

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, JUNE 18, 1997

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

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

II. Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, ~~Secretary~~ *Vice Chairman*
Harrison M. Robertson Jr., ~~Member~~
Lindley M.F. Hoffman, ~~Member~~ *Secretary*
Elizabeth Shields, Member
Sari M. Wilkey, Member
Nikita Zukov, Alternate Member
Ann Lilja, Alternate Member
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Arthur Silverman, Member (Unexcused)
Leighton Rosenthal, Alternate Member (Unexcused)

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Minutes of the May 21, 1997 Meeting

Mr. Robertson offered two changes to the minutes, as follows:

Page 5, Certificate of Appropriateness #10-97, 440 Brazilian - (first paragraph) delete the word "tiny"

Page 7, Second to last paragraph re: 974 South Ocean Blvd. - add "by the Town Council"
(Per Mr. Frank, it should be noted that the demolition of 974 South Ocean Boulevard was approved by ARCOM. The Town Council had approved that the property owner could live in the house at 974 South Ocean Boulevard while the new house is being built.

MOTION BY MR. ROBERTSON FOR APPROVAL AS AMENDED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED 6-0-1. (MR. HOFFMAN ABSTAINED DUE TO HIS ABSENCE LAST MONTH)

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

Mr. Smith re-stated his conflict with Item A, 1095 North Ocean Boulevard, and declared a conflict with respect to Item B, 640 South Ocean Boulevard, as he is the architect for this project. (Voting Conflict forms on file.) He passed the gavel to Mr. Pandula.

V. Public Hearings:

A. Application for Certificate of Appropriateness #8-97,
Renovation and Addition

Owner/Applicant: Mr. and Mrs. John K. Castle

Address: 1095 North Ocean Boulevard

Designer: J.F. Brennan Design/Build and Lang Design Group

Project Description: Request approval of the following:

1. Review of exterior railings
2. Exterior color change
3. Change to one (1) exterior window opening
4. Repair and replacement of existing drives, walks and patios
5. Renovation of existing pool with the addition of a spa - **DELETED FROM REQUEST**
6. Addition of small lily pond in the lower court and fountain in the upper terrace - **DELETED FROM REQUEST**
7. Renovation of existing landscape and landscape lighting
8. Tennis court west fence replacement
9. Other associated changes as presented.

MOTION AT THE APRIL MEETING FOR APPROVAL OF ITEMS 1-3, AS LISTED D ABOVE. ALSO, MOTION TO APPROVE THE REMAINDER OF THE PROJECT, WITH A DEFERRAL OF THE DRIVEWAY MATERIALS, AND RESERVING FINAL JUDGEMENT ON THE LIGHTING UNTIL IT HAS BEEN INSTALLED. AT THE MAY MEETING, MOTION FOR APPROVAL OF THE DRIVEWAY MATERIALS AS PRESENTED.

ACTION TO BE TAKEN AT THE JUNE MEETING RELATIVE TO THE SITE LIGHTING.

MOTION BY MR. HOFFMAN DEFERRING THE SITE LIGHTING TO THE JULY MEETING.

MOTION SECONDED BY MR. ROBERTSON.

MOTION CARRIED UNANIMOUSLY..

B. Application for Certificate of Appropriateness #12-97
Additions and revisions

Owner/Applicant: Mr. C.C. Wang c/o U.S. Summit Corp.

Address: 640 South Ocean Boulevard

Architect: Smith Architectural Group

Project Description: Request approval to extend approval (previously obtained) for revisions to all facades and additions, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATIONS.

Mr. Don Kino requested a one year approval extension of this project, originally approved as Certificate of Appropriateness # 16-96. Mrs. Delp had distributed copies of CoA #16-96 for reference. Mr. Kino stated that due to health considerations, the owner has not yet proceeded with the work approved in 1996, though he does intend to carry through with it within the next year. No modifications to the original approval were requested. Staff had no objection to the extension.

MOTION BY MR. HOFFMAN FOR APPROVAL TO EXTEND THE APPROVAL ORIGINALLY GIVEN FOR CoA #16-96 FOR THE PERIOD OF ONE YEAR.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

VII. Other Business:

A. INFORMAL REVIEW: 790 SOUTH COUNTY ROAD

Replace existing garage doors with a box bay window with details to match those of the existing house, and add small covered arch and bench at existing exterior stair

No one was present to make this presentation when the item was called.

VIII. Adjournment:

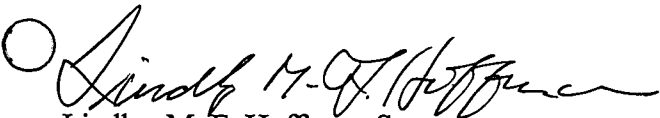
MOTION BY MR. ROBERTSON TO ADJOURN THE MEETING AT 9:09 A.M.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on **Wednesday, July 16, 1997** at 9:00 a.m. in the Town Council Chambers, second floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Lindley M. F. Hoffman, Secretary

LANDMARKS PRESERVATION COMMISSION

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TOWN OF PALM BEACH

ATTENDANCE RECORD (19 97)
WITH NEW MEMBERS

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

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

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

TOWN OF PALM BEACH

**RECORD OF VOTING CONFLICTS (19 97)
WITH NEW MEMBERS**

MEMBERS	1/ 97	2/97	3/97	4/ 97	5/97	6/97	7/ 97	8/97	9/ 97	10/97	11/97	12/97
Jeffery W. Smith	V2	---	---	VPD1 V1	VPD1 V2	VPD1 V1	---	---	---	---	---	---
Eugene Pandula	---	---	---	---	---	---	---	---	---	---	---	---
Arthur Silverman	---	---	---	---	---	---	---	---	---	---	---	---
Lindley Hoffman	---	---	---	---	---	---	---	---	---	---	---	---
Harrison Robertson	---	---	---	---	---	---	---	---	---	---	---	---
Elizabeth Shields	---	---	---	---	---	---	---	---	---	---	---	---
Sari M. Wilkey	---	---	---	---	---	---	---	---	---	---	---	---

ALTERNATES	1/97	2/97	3/97	4/97	5/97	6/97	7/97	8/97	9/97	10/97	11/97	12/ 97
Leighton Rosenthal	n/a	n/a	---	---	---	---	---	---	---	---	---	---
Nikita Zukov	n/a	n/a	---	---	---	---	---	---	---	---	---	---
Ann Lilja	n/a	n/a	---	---	---	---	---	---	---	---	---	---

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

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

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRES. COMM.	
MAILING ADDRESS 241 Sanford Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY Palm Beach, FL	COUNTY	NAME OF POLITICAL SUBDIVISION: Town of P.B.	
DATE ON WHICH VOTE OCCURRED 6-18-97		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

minutes file

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are present with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

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

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

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

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Jeffery W. Smith, hereby disclose that on _____, 19 97:

(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 Mr. C. C. Wang, by whom I am ~~reaimed~~

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

CoA #12-97, for 640 South Ocean Blvd. heard 6/18/97.

Date Filed

6.20.97

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 YOUR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE L.P.C.	
ADDRESS 41 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY PALM BEACH COUNTY 33480		NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
DATE ON WHICH VOTE OCCURRED 1/16/97 & 5/21/97 & 6/18/97		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

MINUTES

WHO MUST FILE FORM 8B

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Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form as you are completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

For each vote, you should: **1. Use the word "abstain."**
PRIOR TO THE VOTE BEING TAKEN by publicly stating 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.

FOR APPOINTED OFFICERS:
A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which favors his special private gain. Each local officer also is prohibited from knowingly voting on a measure which favors the special private 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.

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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 on the measure. The person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

Jeffery W. Smith hereby discloses that on 4/16 19 97

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.

The measure before my agency, and the nature of my interest, is as follows:

AT AN EARLIER TIME I WAS RETAINED BY MR.
CASTLE AS HIS ARCHITECT.

CoA-3-37, 1095 North Ocean Blvd.

Date Filed

4/16/97

Signature

[Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN

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

NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE L.P.C.
ADDRESS 241 SANFORD AVENUE	TITLE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY PALM BEACH COUNTY 33480	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED 1/16/97 & 5/21/97 & 6/18/97	MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

MINUTES

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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 relates to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which relates to the special private gain of a principal (other than a government agency) by whom he is retained.

However, you should not use the conflict of interest law if you are not the principal.

PRIOR TO THE VOTE BEING TAKEN by publicly making and disclosing 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 relates to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which would result in 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 properly act 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:

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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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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

Jeffrey W. Smith, hereby disclose that on 4/16, 19 97

(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 it, is as follows:

AT AN EARLIER TIME I WAS RETAINED BY MR.
CASTLE AS HIS ARCHITECT.

CoA-8-37, 1095 North Ocean Blvd.

4/16/97

Date Filed

Signature

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH, JEFFERY W.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRES. COUNCIL	
MAILING ADDRESS 241 Sanford Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY Palm Beach, FL		NAME OF POLITICAL SUBDIVISION: Town of P.B.	
DATE ON WHICH VOTE OCCURRED 6-18-97		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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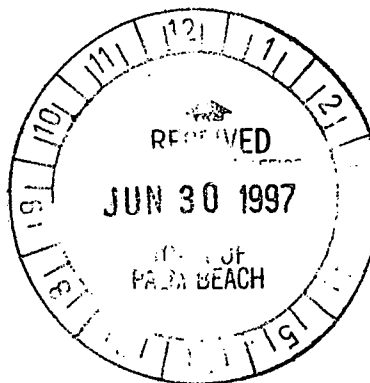
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(b) The measure before my agency and the nature of my interest in the measure is as follows:

CoA #12-97, for 640 South Ocean Blvd. heard 6/18/97.



Date Filed

6-20-97

Signature

[Signature]

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