



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, OCTOBER 15, 1997

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

I. Call to Order: The meeting was called to order at 9:00 a.m. by Chairman Jeffery W. Smith.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Lindley M.F. Hoffman, Secretary
Arthur Silverman, Member
Harrison M. Robertson Jr., Member
Elizabeth Shields, Member
Sari M. Wilkey, Member
X Lighten Rosenthal, Alternate Member (arrived 9:05 a.m.)
Nikita Zukov, Alternate Member
Ann Lilja, Alternate Member
Timothy M. Frank, Planner/Projects Coordinator
John C. Randolph, Town Attorney (arrived 9:55 a.m.)

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Minutes of the September 17, 1997 Meeting

Correction to Page 6 required relative to property placed "under consideration" for landmarking. Correct address is "210" El Brillo Way.

MOTION BY MS. SHIELDS TO APPROVE THE MINUTES AS AMENDED.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

IV. Administration of the Oath to all persons who wish to testify: Oath administered by Mrs. Delp.

V. Public Hearings:

A. Application for Certificate of Appropriateness No. 19-97.

Entrance Features

Owner/Applicant: The Henry Morrison Flagler Museum

Address: One Whitehall Way

Architect: The Lawrence Group

Project Description: Request approval for entry features, wall, decorative pilasters with lamps, signage and other associated changes as presented

(Please note that this matter was heard informally at the September meeting.)

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared.

Mr. Eugene Lawrence, Architect, and Mr. John Blades, Director of the Flagler Museum, returned to the LPC with a revised design for the front entry. The new design shows higher pylons, with lights on top, at each of the entrances, semi-circular approach low garden walls, plantings in front of the walls, the elimination of the previously proposed flagpole, and a simple 6' sq. sign in the center to read "Henry Morrison Flagler Museum."

Ms. Shields commented that placing a sign on the Flagler is like placing a sign on the White House. She felt this site should be treated like other great house museums in the country, and should not have a corporate look. Mr. Blades stated that in 1925, Whitehall ceased to be a private residence and began its transformation into an institution. He stated that the Flagler Museum is looking toward 1998, and its becoming a national historic landmark. He also stated that the style of the sign is in keeping with the architecture at this site.

MOTION BY MR. ROSENTHAL TO APPROVE THE PROJECT AS PRESENTED. ?
MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 20-97.
Storefront renovation with signage and awnings

Owner: Love Realty

Applicant: St. John Knits

Address: 256 Worth Avenue

Architect: Brower Architectural Associates

Project Description: Request approval of storefront renovation and window treatments, awnings, signage, and other associated changes as presented

(Please note that this matter was heard informally at the September meeting.)

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS.

Mrs. Wilkey: Visited the site 10/9/97 and met with Mr. Brian Price

Ms. Shields: Visited the site and spoke with the construction foreman

Mr. Hoffman: Visited the site and spoke with Brian Price last Friday

Mr. Pandula: Visited the site and spoke with Brian Price

Mr. Smith: Visited the site, and Mr. Price's office called Mr. Smith, at which point he informed them that he does not meet with applicants.

Mr. Silverman: Visited the site and met with Shannon, Construction Foreman

Mr. Robertson: Visited the site and spoke with Mr. Price

Mr. Zukov: Visited the site

Ms. Lilja: Visited the site and met with Mr. Price.

Mr. Brian Price returned to the LPC after having been given the opportunity to meet with the members on an individual basis on site. Pursuant to those meetings, certain items about the proposal have been modified. The logo which was previously placed on the Worth Avenue building facade has been eliminated. The only logo will appear at the entrance door pull. The arcade windows, which will include the proposed vitrines, have existing red mahogany frames. The vitrine frames will be done in red mahogany to match. On the courtyard elevation, the originally planned vitrines with surrounding oak panels have been eliminated in favor of showroom windows to retain transparency. Decal signage in 3" letters will be applied to these two windows. Another change was presented regarding the awning material opting for either beige/white striping or white/off-white striping. The second floor

awnings will be simple 45 degree awnings, while the ground floor will have curved awnings. Signage for the building will be done in brushed stainless steel lettering rather than polished, as previously presented.

MOTION BY MR. PANDULA TO APPROVE THE PROJECT AS PRESENTED WITH EITHER COMBINATION OF AWNING STRIPES.

MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness No. 21-97.
Wishing well, lighting and landscaping
Owner/Applicant: Brazilian Court Inc.
Address: 301 Australian Avenue
Architect: The Lawrence Group Architects
Project Description: Request approval of the following:
1. Addition of wishing well in courtyard
 2. Outdoor lighting
 3. Approval of as-built landscaping
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared.

Architect Gene Lawrence and Michael Brown, Manager of the Brazilian Court, were present for today's hearing. Mr. Lawrence passed a photo of the wishing well, and stated that attempts are being made to replicate the well as closely as possible. Mr. Smith asked that they leave voids in the rocks of the well so that ferns can be planted in the structure. Mr. Lawrence agreed that this could be done. Mr. Lawrence passed a color xerox of the four small brass lights to be placed on the site in the north courtyard. As built landscaping consists of royal palms, two large cocoanuts, a sago palm, ficus, specimen hibiscus and low hibiscus hedge around the perimeter.

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED, WITH FERNS PLANTED IN THE VOIDS OF THE WELL.

MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY..

- D. Application for Certificate of Appropriateness No. 22-97.
Miscellaneous changes
Owner/Applicant: Mr. and Mrs. Robert Miller
Address: 105 Clarendon Avenue
Architect: SKA Architects
Project Description: Request approval of the following

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: Mr. Robertson visited the site and spoke with the assistant foreman.

1. Site Plan: Relocate garden wall & gate from tennis court to garage driveway

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. WILKEY.

As relocation of the wall & gate may require zoning action...

MOTION AMENDED BY MR. PANDULA APPROVING ONLY THE REMOVAL OF THE WALL AND GATE.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

2. East elevation: Block 3 small windows
 Replace 3 windows with french doors
 Revise column design & balustrade at existing covered terrace

MOTION FOR APPROVAL AS PRESENTED BY MR. HOFFMAN.
MOTION SECONDED BY MS. SHIELDS.
MOTION CARRIED UNANIMOUSLY.

3. West elevation: Add wood posts & detailing to existing enclosed upper loggia
 Revise existing windows

The wood detailing includes pecky columns and pecky brackets. Mr. Smith objected to the alignment of the second floor wood elements in relationship to the first floor vertical elements.

MOTION BY MR. ROBERTSON FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED 6-1-0, WITH MR. SMITH CASTING THE NEGATIVE VOTE.

4. North elevation: Replace existing single door with pair of french doors
Mr. Smith objected to the head heights of the windows and doors which were out of alignment. Mrs. Albarran de Mendoza agreed to correct the alignment.

MOTION BY MR. SILVERMAN FOR APPROVAL WITH THE PROVISIO THAT THE HEAD HEIGHTS ARE
ALIGNED.

MOTION SECONDED BY MR. ROBERTSON.
MOTION CARRIED UNANIMOUSLY.

5. South elevation: Replace solid wood door with french doors
 Replace small window with large

MOTION BY MR. PANDULA FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

6. Guest house: Add balcony, windows, french doors & sidelights on east elevation
 Replace single door with french doors & sidelights on south elevation
 Block door and window on west elevation
 Reduce size of window on north elevation

The guest house was previously used as a staff house. Now that it is a guest house, the owners wish to open it up to the tennis court and other surrounding areas, particularly the east facade which will be opened up the ocean and tennis court views.

MOTION BY MS. SHIELDS FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MR. PANDULA.
MOTION CARRIED UNANIMOUSLY.

7. Other associated changes as presented: None mentioned.

LATER IN THE MEETING, MRS. ALBARRAN DE MENDOZA NOTED, FOR THE RECORD, THAT THE OWNER OF THIS PROPERTY INTENDS TO PURSUE APPLICATION FOR TAX DEFERMENT WITH REGARD TO THE PROJECT.

Mr. Smith declared a Conflict of Interest with respect to Items E & F, to follow, and passed the gavel to Mr. Pandula.

E. Application for Certificate of Appropriateness No. 23-97.

Addition, Pool and Miscellaneous changes

Owner/Applicant: Mr. Herbert S. Pheeneey

Address: 201 El Bravo Way

Architect: Smith Architectural Group *** (Voting Conflict for Mr. Smith)

Project Description: Request approval for the following:

1. Addition of master suite
2. Infill of existing breezeway
3. Convert existing storage to new garage
4. Remove existing pool and pool terrace, and construct new pool in new location
5. Miscellaneous door/window replacements
6. Restoration of decorative elements
7. Demolition of existing bath house
8. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: Mr. Robertson visited the site and spoke to the assistant foreman.

Don Kino, Vice President of Smith Architectural Group, stated that the Town Council has granted a variance for the master suite addition, with associated removal of the existing pool and pool terrace. Mr. Frank noted, from the Town Council meeting, that the proposed landscaped area in the front yard will be increasing from the existing non-conforming 35% to 45% with the completion of this project. The new pool will be 12'x36' with simple coping and grassy surround. It will look like a reflecting pool, but will function as a pool. The LPC chose to review the master suite addition and the pool removal and reconstruction together.

MOTION BY MR. HOFFMAN FOR APPROVAL OF ITEMS 1 & 4, AS SUBMITTED.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

The existing breezeway was an open air arched connector from the garage to the kitchen. The applicant wishes to convert the breezeway to a new family room which will serve the new pool location. French doors and a clay barrel tile shed roof will be added at the first floor level, and existing second floor jalousies will be replaced with casements.. The width of the room will be increased to the west, thereby creating a second addition to the home.

MOTION BY MR. HOFFMAN TO APPROVE ITEM 2, AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

This existing storage space was previously used as a bomb shelter. The owner wishes to convert this space to a third garage space, with details to match the house. The existing roof here is flat, and it was suggested to place a barrel tile roof on this area.

MOTION BY MR. HOFFMAN TO APPROVE ITEM #3, WITH THE PROVISIO THAT THE EXISTING FLAT ROOF IS REPLACED WITH A BARREL TILE ROOF.

MOTION SECONDED BY MR. ROBERTSON.
MOTION CARRIED UNANIMOUSLY.

An existing picture window will be replaced with french doors to match the others in the area.

MOTION BY MS. SHIELDS TO APPROVE ITEM #5 AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

Restoration of decorative elements, Item 6, requires no motion for approval or LPC review..

Mr. Kino identified the existing bath house as a "bad" addition which was done by a previous owner which needs to be removed.

MOTION BY MR. ROBERTSON TO APPROVE ITEM #7 AS PRESENTED.
MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

MR. KINO STATED, FOR THE RECORD, THAT THE OWNER IS NOT SURE WHETHER HE WISHES TO PURSUE TAX DEFERMENT, BUT WOULD LIKE TO RESERVE THE RIGHT TO DO SO IN THE FUTURE.

F. Application for Certificate of Appropriateness No. 24-97.

Pool pavilion

Owner/Applicant: Mr. Charles Holmes

Address: 328 El Vedado Road

Architect: Smith Architectural Group *** (Voting Conflict for Mr. Smith)

Project Description: Request approval of a canvas covered pool pavilion, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

This is a small pool cabana to be built underneath a banyan tree and on axis with the existing pool. The structure will be CBS, clad with canvas...a white awning with blue piping on the scalloped edge.

MOTION BY MS. SHIELDS FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

- A. 1997 Historic Survey Report - Copies of the report were distributed to the members. Susan Krassy of Research Atlantica, Preservation Consultants to the Town, addressed the members relative to the report. She stated that the report is a tool for use in their continued work to protect the historic resources of the Town. The information contained within the report is the best and most complete information available at this time. In the future, however, new information may be discovered to either correct or augment the included data. The project involved the research of 1243 Town properties, some of which had been looked at in previous surveys. Of the 1243 sites, 84 of

the previously surveyed sites had either been demolished or so severely altered that they are no longer suitable for inclusion in this report. Eight (8) properties had, in the past, been incorrectly placed in the Master Site Files. This leaves 1151 properties which were studied...residences, commercial properties, and historic sites. The new Historic Site File forms will be on record in the Planning, Zoning & Building Department. In previous meetings, it was suggested that properties younger than 50 years of age should be mentioned in this report, if they were worthy of possible designation. The consultants opted to leave them out of this report as their inclusion would not be appropriate under the terms of the grant which helped to defray the cost of the compilation and research. The information on these new properties will, however, be distributed to the members at the November meeting. Also in November, discussion will take place relative to the new Historic Survey, after having given the members a month to review it.

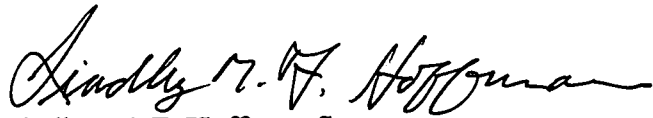
- B. Distribution of designation reports for November Designation hearings: 4 Designation Reports were distributed to the members in preparation for the November meeting. The properties which will be reviewed at that time are: 440 Brazilian Avenue, 241 Sanford Avenue, 260 Pendleton Avenue, and 210 El Brillo Way.
- C. Preservation Celebration Update: The event will be held on Wednesday, November 19, 1997 from 5:00 p.m. to 7:00 p.m. at the Flagler Museum. Event guests will be treated to tours of the Flagler Museum given by the Flagler's docents, a lecture regarding the Flagler Museum, and a reception in the Flagler's west room.
- D. The Preservation Foundation delivered copies of a report regarding the impact of landmarking on residential properties in the Town of Palm Beach relative to market value. The report indicates that landmarking increases property values by 10% to 20%.

VII. Adjournment:

The meeting was adjourned at 10:18 a.m. upon a motion sponsored by Mr. Pandula.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, November 19, 1997 at 9:00 a.m. in the Town Council Chambers, second floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary

LANDMARK PRESERVATION COMMISSION

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TOWN OF PALM BEACH

ATTENDANCE RECORD (19 97) WITH NEW MEMBERS

MEMBERS	1/ 97	2/ 97	3/ 97	4/ 97	5/ 97	6/ 97	7/ 97	8/ 97	9/ 97	10/ 97	11/ 97	12/ 97
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		
Arthur Silverman	P	P	P	P	P	U	P	E	E	P		
Lindley Hoffman	P	P	P	P	U	P	P	P	P	P		
Harrison Robertson	P	P	P	P	P	P	U	U	P	P		
Elizabeth Shields	P	P	P	P	P	P	U	P	P	P		
Sari M. Wilkey	P	P	U	P	P	P	P	P	P	P		

ALTERNATES	1/ 97	2/ 97	3/ 97	4/ 97	5/ 97	6/ 97	7/ 97	8/ 97	9/ 97	10/ 97	11/ 97	12/ 97
Leighton Rosenthal	n/a	n/a	P	U E	U E	U E	P	P	P	P		
Nikita Zukov	n/a	n/a	E	P	P	P	P	U	P	P		
Ann Lilja	n/a	n/a	E	P	P	P	P	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 (19 97)
WITH NEW MEMBERS

MEMBERS	1/ 97	2/97	3/97	4/ 97	5/97	6/97	7/ 97	8/97	9/ 97	10/97	11/97	12/97
Jeffery W. Smith	V2			VPD1 V1	VPD1 V2	VPD1 V1	VPD2		VPD1 V1	V2		
Eugene Pandula												
Arthur Silverman												
Lindley Hoffman												
Harrison Robertson												
Elizabeth Shields												
Sari M. Wilkey												
ALTERNATES	1/97	2/97	3/97	4/97	5/97	6/97	7/97	8/97	9/97	10/97	11/97	12/ 97
Leighton Rosenthal	n/a	n/a										
Nikita Zukov	n/a	n/a										
Ann Lilja	n/a	n/a										

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 <u>Smith, Jeffery W.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Landmarks Preservation Commission</u>	
MAILING ADDRESS <u>241 Sanford Avenue</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY <u>Town</u>	
CITY <u>Palm Beach</u>	COUNTY <u>Palm Beach</u>	NAME OF POLITICAL SUBDIVISION: <u>Town of Palm Beach</u>	
DATE ON WHICH VOTE OCCURRED <u>10/15/97</u>		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. 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 10/15/97, 1997

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

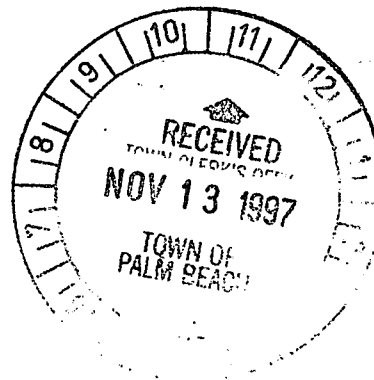
☒ X inured to my special private gain; or

 inured to the special gain of , by whom I am retained.

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

The applicant and property owner, Mr. Herbert Pheeney, is my client.

Regarding CoA# 23-97 for 201 El Bravo Way heard 10/15/97.



10/15/97

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 Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 241 Sanford Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY ☒ TOWN	
DATE ON WHICH VOTE OCCURRED 10/15/97		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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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:

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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 recording the minutes of the meeting, who will incorporate the form in the minutes.
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- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

• You should disclose orally the nature of your conflict in the measure before participating.

DISCLOSURE OF STATE OFFICER'S INTEREST

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

_____ insured to the special gain of _____, by whom I am retained.

The property owner, Mr. Holmes, is my client.

RECEIVED
TOWN OF PALM BEACH
NOV 13 1997

Signature_____

CE FORM 8B - 10-86

PAC

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	
MAILING ADDRESS 241 Sanford Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY Town	
CITY Palm Beach	COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 10/15/97		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

Minutes

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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 10/15/97, 1997:

(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 _____, by whom I am retained.

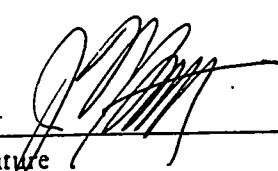
(b) The measure before my agency and the nature of my interest in the measure is as follows:

The applicant and property owner, Mr. Herbert Pheeney, is my client.

Regarding CoA# 23-97 for 201 El Bravo Way heard 10/15/97.

10/15/97

Date Filed


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 Smith, Jeffery W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 241 Sanford Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach		CITY COUNTY OTHER LOCAL AGENCY Town	
COUNTY Palm Beach		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 10/15/97		MY POSITION IS: ELECTIVE X 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 presented 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.

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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.

APPOINTED OFFICERS:

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- 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.

- 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.

I, Jeffery W. Smith, hereby disclose that on 10/15/97, 1997 :

X insured to my special private gain; or

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

Regarding CoA # 24-97, 328 El Vedado Road, Palm Beach heard 10/15/97

Signature

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