

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

JANUARY 23, 2008

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

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

I. CALL TO ORDER

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

II. PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
Nikita Zukov, Member
William J. Strawbridge, Jr., Member (arrived at 9:03 a.m.)
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery Smith, Member
Kenn Karakul, Alternate Member
Samuel M. Boykin, Alternate Member
Stirling Halversen, Acting Town Attorney
John Page, Director Planning, Zoning & Building
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Paul Castro, Zoning Administrator
Gretchen Dayton, Recording Secretary

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE DECEMBER 21, 2007 MEETING.

MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

V. SWEARING IN PERSONS TESTIFYING.

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

VI. PROJECT DEFERRALS/REMOVAL

None

VII. PROJECT REVIEW

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

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

B100-07/SE14-07 Demolition & New Residence

Address: 476 South Ocean Blvd.
Applicant: Janina Radtke Revocable Trust
Architect: Randall Stofft
Project Description: Demolition of existing one-story residence, construction of a new single family home containing 8,556 square feet under air-conditioning.

This project was deferred from the October and December meetings for restudy and deferred from the November meeting at the attorney's request.

Mr. Smith said he received a letter from Robert Wood regarding this project. Ms. Diver said she received a telephone call and reviewed the project with the architect. Mr. Zukov said he reviewed the plans with the owner and received a letter from Mr. Wood. Mr. Wheelock said he reviewed the plans with the owner, met with the architect, went to the site, met with the attorney, met with the consulting architect, received a letter from Mr. Wood and met with Mr. Wood. Mr. Feldkamp said he met with the architect, met with the owner, met with the attorney for the owner, visited the site and received a letter from Mr. Wood. Mr. Strawbridge said he spoke with the attorney on the telephone about the project, reviewed the new plans with the architect and received a letter from Mr. Wood. Mr. Youchak said he met with the attorney for the owner and received a letter from Mr. Wood. Mr. Boykin said he received a letter from Mr. Wood.

Consulting Architect Patrick Segraves stated that he was asked to look at the project after last

month's presentation. He said they added a pitched roof and left the parapet only along the front of the house.

Attorney Ron Kolins, representing the property owner, stated that there are two variances requested for this proposal, one for lot coverage and the other for the building height plane. He stated that the variances have zero affect on the architecture.

It was refuted that this building is designed to the maximum amount and with an underground garage. Architecturally, this involves the size of the building and the amount of the building that will be seen from the street. As well, it is too big and too high. The applicant should not ask for variances for new construction on a lot which has no problems. Other Commissioners had no problem with the lot coverage request, but felt that the parapet could be removed eliminating the height variance.

Mr. Castro noted a change in the code which allows an extra two feet for a floor slab in addition to the State Coastal Construction Control Line requirements which allows a minimum bottom of grade beam height at 15'4" elevation above sea level. Therefore, the total grade beam height can be at 17'4" elevation above sea level.

Mr. Frank read a letter from Robert K. Wood which requested that the two air-conditioning units be relocated from the rear yard setback. He also objected to the height of the west wing of the proposed house.

It was noted that the applicant has modified the project on behalf of Mr. Wood.

Landscape Architect John Lang presented the demolition landscape plan which showed the existing vegetation, what will remain and what will be removed. He said that all of the plants across the street will remain.

MOTION BY MR. ZUKOV TO APPROVE DEMOLITION WITH THE CONDITION THAT THE LOT BE SODDED OR SEEDED AND IRRIGATED WITHIN 15 DAYS. MOTION SECONDED BY MS. DIVER. MOTION CARRIED UNANIMOUSLY.

The applicant was asked to take pictures of the house and submit them to the Town and to the Preservation Foundation for their records.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE FEBRUARY MEETING. MOTION SECONDED BY MS. DIVER

Under discussion, the applicant was asked to eliminate the variances and to simplify the

architecture.

As the majority of the Commissioner's were not in favor of the variance requests, Attorney Kolins asked that the Commission deny the project so that they can appeal to the Town Council.

SUBSTITUTE MOTION BY MR. SMITH TO DENY THE PROJECT AS 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.

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

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

MOTION CARRIED 4-3.

MOTION BY MR. SMITH THAT ON THE ARCHITECTURAL GROUNDS, (ARCOM RECOMMENDS) THAT THE TOWN COUNCIL NOT APPROVE THE VARIANCE REQUESTS.

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

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

MOTION CARRIED 5-2.

Again it was stated that the house was too big, too over elaborated and too close to the street.

B111-07/SP23-07 Demolition & 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.

This project was deferred from the November and December meetings at the attorney's request.

Mr. Wheelock said he met with the owner, the architect and visited the site.

Attorney Tim Hanlin, representing the applicant, requested deferral to the February meeting. He indicated that they are working with the neighbors and have redesigned the project which in turn has reduced the number of variance requests. New notices will be sent to the neighbors notifying them of the February meeting.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

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

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

B1-08/SE1-08 Addition

Address: 50 and 60 Cocoanut Row
Applicant: Royal Poinciana Chapel
Architect: SKA Architect + Planner (Jacqueline Albarran)
Project Description: Extension of an existing two-story structure to accommodate storage and new chillers. (The Variance requests are for a side setback of 13.25 ft. (south side, air-conditioning enclosure) in lieu of 30 ft. minimum. A variance for a side yard setback (south side, columbarium) in lieu of the 30 ft. minimum. A variance for landscaped open space of 47.17% in lieu of the 55% Minimum. A variance for building height (for parapet of the air-conditioning equipment enclosure) of 22.67ft. In lieu of 22 ft. maximum. A variance for cubic content ratio of 4.38 in lieu of 3.5 maximum).

Mr. Wheelock said he spoke with the landscape architect on the telephone.

Architect Jackie Albarran explained that the existing chiller is very old and not adequate to cool the chapel and the two landmarked cottages that are on the property. They propose replacing the current chiller with two units that will extend even further into the setback.

Landscape Architects Jorge Sanchez and Brian Vertesch proposed a change from one small water jet in the fountain to three large water jets.

It was agreed that the fountain is too small for three large water jets. In addition, it would create a wet, slick and dangerous condition on this windy site.

MOTION BY MR. SMITH TO SUGGEST TO THE TOWN COUNCIL THAT ARCOM HAS NO ISSUES WITH VARIANCES REQUESTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SMITH TO APPROVE THE ADDITION, BUT TO KEEP THE ORIGINAL FOUNTAIN DESIGN.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B2-08/V1-08 Additions

Address: 555 Island Drive

Applicant: Brittain Cudlip

Architect: Thomas M. Kirchhoff

Project Description: Family room and bathroom additions, remove enclosure around the loggia which had been previously enclosed, relocate the front door, and hardscape and landscape changes. (The variance request is to allow a lot coverage of 25.6% in lieu of the 25% maximum allowed).

Mr. Karakul said he met with the owner and the architect and visited the site. Ms. Diver, Mr. Zukov, Mr. Wheelock, Mr. Feldkamp and Mr. Youchak said they met with the architect and discussed the plans.

Architect Thomas Kirchhoff introduced Landscape Architect Mario Nievera and Attorney Maura Ziska. He explained that the house was designed by Wyeth, King and Johnson in 1957 for Ms. Cudlip's parents. He said that the property will be reoriented by moving the front door, relocating the swimming pool and replacing hardscape with a garden. The additions will add a family room and bathrooms making the bedrooms function better.

It was commented that this is the type of project should be supported for variances rather than having a very large house built on the site.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL THAT THEY GRANT THE VARIANCE.
MOTION SECONDED BY MR. STRAWBRIDGE.
MR. FELDKAMP OPPOSED.
MOTION CARRIED 6-1.

Mr. Frank read letters from Ian Kean, 550 Island Drive and Terry L Rakolta, 537 Island Drive, who were in support of the project.

MOTION BY MR. SMITH TO APPROVE THE PROJECT AS SUBMITTED.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.

B8-08 Roof Form Change

Address: 106 Hammond Avenue
Applicant: Kasia Adelstein
Architect: Smith & Moore
Project Description: Convert a twelve unit building into four units, increase overall building height, add pitch roof, interior renovations exterior renovations to all elevations. (The variances requested are for a front yard setback, a side yard setback, height and overall building height and lot coverage).

Mr. Zukov, Mr. Wheelock, Mr. Feldkamp, Ms. Diver and Mr. Youchak said they met with the architect and discussed the plans.

Attorney Maura Ziska reminded the Commission that this project was approved by them, but the Town Council directed the applicant to work with the neighbors relative to the roof. The neighbors indicated that they would like to see a pitched roof on the building which invokes additional variances.

Mr. Castro explained that by adding a pitched roof to a non conforming building increases the height and the required setbacks. Also, by removing the air-conditioning units from the roof they are asking for a variance to allow the units to be placed in the setback.

Architect Jon Moore proposed other changes to the building which included quoins replacing pilasters at the corners and a generator that will be placed at the first floor, south west corner. He presented a flat, grey, concrete roof tile sample.

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Mr. Frank read a letter from Stephen Miller, President of the Winthrop House, 100 Worth Avenue, stating that the Association has no objection to the proposed project. He read another letter from James Donald Wilner, 8208 Caraway Street, Cabin John, Maryland, asking the Commission to approve the redesign of the roof as submitted.

Stanley Karp, 110 Hammond Avenue, requested that screening be supplied to protect his property from the dirt and dust that will come from the construction.

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

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

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

MOTION CARRIED 6-1.

MOTION BY MR. ZUKOV TO RECOMMEND TO THE TOWN COUNCIL THAT THE APPROVAL OF THE VARIANCES WILL NOT ARCHITECTURALLY IMPACT THE PROJECT.

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

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

MOTION CARRIED 5-2.

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

None

Attorney Ron Kolins addressed the Commission at this time and stated that his client decided not to go forward with the Town Council appeal process for the denial of the 476 South Ocean Boulevard project. The client decided to make the modifications necessary to eliminate the two variances. He requested that the Commission call this item back to the table and to defer it to the February meeting.

After discussion, it was felt that a total redesign is necessary for this project and not just a little “tweaking.” Also, after three months of review, the same project keeps coming back.

**MOTION BY MR. FELDKAMP TO NOT RECONSIDER PROJECT NUMBER B100-07.
MOTION SECONDED BY MS. DIVER.**

ROLL CALL:

MR. FELDKAMP	YES
MS. DIVER	YES
MR. ZUKOV	NO
MR. STRAWBRIDGE	YES
MR. YOUCHAK	NO
MR. SMITH	YES
MR. WHELOCK	YES

MOTION CARRIED 5-2.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None

D. NEW BUSINESS - MAJOR PROJECTS

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.

Mr. Karakul, Ms. Diver, Mr. Feldkamp, Mr. Youchak and Mr. Zukov said they met with the architect and discussed the project. Mr. Wheelock declared a Conflict of Interest because he is the landscape architect for this project. He passed the gavel to Vice-Chairman Feldkamp and left the dias during the discussion.

Architect Tom Kirchhoff presented a two-story addition to the one-story house which will add two bedrooms, two-bathrooms and a hallway. Responding to Commission comments, Mr. Kirchhoff stated that the addition could not be centered because of the side yard setback on one side and that it needs to match the load-bearing wall on the other side.

The Commission thought that a setback variance would be in order to correct the architecture. On the other hand, it was remarked that this house would be a candidate for demolition because the front elevation is the only one that works and that is if the proposed addition is centered.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE FEBRUARY

MEETING WITH THE SUGGESTION THAT THE APPLICANT ASKS FOR A VARIANCE TO CENTER THE FRONT FACADE.

Staff recommended not to suggest variances to violate the Town's Code of Ordinances.

MOTION DIED FOR A LACK OF A SECOND.

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

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

B4-08 Demolition and New Residence

Address: 240 Kawama Lane
Applicant: Mr. And Mrs. Guy Henderson
Architect: SKA Architect + Planner
Project Description: Demolition of existing one-story home and construction of a new one-story and two-story home. The new home will be a shingle style and approximately 7,900 sq. ft.

Ms. Diver, Mr. Zukov, Mr. Feldkamp and Mr. Strawbridge said they met with the architect and discussed the plans. Mr. Wheelock said he met with the architect and visited the site.

Architect Pat Segraves reported the historic condition of the existing house. He said the single story home was built in 1977 and it was designed by Ginocchio and Spina Architects. The house has a significant amount of mold and the roof is in poor condition.

Landscape Architect Jorge Sanchez indicated that the existing trees will be removed, however he did not have a vegetation demolition plan showing what material will be removed, relocated and replaced. Mr. Sanchez stated that there is only one significant tree that is in the easement and they plan to petition the Town to keep it.

MOTION BY MR. FELDKAMP TO DEFER THE DEMOLITION TO THE FEBRUARY MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Architect Pat Segraves proposed a shingle style home with cedar shingles for both siding and roofing. The windows will be double hung made of mahogany wood.

It was suggested enlarging the cupola and adding shingles to the base of it. The Public Works

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review of this project noted that this property will require a retaining wall.

It as not recommended to plant gumbo limbo trees along the rear of the property because they shed all of their leaves in the winter.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO BRING THE CUPOLA AND THE RETENTION WALL BACK FOR REVIEW AT THE FEBRUARY MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B5-08 Demolition

Address: 545 North Lake Way (Landmark Estates)

Applicant: The Estate of Paul L. Maddock

Attorney: Peter Broberg

Project Description: Demolition of the asphalt driveway across the northern part of lots 1, 5 and 6. Demolition of the asphalt driveway across the southern part of lots 5 and 6. Demolition of the asphalt driveway across lots 3 and 4. Demolition of the pool located on lot 5. Demolition of the "Twiggs" house located partially on lot 3 and 4. Demolition of the "Tea House/Song House" located on lot 4.

There were no ex parte communications disclosed regarding this project.

Attorney Peter Broberg explained that the Town Council has approved a new subdivision of six lots for this property. There are two landmarked buildings on the property and two landmarked live oak trees which will be the only trees to remain. The three driveways will be removed and a cul-de-sac will be built. He presented photographs of the two homes proposed for demolition and said that they have no historical value. Mr. Broberg did not have a vegetation demolition plan available for the presentation. He was asked to hire a landscape architect to draw a plan indicating what vegetation will remain through construction so that the code enforcement department can use it as a guide. He was also asked to take photographs of the two structures for submission to the Town and the Preservation Foundation for their records.

MOTION BY MR. FELDKAMP TO DEFER THE DEMOLITION REQUEST TO THE FEBRUARY MEETING.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B6-08 Addition

Address: 160 Reef Road
Applicant: 160 Reef Road LLC
Architect: SKA Architect (Jackie Albarran)
Project Description: Addition of a one-story entry to an existing one-story residence.

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

Architect Jackie Albarran proposed the addition of a foyer and an inter court yard to the existing house. Bermuda shutters, wood louvered front doors and wood overlay garage doors will also be added.

The front doors were thought to be out of scale. It was suggested to restudy the height and the arches on the entry.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

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.

Mr. Smith said he received an e-mail from the architect. Mr. Wheelock said he visited the site.

Architect Keith Spina presented photographs of the existing building and a Photoshop of the proposed changes which added stucco elements and aluminum railing/grillwork details. The building will be painted three different colors.

It was stated that the building is a modern building that is better the way it is rather than trying to decorate it. Other comments were, the railings in the windows read very heavy and the top of the tower element is too busy which gets away from the original intent of the building. Another suggestion was to use landscaping to enhance the building. Some of the Commissioners agreed with the Mr. Spina that "Modern" is a style of architecture, but this is a building that was built in the '70's.

**MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE FEBRUARY MEETING TO TAKE INTO CONSIDERATION WHAT THE COMMISSION HAS SAID.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A7-07 Architectural Embellishments

Address: 1356 North Ocean Blvd.
Applicant: John Timothy Gannon
Contractor: TD Gone Building G.C.'s Inc.
Project Description: We propose to embellish this existing Regency style home by adding decorative window and door surrounds using appropriate cast stone materials that will complement the near white body of the home.

This project was deferred from the November meeting for restudy and deferred from the December meeting at the owner's request.

It was noted that Smith & Moore Architects will be taking over this project and they have asked for a deferral to next month.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE FEBRUARY MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

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 meeting as no one was present to represent the project.

No one was in attendance to the present the project.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE FEBRUARY MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

F. NEW BUSINESS - MINOR PROJECT

A1-08 Roofing Material

Address: 300 Clarke Avenue
Applicant: Mr. and Mrs. Desmond Heathwood
Architect: Bridges, Marsh & Associates
Project Description: Change roof tile from barrel clay tile on proposed addition to match existing clay "S" tile.

Chairman Wheelock stated that a request has been received from the architect to defer this project.

MOTION BY MR. SMITH TO DEFER THIS PROJECT TO THE FEBRUARY MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

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

Chairman Wheelock requested that a policy be implemented that either landscape architects or architects present the site plan for demolition proposals. And, the attorneys or owners may present the case for demolition.

MOTION BY MR. ZUKOV FOR ARCOM TO MAKE A POLICY THAT AN ARCHITECT OR LANDSCAPE ARCHITECT MUST PRESENT DEMOLITION (VEGETATION) PROJECTS.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

The next issue discussed was the use of "S" tile roofing material. It was asked that if an existing home that has an "S" tile roof and that roof has been damaged, what percentage of damage would require a new roof using barrel tile?

MOTION BY MR. SMITH THAT IF THE DAMAGE TO ANY ROOF IS GREATER THAN 50% A NEW ROOF HAS TO BE DONE WITH BARREL TILE REPLACING "S" TILE.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

The issue of projects remaining on the agenda month after month at the applicant's request was

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discussed. It was noted that the Landmarks Commission has made a decision to limit deferrals. The applicant must be present at the meeting to request a deferral. The second request they must provide good justification and the third time may result in the project being removed from the agenda.

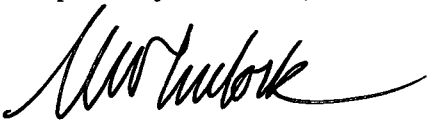
MOTION BY MR. SMITH TO COPY THE LANDMARKS COMMISSION IN THEIR RULING (REGARDING PROJECT DEFERRALS)
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

IX. ADJOURNMENT

The meeting was adjourned at 12:20 p.m.

The next meeting of the Architectural Commission will be held on Wednesday, February 27, 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

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

ST NAME—FIRST NAME—MIDDLE NAME THEELOCK 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 P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JANUARY 23 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 January 23, 2008, TS:

(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:

355 North Lake Way (B3-08)
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 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 PALM BEACH	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED JANUARY 23 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.

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