TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

OF SEPTEMBER 15, 1999

RESCHEDULED TO 9:00 a.m., TUESDAY, SEPTEMBER 21, 1999

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

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

II Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Elizabeth Dowdle, Secretary
Sari M. Wilkey, Member
Jacqueline Albarran de Mendoza, Member
Ann Vanneck, Member
Ann Blades, Member
Nikita Zukov, Alternate Member
Judy Hoffman, Alternate Member
Jack Pyms, Alternate Member
Clay Brooker, Presiding Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Jane S. Day, Staff Preservation Consultant

ABSENT: Timothy M. Frank, Planner/Projects Coordinator

RECORDING SECRETARY: Cynthia M. Delp

III Approval of the Minutes of the August 18, 1999 Meeting:
MOTION BY MR. PANDULA FOR APPROVAL OF THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. WILKEY.
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.

V Public Hearings:

A. Application for Certificate of Appropriateness #12-99, deferred from May, June, July & August, 1999 Addition and modifications
Owner/Applicant: Palm Beach Day School
Address: 241 Seaview Avenue
Architect: Fanning Howey Associates Inc.
Project Description: Request approval of the following:
1. Addition of new gymnatorium building on south parcel

2. Fenestration changes to existing auditorium building
3. Enclosure of current exterior staircase
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Please note that the gymnatorium is the only remaining portion of this project which has not been approved. At the May, June and July meetings, previously submitted designs for the gymnatorium were reviewed. None of these designs were acceptable to the Landmarks Preservation Commission. The applicant was asked to return with a new design. (The rest of the project was approved at the July meeting.)

MOTION AT THE AUGUST MEETING TO APPROVE THE GYMNATORIUM DESIGN WITH THE FOLLOWING PROVISOS:

1. **THAT THE GLAZING BE WRAPPED AROUND TO THE EAST AND WEST OF THE STAIR TOWER.**
2. **THAT THE LIMESTONE BE DONE IN SOLID MATERIALS, NOT RIBBED.**
3. **THAT THE MATERIALS BE DEFERRED FOR FINAL APPROVAL NEXT MONTH, NOTING THAT THE COMMISSION WOULD LIKE TO SEE SAMPLES.**

Mr. Rene Tercilla returned to the commission to review the remaining issues. He presented a new colored rendering showing the approved design. As for the additional glazing wrapping to the east and west of the stair tower, Mr. Tercilla looked for Mr. Moore to comment relative to the neighbors of the site. Moore commented that the subject of the Day School has been back again to the Town Council due to the settlement of a lawsuit with the neighbors. In the settlement, an agreement was reached with those neighbors that has placed the east end of the property in green space as long as those neighbors own their individual properties. After that, the Day School is free to use the east property as it wishes, within the guidelines of the Zoning Code at that time. So, to introduce even more glazing with backlighting would be more intrusive to the east neighbors, and would meet with more objection. Therefore, the additional wrap glazing will not be done. Mr. Pandula stated that he was the member who introduced the additional glazing concept, and he was agreeable to not implementing that suggested change.

As for the ribbed limestone, the material will be changed to 2' x 4' pieces of porcelain ceramic tiles (a green hone stone material) which will not be glazed or ribbed. The limestone was abandoned as it was felt there would be too much color variation from piece to piece. 16"x16" tiles in light grey with a rough finish will be placed at the second floor mechanical area walls. White stucco will occur in the remaining areas. The glass, to be placed on the street side only, will be opaque and softly backlit.

Mrs. Vanneck commented that the material changes, i.e., eliminating the limestone and adding the grey material, produce a warehouse feel. Mrs. Albarran de Mendoza and Mr. Pandula commented that they are in favor of the project as presented.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

B. 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

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.

PLEASE NOTE THAT THE ARCHITECT HAS REQUESTED DEFERRAL TO THE OCTOBER MEETING FOR THE REMAINING ITEMS.

MOTION BY MR. PANDULA FOR DEFERRAL TO THE OCTOBER MEETING.
MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #21-99,
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

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Let the record show that Mr. Smith declared a Conflict of Interest with respect to this matter as he is the architect for the project. (Conflict previously declared) He passed the gavel to Mr. Pandula. When the item was called, there was no one in attendance to present the project.

MOTION BY MRS. DOWDLE TO DEFER THIS MATTER TO THE END OF THE AGENDA.
MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.

Let the record show that at the end of the meeting, when the item was called again, there was still no one present for the project.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR DEFERRAL TO OCTOBER.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #22-99,
Rooftop telecommunication equipment
Owner: Town of Palm Beach
Applicant: West Tower Design Inc.
Address: Town Hall, 360 South County Road
Architect: REG Architects
Project Description: Request approval to install telecommunication equipment and parapet wall on Town Hall roof and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Rick Gonzalez of REG Architects presented this request in furtherance of his appearance last month relative to this item. At that time, the matter was heard on an informal basis only and the commission offered feedback to Mr. Gonzalez relative to the project.

The new parapet wall will be constructed without cast stone coping, in response to the LPC's comments last month. The wall will serve to hide existing air conditioning units and the two new 36" antennas. On the south side, possible antenna locations were explored, in an attempt to not place them in the tower, which had been the original proposal. The proposed new south locations are: one adjacent to the existing south air conditioning units and one behind the parapet on the northeast corner of the southern section. The south antennae will be only 24" in height and will be painted to match the air conditioning equipment to camouflage it. The LPC was very pleased with this solution for the project.

MOTION BY MS. SHIELDS FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA..
MOTION CARRIED UNANIMOUSLY.

E. 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/repaired 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.

Mr. Smith was asked to come to the site, but declined as he was familiar with the project.
Mr. Pandula met with the architect on site.
Mrs. Blades met with the architect and Mr. Rogers on site.
Mr. Zukov met with Mr. Marsh at the site.
Mrs. Hoffman met with Mr. Marsh and Mr. Rogers at the site.
Mr. Pyms met with Mr. Marsh at the site.
Mrs. Wilkey met with Mr. Marsh and Mr. Rogers at the site.
Mrs. Albarran de Mendoza met with the owners and Project Manager.
Mrs. Dowdle met with Mr. Marsh and Mr. Rogers at the site.
Mrs. Vanneck met with Mr. Marsh and Mr. Rogers at the site, along with Mrs. Day and Mrs. Delp

Mr. Smith stated that he is the architect for the adjacent neighbor's property at 1485 South Ocean Boulevard, the Mezzacappas. The Mezzacappas had sent a letter to the town, and spoke to Mr. Clark relative to four issues abutting their property...screening between the properties, a path, a dog run, and a new pergola. If there had not yet been agreement between the two parties relative to these issues, Mr. Smith would recuse himself. Mr. Smith looked for some assurance of resolution from Mr. Marsh, but at this point, Mr. Marsh could not state firmly that the Clarks would comply with all of the Mezzacappa's requests and/or concerns. Therefore, Mr. Smith recused himself, declaring a Conflict of Interest, and passed the gavel to Mr. Pandula. (Let the record show that Mr. Moore read the aforementioned letter into the record. It was dated September 7, 1999 and was addressed to the Town via Tim Frank.)

Attorney Doyle Rogers addressed the LPC announcing that this is a tax abatement project. The residence at 1500 South Ocean Boulevard was designed by Maurice Fatio in the 1930s for Mr. Weidner. Over the years, it has suffered deterioration. The new owner, however, is captivated by the property and regards it as a restoration challenge. The Clarks will use the residence as their home and will make it convenient for modern lifestyles. The Clarks, prior to this meeting, had invited the LPC members to the property, on an individual basis, to review the project on site. Mr. Rogers advised his clients, when considering restoration of the residence, that the LPC Manual encourages restorations and reasonable additions, as noted in Paragraph 2 of Page 3 of that manual. Mr. Rogers noted that this project requires no variances or special exceptions. He introduced the team of professionals working on the project, as follows: Mr. Mark Marsh of Bridges, Marsh & Carmo Architects, Mr. Richard Sammons of Fairfax and Sammons Architects (NY), Mr. Robert Truskowski of Robert E. Truskowski Inc., Landscape Architect, and Mr. Carl Lessard, the Project Supervisor.

Mark Marsh continued with the presentation, stating that this project represents an extreme challenge. The residence was constructed in 1930, and since then, very little has been done to the property,

resulting in continual deterioration. Fatio had originally designed the home for only seasonal and social occupancy, whereas the new owners will use the home as their residence. As such, the property will be adapted for modern living, and the owner's particular lifestyle. The existing service quadrant currently has twenty-four (24) bedrooms, a number of garages, and a second story service kitchen area. The existing main house has a very large entertainment floor and above that, are two modest bedroom towers isolated from each other, and a basement for service personnel. The restoration required at this site will be major and the owner is willing to expend the effort and spend the monies required to execute a correct restoration.

There are four major areas suffering from major disrepair:

1 The foundation is deteriorated due to water penetration. The entire perimeter of the main house must be excavated including the center courtyard to remedy this problem.

2 The existing roof is defective and leaking. The project includes removal of the existing barrel tile, repair of the sub-roof and upgrade of the roof structure to code. The roof material will be clay barrel tile to match the existing.

3 Fenestration replacements: The existing beautiful bronze windows will all be replaced with exact matches completed in impact glazing (from a company in Utah).

4 The major removal area is the service quadrangle which is currently inferior and deteriorated. The existing structure will be removed and re-constructed with similar massing and architectural detail.

As to site planning issues, Mr. Marsh reiterated that all setbacks are being maintained, and the project requires no variances or special exceptions. The current driveway off South Ocean Boulevard is very hazardous. Therefore, the main entry drive will be relocated to the north side of the property, still coming off South Ocean Boulevard. Its new location will assist in maintaining building axes. On the existing driveway, the paving will be removed and that entrance closed. As the existing driveway has a grade change, the grade change will be re-used in the construction of a cascading water feature. The site wall along South Ocean Boulevard will be filled in to close off the property on the east side, and the hedges along South Ocean Boulevard will be re-planted. Service parking will be provided at the least desirable location, the northeast corner of the property, and will not disturb the privacy of the formal motorcourt area. Mr. Marsh noted that the adjacent neighbors, the Mezzacappas, do not want a service road running along their property. By locating the service parking on the northeast corner of the property, the Mezzacappas are not affected. On the northwest corner of the property, there will be a path for lawn mowers and golf carts, and this area will be done in turf block. The north motorcourt wall and fountain will be moved fifteen (15) feet to the south. The main addition to the site is the new guest house to be located in the southwest corner of the property. Again, in this proposed location, the new guesthouse has very little impact on the Mezzacappas. The original gate planned for the property was never constructed, but this proposal includes its construction and erection to provide a very gracious north entry.

Mr. Marsh reviewed the floor plan changes stating that the major area of construction is in the service quadrangle, which will be removed and reconstructed. The existing structure has inferior materials and details and is quite deteriorated. The structure has also experienced sanitary problems due to ruptured sewer pipes. The carriage-way, leading to the garages, in the existing quadrangle is only 10' wide. The new proposal will increase this width to 12' to allow for today's larger vehicles. The new structure will have garages and an open arcade, for water views, on the ground floor. On its second floor there will be a family wing consisting of a kitchen, family room and family dining. There will also be a new Belvedere element which houses all the vertical circulation through the house and links the service quad to the main house, and creates an architectural balance from the main house

to the service wing. The main house will experience the addition of an upper loggia linking the two bedroom wings. At the west edge of the main courtyard, the terrace area and west wall with stairs will be extended out by 7'. A terrace to the south side of the existing casino will be expanded for access to the pool area and lower garden. At the pool area, a grotto will be created with passive water elements. The existing pool is failing and will be re-constructed to match. A new thermal pool will be situated on the east side of the pool deck.

Mr. Marsh introduced Mrs. Richard Sammons as a scholar in Classical architecture who was brought into the team for his expertise. Mr. Sammons works on various Preservation Boards in NY, is a member of the board of the Historic House Trust in NY, and is very familiar with Fatio's work.

Mr. Sammons reviewed the elevation changes, stating that this client has taken a very conservative and academic approach to preserving the buildings. The **east elevation** will remain essentially the same, with any deteriorated fabric being replaced in kind. The principal change on that elevation is that existing pocketing sliding plate glass windows will be changed to french windows, maintaining the existing stone surround. The east elevation also shows the reconstructed family wing. The **north elevation** will now become the principal facade with the relocation of the driveway. The new Belvedere is evident as well as the new second story element on the service wing. The **west elevation** shows the new family wing, the Belvedere, a re-glazing of windows with french doors, a loggia element connecting the bedroom wings, and a new guesthouse. At the main courtyard, the retractable plate glass windows will be retained, and the new upper loggia is evident. The **south elevation** shows the new family wing, the Belvedere, the garden loggia looking out to the sunken garden and a repeat of elements found elsewhere. A new french door will replace a window on the east end of the south elevation, while maintaining the existing surround. The new guesthouse will be a play on the elements of the main house, i.e, an arcade, balcony, and bedroom block, and will implement the same materials and palette. Existing deteriorated wrought iron elements on any of the elevations will be removed and replaced with new material.

Mr. Robert Truskowski, President of Robert E. Truskowski Inc., Landscape Architect, stated that the approach to this property is the restoration of the garden to its 1930 condition resulting in an exceptional garden. One of the key concerns relative to the landscape plan is addressing the privacy hedges along the north and south edges of the property. Along the northwest edge of the property, the applicant vows to provide adequate landscape screening to separate the properties. Inside that screening, on the Clark property, there will be a small turf block area to facilitate lawn mowers and golf carts. This path will not permit vehicular traffic. Mature landscape will be placed at the main entry and the reconstructed main courtyard at the main house. At the main entrance, the driveway will actually split around a large banyan. Hedge material will run along South Ocean Boulevard. At the service parking area, a dog run will occur screened from the adjacent property. A large open lawn parterre will occur on the east side of the main house with a fountain on the main axis of the house. On the south side of the house, a tropical hammock will be created with dense planting. A pond will be placed adjacent to the guest house with dense plantings surrounding. The existing watergate will be re-aligned to run parallel to the main house. A large expanse of lawn will remain on the lake side. At the service quad, there will be a large tree (type not yet selected) in the center to provide a canopy. The main driveway will be done in gravel, while the service drive will be done in gravel set in concrete. Perimeter paths will be done in coquina stone. There will be no vehicular access to the guest house, only paths done in coquina or gravel. A modest dock will be placed at the guesthouse. All of the construction is west of the Coastal Construction Line, and nothing is planned for the beach area east of South Ocean Boulevard.

Mr. Moore noted, for the record, that the relocation of the driveway is a Public Works authority. He questioned whether the applicant had received approval as yet. Mr. Marsh responded that Jim Bowser, Town Engineer, has approved the plan. Mr. Moore also questioned the condition of the existing seawall. Mr. Marsh responded that some of the seawall will need repair and will need to be brought up to the correct height to meet code. Mr. Marsh identified this seawall work as a part of this project being reviewed today.

Mr. Don Kino, Vice President of Smith Architectural Group, addressed the LPC representing the Mezzacappas, the neighboring property owners. He brought up the issue of the new pergola being added at the second floor level of the service quad along the north boundary of the property. Mr. Kino stated it was being added within the setback, and questioned this in terms of zoning. (Mr. Moore was out of the Chambers at this time, and as such, did not respond at this time to this inquiry.) He also stated that the once existing landscape material along that north boundary has been removed during construction, and passed a photo to illustrate his point that the screening has been removed. This removal has exposed the 6' wide cart path area and the second floor loggia area even more. It was Mr. .Kino's understanding that the Clarks received staff approval to remove undesirable landscaping and to check the condition of the walls on that side. Unfortunately, now the screening, once there, is gone. Mr. Pandula noted that the applicant has presented their landscape today for conceptual review, with details to follow. Mr. Kino asked Mr. Marsh to expand on the 6' path.

Mr. Marsh responded that the path is not for vehicular traffic, and will serve the needs of the west side of the property, as well as golf carts and lawn maintenance. He noted that there is also a cooling tower on the northwest corner of the property which will be shrouded in a slat house, The path will also be used to access that cooling tower for service. Mr. Marsh stated, on behalf of the applicant, that the applicant pledges to landscape that north boundary to provide adequate screening.

(Let the record show that the applicant presented a model of the site to illustrate the design concept.)

Mrs. Albarran de Mendoza stated that the design team has done a magnificent job in a difficult situation. This project demonstrates how a lot can be done to a landmark while still respecting the landmark architecture. Mr. Pandula agreed, but had some concern about the massiveness of the tower element. Mrs. Day commented that in her opinion, the Belvedere is too massive to be so prominent as one enters the main entry, and asked whether it could be scaled down. She also had a problem with the chimney element. Mr. Marsh stated that, in his opinion, there is currently an imbalance there which is remedied by the addition of the Belvedere. Mr. Salmons offered that the Belvedere creates an asymmetrical balance which is desirable. Mr. Salmons showed an alternative chimney location and design, which the LPC liked much better.

Mr. Moore apologized for being out of the chambers earlier, but with reference to the pergola, he asked whether the pergola was replacing second floor construction or was new to the second floor. Mr. Marsh responded that it is indeed new. Mr. Moore replied that the pergola, then, will have to be reviewed again for zoning. It may require a variance as this is the front yard and is non-conforming. Mr. Marsh assured the LPC that if the pergola encroaches on zoning, it will be removed.

Mrs. Vanneck stated that the applicant had been considering whether to retain or remove the embellishment or keystone above the archway to the staff quad. Mr. Marsh stated that in response to various comments from the commissioners, the embellishment will be removed, (even though it was still shown on the presentation drawings.) It should be noted that there was further discussion relative to this embellishment prior to the motion. Some of the members liked the embellishment.

(Staff notes that a determination relative to whether it should be retained or removed from the drawings should be made when this project returns to the table in a future month.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF 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.

MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.

On behalf of the owner, Mr. Marsh presented a lovely framed painting of the site to the Town and its Landmarks Preservation Commission. The LPC members offered their thanks for the painting.

VI Other Business:

A. Discussion relative to a Preservation Celebration

In Mr. Frank's absence, Mrs. Delp answered that she knew that Mr. Frank had been in discussions with the Everglades Club relative to the Preservation Foundation, and plans were moving forward. However, nothing has been finalized at this time.

B. Informal Review: 111 Seabreeze Avenue

Mrs. Albarran de Mendoza, SKA Architects, presented this request on an informal basis on behalf of the Cooleys. She had asked Mr. Frank to accompany her to the site in hope of being granted certain staff approvals which might allow them to proceed to eliminate some situations of disrepair. She commented that the front facade is lovely, but the rest of the building is deplorable. She reviewed the elevations. On the front, there is a french door with no railing. The proposal is to add a simple wrought iron railing at the second floor balcony and at the front door. Non-original plaster balusters will be removed. On the rear elevation, a "floating" french door will be replaced with a new single hung window to match the others on that elevation and a jalousie window will be replaced to match the existing as well. Also on the rear, an existing non-original porch and window will be replaced with a new covered terrace and arches (arches to match those on front elevation.). On the west elevation, three little windows will be replaced by one window matching others on the facade. On the east elevation, an existing non-original porch will be replaced with a new porch with arches (arches match those on front facade). Also on the east elevation, an existing door and windows will be replaced by a small arched window and two french doors.

Mrs. Albarran de Mendoza stated for the record that this will be a tax abatement project.

Mr. Smith stated that he felt everything could be staff approved except for the porch. Mrs. Albarran de Mendoza stated that a wall in the rear of the property is in the process of being replaced now. It had been poorly constructed and as such, deteriorated. She was likewise looking for staff approval for that wall reconstruction. Mr. Smith felt that could be staff approved as well. Mrs. Delp advised that if this project is a tax abatement project, a Certificate of Appropriateness would be necessary, and staff approvals would not qualify for the benefit. Mr. Moore and Mrs. Day substantiated that fact

that staff approval is never appropriate for a tax abatement project.

MEMBERSHIP OF MRS. ALBARRAN DE MENDOZA: Mrs. Albarran de Mendoza will be moving out of the Town of Palm Beach, and as such, this is the last meeting of the LPC where she will be seated as a member. She will notify the Town Manager's office of this change and resign from the LPC. Mr. Smith commented that she and her expertise will be greatly missed on the LPC.

COMMENTS BY JANE DAY, PRESERVATION CONSULTANT

Mrs. Day stated that Mr. Frank had received a letter from Robert Deziel wherein he requests that his property at 311 Brazilian Avenue be placed "under consideration" for landmark designation. Mrs. Day did look at the site. It is a Colonial Revival house and worthy of consideration. A motion is required from the LPC to place it "under consideration," and Mrs. Day noted that it will be a tax abatement project.

Mr. Smith declared a Conflict of Interest with respect to this matter as he is the architect for the restoration.

MOTION BY MRS. WILKEY TO PLACE 311 BRAZILIAN AVENUE "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.

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

COMMENTS BY BOB MOORE, DIRECTOR OF PLANNING, ZONING & BUILDING

A matter was brought up at the recent Town Council meeting during discussion of the ORS report. One of the Town Council members raised the question as to whether it would be advisable to abandon having a meeting of the Architectural Commission and Landmarks Preservation Commission during the month of August. There are already proposed changes relative to conflicts and attendance at commission meetings. The impact of skipping August would, of course, increase the length of the July and September meetings for both commissions. Mr. Moore asked the LPC members to think about it and be prepared to give some feedback at the October meeting. This matter will be on the LPC agenda for October.

Comments by Mrs. Dowdle: Mrs. Dowdle asked for an update relative to the new Royal Park Bridge. Mr. Smith stated he had no further updates to offer at this time, but would make further inquiries. He stated that he is being copied on matters relative to the bridge, and as such, is being involved in the process.

In November, the National Trust and the Florida Historic Preservation Commission and the One Thousand Friends of Florida are hosting a symposium with DOT relative to bridge design in Florida. The symposium will be held in Orlando and will be 1.5 days in length. Any commissioners who would like to attend should contact Mrs. Dowdle as the event is by invitation only.

Mr. Moore stated that if the LPC would like, staff could ask Mr. Dusey and Mr. Bowser to give an update to the LPC relative to the bridge at the start of a meeting. This would provide the LPC an opportunity to share their concerns with those who are directly involved with the DOT in the design process. The LPC members agreed this should be done. Mrs. Dowdle stated her concern is that

presentations for changes to single family dwellings are typically so thorough, but this bridge project, which is of such an impact to the entire community, has not been brought to the LPC for review.

ANNOUNCEMENT RELATIVE TO THE NATIONAL TRUST MEETING: Mr. Moore announced that if any of the members wish to attend the National Trust meeting on October 20, 1999, (same date as LPC meeting), that absence will be excused. This excused absence would similarly apply to any other seminar which is directly related to the LPC's work, and which conflicts with the date of an LPC meeting. (Staff notes that a quorum must be present in order to hold a meeting, and should the situation arise where all members would like to attend the seminar, for example, seniority of membership will be used to determine which members are excused and may attend the seminar, and which members will need to stay behind and hold the LPC meeting.)

VII Adjournment:

The meeting was adjourned at 11:23 a.m. on a motion sponsored by Mr. Pandula and seconded by Mrs. Dowdle. The motion carried unanimously.

The next meeting of the Landmarks Preservation Commission will be held on **WEDNESDAY, October 20, 1999** in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach at 9:00 a.m.

Respectfully submitted,

Elizabeth Dowdle

Elizabeth Dowdle, Secretary
LANDMARKS PRESERVATION COMMISSION

cmd

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			
Eugene Pandula	P	P	P	P	P	P	P	P	P			
Elizabeth Shields	P	E	P	P	U	P	P	P	P			
Sari M. Wilkey	P	P	P	P	P	P	P	P	P			
Jacqueline Albarran de Mendoza	P	P	P	P	P	P	P	P	P			
Ann Blades	P	P	P	P	P	P	P	P	P			
Ann Lilja	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			
Judy Hoffman	n/a	n/a	P	E	P	P	P	U	P			
Jack Pyms	n/a	n/a	E	P	P	P	E	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			
Eugene Pandula		VPD1	VPD1									
Elizabeth Shields												
Sari M. Wilkey												
Jacqueline Albarran de Mendoza	VPD1	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 C[illegible]T ORIGINA DECLARED CONFLICT FOR ONGOI[illegible] 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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH, JEFFERY W.	LANDMARKS PRESERVATION COMM.
MAILING 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 — COUNTY: PALM BEACH	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED: 9/21/99	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 9/21, 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 ROBERT DEZIEL, by whom I am retained

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

Relative to the decision to place 311 Brazilian Avenue "under consideration" for landmark designation.

9/21/99
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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH, JEFFERY W	LANDMARKS PRESERVATION COMMISSION
MAILING 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 & 10/20/99	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

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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.

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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 for 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.

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- 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 min of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JEFFREY W. SMITH, hereby disclose that on 9/21, 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 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:

COA #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

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUI 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.

CE FORM 8B - 10-86

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH, JEFFERY W	LANDMARKS PRESERVATION COMMISSION
MAILING 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 & 10/20/99	MY POSITION IS: :: ELECTIVE X 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.

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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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.

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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 for recording the minutes of the meeting, who will incorporate the form in the minutes.

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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)

___ inured to my special private gain; or

✓ inured 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:

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

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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SMITH JEFFERY W.	LANDMARKS PRESERVATION COMM.
MAILING 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 COUNTY: PALM BEACH	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED: 9/2/99	MY POSITION IS: : : ELECTIVE X APPOINTIVE

WHO MUST FILE FORM 8B

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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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:

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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 95:

(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 ROBERT DEZIEL, by whom I am retained

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

Relative to the decision to place 311 Brazilian Avenue "under consideration" for landmark designation.

9/21/95
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	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Smith, Jeffery W.	L.P.C.
MAILING ADDRESS: 241 Sanford Ave	THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: X CITY : : COUNTY : : OTHER LOCAL AGENCY
CITY: Palm Beach — COUNTY:	NAME OF POLITICAL SUBDIVISION: TOPB
DATE ON WHICH VOTE OCCURRED: 5-19-99 + 6/16/99	MY POSITION IS: : : ELECTIVE X APPOINTIVE
	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.

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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.

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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 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, Jeffery W. Smith, hereby disclose that on May 19, 1999:

(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:

CA #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

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.