# TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES
LANDMARKS PRESERVATION COMMISSION
9:00 a.m., WEDNESDAY, SEPTEMBER 18, 1996
AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. Call to Order: The meeting was called to order at 9:04 a.m. by Chairman Jeffery W. Smith.

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Joanna Frost-Golino, Vice Chairman
Eugene Pandula, Secretary
Jacqueline Albarran de Mendoza, Member
Arthur Silverman, Member
Lindley M.F. Hoffman, Member
Jane R. Grace, Alternate Member
Elizabeth Shields, Alternate Member
Sari M. Wilkey, Alternate Member
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
John C. Randolph, Town Attorney

ABSENT: Harrison M. Robertson Jr., Member (unexcused)

RECORDING SECRETARY: Cynthia M. Delp

Mr. Moore advised the LPC members and the public that previous statements reporting that fact that Mrs. Grace would no longer be able to serve on the LPC (due to attendance requirements as prescribed by ordinance) were indeed premature. Subsequent to further review of the ordinance regarding attendance by Mr. Randolph and Mr. Moore, it was concluded that Mrs. Grace's absences were still within the parameters stated in the ordinance, and she will continue her service as an Alternate Member of the LPC. Mr. Moore apologized to Mrs. Grace for the misinterpretation.

III. Approval of the Minutes of the August 21, 1996 Meeting:
MOTION BY MR. SILVERMAN TO APPROVE THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. JACQUELINE ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (407) 838-5430

## IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 25-96, Miscellaneous changes
Owner/Applicant: Paramount Partners
Address: 139 North County Road
Architect: David R. Miller AIA
Project Description: Request approval of the following:

1. Cast stone at grade level planters
2. Cast stone at main entry
3. Exterior door replacement - courtyard
4. Railing replacement
5. Deck/roof-reroof and cast stone installation
6. Planter replacement at roof deck
7. Courtyard common area furnishings
8. Other associated changes as presented

Please note that Mrs. Albarran de Mendoza has previously declared a Conflict of Interest with respect to this matter. This matter was deferred from the May meeting with the following motion: MOTION BY MRS. FROST-GOLINO APPROVING THE PROJECT AS PRESENTED, EXCEPTING THE METAL RAILING DETAILS WHICH ARE TO BE BROUGHT BACK TO THE LPC FOR REVIEW (DRAWING AND MOCK UP), AND EXCEPTING THE CAST STONE AT THE MAIN ENTRY OF THE AUDITORIUM UNTIL SUCH TIME AS THE ANTICIPATED SIGNAGE IS READY FOR REVIEW.

MOTION AT THE JUNE MEETING FOR DEFERRAL TO THE JULY MEETING.
MOTION AT THE JULY MEETING FOR DEFERRAL TO THE AUGUST MEETING.
MOTION AT THE AUGUST MEETING FOR DEFERRAL TO THE SEPTEMBER MEETING.

As the architect has requested another deferral, the following motion was made:
MOTION BY MR. PANDULA FOR DEFERRAL TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #29-96, Miscellaneous changes
Owner/Applicant: Via Parigi Properties c/o The Everglades Club
Address: 347 Worth Avenue
Architect: Brower Architectural Associates
Project Description: Request approval of the following:

1. Add barrel tile roof over existing third floor balcony, with wood columns and wrought aluminum railing
2. Add balcony on second floor with french doors and new round top windows
3. Other associated changes as presented

MOTION MADE AT THE JUNE MEETING: TO APPROVE THE REQUEST AS PRESENTED WITH THE PROVISO THAT THE PETITIONER COME BACK AND SHOW THE DETAILS OF THE SECTION OF THE ROOF SUCH THAT IT WORKS AS SPECIFIED, STARTING AT THE EXISTING EAVE LINE AND GOING NO LOWER THAN 3 AND 12 PITCH BECAUSE IF NOT, BARREL TILE WOULD NOT WORK; AND THAT THE DETAILS BE PRESENTED ALONG WITH THE DETAILS OF THE RAILINGS AND THE COLUMNS AND THE COLOR CHIP OF THE BUILDING

MOTION MADE AT THE JULY MEETING FOR DEFERRAL TO THE AUGUST MEETING..
MOTION MADE AT THE AUGUST MEETING FOR DEFERRAL TO THE SEPTEMBER MEETING.

As the architect has requested another deferral, the following motion was made:
MOTION BY MR. PANDULA FOR DEFERRAL TO THE OCTOBER MEETING.
MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

Mr. Smith announced his conflicts with Items C & D, as previously declared and filed. He passed the gavel to Mrs. Frost-Golino.

C. Application for Certificate of Appropriateness #39-96
Landscape/hardscape plan to include fountain(s)
Owner/Applicant: Mr. and Mrs. Lowell Paxson
Address: 780 South Ocean Boulevard
Architect: Thomas Lucido & Associates, Landscape Architects/Land Planners
Project Description: Request approval of master landscape/hardscape plan as follows

1. General landscape improvements to include retention of mature trees and palms, and the relocation of two clusters of mature seagrapes on the east side of the residence
2. Installation of a new cast stone tiered fountain set in a shallow pool surrounded by a formal parterre garden.
3. Outdoor terraces proposed for the east and south side of the existing solarium
4. Cast stone fountain urn proposed for the center of the large fountain basin located on the west terrace overlooking the pool area
5. Other associated changes as presented

AT THE AUGUST MEETING, THE FOLLOWING MOTION WAS MADE: MOTION BY MRS. ALBARRAN DE MENDOZA TO DEFER THE PROJECT TO THE SEPTEMBER MEETING ON THE BASIS OF THE CONCERNS DISCUSSED. MOTION SECONDED BY MR. HOFFMAN WITH THE STIPULATION THAT MS. WHITMER BE GIVEN SOME GUIDANCE AS TO WHAT IS BEING REQUESTED BY THE COMMISSION.

MRS. ALBARRAN DE MENDOZA STATED, IN CLARIFICATION, THAT THE FRONT FOUNTAIN/GARDEN BE RE-STUDIED, THAT THE BALUSTRADE AT THE SOLARIUM BE RE-STUDIED, AND THAT MORE DETAILS BE GIVEN ON THE PLANS AS TO SPECIFIC LANDSCAPE SPECIES, NEW VS. EXISTING, CLEAR TRUNK HEIGHT, ETC. SHE COMMENTED FURTHER THAT THE FOUR AREAS OF WATER WITH THE STATUES ARE TOO MUCH, WHILE THE CENTER FOUNTAIN AND THE NORTH/SOUTH TROUGHS ARE ACCEPTABLE. SHE SUGGESTED THAT THE QUATREFOIL SHAPE BE DONE IN LANDSCAPING RATHER THAN HARDSCAPE.

In further discussion, (August meeting), concern was expressed over the east/west proportions of the fountain. The Commission wants to understand what is seen from the public right-of-way. The Commission requested a full elevation, done at eye level, so one can determine what will be seen above the wall.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS.
Mrs. Frost Golino: Met with attorney/landscape architect at Town Hall and site.
Mr. Pandula: Met with attorney/landscape architect at his office.
Mrs. Albarran de Mendoza: Met with attorney/landscape architect at the site.
Mr. Hoffman: Met with attorney/landscape architect at the attorney's office.
Ms. Shields: Met with attorney/landscape architect at site.

Mr. Richard Weinstein addressed the LPC to introduce Ms. Meg Whitmer, the Landscape Architect, and Ms. Sue Delegal of the firm, Holland and Knight. It was stated that the Paxsons are very interested in obtaining approval of this project today as their daughter is being married at the property early in February, and this would be the last approval opportunity which allow the work to be finished prior to the wedding date. Ms. Delegal stated that the team has worked diligently to address the concerns addressed by the LPC at last month's meeting. She distributed copies of the Designation Report for this property, and pointed out certain statements made on pages 5 & 7 of that report which reference Mizner's original garden at this site and statements related to the orientation of the site.

Ms. Whitmer thanked the members of the LPC for their comments made at the last meeting, and for meeting with them prior to today's meeting. She discussed the various garden areas as follows:

REMINGTON GARDEN: ( Located on the south side of the existing solarium) The Remington garden was designed for the sole purpose of displaying the original Remington bronze of a man upon a horse. It will be a simple space done in cast stone with a coquina texture. At last month's meeting, the LPC simply requested more details related to this garden area. Ms. Whitmer distributed construction drawings for this garden. The bronze will be positioned on a concrete base at grade. The garden is bordered by raised St. Louis brick to match the driveway.

SOLARIUM TERRACE: Comments were made last month regarding the heaviness of the balustrade and the size of the terrace. Ms. Whitmer presented a revised design with a smaller balustrade to match balustrade at the back of the house near the bird bath. The new balustrade will be 36" tall with a cast stone cap, and its posts will mimic detailed posts found in the back of the house. Seating areas will be found in the niche areas of the terrace. The terrace and steps will be tiled to match the interior of the solarium. The cast stone elements will have a smooth limestone finish. Plantings will occur around the edge of the terrace, while planted urns will be placed on the terrace. Ms. Whitmer was pleased with the revised plan and thanked the LPC for their suggestions last month which initiated these changes.

PARTERRE GARDEN: Ms. Whitmer distributed a much more detailed drawing of the garden which included elevations. The revised design of this garden is scaled down... 8,250 sq. ft. reduced to 5,956 square feet in footprint. The hardscape elements were likewise reduced by approximately 40%. The reflection pools and the center fountain area will be finished in a dark marcite. Small trees have been added to filter views from A1A. From A1A, passersby in higher vehicles might be able to see the top 5.5' - 6' of the 11' tall fountain, as opposed to 4' as seen from lower vehicles. The existing hedge along the outside of the property wall will be allowed to grow an additional 2', yielding a 6' wall of hedge. Some larger palms were relocated further in toward the house. Tall date palms, with 15' of clear trunk height, will proceed along the driveway to the house. Heavier, salt tolerant plantings will occur on the interior side of the property wall at a height of 5'-6'. Ms. Whitmer stated that she attempted to stretch out the elements, so the hardscape was longer rather than wider (as was suggested last month), but when this was attempted the quatrefoil design was lost. Therefore, she opted to simply scale down the elements. The four statues, originally contemplated, will actually top out at 6' above grade, rather than 8' as previously thought. Trees previously located in the front yard were removed as they were infested with termites and carpenter ants.

ACROSS OCEAN BLVD: Salt tolerant plants and tall palms will be used in conjunction with existing healthy palms.

MOTION BY MR. HOFFMAN TO APPROVE THE REVISED PLANS BASED UPON THE ELEVATIONS PRESENTED TODAY, AND WITH THE PROVISO THAT THE ELEVATIONS SHOWN ON THESE PLANS ARE NOT TO BE EXCEEDED.

MOTION SECONDED BY MR. PANDULA.
MOTION CARRIED UNANIMOUSLY.

D. <u>Application for Certificate of Appropriateness #42-96</u>
<u>Modification to parapet wall</u>
Owner/Applicant: The Mar-a-Lago Club
Address: 1100 South Ocean Boulevard
Architect: REG Architects
Project Description: Request approval of modification of design for patio perimeter wall at tennis pavilion, and other associated changes as presented. The design will be modified by removing the design detail and replacing it with cast stone balusters.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. Wes Blackman, Director of Projects, and Architect Rick Gonzalez presented this request. Several months ago, a design was approved for the tennis cabana building. That design included yin yang detailing on the cabana's perimeter wall. Due to the high degree of difficulty in constructing the yin yang design, and the fact that the yin yang design will obscure views to the water, the presentation today was to replace the yin yang with balustrade. The balustrade chosen is found on interior tapestries within the house. Also, the monkey statues planned at the cabana will now be parrots.

The LPC expressed some concern over the type and amount of balustrade being used. Mr. Hoffman commented regarding the quantity of balustrade, regardless of the design. The LPC inquired as to code requirements for the railing. Mr. Moore responded that if the balustrade is used, it must meet current codes.

Mr. Blackman then presented "Option E" eliminating any wall or balustrade in favor of hedge material. This is also the least expensive option. The LPC was pleased with this option and asked Mr. Blackman to return with the specific landscape plan for this area.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF "OPTION E" USING HEDGE MATERIAL IN LIEU OF BALUSTRADE, AND WITH THE PROVISO THAT THE APPLICANT WILL RETURN TO THE LPC WITH LANDSCAPE DETAILS.

MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #43-96
Site Lighting
Owner/Applicant: Henry Morrison Flagler Museum
Address: 1 Whitehall Way
Contractor: On Track Lighting
Architect: The Lawrence Group
Project Description: Request approval of site lighting as follows:

1. Light employee parking lot using well shaded metal halide fixtures-(2 light poles)
2. Provide notion detector activated security lights mounted in palm trees near lake side of property
3. Replace inadequate path lights in front of entry to museum with proper fixtures for safety at night (CONTINUED ON NEXT PAGE)
4. Two new light poles in islands to match existing light poles on south side
5. Relocate several light poles adjacent to entry drive
6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS: None declared

Mr. John Blades, Director of the Flagler Museum, was present along with Mr. Joel Grey of On Track Lighting to present the lighting requests for the Flagler Museum. Mr. Grey began by stating that all the requests he will present are driven by the need for safety and security. In the employee parking lot, there is no existing lighting. The proposal is to install two 400 watt metal halide fixtures mounted on 25' concrete poles. These fixtures produce white light and are too large to be mounted in trees. Though Mr. Grey stated that the light emitted by these fixtures would not be bothersome to area neighbors, the LPC was still concerned and asked if smaller fixtures/poles were possible for this location. Mr. Grey offered only two alternatives, i.e., 2 fixtures, each on 25' poles or 8 fixtures, each on 15' poles.

At this point, Mr. Moore interrupted to inform Mr. Grey that the Town has set certain standards for light poles, i.e., poles cannot be taller than 16'. He cited the discussions and ultimate approvals that had been given for the Citibank building on Royal Palm Way as an example of solving a lighting problem while meeting Town standards. Mr. Moore stated that the correct solution will provide for low poles, low intensity lights, and protection for neighbors from intruding lights.

Also, lights are planned for location in the queen palms near the water. The palms are 20' from the water's edge. These lights are equipped with motion detectors, and will go on when heat sources are detected. It was noted that an animal might set them off. There will be a total of 10 fixtures, two per tree. They are very small 100watt halogen fixtures offering white light.

Two fixtures are planned for the banyan tree which are not motion sensitive. These fixtures are very well shaded and will light the entry gate.

The LPC commented that the site plan presented was inadequately notated and not complete. Mr. Smith stated there was not enough information available for them to make a decision today.

Regarding replacing the inadequate path lights (10 qty. 6" tall pagoda fixtures) in front of the entry to the museum, Mr. Grey proposed eight 13watt fluorescent fixtures, 2' bollards. Mr. Smith commented that these fixtures are too modern, and recommended that they use incandescent fixtures rather then fluorescent. Mr. Grey commented that the fluorescent lights produced currently can look like incandescents. Fluorescents have a longer life and require less maintenance. The LPC was in agreement with Mr. Smith that the proposed fixtures are not appropriate. Mr. Blades stated that the existing lighting in this location is inappropriate and unsafe. So, rather than choose lighting to look historic, they have chosen lights to disappear within the landscaping. The LPC was not in favor of the bollards, and requested that a more appropriate fixture be chosen, and that they be placed in the hedges.

Regarding (#4) two new light poles in islands to match existing light poles on south side, Mr. Blades requested approval today as this was a straightforward request to add two lights to accommodate the new parking areas, mirror imaging the existing fixtures.

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE TWO NEW LIGHT POLES IN ISLANDS TO MATCH EXISTING LIGHT POLES TO ILLUMINATE THE NEW PARKING AREA.

MOTION SECONDED BY MR. SILVERMAN.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. PANDULA TO DEFER ITEMS 1, 2, 3 & 5 AS LISTED ON THE AGENDA ABOVE.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

VI. Other Business:

A. INFORMAL REVIEW: 260 VIA BELLARIA
Roll shutters and accordion shutters

Mrs. Frost-Golino stated that she had met with the contractor/client regarding this issue. The applicant's representative from Mastercare Shutters, Mr. Jenkinson, stated they had first taken this project to ARCOM, at which time it was noted that the project was a landmark. The owner is attempting to satisfy Chubb Insurance requirements, and wants to be self-sufficient relative to shutter installation should a storm situation arise. Currently, the previously used removable panels are still available to shutter the house. The owner is requesting rolling shutters on the second floor.

Mr. Smith stated that he did not see how rolling shutters could be applied to the second floor windows as there are no eaves, no roof overhangs, and the design of the windows is not conducive to the application of this type of shutter. Mrs. Frost-Golino stated that there could possibly be some sort of compromise regarding the sides and rear of the property, but not on the front facade. On the front facade, she stated, panels or laminated windows will have to be used. Mr. Smith stated that the LPC will need full architectural drawings of the elevations, as well as photos. He was not opposed to a compromise on facades other than the front.

B. INFORMAL REVIEW: 350 SOUTH COUNTY ROAD

Identification signage

Mr. Steve Rowe of Phil Rowe Signs and the proprietor of Galaxy Grille, Mr. Maurizio Ciminella, were present to discuss this signage request. The request is for a 12" square logo on the front of the building along with cut out letters in 5"/2". Colors will be navy and aqua. The navy will match the new awning color. Also, 12"/4" cut out letters will be placed on the north elevation at the corner. Both signs will read "Galaxy Grille".

MOTION BY MRS. ALBARRAN DE MENDOZA AGREEING TO THE SIGNAGE PATTERN BEING SET HERE, AND DISCONTINUING THE FORMER PRE-APPROVED SIGNAGE FOR THIS BUILDING AND REQUIRING THAT EACH NEW SIGN FOR THIS BUILDING WILL BE BROUGHT TO THE LPC FOR REVIEW.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

Mr. Ciminella also requested approval to change the window mullions to aqua. LPC members expressed concern over the color sample shown. The LPC permitted the applicant to paint one window as a sample. The LPC will review this matter formally next month.

C. INFORMAL REVIEW: 340 SOUTH COUNTY ROAD

Addition on rear and facade renovations

Mr. Harry Gilbert, Contractor, presented this request informally, subsequent to obtaining a variance from the Town Council for the addition. The addition will permit new public restrooms which will meet ADA requirements, convenience store area, a storage area and an office. The existing service bays will remain in tact. Facade revisions will be effected, including the addition of pre-cast columns. The roof will be re-painted in the same color. The LPC asked Mr. Gilbert to undertake additional landscaping as part of the project. Mention was made of the signage at the site. It was noted that the existing ground mounted sign is grandfathered in and is, in fact, smaller than code would permit. This matter will be heard formally at next month's meeting.

D. COMMENTS: MR. MOORE

Mr. Moore offered some comments relative to exparte communications. He reminded commissioners that they are under no obligation to meet with any applicant nor any of the applicant's representatives. Further, they are not obliged to meet at any inconvenient location. Locations for those meetings are at the discretion of the LPC member. Mr. Moore reminded the LPC that all decisions must be made at the publicly advertised meetings of the LPC, and no commitments are to be made, either pro or con, during any exparte communication.

Mr. Moore complimented the LPC for demonstrating again, with the Paxson project, that they are indeed "user friendly" as a reviewing body. This is extremely helpful to the cause of landmarking within the Town, as the LPC continues to be in tune with owners needs and public concerns.

VII. Adjournment:

MOTION BY MRS. ALBARRAN DE MENDOZA TO ADJOURN AT 11:31 A.M.
MOTION SECONDED BY MRS. FROST-GOLINO.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, October 16, 1996 at 9:00 a.m. in the Town Council Chambers, second floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,

Eugene Pandula, Secretary 10/2/96

cmd

TOWN OF PALM BEACH

**ATTENDANCE RECORD** (1996)
With New Members

| **MEMBERS** | 1/96 | 2/96 | 3/96 | 4/96 | 5/96 | 6/96 | 7/96 | 8/96 | 9/96 | 10/96 | 11/96 | 12/96 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jeffery W. Smith | P | P | P | P | P | P | P | P | P | | | |
| Joanna Frost-Golino | P | P | P | P | P | E | A | P | P | | | |
| Eugéne Pandula | P | P | P | P | P | P | P | P | P | | | |
| J.Albarran de Mendoza | P | P | P | P | P | P | P | P | P | | | |
| Arthur Silverman | P | P | P | P | P | P | P | E | P | | | |
| Lindley Hoffman | n/a | n/a | P | P | P | P | P | P | P | | | |
| Harrison Robertson | n/a | n/a | P | U | P | P | P | P | U | | | |

| **ALTERNATES** | 1/96 | 2/96 | 3/96 | 4/96 | 5/96 | 6/96 | 7/96 | 8/96 | 9/96 | 10/96 | 11/96 | 12/96 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jane R. Grace | E | P | P | P | P | P | U | U | P | | | |
| Elizabeth Shields | U | P | P | P | P | P | P | P | P | | | |
| Sari M. Wilkey | n/a | n/a | 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 (1996 )
With new members

| MEMBERS | 1/96 | 2/96 | 3/96 | 4/96 | 5/96 | 6/96 | 7/96 | 8/96 | 9/96 | 10/96 | 11/96 | 12/96 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jeffery W. Smith | V3 | VPD1 V2 | VPD4 | VPD3 | VPD4 | VPD1 | VPD1 | VPD1 | VPD2 | | | |
| Joanna Frost-Golino | | | | | | | | | | | | |
| Eugene Pandula | V1 | VPD1 | VPD1 | VPD1 | VPD1 | | | | | | | |
| J. Albarran de Mendoza | | V1 | VPD1 | | V1 | VPD1 | VPD1 | | | | | |
| Arthur Silverman | | | | | | | | | | | | |
| Lindley Hoffman | | | | | | | | | | | | |
| Harrison Robertson | | | | | | | | | | | | |

| ALTERNATES | 1/96 | 2/96 | 3/96 | 4/96 | 5/96 | 6/96 | 7/96 | 8/96 | 9/96 | 10/96 | 11/96 | 12/96 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Jane R. Grace | | V1 | | | | | | | | | | |
| Elizabeth Shields | | | | | | | | | | | | |
| Sari M. Wilkey | | | | | | | | | | | | |

**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 ORIGI DECLARED CONFLICT FOR ONGOING PROJECT: PER JOHN C. RANDOLPH, T[illegible]N ATTORNEY)

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

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME<br>SMITH, JEFFERY | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br>LANDMARK PRESERVATION COMMISSION |
| MAILING ADDRESS<br>241 SANFORD AVE | THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br>X CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY |
| CITY: PALM BEACH — COUNTY: PALM BEACH | NAME OF POLITICAL SUBDIVISION:<br>TOWN OF PALM BEACH |
| DATE ON WHICH VOTE OCCURRED<br>~~8/21/96~~ 9/21/96 | MY POSITION IS: ☐ ELECTIVE X APPOINTIVE |

Minutes ~~Member~~

## 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 8/21, 19 96:

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

___ inured to my special private gain; or

X inured to the special gain of Mr & Mrs Lowell Paxson, by whom I ~~am~~ was retained.

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

Conflict re-stated at 9/21/96 meeting regarding CoA #39-96.

8/21/96
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

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

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME<br>SMITH JEFFERY | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br>LANDMARKS PRES. COMMISSION |
| MAILING ADDRESS<br>241 SANFORD AVG | THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br>X CITY [ ] COUNTY [ ] OTHER LOCAL AGENCY |
| CITY: PALM BEACH — COUNTY: P.B. | NAME OF POLITICAL SUBDIVISION:<br>TOWN OF P.B. |
| DATE ON WHICH VOTE OCCURRED<br>3·20·96 / 9/21/96 | 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 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.

1100 S. OCEAN BLVD CoA#18-96

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 3-20, 19 96:

(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:

I AM RETAINED BY MRS. A. DEMOSS WHO OBJECTS TO THE PARKING AND TENNIS COURTS AT MAR A LAGO.

Conflict re-stated at 9/21/96 meeting regarding CoA#42-96.

3-20-96

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