chamber of Commerce, proposed using the "Holiday" decorations for more than one occasion by switching out some of the parts.

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

Mr. Page announced that the Town Attorney will be giving a workshop meeting for all of the Commission Members for a course on the Sunshine Law, Ethics, Quasi Judicial Hearings, etc.

XI. ADJOURNMENT

The meeting was adjourned at 3:40 p.m.

The next meeting of the Architectural Commission will be held on April 22, 2009 at 9:00 a.m.

Respectfully submitted,

Morgan Dix Wheelock, Chairman



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

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH, FL	COUNTY 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 3.25.09		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.

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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.

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ELECTED OFFICERS:

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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

I, JEFFERY W. SMITH, hereby disclose that on MARCH 25, 2009, 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. WILLIAM TIEFEL, 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

MARCH 25, 2009

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 AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH, FL	COUNTY 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 3.25.09		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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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)

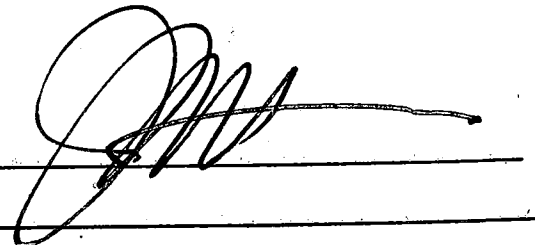
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of MR. AND MRS. WILLIAM TIEFEL, by whom I am retained; or
- ☐ inured to the special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

MARCH 25, 2009

Signature



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W. L. L. 13 5-09 112 Via Palma

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

NAME—FIRST NAME—MIDDLE NAME WHEELLOCK MORRIS 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 ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY PALM BEACH	COUNTY PB	NAME OF POLITICAL SUBDIVISION: PALM BEACH	
DATE ON WHICH VOTE OCCURRED 3-25-09		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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* * * * *

ELECTED OFFICERS:

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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:

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Wheelock, hereby disclose that on March 25, 2009.

(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:

B5-09 112 Via Palma

My office is the Landscape Architect for this project.

3.25-09
Date Filed

Morgan Wheelock
Signature

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Wheelock

13 5-09

112 Via Palma

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

LAST NAME—FIRST NAME—MIDDLE NAME WHEELLOCK MORGAN DIK		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 3-25-05		NAME OF POLITICAL SUBDIVISION: PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Morgan Wheelock, hereby disclose that on March 25, 2009.

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- ☒ 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:

B5-09 112 Via Palma

My office is the Landscape Architect for this project.

3-25-09
Date Filed

Morgan Wheelock
Signature

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B21-09

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

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MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PAUM BEACH	COUNTY FL 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3-25-09		NAME OF POLITICAL SUBDIVISION: TOWN OF PAUM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

WHO MUST FILE FORM 8B

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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 MR & MRS. STEPHEN DOTTELS, 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.

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MARCH 25, 2009
Date Filed

[Signature]
Signature

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B21-09

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3-25-09		NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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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 MARCH 25, 2009

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

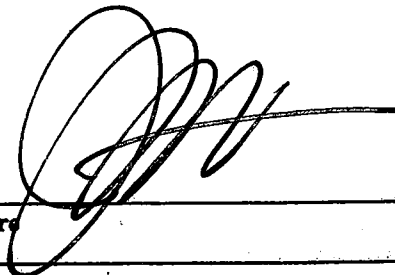
- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of MR & MRS. STEPHEN DATTELS, by whom I am retained; or
- ☐ inured to the special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

MARCH 25, 2009

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.

B14-09/V4-09

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 PALM BEACH, FL	COUNTY 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3-25-09		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

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 E 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, JEFFREY W. SMITH, hereby disclose that on MARCH, 25, 19 2009:

(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 & MRS. E. LIWYD ECCLESTONE, 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

3-25-09

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.

B14-09/V4-09

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, FL	COUNTY 33480	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 3-25-09		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.

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ELECTED OFFICERS:

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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

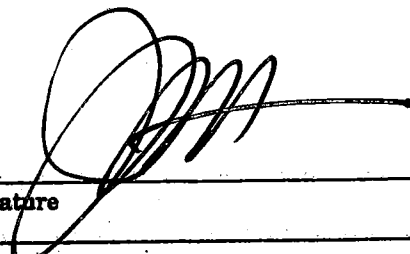
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(a) A measure came or will come before my agency which (check one)

- ☐ 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 MR & MRS. E. LIWYD ECCLESTONE, by whom I am retained; or
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3-25-09
Date Filed


Signature

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