

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, OCTOBER 20, 1999

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I Call to Order: The meeting was called to order at 9:03 a.m. by Chairman Jeffery W. Smith.

II Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Elizabeth Dowdle, Secretary
Sari M. Wilkey, Member
Ann Vanneck, Member
Ann Blades, Member
Nikita Zukov, Alternate Member
Judy Hoffman, Alternate Member
Jack Pyms, Alternate Member
John C. Randolph, Town Attorney (arrived at 9:10 a.m.)
Robert L. Moore, Director of Planning, Zoning & Building
Jane S. Day, Preservation Consultant

ABSENT: Timothy M. Frank, Planner/Projects Coordinator

RECORDING SECRETARY: Cynthia M. Delp

III Approval of the Minutes of the September 21, 1999 Meeting:
MOTION BY MR. PANDULA FOR APPROVAL OF THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.

IV Administration of the Oath to all persons who wish to testify:
Mrs. Delp administered the oath to all those who were present and wished to testify today.

V Report relative to the Royal Park Bridge Construction: Mr. Dusey &/or Mr. Bowser
The Town Council has deferred this report to the November LPC meeting.

VI Public Hearings:
A. Application for Certificate of Appropriateness #19-99, (deferred from July, 1999)
Additions and renovations
Owner: Palm Beach Land Investments
Applicant: Denise and William Meyer
Address: 334 El Vedado Road
Architect: Robert Henry

Project Description: Request approval for the following changes

General Building Changes

1. Replace asphalt roof shingles with clay roof tile
2. Replace all windows & doors with hurricane rated divided lite windows and french doors
3. Replace the existing shutters as required.
4. Repaint the entire house to match the existing colors. (No approval required, if colors are the same)

North Elevation

1. Replace the attic vent with a new splayed design vent based upon the original drawings
2. Raise the garage wing 6' to match the existing roofline
3. Widen the garage wing by 2'.
4. Replace the two windows where the stairs were with windows that match the existing style.
5. Replace the two windows above the garage door with windows that conform to the front elevation
6. Replace the 3' door with an overhead metal garage door
7. Add a coach lamp over the garage door

South Elevation

1. Remove the existing bay windows
2. Remove the existing porch
3. Replace the double hung windows with a two story covered veranda, railing, columns, and divided lite windows

East Elevation

1. Replace the two second floor windows above the garage
2. Relocate the ground floor door to the kitchen and add two windows at garage
3. Added a window and door on the first floor at the kitchen
4. Relocated and added a second floor window at master bath
5. Raised the garage roofline up 6'.

West Elevation

1. Removed a window in the Butler's Pantry
2. Replace a window in the kitchen with french doors
3. Replaced the aluminum windows in the staff bedroom with divided lite windows
4. Replace three windows in the Master Bathroom with a double window
5. Replaced the two aluminum windows with divided lite windows over the garage

Cabana Reviewed and approved by Town Council for replacement of existing cabana, but the separate cabana has now been deleted from the project

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

At the July meeting, there was a motion for approval of the project as presented with the proviso that the applicant return to the LPC with the following:

1. The front of the garage area lowered by 2', and the proposed french doors on the garage facade (Deferred from July)
2. A solution to the problem at the rear porch 2nd story overhang (Deferred from July)
3. A revised design for the cabana (Deferred from July)
4. Re-center the windows and doors on the facade (Deferred from July)
5. Return with a landscape plan (must be on a new application for Certificate of Appropriateness)

It was also approved that Mr. Pandula may consult with the applicant relative to the garage wing.

At the August meeting, there was a motion to approve the project as presented with the following proviso:

1. In the garage area, (west elevation), make the window the same size as the other small window on that facade, so it grows a bit vertically, and
2. In the porch area, return with a re-study of either possibly a gable change or the three bays with the bulk of the wall straight, or any third solution that your architect might come up with.

AT THE SEPTEMBER MEETING, THERE WAS A REQUEST FOR DEFERRAL TO THE OCTOBER MEETING FOR THE REMAINING ITEMS.

Robert Henry, Architect, returned to the LPC today to discuss the remaining portions of this project. Mr. Henry showed a revised design of the second floor veranda, reducing the extension of the living area to a bay in the center to match a bay on the first floor. The veranda now wraps around to the side as well. Mr. Smith commented that it appeared that the requested changes had been made, however, some of the commissioners were still looking for improvement in the design.

MOTION BY MRS. WILKEY FOR APPROVAL AS PRESENTED.

MR. SMITH PASSED THE GAVEL TO MR. PANDULA AND SECONDED.

MOTION CARRIED, 6-1-0, WITH MRS. VANNECK VOTING AGAINST.

B. Application for Certificate of Appropriateness #21-99,(deferred from Sept.)

Courtyard garden

Owner/Applicant: Chanel Inc.

Address: 301 Worth Avenue

Architect: Lang Design Group, Mr. John Lang

Smith Architectural Group

Project Description: Request approval of new courtyard garden to include walks, benches, a water feature, new streetscape planting, and other associated changes as presented

Mr. Smith re-stated his previously declared conflict with this project as he is the architect for the project. He passed the gavel to Mr. Pandula.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

The LPC had looked at this project conceptually and informally a few months ago. Mr. John Lang, Landscape Architect, stated the project concerns a garden situated in the northeast corner of the property, along Hibiscus Avenue and behind the store. The proposal includes a small courtyard fountain, at seating height (18") with a bubbler and associated plantings. The fountain is placed on axis with two wrought aluminum gates, one on the east end and one on the west. The shrubs around the courtyard will be a maximum of 3'-4' in height so passersby can enjoy the garden. Three uplit Royal Palms are along the north border of the courtyard. Several benches will provide seating.

There was some concern about looking straight through to the area west of the courtyard, the view through the gate. Mr. Lang was asked to make that view more opaque.

MOTION BY MRS. DOWDLE FOR APPROVAL WITH THE STUDY OF MAKING THE REAR VIEW OPAQUE BY MOVING THE GATE OFF AXIS OR BY PLANTING, IF POSSIBLE.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #20-99,
Restoration, Additions, Demolition, New Construction
Owner/Applicant: James H. Clark, James H. Clark & Nancy Rutter Clark,
Revocable Living Trust
Address: 1500 South Ocean Boulevard
Architect: Bridges, Marsh & Carmo, Mark Marsh
Project Description: As follows...

1. Restoration Exterior

Main house to be restored/repared to original design/materials

2. Restoration Interior

Decorative Ceilings and Frescoes restored/enhanced (no approval req'd)

3. Rehabilitation due to deterioration/code issues:

- a. Coquina stone replacement where deteriorated, or previously repaired, or replaced with cast stone/concrete
- b. Waterproofing/foundation repair
- c. New bronze hurricane resistant windows
- d. Roof repair for structural failure and tie-down to meet code requirements
- e. All new mechanical, electrical and plumbing

4. Additions:

- a. Construction of a connecting open air loggia at second floor interior courtyard for access and egress from the separate bedroom areas, and provide access to vista for occupants. (Roofline is not visible from street)
- b. Extension of west terraces/grand staircase to allow access to the terraces from the courtyard
- c. Extension of south terrace at the pavilion for a surround terrace, and a garden room below (two story area of house)
- d. Observation Belvedere as an architectural link between the main house and the family/domestic wing, and vertical circulation

5. Demolition

- a. Demolition of existing courtyard in order to have access to the exterior of the house for waterproofing and foundation repair
- b. Demolition of existing service wing (due to the fact that it was not constructed to the quality and design detail level of the main house, and current layout provides only a commercial type kitchen and rooms for a staff of twenty-four, no longer applicable.)

6. Reconstruction

- a. Reconstruction of courtyard to existing design and materials. (Excavated area below will be utilized for owner's extensive wine collection.)
- b. Reconstruction of the service wing in the same basic footprint in order to maintain the existing non-conforming point of reference, and scale of the building. (New building will bring the house up to the lifestyle of the owner; proper size garages, proper access width to the motor court, a Family kitchen, dining and sitting area, apartments for the domestic help, office area for House management, and building services.) The east facade will be reconstructed to existing scale, and enhanced to complement architecture of the main house.

7. New Site Buildings

- a. Construction of new guest house to provide additional guest apartment and home office for the owner, with storage at ground level for boats/aquatic sports
- b. Slat house (open air structure) to replace existing condenser unit building

8. Site Work

a. Landscape Approach

Restoration of the garden in the traditional manner of more formal gardens immediately adjacent to the residence, and becoming more informal in the outlying gardens. (The garden concept is best described in recreating a "Collector's" garden of the 1930's with a diversity of interesting and significant specimen plants that would not compromise the garden. The plantings immediately adjacent to the residence would be in an understated simplified style so as to not compete with the architecture. A diverse collection as you move away from the residence

b. Relocation/reconstruction of the motor entrance to the north due to safety issues for site access and egress. New entrance will be a replication of the original design and incorporate the gates on the original plans. Relocation will also reinforce the main entry

c. Reorientation of the watergate

In reorienting the staircase parallel to the residence, the connection between the architecture and the water is clearly reinforced

d. Waterfall/grotto at pool

A classic Italianate detail that ties the garden and architecture together

e. Pond terrace at library and office

The natural lily pond setting in the heavily placed botanical garden displays the collection of riparian paintings

f. Existing screening hedges at both sides of Ocean Drive will remain undisturbed

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION.

At the September meeting there was a motion to approve the project as presented with the exception of the chimney tower that will be changed according to the alternate design presented (to match the other chimney towers), and to defer the pergola and the landscaping to be brought back with all materials and material selection of trees and plants.

Letter received requesting that this CoA be finalized pending receipt of revised drawings showing chimney change, and deletion of pergola. Landscape/hardscape to be brought back as a new application for Certificate of Appropriateness when finalized.

MOTION BY MRS. DOWDLE FOR APPROVAL OF THE PROJECT AS REVISED, SHOWING THE CHIMNEY CHANGE AND DELETION OF THE PERGOLA, WITH THE UNDERSTANDING THAT THE LANDSCAPE AND HARDSCAPE WERE ONLY REVIEWED CONCEPTUALLY, AND WILL RETURN TO THE LPC FOR FINAL APPROVAL UNDER A NEW APPLICATION FOR CERTIFICATE OF APPROPRIATENESS.

**MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.**

D. Application for Certificate of Appropriateness #23-99,

Landscape/hardscape & miscellaneous changes

Owner/Applicant: Roger Fox

Address: 324 Brazilian Avenue

Architects: Smith and Moore Architects

Chris Flynn Landscaping

Project Description: Request approval of the following:

1. Landscape/hardscape to include:
 - New cast stone/brick driveway
 - Enlarged patio in SW courtyard with same material as driveway
 - New stucco/cast stone fountain & lattice screen wall on south property line
2. Replace entry stair and railing
3. Restoration of exterior wood doors & windows on north, east & west elevations
4. Replace aluminum clad casement windows with wood casement windows on east, south and west elevations
5. Replace glass jalousies with wood casement windows
6. Provide wood casement window at previously enclosed window opening on west wall of kitchen
7. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Smith & Moore Architects

Mr. Harold Smith, ~~Smith Architectural Group~~, stated that in October of 1998, this project had been presented informally to the LPC, and subsequently received staff approval to do that restorative work. Today, formal approval is being requested. This is a tax abatement project.

On the north elevation, existing wood casement windows will be restored, as well as the front door. The entry steps, balusters, and cap rail will be duplicated to replace the existing. On the east elevation, rotted windows will be replaced with wood true divided lite casements. On the west elevation, the existing jalousies will be replaced with wood casement windows and at the kitchen, a pair of casements will be re-inserted where they once were. On the south elevation, arched casement windows will be restored, and the lower casement window will be replaced.

Chris Flynn addressed the landscape and hardscape. He commented that the client was very concerned with privacy at this location due to its very close proximity to the Brazilian Court Hotel, on the east side. On the west side, a stucco wall will be hedged on both sides. An existing wall runs across the front of the property, and will be planted with a low hedge on the street side, and a hedge at wall height on the inside of the wall. Privacy along the back side is a problem as well. To alleviate this, existing planters will be utilized with a series of trellis, painted green, planted with Confederate Jasmine. There is no pool at this location, but a water feature is planned. No plans were available for the water feature at this time, so that item will return to the LPC. There is an existing Bombax, 20'-25' high, and Mr. Flynn commented that if it is not landmarked, it should be. At the bottom of this tree, a specialty garden will be created to enhance the tree. An 8' hedge will separate the Brazilian Court Hotel property from this site. The driveway will be done in Chicago brick with stone paving.

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED WITH A DEFERRAL OF THE FOUNTAIN DETAILS.

MOTION SECONDED BY MRS. DOWDLE.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness # 24-99,

Miscellaneous changes & new pool

Owner/Applicant: Mr. and Mrs. Andrew Cooley

Address: 111 Seabreeze Avenue

Architect: SKA Architect & Planner

Project Description: Request approval of the following:

1. South Elevation: New railings and remove balusters
2. East Elevation: New french doors & arched window to match existing
3. North Elevation: New covered terrace with flat roof with arches to match existing; replace french door and window with windows to match existing
4. West Elevation: Replace 3 small windows with one larger window
5. General changes: Replace aluminum windows with wood; remove shutters
6. Site changes: Add pool, patio & garden wall
7. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Jacqueline Albarran de Mendoza, Architect, returned to the LPC today for formal approval of the project she presented informally last month. She stated that this is a tax abatement project, for the record. She reviewed the changes to the elevations as stated above in the Project Description. The new patio will be placed in the same location as it had existed previously, and will be 12' x 24' in dimension. The new pool will use Country Blue Light Swirl tiles.

MOTION BY MRS. DOWDLE FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #25-99,

Landscape/hardscape

Owner/Applicant: Mr. and Mrs. William Meyer

Address: 334 El Vedado Road

Architect: Jeff Blakely, Landscape Architect

Project Description: Request approval of landscape and hardscape to include driveway, dock and seawall, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mrs. Delp administered the oath to Mrs. Denise Meyer, who was not present earlier. Mrs. Meyer had been working with her landscape architect, Jeff Blakely, of Blakely and Associates, and presented those plans today. The plans show a circular drive (grey Apian stone) with extended walkway leading to a landscaped wall and some cast stone steps; then to a cast stone skewed walkway leading to the front door. At the pool deck areas, a new spa will be added. The patio has been changed to add some areas protected with shade. The existing seawall must be replaced, but the ballustrades will be retained along the water. A marginal dock will be added. As for landscaping, specimen trees are plentiful on site. The front, at the driveway, will be opened up by placing large trees with low underplantings. The proposal increases the green space by 20%, up to 44% with 31% being impervious area, and 25% lot coverage for the house. Well lights will provide landscape lighting, and trees will be uplit. The pool will be done in smooth cast stone banding on the outside with textured cast stone inside.

Mr. Smith noted that driveway gates and fence are noted on the plans, but no details of same are available. These details will need to be seen by the LPC. He commented that it was odd to have a Georgian Colonial house with a center entrance that is thrown off center by a walkway. Also, the piers are too modern in style, and the plans show lanterns which are not appropriate either. After further discussion Mr. Smith conceded that he did not mind the offset walkway provided the wall and piers are deleted. Mr. Pandula agreed with Mr. Smith regarding the piers, and likewise, does not like the shape of the front walk. He suggested that the cast stone be carried out to the driveway, rather than starting the apian stone on the walkway. He likewise did not like the lights on the piers.

It was Mrs. Meyer's preference to keep the walkway off center and eliminate the piers, and also bring the cast stone surface out to the driveway.

MOTION BY MRS. VANNECK FOR APPROVAL OF THE PROJECT AS PRESENTED, WITH THE PROVISIO THAT THE APPLICANT RETURNS WITH AN ELEVATION OF THE FRONT GATES, AND WITH THE PROVISIO THAT THE PIERS ARE REMOVED, AND THAT THE PATH LEADING TO THE DRIVEWAY IS DONE IN CAST STONE.

MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness #26-99,

Enclose loggia & alcove, & miscellaneous changes

Owner/Applicant: Mr. and Mrs. Jacques Cohen

Address: 137 El Vedado Road

Architect: The Lang Architectural Group

Project Description: Request approval of the following:

1. Remove fireplace and construct HVAC closet
2. Enclose existing loggia with curtainwall glazing
3. Enclose alcove to existing guest bedroom with curtain wall framing
4. Fenestration changes throughout, changing style, size & number of openings
5. New wood casement windows to be installed throughout
6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Let the record show that no one was in the chambers to present this project when the item was called, therefore...

MOTION BY MR. PANDULA TO DEFER THIS PROJECT TO THE NOVEMBER MEETING.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

Please note that after "Other Business," someone had arrived to present this project.

MOTION BY MRS. WILKEY TO RECONSIDER COA#26-99.

MOTION SECONDED BY MRS. DOWDLE.

MOTION CARRIED UNANIMOUSLY.

Mr. Don Lang of Lang Architectural Group presented this request. He stated that the existing windows at this residence are no longer operable. The project includes replacing the existing

windows with solid mahogany casement windows and doors, using impact glass, thereby eliminating the need for hurricane shutters. A downstairs loggia will be enclosed to provide an air-conditioned connector from one side of the house to the other. An alcove enclosure in the rear allows for air-conditioned connections to the bedrooms. Mr. Lang reviewed the elevations, existing vs. proposed. A major difference was evident changing true divided lite windows to single glazing. This change met with nearly unanimous disapproval. Mr. Smith stated that the window manufacturer being used here does make windows with impact glass and muttons. The architect stated he, likewise, preferred the muttons, but the owner requested the plates of glass.

Mr. Lang presented the two enclosures, but was lacking details as to how the glass and framework attaches to the structure. Mr. Smith cautioned the architect in his use of this type of construction.

West elevation: The only change is the removal of the muttons in the windows.

South elevation: Plans show deletion of the center window upstairs, but Mr. Smith asked the architect to leave the window in and block it from the inside, if necessary. Loggia details are requested by the Commission.

East elevation: The upstairs two windows are being replaced with two french doors with balconies. The commission questioned the door in the chimney. The architect stated it was placed there for access to the air conditioning equipment, but Mr. Smith responded that the door into the chimney structure is not the solution to this problem. Mrs. Vanneck did not care for the non-functional balconies. Mr. Smith suggested that the interior layout of the master bedroom could be changed to facilitate a well designed exterior.

North elevation: Mostly the window mutton changes. Mr. Lang was asked to re-study the downstairs opening. Upstairs, three windows will be retained with a dummy window in the middle.

MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE NOVEMBER MEETING.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.

VII Landmark Designations

Item 1: 444 North Lake Way
Owner: Estate of Ziuta Akston c/o Betty Marcus, Personal Representative
(Request for deferral to the April, 2000 meeting)

Mrs. Day read a letter into the record from Betty Marcus, wherein she requested deferral to the April, 2000 meeting, and on behalf of the estate, waived the owners rights requiring the commission to act within 30 days.

MOTION BY MR. PANDULA FOR DEFERRAL TO THE APRIL, 2000 MEETING.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

Item 2: 120 Everglades
Owner: Lenore B. Ombres TR HLDR
(Request for deferral to the March, 2000 meeting)

Mrs. Day read a facsimile into the record from Douglas Ombres, Esq., representing his mother in this regard, wherein he requested a deferral of this hearing to the March, 2000 meeting, with the understanding that his mother was waiving her right with regard to requiring the commission to act within 30 days.

MOTION BY MRS. DOWDLE FOR DEFERRAL TO THE MARCH, 2000 MEETING.
MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.

VIII Other Business:

- A. Extension Certificate of Appropriateness #46-98, The Mar-a-Lago Club
Relocation of existing pump house to serve as entry feature and guardhouse
for the Southern Boulevard gate

Wesley Blackman, Director of Projects at the Mar-a-Lago Club, stated that the approval for this project was granted by the LPC one year ago. As the work has not yet been started, he requested a one year extension of the original approval. This work is scheduled to commence during the summer of 2000.

MOTION BY MRS. WILKEY GRANTING A ONE YEAR EXTENSION ON THE PREVIOUS
APPROVAL OF CERTIFICATE OF APPROPRIATENESS. #46-98.

MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

- B. Discussion relative to "August" meetings

Mr. Moore stated that at the last meeting of the LPC, the members were asked to consider the possibility of eliminating August meetings of the Landmarks Preservation Commission. Commission comments were as follows:

Jeffery W. Smith: "I believe that we are commissions that work for the residents of the Town, and I think it would be a huge imposition if a resident would have to wait 60 days for an approval process. I don't think the Town Council takes a month off, and I don't think the Landmark Commission should take a month off." "I think the other issue that separates us from ARCOM so much, but I guess not totally, is that ours are renovations of houses, and when you're under construction, you find things that you did not know about previously. I mean I don't care how well you plan things. When you open up walls and such, and to have a construction crew standing by for 60 days, I think, is absurd.

Mrs. Wilkey asked whether the members could be given a one month absence during the summer months which would not count as an unexcused absence. Mr. Moore stated this idea would require an ordinance change, but it might be something to be considered.

Ann Vanneck: "It's my opinion that most of the construction is going on, ongoing during the summer, and I think that's when they really need us here."

Judy Hoffman: "I think it's a hardship on the owners, a terrible hardship." "I think if people want more than that (referring to the allowable number of absences), they should resign from the commission. I mean they have an obligation. I think they should just get off their commission. And the backup on cases would be tremendous."

BETH DOWDLE: "I guess if the Town was finding it difficult to fill these slots, then maybe there would be some reason to be more lenient or to change the system somehow. But I guess, there are plenty of applicants who are willing to serve the Town on these boards, so I don't really see a reason for it."

GENE PANDULA: "But the first points that were brought up, I think, especially for someone who practices here...I mean the timing issue would just be devastating in terms of the process."

MOTION BY MRS. VANNECK THAT THE LANDMARKS PRESERVATION COMMISSION WILL CONTINUE TO MEET IN THE MONTH OF AUGUST, AS USUAL.

MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.

C. Discussion relative to Preservation Celebration

Mrs. Day reported, in Mr. Frank's absence, that he had contacted the Everglades Club. The Club is requesting that a package be put together offering information about past celebrations so that this information can be presented to the Everglades Club. The Everglades Club has been suggested as a location for the event, and the Club is looking favorably on the event taking place there.

D. Extension of Certificate of Appropriateness #24-98, 105 Clarendon Avenue

Mrs. Day read a letter written to Mr. Frank from the owners of 105 Clarendon Avenue requesting a one year extension of CoA#24-98, which will expire in February of 2000.

Mr. Smith asked whether this needed to be advertised. Staff stated that as long as the CoA had not yet expired, there was no need to advertise the request for extension.

MOTION BY MR. PANDULA FOR EXTENSION OF COA#24-98 FOR A PERIOD OF ONE YEAR.

MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

E. Comment by Mr. Moore re: Whitehall

Mr. Moore stated that a letter was addressed to the Mayor from the Department of the Interior relative to the Flagler Museum and it being given a special national designation. This may or may not involve the LPC. If so, more information will follow.

F. Distribution of Designation Report for November meeting

The Designation hearing for 311 Brazilian Avenue will be heard in November and the report was distributed to the commission today. This is a tax abatement project.

G. Comment by Mrs. Blades

Mrs. Blades received several calls relative to 220 El Bravo Way and the Royal Palms which blew over during the storm. She asked whether there was a height restriction on trees, and whether there was any restriction in planting shallow rooted plants/trees during hurricane season. Mr. Moore responded that there are no restrictions in that regard.

IX Adjournment:

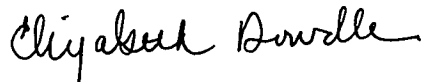
MOTION BY MR. PANDULA TO ADJOURN AT 10:30 A.M.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on **November 17, 1999** at 9:00 a.m. in the Town Council Chambers, 2nd floor, 360 South County Road, Palm Beach, FL.

Respectfully submitted,



Elizabeth Dowdle, Secretary
LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

ATTENDANCE RECORD (1999)

MEMBERS	1/ 99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/ 99	9/ 99	10/ 99	11/ 99	12/ 99
Jeffery W. Smith	P	P	P	P	P	P	P	P	P	P		
Eugene Pandula	P	P	P	P	P	P	P	P	P	P		
Elizabeth Shields	P	E	P	P	U	P	P	P	P	P		
Sari M. Wilkey	P	P	P	P	P	P	P	P	P	P		
Jacqueline Albarran de Mendoza	P	P	P	P	P	P	P	P	P	Resigned		
Ann Blades	P	P	P	P	P	P	P	P	P	P		
Ann Lilja	P	P	P	P	P	P	P	P	P	P		

ALTERNATES	1/ 99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/ 99	9/ 99	10/ 99	11/ 99	12/ 99
Nikita Zukov	P	P	P	P	P	P	P	U	P	P		
Judy Hoffman	n/a	n/a	P	E	P	P	P	U	P	P		
Jack Pym	n/a	n/a	E	P	P	P	E	P	P	P		

LEGEND: P = Present
 E = Excused Absence
 U = Unexcused Absence
 A = Absence Pending Classification as "Excused" or "Unexcused"

TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (1999)

MEMBERS	1/99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/99	8/99	9/ 99	10/99	11/99	12/99
Jeffery W. Smith			VPD1		V1	VPD1			V1 VPD1	VPD3		
Eugene Pandula		VPD1	VPD1									
Elizabeth Shields												
Sari M. Wilkey												
Jacqueline Albarran		VPD1										
de Mendoza	VPD1	V1										
Ann Blades												
Ann Lilja												

ALTERNATES	1/99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/ 99	9/ 99	10/ 99	11/ 99	12/ 99
Nikita Zukov												
Judy Hoffman												
Jack Pyms												

LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting
 And so on...

VPD = Voting Conflict Previously Declared
 (This category to be used when a conflict has been declared at a previous meeting, and the changes being reviewed are part of an ongoing renovation project. ONLY COUNT ORIGINAL DECLARED CONFLICT FOR ONGOING PROJECTS PER JOHN C. RANDOLPH, TOWN ATTORNEY)

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 LANDMARKS PRESERVATION Commission	
WORKING ADDRESS 206 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: CITY COUNTY OTHER LOCAL AGENCY Town	
CITY PALM BEACH, FL	COUNTY PALM BEACH	NAME OF POLITICAL SUBDIVISION: Town OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 9/21/99 + 10/30/99		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

MINUTES

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 present with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

- You should 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 should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFERY W. SMITH, hereby disclose that on 9/21, 19 99

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

☐ injured to my special private gain; or

☒ injured to the special gain of LIZ & DAMON MEZZACAPPA, by whom I am retained

(b) The measure before my agency and the nature of my interest in the measure is as follows:

CEA-20-99

Relative to decisions made for Certificate of Appropriateness #20-99 for 1500 South Ocean Boulevard, heard 9/21/99 and 10/20/99.

9/21/99
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>SMITH, JEFFERY W.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>L.P.C.</u>
MAILING ADDRESS <u>241 Sanford Ave</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY <u>Palm Beach</u>	COUNTY	NAME OF POLITICAL SUBDIVISION: <u>TOPB</u>
DATE ON WHICH VOTE OCCURRED <u>5-19-99 + 6/16/99 + 10/20/99</u> <u>9/21/99</u>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

Minutes

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 present with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

- You should 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 should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

Re: 301 Worth Ave.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jaffery W. Smith, hereby disclose that on May 19, 19 99

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

☐ inured to my special private gain; or

☒ inured to the special gain of CHANEL, INC, by whom I am retained

(b) The measure before my agency and the nature of my interest in the measure is as follows:

COA #13-99, 301 Worth Ave.

(heard 5/19/99)

(heard 6/16/99) (heard 9/21/99)

(heard 10/20/99)

5-19-99

Date Filed

Signature JWS

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.