

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, MARCH 17, 1999

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

I Call to Order: The meeting was called to order at 9:03 a.m. by Chairman Jeffery W. Smith. Mr. Smith announced that we were experiencing some technical difficulty, i.e., the camera was not working. So, anyone who wished to see any of the projects was welcomed to come up to the dais.

II Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Elizabeth Shields, Member
Sari M. Wilkey, Member
Jacqueline Albarran de Mendoza, Member
Ann Lilja, Member
Ann Blades, Member
Nikita Zukov, Alternate Member
Judy Wells Hoffman, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Jack Pyms, Alternate Member (Excused as Mr. Pyms had made plans to be away prior to his appointment to the Landmarks Preservation Commission)

RECORDING SECRETARY: Cynthia M. Delp

III Election of Officers:

Mrs. Wilkey nominated Mr. Smith as Chairman and Mr. Pandula as Vice Chairman. The nomination was seconded by Mrs. Albarran de Mendoza. Secondly, Mrs. Wilkey nominated Ms. Shields as Secretary, a nomination which was likewise seconded by Mrs. Albarran de Mendoza. These members were unanimously elected as officers.

IV Approval of the Minutes of the February 17, 1999 Meeting:

MOTION BY MR. PANDULA FOR APPROVAL OF THE MINUTES AS MAILED.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

Please see last page for approved additions to the MARCH, 1999 MINUTES

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

VI Public Hearings:

A. Application for Certificate of Appropriateness #2-99 (deferred from February 17, 1999)

Addition and parking area

Owner/Applicant: Palm Beach Day School

Address: 241 Seaview Avenue

Architect: Fanning/Howey Associates Inc.

Project Description: Request approval of the following:

1. Two story addition to the north side of the existing courtyard between the library building and the Will Mathews Auditorium. New addition to provide three additional art classrooms (2327 sq. ft.)
2. Treatment and encapsulation of the actively deteriorating steel columns along the exterior perimeter of the buildings
3. Conversion of existing east end vacant field into a 28 space parking area with an off-street student/parent drop-off
4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mrs. Wilkey stated, for the record, that she has two grandchildren at the Day School, but that this was not a conflict. Mr. Randolph did not inform Mrs. Wilkey otherwise.

Please note that this project was deferred from the February 17, 1999 LPC meeting, as necessary variances were not yet approved. The hearing of this matter at the March 17, 1999 meeting was dependent upon the applicant having received those approvals. Said approvals were granted by the Town Council at their March meeting.

Mr. Rene Tercilla of Fanning/Howey Associates presented the project. He began with the proposed parking area with 28 parking spaces. The parking area will be paved with asphalt and will be striped. It is necessary to get traffic off the street and the parking area will function as a parent drop off area with an internal loop. Mr. Tercilla, during discussions, readily admitted that parking will be tight in the new lot, but that is just something the school and its parents will have to adjust to. Mr. Tercilla discussed the landscaping of the parking area stating that the plan includes twice the amount of landscaping as would normally be found in a parking lot, and the plant materials chosen are exotic species, and thus twice as costly. The plant materials were chosen on the basis of size and color. Along the back side there will be a 20' high hedge and wall, while a 4' high hedge will run along the front or street side. It was noted that the approvals granted by the Town Council were granted with a condition that the parking lot will be able to be closed off after hours of school operation. They plan to chain off the parking area, rather than install a gate.

Ms. Shields was very concerned about the paving material and its color, but especially about the landscaping with particular attention to the shade which would be provided. Mr. Tercilla commented that the landscaping was not intended to provide a full canopy. He presented a colored rendering of the landscaping from a streetscape perspective. The rendering was accurate as to number and size of plantings at time of installation. Mr. Smith asked about the trees that occur along the road. Mr. Tercilla replied that these are four (4) "large scrambled egg" trees, to use the non-technical term, and he described these as transparent or open trees. Mr. Smith was concerned about being able to view cars, trucks, and buses in the parking area. He wanted to be sure that "green" is what is seen, not assorted vehicles. It was noted that the "scrambled egg trees" are deciduous trees. Mrs. Albarran de Mendoza commented that the trees should not be transparent, should not be deciduous, and should be taller and be able to provide more shade. Mr. Tercilla replied that the landscape materials could be changed if the LPC desired.

One of the members expressed any negative comments about the parking layout and circulation. There was a difference of opinion, however, about the parking lot surface. While some felt asphalt was the correct material of

choice, especially considering the paving must be striped, others felt that a different paving material, lighter in color, would be more appropriate. Mr. Smith noted that the asphalt will turn grey in a few months.

MOTION BY MRS. WILKEY FOR CONCEPTUAL APPROVAL OF THE PARKING AREA, WITH THE PROVISIO THAT THE APPLICANT RETURNS WITH A REVISED LANDSCAPE PLAN FOR THE PARKING AREA WHICH IS FULLER THAN IT APPEARS ON THE PLAN SHOWN TODAY. *

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

Mr. Frank asked for a Roll Call Vote:	MRS. WILKEY:	YES
	MRS. ALBARRAN DE MENDOZA:	YES
	MS. SHIELDS:	NO
	MR. PANDULA:	YES
	MS. LILJA:	YES
	MRS. BLADES:	YES
	MR. SMITH:	YES

MOTION CARRIED 6-1-0.

*It was noted by Mr. Randolph that whatever is done within the parking area must be consistent with the Town Council approvals.

Moving on to the encapsulation of the steel columns, Mr. Tercilla stated that this affects the buildings surrounding the main landmark building from the 1920's. Some of the steel columns are structural in purpose, while others are simply applied. The problem is that the steel columns are deteriorating, i.e., rusting due to salt and humidity, especially at their bases. The proposal would be to enclose the columns with some cementitious material.

Mr. Smith commented that the columns look great on the buildings, and it would be a shame to cover them up. He advocating cleaning and treating the columns with epoxy. Encasing the columns, he continued, will lead to other problems, deterioration of the columns from within due to water seepage, a deterioration which is far more dangerous as it would not be visible to the eye. Mr. Pandula agreed stating that the columns represent a very precise style of architecture, and encasing them loses the whole intent of the architecture.

MOTION BY MRS. ALBARRAN DE MENDOZA APPROVING THE REPAIR ONLY OF THE COLUMNS, AND IF THOSE METHODS FAIL, TO COME BACK TO THE LPC WITH A DIFFERENT SOLUTION.

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

The third part of the project is the two story addition located between the existing library and the existing auditorium which will offer two art classrooms on the first floor and one large art classroom on the second floor. The addition will match the addition currently being constructed on the other end of the building. The roof will be done in slate. Only some of the windows will be operable. Mr. Smith was concerned whether the operable windows will look different than the non-operable ones. Mr. Tercilla responded that they may have a different grid pattern than shown on the drawings. Mr. Smith stated that this should be shown on the drawings. Mr. Tercilla stated that they could all be operable windows, and thus would look the same. There was discussion relative to centering the addition.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF THE ADDITION AS PRESENTED, WITH THE PROVISIO THAT THE APPLICANT STUDIES THE FENESTRATION AS TO WHETHER IT WILL OPEN, AND BRING IT BACK TO THE LPC FOR REVIEW, WITH SASHES, AND THAT THE PROPORTIONS OF THE SOLID PIECES MATCH THE EXISTING, RATHER THAN AS SHOWN ON THE

PLANS WHICH APPEARS TO BE TALLER.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

- B. Application for Certificate of Appropriateness #3-99 (deferred from February 17, 1999)
New storefront enclosure
Owner/Applicant: Power-Love Associates c/o Love Realty
Address: 256 Worth Avenue
Architect: Robert L. Bell
Project Description: Request approval of new storefront for enclosure of existing space, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Please note that this matter was deferred from the February 17, 1999 meeting, with the instruction to the architect to develop a single door solution, one with a smaller scale...shorter and more narrow.

Architect Robert L. Bell returned to the LPC with plans showing the previously approved design, the double door proposal which was not approved by the LPC, and a new single door option with sidelites and a cast stone surround. Mrs. Albarran de Mendoza had a problem with the sidelites. Mr. Bell asked whether he could use a more typical storefront door to offer more light to the tenant in this location. (The sidelites had been proposed only to add light.)

MOTION BY MRS. ALBARRAN DE MENDOZA FOR APPROVAL OF THE PROPOSED SINGLE DOOR OPTION, WITH THE PROVISIO THAT THE SIDELITES ARE ELIMINATED, AND ALLOWING A "STOREFRONT" TYPE DOOR WITH AN INCREASED GLASS AREA TO PERMIT LIGHT TO THE TENANT SPACE.

MOTION SECONDED BY MR. PANDULA.
MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness #6-99 (deferred from February 17, 1999)
Modifications to previous approval
Owner/Applicant: Mrs. Polly Anne Earl
Address: 209 Seaspray Avenue
Architect: Leslie Divoll, Architect
Project Description: Request approval of modifications to previous approval relative to gate, doors, awnings, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mr. Smith spoke to Mrs. Earl relative to this matter and did drive by the property.

Please note that at the February meeting, the project was approved with the proviso that the color of the window brick molds be brought back for further review.

Mr. Pandula re-stated his conflict with respect to this matter. (Voting Conflict form on file.) Mrs. Earl presented photos of different paint options.

MOTION BY MS. SHIELDS TO APPROVE THE PROJECT AS PRESENTED: BRICK MOLD IN TURQUOISE AND HOUSE IN A DARKER SHADE OF PEACH. (Per clarification by Mr. Smith)

MOTION SECONDED BY MRS. WILKEY.

MOTION CARRIED UNANIMOUSLY.

- ⓪ D. Application for Certificate of Appropriateness #47-98 (deferred from Nov, Dec.'98 & Jan '99)
Fountain and garden
Owner/Applicant: Leta A. Foster
Address: 345 Pendleton Avenue
Architect: Wheelock, Sanchez & Maddux
Project Description: Request approval of rehabilitation of the front southern garden, including the addition of a fountain and formal french gravel garden, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Please note that at the December 1998 meeting, there was a motion for approval of the project as presented, with the contingency that the applicant returns with the planting plans, and to do a double check on the green space in the front yard.

When this item was called, no one had arrived to present the project. The following motion was made:

MOTION BY MR. PANDULA TO MOVE THIS ITEM TO THE END OF THE AGENDA.
MOTION SECONDED BY MS. LILJA.
MOTION CARRIED UNANIMOUSLY.

When the item was called later in the meeting, no one was present on behalf of the project.

MOTION BY MS. LILJA TO DEFER THIS MATTER TO THE APRIL MEETING.
⓪ MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

- E. Application for Certificate of Appropriateness #7-99
Pergola addition
Owner/Applicant: Mr. and Mrs. Dudley Moore
Address: 220 El Bravo Way
Architect: Smith Architectural Group
Project Description: Request approval of addition of pergola to previously approved terrace, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Smith re-stated his Conflict of Interest with respect to this matter as he is the architect for the project. (Voting Conflict form on file.) Mr. Smith passed the gavel to Mr. Pandula. Mr. Don Kino made the presentation for Smith Architectural Group. The client has a terrace off a series of guest bedrooms, and they would like to provide some shade for the terrace. So, instead of an awning, they have opted for a pergola supported by cast stone columns, together with cypress beams and rafters. The spacing of the columns became an issue because they were irregularly spaced on the plan. Members felt that the column spacing should match.

MOTION BY MRS. ALBARRAN DE MENDOZA APPROVING THE PERGOLA WITH THE COLUMNS EVENLY SPACED, i.e, THE CLOSER SPACING OF THE COLUMNS WAS PREFERRED AND APPROVED.

⓪ MOTION SECONDED BY MS. LILJA.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #8-99,
New Garage doors

Owner/Applicant: Town of Palm Beach

Address: 360 South County Road

Contractor: General Garage Door

Project Description: Request approval to replace existing Fire Department garage doors at Town Hall, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Ms. Susan Kubiak of General Garage Door and Mr. Joe Ugi, Facilities Maintenance Division Manager for the Town, presented this request. The problem with the existing garage doors is that they are too heavy, and present a dangerous condition should they jump their tracks. They cannot be repaired as they exist. The plan is to replace the garage doors with a 2" double walled insulated steel garage door with a pecky cypress veneer. The proposal would remove the glass from the doors, however, in an effort to meet windload requirements. Ms. Kubiak commented that the new windload code will not allow for windows in garage doors. The existing doors have been in place since 1989, during the restoration of Town Hall. Mr. Joe Ugi, Facilities Manager, stated that the weight of the existing solid cypress doors is crushing the rollers and pushing out the railings, leading to the doors jumping the tracks. The railings and rollers have been replaced several times since the original installation. This is no longer a practical solution. Now, the weight of the doors must be reduced. This proposed pecky cypress veneer is half the thickness and half the weight of the existing door.

Mrs. Polly Earl, Director of the Preservation Foundation, stated that the Preservation Foundation had funded the restoration of Town Hall in 1989. She asked that some solution be found to preserve the windows in the door, with protective glass which meets hurricane codes. Mr. Smith suggested that they investigate an alternative which would replace every panel of the garage door except the one with the window in it, and rely on the Building Official to give some latitude in the code interpretation, as is possible for landmark buildings, which would allow the window to remain in the door.

MOTION BY MS. SHIELDS FOR DEFERRAL TO THE APRIL MEETING TO STUDY AN ALTERNATE SOLUTION.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

VII Designation Hearings:

Please note that the Designation Reports are transcribed verbatim for the most part, but some sections may be transcribed in paraphrase.

Item 1: 155 Root Trail (Deferred from the February meeting)

Owner: Eugene R. III & Donna Fagan

MRS. JANE DAY: Mr. Smith, because we had council changes on the Landmarks Commission, maybe I should give a one or two minute review.

MR. SMITH: I think that would be appropriate, but actually the voting members were all here last month. Is that correct?

MS. SHIELDS: No.

MRS. WILKEY: Oh, that's right. You weren't here (referring to Ms. Shields)

MR. SMITH: O.K. Please...

MRS. DAY: (STAFF PRESERVATION CONSULTANT)

The houses that we're bringing forward this morning are at 153 and 155 Root Trail, and as most of you know who have lived in the Town and have heard other designation reports this season, this particular area is one of the first platted areas in the Town of Palm Beach. It was platted by Captain Root and his wife at the turn of the century. One of the problems we have with these two particular properties, however, is that there is a building permit in the Building Department files of the Town of Palm Beach that lists these structures as being built in 1926, and being temporary quarters for the staff at Greenleaf and Crosby. I have not seen convincing evidence that the buildings, as they now stand, are not from that boomtime era. The other thing that has happened to these buildings is that changes have been done over the last couple of years which are, I feel, inappropriate to the frame vernacular style of the houses...for example, the casement windows in this particular property at 153 Root Trail. These are other slides that were taken last fall that show you the renovation of the property, and the building at 155, which, when I took this slide last fall, was still under construction. Again, windows that I think are inappropriate to the original style of the house. But as I said earlier, there is confusion in the record as there is with many of the frame vernacular things, and I'm happy to have the property owner come forward with other evidence that he has about these things, and then I leave it up to you, as the Landmark commissioners, to decide whether or not you think that these two properties come up to the standards of a landmark of the Town of Palm Beach.

MR. SMITH: Have you been sworn in?

MR. FAGAN: No.

MR. SMITH: O.K. I'll ask at this time that anyone that's going to address the commission please stand up and be sworn in by the secretary.

MRS. DELP: Do you swear or affirm that the testimony which you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

MR. FAGAN: Hello, my name is Eugene Fagan, the architect and the owner of 155 and 153 Root Trail. And I'd like to address my position in two ways...one is the age, and the second is the harder question of the appropriateness. I do have with me the permit from 1926...your historical people have alluded to. I also, when I first bought these homes, thought they were built in 1926, and that's why I went to ARCOM. It looked pretty clear to me as well. It was not until I actually got into the walls, and taken off some of the wall boards, that I found other evidence, and I have since gotten other things. These are the pictures from 1905 of the house. I have circled, in red, my two buildings. I've used my computer to re-create in 3D to give you a little better idea of what they look like. They are very similar to other houses in the pictures., here and here...a simple, two room, frame vernacular, pioneer-looking building. There are several buildings, here and here, that have a sloping front covered porch, which you'll see here and here. These pictures also hang in the Flagler Museum and I'm sure some of you probably have the book of the original Palm Beach. These are 153 and 155. This is Mr. Farrell's house that's been landmarked, and this house has been demolished.

MRS. WILKEY: There they are ...the two roofs.

MR. ALBARRAN DE MENDOZA: (Indiscernible)

MR. FAGAN: Yes, it's basically a two room, gable ends, flat covered porch.

MRS. WILKEY: The gable end is facing east and west.

MR. FAGAN: I believe the 1926 permit, and I have no idea, that they changed the front porch to a peaked roof, turned it into a room, and then they did extensive changes inside, like electricity and developed the kitchen. This is the Town map in 1918, and I call you back to the buildings in red. This is the survey blown up and I colored it in red. Two maps that show you how they relate. There is an addition on the 155, my guess is 1940s, 1950s, out to the back, but you can see the footprint's virtually not changed since the Town map of 1918, when it was appropriated. This is 155. This is 153. The yellow hatched area is the 1905 photograph. This 1916 newspaper was found right here in the wall. And you can see, for some reason they added a foot along this whole side. It's in the view line as well. You'll notice this wall, the decorations, and it's down right here. As you know, the pioneers used to decorate the inside of the walls because they had no wallboard on the inside. You'll also notice that the pattern has been changed where the board has been taken off and re-located, obviously when they added this one foot to the side. As for appropriateness, the 155 is going to be the much harder problem to convince the committee. This is the only wall existing. There are no windows left. This 1916 window is the only one back here in the back that exists of any of the original windows. As for the window openings in 1926, I've kept most of them for 155, but there are no other windows existing for that one. I am trying, step by step, to take the houses back to their original look. I have painted 155 the original grey stain that it was originally painted. And in 155, the only color I could find is white. It's a white paint, and I brought a sample over there on that piece of wood for you. So, I'd like to paint...I am going to paint the colors as they originally were, and I've already applied to the Town to put a wood shingle roof on instead of the metal panels, which on both buildings, there is a canopy with a metal roofing. So, I am assuming that in 1926, they put metal on, even though the permit says it was rubberoid. But I'd like to go back and use the wood shingles, and use the same colors...I've used the same wood profiles that are on both houses.

MR. SMITH: Any comments?

MRS. ALBARRAN DE MENDOZA: Do you have a photograph or an elevation of the new...how it looks now that it's been finished?

MR. FAGAN: 153 has been finished and there is the picture...right there. 155 is in the process of being finished.

MS. SHIELDS: At what point did it get to the gable front facade?

MR. FAGAN: I believe it was part of the 1926 work, but I can't really be sure. The 153 building has really not changed in form since the 1920s. We're talking about seventy to seventy-five years. And all the window placements are the same. The buildings had an aluminum siding on it. I ripped that off. It had aluminum window awnings. I ripped those out and put wood frame in. And you people are right. I should have used casements. I had no idea this building was this old until I got to the second building and opened up the walls. And no one is more sorry about that than I am now after they've been bought, paid for and put in.

MR. SMITH: Any comments?

MRS. ALBARRAN DE MENDOZA: And this was found...

MR. FAGAN: Oh, I found this underneath the 155 house (an old pump). It holds true that they needed to put water in the house. There were no bathrooms in the 155 or 153 in 1905. They must have had an outhouse. It was the 1916 addition that added the bathrooms and the kitchen.

MRS. ALBARRAN DE MENDOZA: Mrs. Day, have you found any of this information kind of like interesting?

MRS. DAY: No. I knew all this information before. I think that one thing...all you can say if you find a 1916 newspaper is that the structure was built after 1916. You can't really date it specifically to that date, only that the newspaper was produced before the wall went up. I'm not sure that these houses have the integrity of the original design. Certainly, frame vernacular houses change over time. I just am charging you with looking at them and judging them in comparison to other landmarks in the Town of Palm Beach, and what you're charged to do is look at the evidence and make your decision independently.

MS. SHIELDS: Is there a staff recommendation on this?

MRS. DAY: The staff recommendation is that they don't meet the criteria for designation. I think that the permit that Mr. Fagan brought you in 1926 gives some contradictory information. Certainly frame houses change and a lot of times, the sheathing is completely replaced. There is a permit that says there were two new buildings built in '26. That still is representative of a certain era of the Town of Palm Beach history, but I'm not sure that they're up to the quality of the other landmarks and the other frame vernacular landmarks that we have in the Town.

MR. SMITH: Just to back up a moment, Cindy, we did make the Designation Report a part of the record at the last meeting. Is that correct?

MRS. DELP: I can check that.

MR. SMITH: I'm pretty sure we did.

MRS. DELP: I think we did. (As discussion continued, let the record show that Mrs. Delp nodded to Mr. Smith that the Designation Report had been made part of the record at last month's meeting.)

MR. SMITH: I just want to make sure we're where we need to be.

MRS. WILKEY: Have these houses changed so much more than the other ones that have been landmarked on that street?

MRS. DAY: Yes.

MR. ZUKOV: The little pink house that we approved for landmarking...

MRS. DAY: Yes. I didn't recommend that one either. No, if you remember the Root Trail houses that I did recommend, there is the original Captain Root farmhouse on that street that had...although it's been changed with the kitchen and bath added, it still has the same integrity as it did when it was built at the turn of the century. I don't think it's part of the landmark program to just landmark everything in the Town of Palm Beach. These houses have inappropriate windows right now that no pioneer would have put on this structure in either the teens or the 20's. Certainly, maybe some of the foundations are the same, but does that make it a landmark here? That's what you need to decide.

MRS. WILKEY: I feel...are we discussing or have we discussed the fact that we thought Root Trail would eventually be a street that we wanted landmarked, like a district?

MRS. SMITH: We spoke of a district before, but actually, we have the first residential district on our agenda next month.

MRS. ALBARRAN DE MENDOZA: Is the gable, the new gable end that was done, that possibly could have been a change to the original shed roof...is that something that we believe was done in 1926, or...

MR. FAGAN: I have no documentation that says one way or the other. I'm guessing that 1926 permit was quite a bit of work, because that's a lot of money in those days, had to be done on those houses, and that's why we're relating the two together, but I have nothing written on the walls or no blueprints, no photographs. The only photographs I have are from 1905.

MRS. ALBARRAN DE MENDOZA: Obviously, you know, one could take a very, very broad and flexible interpretation that an addition to an older house that would have been landmarked could still be a possible landmark because it was added in 1926, and it has a gable end very similar, and taking away the fact that casement windows can be changed just like awning windows can be changed daily, somehow I'm one of those that may be very open to accept this as a landmark just because it has that same small A-frame feel as the rest of the street and could have been original.

MRS. WILKEY: I tend to agree.

MR. FAGAN: And the footprint from 1918 that we have from the Town map still matches the survey pretty closely.

MR. SMITH: Is that a motion?

MRS. ALBARRAN DE MENDOZA: YES, WHY NOT.

MRS. WILKEY: I SECOND.

MR. SMITH: There is a motion made and a second. All in favor? Opposed? Cindy, will you please call the roll?

MRS. DELP: Mrs. Albarran de Mendoza	Yes
Mrs. Wilkey	Yes
Ms. Shields	Yes
Mr. Pandula	No
Ms. Lilja	No
Mrs. Blades	Yes
Mr. Smith	No

MOTION CARRIED 4-3-0 FOR DESIGNATION.

MR. FAGAN: Thank you very much for your time.

MRS. DAY: Excuse me, I need some direction from the Commission also...what criteria you designated it on because I said it didn't meet the criteria. So, I need to have a criteria to take to the Town Council.

MR. SMITH: Mrs. Albarran, you were on the prevailing side so I think you....

MRS. ALBARRAN DE MENDOZA: The criteria of the broad, that we did for the small pink house.

MRS. DAY: Criterion (a).

MRS. ALBARRAN DE MENDOZA: Criterion (a) would be the one that I would recommend. Yes.

Item 2: 284 Monterey Road

Owner: Ms. Joan Lucier

Please note that the owner has requested a deferral to the November, 1999 meeting. This request was forwarded to the Town via letter and included the typical waiver of rights.

MOTION BY MS. SHIELDS TO DEFER LANDMARK CONSIDERATION OF 284 MONTEREY ROAD TO THE NOVEMBER, 1999 MEETING, WITH THE PROVISIO THAT THE OWNER RECOGNIZES SHE IS WAIVING HER RIGHT BY ORDINANCE REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MR. PANDULA.
MOTION CARRIED UNANIMOUSLY.

Item 3: 241 Tangier Avenue

Owner: Alan W. & Joanne M. Dayton

Mr. Frank verified that proof of publication and proper legal service had been achieved with respect to this designation hearing. MR. FRANK GAVE THE STAFF RECOMMENDATION THAT THIS PROPERTY MEETS NONE OF THE CRITERIA FOR LANDMARK DESIGNATION.

MRS. JANE DAY: I think I'm getting tougher. 241 Tangier Avenue was originally designed by Howard Major and built in 1936, and although the original design was designed in the Monterey style of architecture, and this is still a beautiful Monterey house, again I'm bringing to you a property that has been altered so often over the history of its existence, that it is not a pristine example of the style, and therefore, I don't feel it warrants landmarking under the Town's landmark ordinance. The Monterey style of architecture was one of the most popular styles of architecture in the United States from 1925 until about the 1950's. It came out of Northern California, and the primary design characteristic of it is the cantilevered balcony which you see here in the original block of the house. This particular one has English style additions to it. You can see the exposed rafters, the very simple and beautiful front door, the simple posts on the second floor railing. Most of the windows are double hung sash, shuttered, although this particular section of the house is an addition that was added over a one story original wing of the property. I think that the main problem that I had with this house is the addition that was done by Ames Bennett and Associates in 1987. This two story addition to the west of the property connected to the main block of the house by a one story walkway...I think took away from the original Howard Major design. It was brought very much forward and on the same plane as the original block of the house, and I think that this is the reason that I have...well, I know that this is the reason that I'm recommending to you that there are other examples of the Monterey style, both that are landmarked and that still exist rather than this house, although it's been beautifully done, it doesn't represent a pure example of the style or the work of Howard Major. And the owner is here and he would like to have a few words with you.

MR. SMITH: Mr. Dayton

MR. DAYTON (PROPERTY OWNER): Thank you, Mr. Chairman. I really have very little to add, except that I respect the work of the Landmark Preservation Commission. It's important to the Town, and I believe strongly in architectural integrity and preservation of buildings which are good examples of architectural styles. I do not believe that my house is one in that category, and that's been amply spoken to. My own impression of the house twenty-five years ago, that it was a simple frame house with no particular distinction, and I went ahead and made considerable changes to it, which apparently have not met the criteria of the Town. I would like to add one additional item. My property is below the flood plain. Anybody who knows Tangier Avenue realizes that it was originally filled lake bottom, and we have problems there, and I question whether properties which are below the flood plain should be landmarked. Anyone have any questions for me?

MR. SMITH: I certainly have a landmarked house that is below the flood plain, and I certainly think that a great deal of the number of homes that we have in the Town that we are preserving are below the flood plain.

MR. DAYTON: The only difference is that you don't live on Tangier Avenue. When it's raining out, I can dig a foot down on my property and find water.

MR. SMITH: I know what you mean. I've seen water under your house. I know how it is.

MR. DAYTON: There's a lake down there. So I, personally, do not think it should be landmarked if I may express my own opinion. Thank you.

MR. SMITH: Thank you. Any further discussion?

MRS. BLADES: Well, I think it's a perfectly beautiful house, Mr. Dayton, and your garden is magnificent.

MR. SMITH: I agree with that.

MRS. BLADES: It is an outstandingly beautiful item.

MS. LILJA: Definitely true. It's a lovely house.

MR. SMITH: Anyone care to make a motion?

MOTION BY MR. PANDULA THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MRS. BLADES.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MRS. WILKEY THAT THE PROPERTY AT 241 TANGIER AVENUE **NOT** BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK BASED ON THE FACT THAT IT DOES NOT MEET ANY OF THE CRITERIA THAT WE NORMALLY CONSIDER PROPER.

MOTION SECONDED BY MS. SHIELDS.

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

Item 4: 143 Clarendon Avenue

Owner: Eric T. & Ann M. Fishman

Mr. Frank verified that proof of publication and proper legal service had been obtained with respect to this designation hearing. He stated that this property meets the following criteria for landmark designation:

- (c) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship
- (d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

MRS. DAY: 143 Clarendon Avenue does deserve to be landmarked by your Landmarks Commission this morning. It's a very good example of the work of Maurice Fatio for the firm of Treanor & Fatio. It was built in 1913...1930, excuse me for John Bryden and his wife, and it's an interesting house because all of the specifications for the building of this house are on file with the Town...all the materials used, not just the floor plans and the elevations,

but it's a very complete record on this particular property. It's also interesting when you look at this house in relationship to Fatio's career in the Town. In 1930, things were changing a little bit. The 1928 hurricane had hit Town. Spanish architecture wasn't the be all and end all any longer, and there was a shift toward the Italian Renaissance style of architecture and this is one of four houses that Fatio did in that year that culminated in the Otto Kahn house that starts that trend. In correspondence between Fatio and his family members, his wife wrote, "you wrote that someone told you that Spanish architecture was gradually losing its popularity in Florida. Do you know who was responsible for that change...Maurice. He has built so many lovely Italian houses that people are turning to that type." As you can see, this is a good example of the style. It's simpler than many of the earlier Spanish styles. It's got casement windows, again, with the curved tops over them, a barrel tile roof with exposed rafters, but the block of the house is really much more substantial, and not as meandering as some of the earlier Spanish houses. One of the primary details of the house are the quoins on the center quarters, and the front entranceway with its cast stone design and cantilevered balcony with wrought iron railing above it is very representative of this style. This building is a good example of Maurice Fatio's work in the year 1930, when his firm was so prominent in Town and it is also a good example of the Mediterranean Revival style of architecture with Italianate Renaissance details. Are there any questions about the report or the building?

MR. SMITH: No. I think that at this point someone should move that the designation report be made a part of the record.

MR. PANDULA: I'LL DO THAT. I'LL MOVE THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MS. SHIELDS: SECOND.

MOTION CARRIED UNANIMOUSLY.

MR. SMITH: Are there any comments from the public? Hearing none...

MR. PANDULA: I'LL MOVE THAT 143 CLARENDON AVENUE BE RECOMMENDED TO THE TOWN COUNCIL FOR RECOMMENDATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MS. LILJA: SECOND.

MOTION CARRIED UNANIMOUSLY.

Item 5: 110 Clarke Avenue

Owner: S.C. III & Grace T. Meigher

Please note that the owner has requested a deferral to the April 21, 1999 meeting.

MOTION BY MR. PANDULA FOR DEFERRAL TO THE APRIL 21, 1999 MEETING.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

*It is noted, for the record, that the owner's attorney had sent a letter requesting the deferral granted above, and did so with the typical waiver of rights, by ordinance, requiring the commission to act within 30 days.

Item 6: 141 Brazilian Avenue

Owner: Mrs. Chesbrough Patcevitch

Mr. Frank verified that proof of publication and proper legal service had been achieved with respect to this designation hearing. He testified that this property meets the following criteria for landmark designation:

⓪ Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship

(d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

MRS. JANE DAY: We're running the whole gamut this morning in architectural styles. 141 Brazilian Avenue is a Georgian style building. The Georgian style of architecture was most popular in the United States during the 18th Century and in the Revival form from about 1880 to 1955. It takes sections of English architecture and transports them to North America, and then again, as I said, was very popular at the beginning of this century in a revival style movement. John Volk was a master of this style, and used the details of it in many places throughout the Town of Palm Beach. The thing that's a little bit questionable in this building is that we don't have an original building permit. The building pre-dates the 1924 Sanborn map. The footprint of it is on that map, and on that map it is called Eastways. What we do know about it is that the first permit was pulled in 1928, and that was for repairs. If you'll remember, there was a devastating hurricane that hit Palm Beach in '28, and those two items may relate to one another. The major work was done on 141 Brazilian Avenue and the change of it to a Georgian style building in 1937 by John L. Volk. Volk did \$22,000 worth of work on the house in that year, which in 1937 was a major restoration and renovation of the property. The original wood frame building was covered with stucco. The entrance was moved to the side, as you see it today. Some of the detailing around the windows with the six over six and eight over twelve double hung windows also date from that era in 1937. As you can see, Volk elaborated the windows by keystones above them, curving some of the windows very slightly and putting shutters to give the building interest. There is a belt course between the first and second floor. This is the entryway, which is a side ⓪ tryway. The original garage building is to the rear. You can see the hip roof on this building in this photograph, and the emphasis of the entryway, that is you're drawn to it by this very large chimney that also is on the west facade of the building. It's kind of a masterful way of bringing the public around from the street facade of the building to the side and driveway side of the building. It's a good example of Volk's work in 1937, and it's a good example of Georgian architecture as it was built in the Town of Palm Beach during the Depression years of the 1930's. Are there any questions about the report or the subject property?

MR. SMITH: Hearing none...

MS. SHIELDS: I MOVE THAT THE DESIGNATION REPORT BE MADE PART OF THE RECORD.

MR. PANDULA: SECOND.

MOTION CARRIED UNANIMOUSLY.

MR. SMITH: Are there any comments from the public? Hearing none...discussion?

MRS. DAY: There was a letter of owner objection.

MR. FRANK: Oh, I'm sorry.

MR. SMITH: Tim, will you please read that letter into the record?

⓪ Let the record show that Attorney Robert G. Simses, of Cummings and Lockwood, sent a letter dated October 21, 1998 to Jeffery W. Smith, Chairman of the Landmarks Preservation Commission, on behalf of his client, Mrs.

Patcevitch. The letter indicates that while "Mrs. Patcevitch was honored to hear that her property was placed under consideration for landmark designation, and she is appreciative of all the accomplishments and efforts of the Landmarks Preservation Commission,...she respectfully requests that her property is removed from consideration for landmark designation."

MR. SMITH: Well, personally, I find the house...from the history, I heard the staff comment about...it looks like they did a major change in style in the renovation sometime in the 30's, and although I think it has some nice detailing to it, I find that, as a whole, I don't even think the front door looks even appropriate for the front door of a house of this size. It looks added on. Everything kind of...although the detailing is what holds the house together, I don't think, as a whole, that it's a great architectural landmark. And that's all I have to say.

MRS. ALBARRAN DE MENDOZA: Actually, I, architecturally, do not like that entrance at all, either. To me, it was just so interesting to see that we basically are landmarking a John Volk house, not the original house because basically it was completely changed so it was just a very interesting history about the house, and that's the only thing that I thought was worthwhile...was the history of it, but not the end result.

MRS. DAY: Well, I think that the most important part to landmark is the 1937 John Volk renovation to the house. That is what is here right now. That's what we have to landmark and that would be what any future Landmark Commissions would have to go back and see if any changes that might be suggested would meet this integrity. The side entrance like this is something that Volk does in other Georgian style houses in Palm Beach, and since our criteria says that it may be an example for study, it may not be your personal taste, but certainly Volk had a reason for doing it when working with the owners, and I think it was successful in this particular example whether or not you subjectively like the style and the solution or not.

MR. SMITH: I think we have better examples of Volk's side entry in this style...actually Twin Banyans is a very good example of it, and I think it far exceeds this representation, especially with owner objection, but I don't make motions.

MS. LILJA: I happen to agree with both Mr. Smith and Mrs. Albarran de Mendoza, and I do agree that we have better examples of Mr. Volk's work, and I RECOMMEND THAT 141 BRAZILIAN AVENUE BE REMOVED FROM CONSIDERATION AS A LANDMARK.

MR. SMITH: There is a motion on the floor. Is there a second?

MRS. ALBARRAN DE MENDOZA: SECOND.

MOTION CARRIED UNANIMOUSLY.

Item 7: 170 Seagate Road
Owner: Ms. Ruth B. Paine

Please note that the owner has requested a deferral to at least the April 21, 1999 meeting, and preferably to the fall of 1999.

Mr. Frank testified that Mrs. Paine is represented by her son, Attorney Jim Paine, and Mr. Paine has requested some additional time in order to better explain this landmarking proposal to his mother. Within the letter from Mr. Paine, on behalf of his mother, he has indicated that she waives her right by ordinance requiring the commission to act within 30 days. Mr. Frank stated that staff does not believe that this property is threatened in any way, and supports the applicant's request for deferral to the November 1999 meeting.

MOTION BY MR. PANDULA TO DEFER THIS MATTER TO THE NOVEMBER 1999 MEETING.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

① III Other Business:

- A. Distribution of Designation Reports for April meeting: As April's meeting will include the Pendleton Avenue Historic District, the reports are not yet ready. They will be mailed when ready.
- B. Royal Park Bridge - Update and Suggestions for the New Bridge

Let the record show that the following persons were present to address the LPC relative to this subject:

Joe Borello, FDOT
Mario Echagarrua, E.C. Driver & Associates
Jim Phillips, E.C. Driver & Associates
John Danielson, FDOT
Evan Supcoff, H2L2 Architects
Mike Fitzpatrick, H2L2 Architects
Paul Cherry, Kimley-Horn
Wendy Cyriaks, Kimley-Horn

Mr. Smith stated that according to his calendar, on April 7, 1999 at 6:30 p.m., there will be a DOT Bridge Presentation in the form of a public hearing at the Sheraton. Today's presentation is simply a preview of what will be discussed at that meeting.

Please note that this subject was being discussed informally only, so that the LPC might offer some feedback to the Department of Transportation prior to coming to the LPC for approval of a Certificate of Appropriateness.

Mr. Joe Borello began by stating that in November of 1997 a problem was discovered during a routine inspection of the bridge, i.e., that marine bores did significant damage to the wood piling bridge foundation. The Royal Park bridge is actually built in two parts, and it is the older, 1929 side, portion of the bridge that was affected. At this point of discovery of the problem, the bridge had to be studied for existing safety conditions and repair options. In March of 1998, it was determined that repair was not feasible, and replacement became the only option. Mr. Borello stated that the City of West Palm Beach and the Town of Palm Beach endorsed the replacement of the bridge with a high level of aesthetics including arches. In September of 1998, safety became an issue, and the affected side of the bridge was closed.

Mr. Mario Echagarrua reviewed the project schedule. Completion of the new bridge is scheduled for September of 2002, an unavoidably ambitious schedule to provide needed service and safety. The first part of the project was to remove the sand from the affected side of the bridge which alleviated much of the weight. This has been accomplished. The second part of the project, then, is to restore four lanes of traffic creating a temporary bridge to be completed by Thanksgiving of this year. It was noted that the contractor is on schedule thus far. Another contractor will be brought in, after the temporary bridge is in place, to remove the remaining portions of the existing bridge. After that, the bridge contractor will come in and commence construction of the new bridge.

The existing bridge is actually two structures...the 1929 structure which was a poured in place arch that was filled with sand to support the roadway and had a swing span, and the 1959 structure which changed the bridge to a bascule bridge. Mr. Echagarrua stated that although both sides of the bridge have arches, the arches on either side are quite different. The new bridge will be a low level bascule bridge, but it will be approximately 9' taller due to New Coast Guard requirements, and as such, it will have a grade. The new bridge will likewise be much wider, by 28'. The bridge opening will be increased from 90' to 125' to allow two boats to navigate through simultaneously.

The new lights recently placed on the bridge will be removed and re-used on the new bridge. The existing bridge tender's house, however, will not be able to be saved. What is needed from the LPC is direction as to what kind of arches to use on the new bridge.

① Mr. Jim Phillips discussed the only two span arrangements possible...one with a 120' span, the longest span adjacent to the bascule on either side. With this arrangement the spans vary and they get shorter as the bridge gets lower and closer to land. The other solution is a 95' span adjacent to the bascule. Within the two different span arrangements, various types of arches are possible. Mr. Phillips presented computer generated renderings of each of the arch types, looking for feedback from the LPC. The first type and least expensive option is the use of pre-stress girders with facade on the outside. The LPC did not like this option. Then Mr. Phillips showed an arch wall alternative with quoining, which the LPC felt was too busy. Then he showed three barrel arch options...a true solid barrel arch, a variation to a true barrel, and another variation...a ribbed barrel arch.

Mr. Phillips stated that the bridge will be designed for a seventy-five (75) year life, but is projected to last much longer. The railing above the top band of the bridge is open for design. There will be a bike path on both sides of the bridge, as well as a pedestrian walkway.

Mr. Evan Supcoff reviewed each of the options architecturally. It was asked that the LPC provide a resolution indicating preference of design schemes for the arches so that this resolution could be in hand for the public hearing on April 7, 1999.

Mrs. Polly Earl of the Preservation Foundation stated that the computer generated visuals "only tell part of the tale," even though it was extremely helpful to see these. The visuals showed the bridge from a boater's angle. The surroundings are not shown in scale. She asked that the impact on the Palm Beach side entrance to the bridge be considered as this area is integral to the Royal Park Bridge Historic District. He asked that the entire bridge be considered including railings, bike lanes, etc. before any decisions are made. She stressed that if the life of the bridge is projected to be so long, the design choices become very important. Mr. Smith agreed that the approaches and railings should be studied.

Mr. Smith expressed the Commission's appreciation for this excellent presentation. As to the span arrangement to be used, Mr. Smith and Mr. Pandula voiced a preference for the option with 120' to the bascule because the arches can be more uniform in shape and not as round.

A great deal of discussion was heard relative to this matter. Mr. Frank asked Mr. Smith if the LPC wished to provide a resolution for the applicants use at the April public hearing. This prompted Mr. Smith to call for any motion relative to this matter.

MOTION BY MR. PANDULA STATING A PREFERENCE FOR THE BARREL ARCH DESIGN SCHEMES #3 AND #4, WITH NO SPECIFIC CHOICE OF THE SPAN RATIO OPTIONS OF 120' OR 95' TO THE BASCULE AS THAT IS YET TO BE DETERMINED, AND THAT ARCH STRUCTURE DESIGN SCHEMES #1 AND #2 ARE ABSOLUTELY ELIMINATED.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

Mr. Moore noted for the record that a letter will have to be drafted by the LPC, not a resolution.

① C. 205 Royal Palm Way

It was noted that there is a difference between the columns and capitals which were approved for the connecting walkway versus those which have been placed on site. The architect had sought staff approval for the changed items, but Mr. Frank felt that the matter should come to the LPC for review. The members of the commission agreed that the matter should return to the LPC for approval.

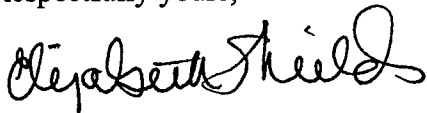
D. Mr. Smith welcomed Mrs. Hoffman to service on the Landmarks Preservation Commission.

IX Adjournment:

The meeting adjourned at 12:00 p.m. on a motion sponsored by Ms. Lilja.

The next meeting of the Landmarks Preservation Commission will be held on **Wednesday, April 21, 1999** in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully yours,



Elizabeth Shields, Secretary
LANDMARKS PRESERVATION COMMISSION

cmd

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>Smith, Jeffery W.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Landmarks Preservation Commission</u>
MAILING ADDRESS <u>206 Phipps Plaza</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: : : CITY : : COUNTY : : OTHER LOCAL AGENCY : : TOWN
CITY <u>Palm Beach</u>	COUNTY <u>Palm Beach</u>	NAME OF POLITICAL SUBDIVISION: <u>Town of Palm Beach</u>
DATE ON WHICH VOTE OCCURRED <u>8/19/98 + 3/17/99</u>		MY POSITION IS: : : ELECTIVE : : ☒ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are 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 8/19, 19 98:

(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 & MRS DUDLEY MOORE, by whom I am retained

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

RE: CoA # 30-98 > 220 EL BRAVO WAY
+ CoA # 35-98 > HERRO 8/19/98
& CoA #7-99, 220 El Bravo Way, heard 3/17/99

8/19/98
Date Filed

Signature [Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>PANDOLA, EUGENE</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>LANDMARKS PRESERVATION COMMISSION</u>	
ADDRESS <u>201 SEAVIEW AVENUE</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: : CITY : COUNTY ☒ OTHER LOCAL AGENCY	
CITY <u>PALM BEACH</u>	COUNTY <u>PALM BEACH</u>	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED <u>20 MAY 1998 2/17/99</u> <u>+ 3/17/99</u>		MY POSITION IS: : ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are 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:

1. You must 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.

2. A copy of the form should be provided immediately to the other members of the agency.

3. The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

#19-98

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, GENE FANDURA, hereby disclose that on 20 MAY, 19 98:

(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 MS POLLY EARL, by whom I am retained

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

AGREEMENT FOR MINOR RENOVATIONS TO
EXISTING RESIDENCE

Regarding CoA#19-87, 209 Seaspray Avenue, heard 5/20/98.

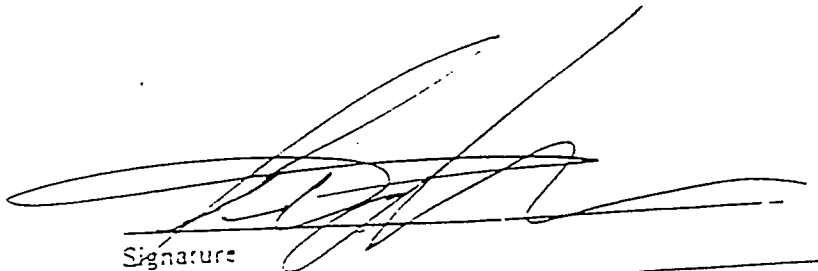
Also regarding CoA#6-99, 209 Seaspray Avenue, heard 2/17/99.

& heard 3/17/99

Date Filed

5/20/98

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.