

EXECUTIVE SUMMARY

To: Alan S. Johnson, Executive Director
From: James A. Poag, Investigator
Re: C12-011 – Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through sworn complaint dated September 17, 2012 by Judith Just, a member of the Lake Worth Historical Resources Preservation Board (HRPB). The Respondent, Wes Blackman, is the current Chairman of HRPB, which is an advisory board of the City of Lake Worth (the City) with quasi judicial powers. The HRPB issues the required Certificate of Appropriateness (COA) in cases where construction/remodeling related projects are proposed within one of six (6) areas of the City of Lake Worth that are identified as “historic preservation” districts.

According to the Complainant, she and her husband, as well as other neighbors, met with both Wes Blackman and the project architect. Complainant states that on the date of their meeting, April 27, 2012, Respondent stated that although he was a member of the HRPB, he would not be voting or participating on this particular issue when it came before the Board, and asked residents to contact him directly with any concerns regarding the proposed home construction.

The specific basis for this Complaint is an allegation that Respondent met with City staff as an agent of either the applicant or the architect for the proposed construction of a new home on a current vacant lot located at 302 North Lakeside Drive, Lake Worth, FL 33460 and was involved in lobbying City staff, while not being registered as a lobbyist as required by the Lobbyist Registration Ordinance. The Complainant also alleged that the Respondent failed to disclose a conflict of interest at the time of his re-appointment to the HRPB on July 24, 2012.

- **Investigative information**

Through interviews and in reviewing documents submitted and discovered during this Inquiry, COE Investigator James A. Poag was able to establish the following:

1. The Respondent was hired at the recommendation of Greg Rice (Hulett Pest Control employee) to assist the Hulett family with completing the application process to obtain the Certificate of Appropriateness for the construction of a new home to be built on a vacant lot located at 302 S. Lakeshore Drive, Lake Worth, FL. (COA# 12-00100066).
2. A review of documents indicated that the property address was located in a “historic district” requiring approval by the HRPB, the same Board that the Respondent serves as the Chairman.
3. On September 12, 2012, the application was approved by the HRPB. A review of the recorded meeting revealed that the Respondent publicly recognized that he had a conflict of interest and did not participate in any discussion on the matter and abstained from voting. It should be noted that Respondent has filed four (4) state 8B Conflict of Interest Forms since January, 2012.
4. The Complainant also alleged that the Respondent failed to disclose a conflict of interest at the time of his re-appointment to the HRPB on July 24, 2012. Even if this allegation is true, it does not constitute a violation of the Palm Beach County Code of Ethics.
5. Interviews with City staff revealed that the Respondent’s contacts with staff involved seeking information from staff and acting as a facilitator for the applicant, and that during each of the Respondent’s meetings with staff, the Respondent did not attempt to influence any staff decision. According to the

uncontroverted testimony, the information exchange during these meetings was one-sided with information flowing from staff to the Respondent and the Respondent simply asking questions and taking notes.

6. Article VIII, Section 2-353 defines lobbying as “seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any...employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board...”
7. In RQO 12-025, the COE determined that a person who contracts with a principal for economic consideration who meets with county or municipal staff for the sole purpose of gathering information for a project, asking technical questions only, and not providing information to county or municipal staff other than what is needed to meet technical requirements for required approvals, is not engaged in lobbying and is not required to register as a lobbyist.



PALM BEACH COUNTY COMMISSION ON ETHICS

2633 Vista Parkway, West Palm Beach, Florida 33411

Hotline: 877-766-5920 or 561-233-0724

COMPLAINT FORM

1. Complainant (Person bringing Complaint) Add pages, if necessary.

Name: Judith Just
Address: 306 W. Lakeside Drive
City: Lake Worth FL Zip: 33460
Home #: 561-202-8081 Work #: 561-547-0549 Cell #: 561-379-5372

2. Respondent (Person against whom complaint is made) Add pages, if necessary.

Name: Wes Blackmer
Address: _____
City: Lake Worth FL Zip: 33460
Home #: _____ Work #: _____ Cell #: _____
Title/Office Held or Sought: Chairman LW Historical Resource Preservation Board

3. IF KNOWN, CHECK THE BOX OR BOXES THAT APPLY

☒ Allegation is against person in
County/Municipal Government

☐ Allegation is about County:
Whistleblower Retaliation

4. STATEMENT OF FACTS BASED ON YOUR PERSONAL KNOWLEDGE

In a separate attachment, please describe in detail the facts and actions that are the basis of your complaint, including the dates when the actions occurred. Also attach any relevant documents as well as names and contact information of persons who may be witnesses to the actions. If known, indicate the section of the ordinance you believe is being violated. For further instructions, see page 2 of this form.

5. OATH

I, the person bringing this complaint, do depose on oath or affirmation and say that the facts set forth in the foregoing complaint and attachments are true and correct, to the best of my knowledge and belief.

Judith Just
Signature of Person Making Complaint

STATE OF FLORIDA
COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me
this 17th day of September, 2012, by

Judith Ann Just
(Name of Person Making Statement)

who is personally known to me ☐ or produced
identification ☒. Type of identification
produced:

Florida drivers license

Sahila A. Torrez
(Signature of Notary Public, State of Florida)



Sahila A. Torrez
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE112009
Expires 7/13/2015

Sahila A. Torrez
(Print, Type, or Stamp Commissioned Name of Notary Public)

FACTS - Complaint – Violation of Lobbyist Registration, Art. VIII, Sect. 2-351 through 2-357
(Ordinance nos. 2003-018/2005-055)

My husband and I own a small Florida cottage in a historical district (National Register) in Lake Worth, FL, 33460. There is an adjacent vacant lot to the south of our property.

Wes Blackman is currently a board member of Lake Worth Historical Resource Preservation Board. He was also a board member since at least January 2012.

On or about early April the City of Lake Worth posted a notice regarding proposed construction on the subject vacant lot. I contacted the City's Preservation Planner to get information regarding the project and to the best of my recollection she told that Mr. Blackman was working for the party constructing the house and that he would be contacting us or we should contact him.

April 27, 2012 we met with Wes Blackman and the architect to review plans for the construction of a 30ft. 4,000 sqft. structure on a vacant lot adjacent to our cottage size home. At the time of our meeting it was our understanding that Mr. Blackman was representing either the prospective builders, the current owner of the lot or the architect, but he did state he was working on the project and would not be voting on it as a HRPB member.

I was aware of the HRPB but was not familiar with the preservation ordinances and amount of power the board has when approving a Certificate of Appropriateness for owners wishing to construct new homes or change existing homes in our historical district. Although the HRPB is called an advisory board it actually has quasi-judicial powers. This board issues a Certificate of Appropriateness for building changes (façade) to structures and all new construction in the City's historical districts.

Mr. Blackman requested we contact him with any personal concerns regarding the proposed construction of the house. Mr. Blackman left to meet with another neighbor Brian Gleason to review and discuss the plans. Mr. Blackman also had contact with Regina Miller another adjoining neighbor across the street regarding the design of the proposed construction.

It was our understanding that Mr. Blackman was hired to assist in getting the plans approved by the HRPB and P&Z. He worked with the City Staff to get the plans approved.

The HRPB review of the plans has been rescheduled several times for various reasons. The last was scheduled for August 8.

In July Mr. Blackman reapplied for his HRPB position. I was informed by an attending Commissioner that during the interview Mr. Blackman did not disclose his conflict of interest on this project. July 24 Mr. Blackman was reappointed as board member on the HRPB.

The subject project had a public hearing on September 12, 2012. Mr. Blackman removed himself from the board for the vote on the matter. He still sits as chairperson of the board.

I checked the County's registration records and found Mr. Blackman did not register himself as a lobbyist

on this project.

Attached is a list of City of Lake Worth Historical Resource Preservation board members, the City of Lake Worth Building, Planning and Zoning Department Application for Certificate of Appropriateness which lists Wes Blackman as the applicant's agent and the search results from the Lobbyist Registry.

Regina Miller
(adjacent neighbor who had a phone conference
with Wes Blackman and the architect)
303 N. Lakeside Drive
Lake Worth, FL 33460
561-667-5387
Pro_solutions@comcast.net

Brian Gleason
(neighbor whom met with Wes Blackman and the
architect to review the plans)
315 N. Lakeside Drive
Lake Worth, FL 33460
561-315-4020
Briangleason@earthlink.net

Peter W. Just
(husband who met with Wes Blackman and
the architect to review the plans)
306 N. Lakeside Drive
Lake Worth, FL 33460
561-309-6914
Peter.just@topproducer.com

Commissioner Andy Amoroso
(City commissioner present during Historic
Preservation Resource Board interviews for current
Positions also received a copy of my letter
Requesting Wes Blackman resign due to his
prohibit act)
600 Lake Avenue
Lake Worth, FL 33460
561-533-5272
aamoroso@lakeworth.org

William Waters, Director of Community Sustainability
(director spoke with him and he
expressed his frustration regarding
the pressure he's been under to approve the project)
1900 2nd Avenue North
Lake Worth, FL 33461
561-586-1634
wwaters@lakeworth.org

Tim and Elizabeth Hulett
(prospective owners who are submitting plans
and I was told hired Wes Blackman)
108 Bloomfield Drive
West Palm Beach, FL 33405
561-602-6241

Brower Architectural Assoc.
(the architect who prepared the plans and is
working with Wes Blackman)
350 S. County Rd., Ste. 207
Palm Beach, FL 33480
561-659-1948

Hector Cabrera
(owner of the vacant lot – either he or
the Hulettts have hired Wes Blackman
to get the plans approved by the City)
P.O. Box 412
Lake Worth, FL 33460
561-540-4334

Sandi DuBose Secretary
(works for the City of Lake Worth
and can verify Wes Blackman's position
on the board past and present and lack of
disclosure of his professional relationship during
on the interview for the board position).
1900 2nd Avenue North
Lake Worth, FL 33460
561-586-1687
sdubose@lakeworth.org

Kelly Christensen, Preservation Planner
(the person in the City I initially contacted
on the public notice- she put me in contact with
Wes Blackman to initially review the plans)
1900 2nd Avenue N.
Lake Worth, FL 33461
561-586-1690
kchristensen@lakeworth.org

Commissioner Suzanne Mulvehill
(present during the Historic Preservation
Board interview with Wes Blackman, also
received a copy of my letter requesting Wes
Blackman's resignation.)
smulvehill@lakeworth.org

Jeanne Thompson
(property owner who works for the State of
Mass. and urged that I contact the State of Florida
regarding Wes Blackman's position on the board
and contractual relationship with the individuals
seeking board approval)
311 N. Lakeside Drive
Lake Worth, FL 33460
413-426-0054
jeanne.thompson@state.ma.us

HISTORIC RESOURCES PRESERVATION BOARD
THREE (3) YEAR TERMS

<u>MEMBERS</u>	<u>APPOINTED</u>		<u>ETHICS TRAINING</u>	<u>EXPIRES</u>
Herman Robinson 114 Ocean Breeze (Related Field) 964 Hcrfla99@yahoo.com	06/30/10	H: 586-4913 W: 352-4252 C: 352-4252	YES	2015
Wes Blackman 241 Columbia Dr. wesblackman@gmail.com (Planning) 708	06/16/11	C: 308-0364	YES	2014
Juan Contin 826 S. Federal Hwy., #4 jcon123@hotmail.com 248 (Architecture)	10/26/11	C: 305-778-2082	YES	2014
Judith Just 306 N. Lakeside Dr. Judithjust01@hotmail.com (Law)	07/23/12	H: 202-8081 W: 547-0549 C: 379-5372	NO	2013
Loretta Sharpe 1311 S. Palmway irdltd@aol.com 3284 (Real Estate Sales)	07/23/12	H: 585-0716 C: 818-6277	NO	2013

ALTERNATES (One-year terms)

Mark Clary 1117 1221 So. Palmway Mclary3652@aol.com (Professional/Architecture)	07/23/12	C: 859 797-3266	NO	2013
Jimmy Zoellner 1416 731 North "K" St. jimmyzoellner@hotmail.com (Citizen at large)	07/23/12	C: 585 748-2308	NO	2013

Meetings: Second Wednesday at 7:00 PM on an as-needed basis

The Board's function is to consider historic preservation issues.

Board shall consist of five resident members plus two alternates appointed by the City Commission. Four members constitute a quorum. Initial appointments: one member to serve three years; two members to serve one year; two members for a term of two years; thereafter, all regular terms three years and alternate terms one year.

**CITY OF LAKE WORTH
BUILDING, PLANNING AND ZONING DEPARTMENT
APPLICATION FOR CERTIFICATION OF APPROPRIATENESS**

If approved, a CA/COA is valid for 12 months from the date of approval.

Project Name: Single Family Residence
Address or General Location: 302 North Lakeside Drive
Lake Worth, FL 33460

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: Tim & Elizabeth Hulett
Address: 108 Bloomfield Drive
West Palm Beach, FL 33405
Telephone Number: 561-602-6241

AGENT

Name: Brower Architectural Assoc. & Wes Blackman
Address: 350 S County Rd, Ste 207 241 Columbia Dr
Palm Beach, FL 33480 Lake Worth, FL 33460
Telephone Number: 561-659-1948 561-308-0364

OWNER (if other than applicant)

Name: Hector Cabrera
Address: PO Box 412
Lake Worth, FL 33460
Telephone Number: _____

Applicant is: Owner ☐ Lessee ☐ Other Buyer



Lobbyist Registry

Lobbyist Registry Search

Search By: Lobbyist Last Name: blackman

No Records found. Try searching again

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Lobbyist Registry

Lobbyist Registry Search

Search By: Lobbyist

Last Name: wes blackman

Search

Clear

No Records found. Try searching again

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PALM BEACH COUNTY COMMISSION ON ETHICS
MEMORANDUM OF INQUIRY

To: Alan S. Johnson, Executive Director
From: Mark E. Bannon, Investigator
Re: C12-011 – Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through sworn complaint dated September 17, 2012 by Judith Just, a member of the Lake Worth Historical Resources Preservation Board (HRPB). The Respondent, Wes Blackman, is the current Chairman of HRPB, an advisory board of the City of Lake Worth with quasi judicial powers. HRPB has the sole power to issue a "Certificate of Appropriateness" required for various construction related building changes, as well as any new construction proposed within any of the six (6) areas of the City that are identified as "historic preservation" districts. The historic preservation districts include: College Park, Northeast Lucerne, Old Lucerne, Old Town, Southeast Lucerne, and South Palm Park. This Complaint involves the Old Lucerne Historic Preservation District.

Complainant's specific allegation involves the proposed construction of a new home on a current vacant lot located at 302 North Lakeside Drive, Lake Worth, FL 33460. Complainant and her husband own and live in a home located at 306 North Lakeside Drive, directly adjacent to the vacant lot. In April, 2012, Complainant alleges that the City posted a notice regarding proposed construction of a single family home on the vacant lot. A copy of an Application for Certificate of Appropriateness for the location was included in the documents filed with the Complaint. This application lists the "Applicant" as Tim and Elizabeth Hulett, who currently reside in West Palm Beach. The property owner is listed as Hector Cabrera of Lake Worth with the Agent to the applicant listed as, Brower Architectural Associates of Palm Beach and Wes Blackman of Lake Worth.

The Complainant advises that she and her husband, as well as other neighbors, have met with Wes Blackman and the architect about the project. Complainant states that on the date of their meeting, April 27, 2012, Respondent stated that although he was a member of the HRPB, he would not be voting on this particular issue when it came before the Board and asked them to contact him directly with any concerns regarding the proposed home construction. While not a member of the HRPB at the time of this meeting, Complainant was appointed to this Board on July 23, 2012. Additionally, Complainant alleges that Respondent reapplied for his board position also in July, and during an interview he failed to disclose what she believes is a clear conflict of interest. Respondent was reappointed to HRPB on July 24, 2012.

However, the specific basis for this Complaint is an allegation that Respondent has met with City staff as an agent of either the applicant or the architect, and has been involved in lobbying efforts of City staff while not being registered as a lobbyist as required by the Lobbyist Registration Ordinance.

- **Inquiry**

Because the focus of the complaint is that Respondent is lobbying City staff, specifically without being registered as a lobbyist, I first checked to make sure that Respondent is not registered as a lobbyist. The Palm Beach County Lobbyist Registry is an online database (<https://secure.co.palm-beach.fl.us/LRS/Registry/SearchRegistry.aspx>), maintained by the PBC Legislative Affairs Office. The City of Lake Worth, having adopted the PBC Lobbyist Registration Ordinance in October 2011, began to have the PBC Legislative Affairs Office register lobbyists who lobby Lake Worth, and to utilize this database on April 2, 2012. A check of this database on September 24, 2012, verified the Complainant's allegation that Respondent was not registered as a lobbyist for the City of Lake Worth.

The HRPB falls within the City department known as Community Sustainability, which is housed at 1900 Second Avenue North, Lake Worth. The Director of Community Sustainability is William Waters. Karen Vaughn is the Planning and Preservation Manager, and Kelly Christensen is the Preservation Planner. These are the City staff members that work on projects that require a Certificate of Appropriateness because of new construction within one of the Historic Preservation Districts. I went to 1900 second Avenue North and obtained copies of the available staff contact logs kept at that location. I was able to obtain contact logs from April 30, 2012 through July 3, 2012. The contact logs for dates beyond July 3, 2012 had not yet been scanned into the computer system, and were unavailable. In looking at these logs, I found that neither Respondent nor the architect on the project, James Brower, had ever signed the contact logs at this location. Therefore, I was unable to determine from these records whether Respondent met with City staff as alleged by Complainant. I also went to the Lake Worth Town Hall, where I was able to obtain, from the City Clerk's Office, a copy of Lake Worth City Ordinance 2010-09, adopting the Palm Beach County Code of Ethics and Lobbyist Registration Ordinance. All of these documents were submitted to file.

In conducting background research into this Inquiry, I located Wes Blackman's self profile on a business website known as "LinkedIn" (www.linkedin.com/in/wesblackman). This profile was listed as, "Wes Blackman, AICP", (American Institute of Certified Planners), indicating that he holds a certification through this organization as a "planner." He is also listed as a Principal of CWB Associates in West Palm Beach, Florida. The profile also showed that Blackman had twenty-six years of experience as an urban planner and project manager and listed his specialties as, "Zoning issues, public relations, historic preservation, communications, internet applications, due diligence research, expert witness, comprehensive land planning, relationship building." The profile listed his past experience as a Planner for Gunster Yoakley (a local law firm), from 2004-2009, and as the Director of Projects for the Trump Organization from 1993-2003, where he supervised the permitting and construction related activities at the Mar-a-Lago Club and Trump International Golf Club. This information and other related background information were submitted to the file.

A check of the Florida Division of Corporations website (www.sunbiz.com) did not list a corporation under the name CWB Associates, which means it is most likely a sole proprietorship company or a non-incorporated partnership. The website listed Wes Blackman as an officer for two (2) Florida non-profit corporations (Lake Worth's College Park Homeowners Association, Inc. and Palm Beach County Planning Congress, Inc.).

I went to the City of Lake Worth website (www.lakeworth.org) and obtained background information on the HRPB and the documents that have been filed on the 302 Lakeside drive project. These documents include staff memorandum, application for a Certificate of Appropriateness, and other relevant documents. I pulled several advisory opinions from the Florida Commission on Ethics website (www.ethics.state.fl.us) and the Palm Beach County commission of Ethics website (www.palmbeachcountyethics.com), that addressed the issue of lobbying, as well as a copy of the Palm Beach County Code of Ethics and the Lobbyist Registration Ordinance, where the term "lobbying" and "lobbyist" are defined. Finally, I checked with the Florida Department of Business and Professional Regulation (DBPR) website (www.myfloridalicense.com) where I was able to determine that "Urban Planner" is not one of the twenty-nine (29) services that is required to have a license issued by the DBPR to operate a business in Florida. All documents obtained have been submitted to the file.

On Tuesday, October 2, 2012, I made contact with Lake Worth Preservation Planner Kelly Christensen and set an appointment to interview her on Wednesday, October 3, 2012, at 2:00 PM.

On Wednesday, October 3, 2012 at 9:15am, I spoke briefly with Karen Vaughn, City of Lake Worth Planning and Preservation Manager, and supervisor of Kelly Christensen. Vaughn stated that she was in only one meeting concerning the property at 302 Lakeside Drive several months ago. Wes Blackman, project architect Ken Brower, and Kelly Christensen were also at the meeting. She does not recall Blackman speaking much during that meeting, and stated that the plans for the home were submitted by Brower, who also was involved in the discussion with staff. She did not know how many times Blackman may have met with staff, but Christensen would have been the lead person on the project because it was within a historic district. She also believed that her boss, William Waters, may have been in some staff meetings with Brower and possibly Blackman.

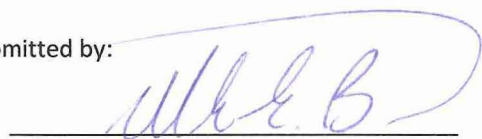
Investigator James Poag and I met with Kelly Christensen at her office on October 3rd at 2:00pm. Inv. Poag was scheduled to assume this Inquiry, and took the lead in this interview. Additional details regarding the interview can be located in his report.

- **Documents submitted to File during the initial Inquiry by Investigator Bannon**

1. Sworn Complaint by Complainant Judith Just against Respondent Wes Blackman, and attached documentation submitted by Complainant. (9 pages)
2. Copy of contact logs from Planning, Zoning and Historic Preservation Department, located at 1900 Second Avenue North, Lake Worth, for the period from 4/30/2012 to 7/3/2012. (17 pages, two sided)
3. Copy of Section 2-442, *Definitions*, of the Palm Beach County Code of Ethics which includes the definition of "lobbing" and "lobbyist." (25 pages)
4. Copy of Respondent's profile from "LinkedIn" website (www.linkedin.com). (2 pages)
5. Copy of background information of HRPB and the historic districts from the City of Lake Worth website (www.lakeworth.org). (3 pages)
6. Copy of background materials, application and other relevant documents for the 302 Lakeside Drive Project from the City of Lake Worth website (www.lakeworth.org). (64 pages)
7. Copy of Florida Commission on Ethics Advisory opinions, CEO 11-06, August 3, 2011 (6 pages), and CEO 10-24, December 8, 2010 (9 pages), concerning conflicts of interest and lobbying.
8. Copies of Palm Beach County Commission on Ethics advisory opinions, RQO 12-058, September 13, 2012 (3 pages), RQO 12-054, August 3, 2012 (4 pages), RQO 12-025, May 4, 2012 (3 pages), RQO 12-050, July 16, 2012 (2 pages), and RQO 11-057, November 4, 2012 (3 pages), concerning conflicts of interest and lobbying.
9. Copies of information from the Florida Division of Corporations website (www.sunbiz.com) for two (2) nonprofit corporations in which Wes Blackman is listed as an officer, Palm Beach County Planning Congress, Inc. (3 pages) and Lake Worth's College park Homeowners Association, Inc. (3 pages).
10. Copy of list of services in Florida that require a license from the Florida Department of Business and Professional Regulation (DBPR) from their website (www.myfloridalicense.com). (1 page)

This ends my direct involvement into this Inquiry, other than as supervisory investigator. The Inquiry was turned over to Investigator James Poag.

Submitted by:



Mark E. Bannon, Investigator
PB County Commission on Ethics

11/6/2012
Date

Reviewed by:

(Initials)

Date

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Carol Stankovic	4/20/12	Yard sale permit		YES NO	
Joe Lopez				YES NO	
Tony Carmine	4/23/12	water bills		YES NO	
Joe Moore	4/23/12	Permit		YES NO	
MARK HATAWAY	4/23/12	Building permit		YES NO	
MARY MURPHY	4/23/12	Building permit		YES NO	
Noeman	4/23	Blk Permit		YES NO	
RONIS DOUGLAS	4/23	IRIGATION PERMIT		YES NO	
Tough-Turn	4/23	Permit		YES NO	
Wendy Haggerty	4/23	License		YES NO	
GARY VON HUSSEN	4/23	PERMIT		YES NO	
MARY MALAY	4/23	garage sale permit		YES NO	
James P. [unclear]	4/23	Roof		YES NO	

"Lobbying" shall mean seeking to influence the decision of any Elected Official, any Advisory Board member, or any Employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or elected body as applicable.

"Lobbyist" shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Don Schaar	4-23-12	Permits	John Kous	YES <input checked="" type="radio"/> NO	
Phil Tonk	4/24/12	Permits	Kelly C.	YES <input checked="" type="radio"/> NO	
Shawn	4-24-12	Permit	Permit	YES <input type="radio"/> NO	
Julie Clouston	4/24/12	Permit		YES <input checked="" type="radio"/> NO	
Hydn Koussea	4/24/12	Permit Submittal		YES <input checked="" type="radio"/> NO	
Nancy Massie	4-24-12	Pick up Permit		YES <input type="radio"/> NO	
HENRY ADE	4/24/12	Registration Submittal		YES <input type="radio"/> NO	
Barbara Moller	4-25-12	Business license		YES <input checked="" type="radio"/> NO	
Luan Kahine	4/25/12	Permit		YES <input checked="" type="radio"/> NO	
Dallas Tedlock	4/25/12	Drop off Permit		YES <input checked="" type="radio"/> NO	
Geo Gutierrez	4/25/12	Plo Permit		YES <input type="radio"/> NO	
Chris Dechard	4/26/12	2012	Kelly	YES <input checked="" type="radio"/> NO	ckoff
VICTOR H. CADER	4/25	Permits		YES <input type="radio"/> NO	

"Lobbying" shall mean seeking to influence the decision of any Elected Official, any Advisory Board member, or any Employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or elected body as applicable.

"Lobbyist" shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any; represented when discussing this subject?"
Sonuga	4/25/12	Permit		YES NO	
GARABAN, INC.	4-25-12	Permit		YES NO	
Sandy DePae				YES NO	
JEFF BLASSEUR	4-26-12	PERMIT SUBMITTAL		YES <u>NO</u>	
JEFF (INFINITY ELECT)	4-26-12	Permit		YES NO	
MARU MCKINNI	4-26-12			YES NO	
Anita Ingersoll	4/26/12	1105 G Street		YES NO	
STEPHEN DECKER	4/27/12	PERMIT		YES <u>NO</u>	
Johnny Perkins	4/27/12	PERMIT		YES <u>NO</u>	
Craig Matalon		Code		YES NO	
PARRY HIGGINS	4/27/12	PERMIT		YES <u>NO</u>	
TAMM	4/27/12	PLANS		YES NO	
Doug Silovens	4/27/12	Permit		YES <u>NO</u>	

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Anita Ingernat	4/30/12	Inspection	owner	YES NO	
DAN OKE				YES NO	
TERRY	4/30/12	PERMIT		YES NO	
MARK HATAWAY	4/30/12	Permit		YES NO	
ASAD ALAM	4/30	Business License/2012	owner	YES NO	
Carl Aldrin	4/30	Permit		YES NO	
DON SHAN	4.30	See House File 1175 Planning	owner	YES NO	
SHAWN TRIFORD	4-30	Energy conservation		YES NO	
DAN OKE	4/30	SANDY	320N Fed	YES NO	
Luis VASQUEZ	4.30	Power Inspection		YES NO	
Mike P. Solom	4/30	App.	Mike P. Solom	YES NO	
Lee Savarese	4/30	App	Lee Savarese	YES NO	
Mark	4.30	PLU		YES NO	

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Noeman	4/30			YES NO	
Carlos Vanez	5/1/12	Permit		YES NO	
William Ford	5/1/12	Permit		YES NO	
STEVE GAYDOSH	5/1/12	PLANNER ON CALL		YES <u>NO</u>	
Rod Pater	5/1			YES NO	
STUART CHACCIO	5/1	Permit		YES <u>NO</u>	
Harold Ploffen	5/1	P/v Permit		YES NO	
Guillermo Pason	5/1	Kelly Planning	Kelly	YES <u>NO</u>	
Jeremy Horan	5/2	Permit/legislation		YES NO	
Bill Sanders	5/2	Hist. Pres	Rodney P	YES <u>NO</u>	
Permit Mitch	5/2	Permits	Permits	YES <u>NO</u>	
Romana Lilly	5/2	Business tax Georgia		YES <u>NO</u>	
Nelyn Lim	5/2	Business tax.		YES NO	

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Deanna Goy	5/2/12	Permit Pickup 332 N. M Street		YES <input checked="" type="radio"/> NO	
Brian Jewell	5-2-12	Permit App		YES <input checked="" type="radio"/> NO	
Allan Wentz	5-2-12	Permit + Cont. Registration		YES <input checked="" type="radio"/> NO	
William BEAVER	5-3-12	P.U. Permit		YES <input checked="" type="radio"/> NO	
Nermine Hanna	5.3.12	Code Enforcement	Nermine Hanna	YES <input checked="" type="radio"/> NO	
Carlos Vanegas	5/3/12	Permit		YES <input checked="" type="radio"/> NO	
Alex Anagnostis	5/3/12	Permit		YES <input checked="" type="radio"/> NO	
Tony Sotero	5/3/12	DMA	Rebecca Melly	YES <input checked="" type="radio"/> NO	
Rosendo Santos	5/3/12	File Check		YES <input checked="" type="radio"/> NO	
Deondra Iverson	5/3/12	Business License		YES <input checked="" type="radio"/> NO	
ERIC ONORATO	5/3/12	PERMIT - FENCE	ERIC ONORATO	YES <input checked="" type="radio"/> NO	
Quail Kelly	5/3/12	Permit		YES <input checked="" type="radio"/> NO	
Math Mullane	5-3-12	Permit (Sign)		YES <input checked="" type="radio"/> NO	

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Carlo Mercurio		Zoning		YES NO	
Sprays Valle	5/4/12	5/4/12		YES NO	
Renald Kelly	5/3/12	Permit		YES <u>NO</u>	
Chuck Gasen	5/3	Permit		YES NO	
John Stone	5/3/12	Permit		YES NO	
Dan Baabys	5.3.12	Site Plan meeting		YES <u>NO</u>	
Juana Flores	5/3/12	Permit		YES <u>NO</u>	
Gabe Burden	5/4/12	Process meeting		YES <u>NO</u>	
HARES AMIN	5/4/12	Mr. Madera		YES NO	
Carl Aldrin	5/4/12	Permit		YES <u>NO</u>	
D. Mearns	5-4	Permit		YES <u>NO</u>	
A. Marshall	5-4	REVISION		YES <u>NO</u>	
Th. W. W. W.	5-4	Permit		YES <u>NO</u>	

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WILL MARY	5/4/12	Permit ADT		YES NO	
Rick	5/4	Permit sub electric		YES NO	
Skip Steurer	5/4	Permit		YES NO	
CARLOS RODRIGUEZ	5/4	PERMIT		YES NO	
BADLI YASEER	5/4			YES NO	
Susan Conner	5/4	Permit		YES NO	
AL BELL	5/04	"		YES NO	
Romero Bienvenido	5/4	Pick up permit		YES NO	
Brett Keel	5/4	Complaint - 1820 N. D. Ave HwY		YES NO	
Dan DuBose	5/7	PERMIT		YES NO	
HARES AMIN	5/7	zoning		YES NO	
Nancy Duggan	5.7.12	pkg. decal.		YES NO	
Vanessa	5/7/12	Pick-up Permit		YES NO	

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Ronald Alley	5/7/12	garage conversion	Donna	YES NO	
Scott Brown	5/9/12	WATER LEAK OR THEFT		YES NO	
Robin Hugli	5/8/12	Nationwide	Sub Permit	YES NO	
ROLANDO Cabrer	5/08/12	Plumbing permit		YES NO	
Hermis Vazquez	9/09/12	Permit Reg		YES NO	
CARL TIDWELL	5/09/12	OLF		YES NO	
Lucie	05/09/12			YES NO	
Carl Aldrin	5/9/12	Permit P/U		YES NO	
Philip Tonk	5/9/12	Permit P/U.		YES NO	
STAN CHARRCO	5/9/12	REGISTER / PERMIT		YES NO	
James Woolfe	5/9/12	Plumbing Permit Pickup		YES NO	
Romero Bienvenido	5/9/12	permit		YES NO	
Kean Williams	5/8/12	Permit		YES NO	

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WALTER EPPINGER	5/14/12	Permits		YES <input checked="" type="radio"/> NO	
LARRY M	5-14-12	Permit		YES NO	
EVAN HETICH	5-14-12	PERMITTING		YES NO	
ALAN LANE	5-14-12	Permit		YES NO	
Vince Lo Grasso	5.14.12	Water/Sewer Fentherly 7207	MARIA MONARDI	YES NO	
MARI MUMME	5.14.12	PERM		YES NO	
JOEL MORGENTHAU	5.15.12	COOB		YES NO	
MARCO A. JUILLEN	5/15/12	Registration		YES NO	
Tom Edwards	5/15/12	Permits / Reg.	Front Desk	YES <input checked="" type="radio"/> NO	
Kenale Ulysses				YES <input checked="" type="radio"/> NO	
Teague Turner	5/15	Permit		YES <input checked="" type="radio"/> NO	
L.H. ATKINS	5/15	C/O	John	YES NO	
A. Anagnosta	5/16			YES <input checked="" type="radio"/> NO	

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D. MEARS	5-16	Permit		YES NO	
Robin	5-16	Pick-up Permit		YES NO	
BARNEY	5-14	Permit		YES NO	
JAIME AGUAYO	5-16	OPEN PERMIT		YES NO	
MARIO HERNANDEZ	5-16	PERMIT		YES NO	
STEVEN TREPECK	5-16-12	PERMIT		YES <u>NO</u>	
JEFF KRAVITZ	5-16			YES NO	
STAN CAARACCIO	5-16	SET UP ZONING APPOINTMENT		YES NO	
William Ford				YES NO	
RENE MARTINEZ MALDONADO	5-16	License		YES NO	
Miguel Paredes	5/16/12	Permit		YES NO	
STAN CAARACCIO	5-16	PRR-FILM: SARGIO		YES <u>NO</u>	
				YES NO	

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MARCOS DA SILVA	3/17/12	Permit		YES NO	
D. Mearg	3-17-12	Permit		YES NO	
ARIO HENDIETA	3-17-12	Permit		YES NO	
Dan Cascio	5-17-12	contractor Reg + Permit Dr. g. ff	Dan Cascio	YES NO	
Jim	5-17	Pick-up.	Jim	YES NO	
K. Bueh	5-17	Permit submittal.		YES NO	
William Ford	5/17			YES NO	
Moses Burgess	5/17/12	near car		YES NO	
Will English	5/17/11	Permit Submittal		YES NO	
Marcos Tricarte	5/17	Zoning		YES NO	
Brian Jenni	5-17-12	Permit		YES <u>NO</u>	
Sue Hershey	5-17-12	RFP	CLAY LINDSTROM	YES <u>NO</u>	
BEAVER RFG.	5-18-12	P.U. Permit	DESK	YES <u>NO</u>	

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TOM MCCARTHY	5/18/12	Public Storage	Monica M.	YES <u>NO</u>	
Bill Hall	5/18/12			YES <u>NO</u>	
KEVIN MURPHY	5/18/12		Sergio Madero	YES <u>NO</u>	
BARRY HILKINS	5/18	P-UP Permit		YES <u>NO</u>	
Dawn Keirn	5/18	submit publicworks		YES <u>NO</u>	
HENONNO PULIDO	5/18	COD		YES NO	
Al Pestano		permit		YES NO	
Eino Mora	05/18	Permit		YES <u>NO</u>	
SUMNER GOTTLIB	05/18	Permit	Sergio Madero	YES <u>NO</u>	
Ryan Maier	05/21	Red sticker on House	John Kuntzman	YES <u>NO</u>	
Ed GRIMM	05.21	Fence Permit	Kelly	YES <u>NO</u>	
Ed Grimmer		Pickup		<u>YES</u> NO	
Ed Grimmer	05.21	629 S. K	T. Diaz	YES <u>NO</u>	

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GLEN PROULX	5/21/12	PERMIT	CODE ENT.	YES <input type="radio"/> NO <input checked="" type="radio"/>	
STAN CARACCIO	5/21/12	HISTORIC APPLICATION		YES <input type="radio"/> NO <input checked="" type="radio"/>	
Donnie Brookshire	5/21/12	Bus license	Bus. owner	YES <input type="radio"/> NO <input checked="" type="radio"/>	
MARCO GUYER	5/21/12	PERMIT		YES <input type="radio"/> NO <input checked="" type="radio"/>	
MARK McAllister	5/21/12	CODE	RAGUEL DIAZ	<input checked="" type="radio"/> YES <input type="radio"/> NO	
ELVIN F. GREENE III	5/22/12	LEFT INFO COMPLAINT FOR DIAZ + WATERS		YES <input type="radio"/> NO <input checked="" type="radio"/>	
Russ Erbman	5-22-	Code Ent.		YES <input type="radio"/> NO <input type="radio"/>	
TJ McGann	5/22/12	Zoning Fence		YES <input type="radio"/> NO <input type="radio"/>	
J. Stone	5/22/12	Permit		YES <input type="radio"/> NO <input checked="" type="radio"/>	
JOHN FITZPATRICK	5/22/12	ELECTRIC		YES <input type="radio"/> NO <input type="radio"/>	
JOHN FITZPATRICK	5/22/12	Planning	Rodney Patrick	YES <input type="radio"/> NO <input checked="" type="radio"/>	
IMM	5/22	APP.		YES <input type="radio"/> NO <input type="radio"/>	
RAMI ARAG	5/22	Permit		YES <input type="radio"/> NO <input type="radio"/>	

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MATTHEW F. NO	5-23	628 Pine Street	MATTHEW F. NO	YES NO	
Andre Grimes	5/23	145 J street	Plumbers & Zumbardo	YES (NO)	
FRED GRUBER	5/23	ANNIE & ALEWING	Deagies	YES (NO)	
Robert Hartmann	5/24/12	Permit	Robert	YES (NO)	
Stewart Kietzi	5/24/12	Inspection Reports		YES (NO)	
12 Ben	5/24/12	Permit		YES NO	
Ricardo Aleman	5/24/12	Permit		YES NO	
JEFF Kow	5-24-	Permit		YES NO	
Douglas S. Eustis	5-24-12	Permit	MONICA	YES NO	
ELLE Schenck	5-24-12	Permit		YES NO	
Alex Anagnostis	5/25	Permit		YES NO	
AL Ben	5/25	Permit		YES NO	
12 CHEW II	5/29	PERMIT	ICELLY	YES (NO)	

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Carol Lewis	5/29/12	Schedule drywell inspection		YES NO	
Tracey	5/29/12	Drop permit		YES NO	
DOUG McINTOSH	5/29/12			YES NO	
ZONING DAN AKK	5/29/12	ZONING	ZONING	YES NO	
Abe Cruz	5/29/12	Zoning	A	YES NO	
PEDRO MORALES	5/29/12	ZONING		YES NO	
Paxman, John	5/29/12	ZONING 3:30 mtg		YES NO	
LOUIS NASHAWAT	5/30/12	Violation Detail		YES NO	
Sergio Delarosa	5-30	Violation		YES NO	
Tony Rome	10:30	Submit		YES NO	
J. McEary	10:35	Permit		YES NO	
MARK BRODNICK	2:00	128 S DIXIE MTG	WILLIAM WATERS	YES NO	
Joshua Martine	2:00	128 S DIXIE MTG	William Waters	YES NO	

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Michael Champagne	5/30/12	128 S DIXIE HY	William Winters	YES <input checked="" type="radio"/> NO	
Tim McDaniel				YES NO	
ROD REBAN	5/30/12			YES NO	
AL Valdes	5/30/12	1114 Cochran Dr.	Early Power Release	YES <input checked="" type="radio"/> NO	
Tim Corry		1501 N.M.	PICK-UP	YES <input checked="" type="radio"/> NO	
Mike Gallagher	5/31/12	1001 N. Dixie Hwy	Pick up permit	YES <input checked="" type="radio"/> NO	
EDMUND SCHMIDT	05-31-12	1818 N LAKESIDE DR		YES <input checked="" type="radio"/> NO	
ALMAN	05-31-12	209 S Lakeside dr	Permit	YES <input checked="" type="radio"/> NO	
SPARKS Electric	5-31-12	1021 S B Street	Permit 2	YES NO	
Maria Romero	5-31	Our Sun. Future	Sergio Madan	YES NO	
Alan Sorensen	5-31		11	YES NO	
Lida Oliveira	5/30/12	922 S. 8 St. W.		YES NO	
DAN AKS	5/31	325 N Fed	Sergio	YES NO	

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Ramsay A. MacLeod	05/31/2012	Code Compliance Notifications	Mr. William Waters	YES <input checked="" type="radio"/> NO	
Charles Brockman	5/31/12	LICENSE ADP	SERCIO	YES <input checked="" type="radio"/> NO	PROFESSIONAL PLUMBING
NELSON DOZ-EL	6-1-12	Permit, RIAN REV. W. LICENSE	Nelson Doper	YES <input checked="" type="radio"/> NO	DOZ-EL ELECTRIC
Nervine Hanna	6-1-12	Code Enforcement	Hanna	YES <input checked="" type="radio"/> NO	
David Dubose	6-1-12	Permit		YES <input checked="" type="radio"/> NO	
Ron Massey	6-1-12	Permit		YES <input checked="" type="radio"/> NO	
Don Sarno	6/1/12	BZ		YES <input checked="" type="radio"/> NO	
Holly Valdez	6-1-12	Permit Filing		YES <input checked="" type="radio"/> NO	Metro PCS
Debbie Garnett	6-1-12	Permit Questions		YES <input checked="" type="radio"/> NO	Sutton Town Country
John Villalobos	6/1/12	Permits		YES <input checked="" type="radio"/> NO	
Nam Milman	6-1	Permit		YES <input checked="" type="radio"/> NO	
Judith DeJesus	6/1/12	Submit Permit		YES <input checked="" type="radio"/> NO	
MAURI E. SARDI	6/4/12	Building inspector meeting	John Kuntzman	YES <input checked="" type="radio"/> NO	

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JOE TASSLE	6-4-12	SUBMIT PERMIT		YES NO	
Vladimir	6-4-12			YES NO	
Petermarzili	6-4-12	Follow up on App for Permit		YES <u>NO</u>	Blusky
DOUG MCINTEE	6-4-12	ALLEYWAY QUESTION	MR. LIND STROM	YES <u>NO</u>	
Nyke McRae	6-4-12	New Permit	<u>D</u>	YES NO	
KEVIN MANNING	6-4-12	App. for Res. Day		YES <u>NO</u>	
PERMIT	6/4/12	PERMIT	BURDEN	YES NO	
Juan Robles	06/04/12	Code Violation	Dana	YES <u>NO</u>	
RONNEY GILBERT	6/4/12	4 of July	N/A	YES NO	
Steve Platig	6/4/12	Collection	Angel Diaz	YES <u>NO</u>	
MARK McALLISTER	6/4/12	SUBMIT PERMIT		YES NO	
JOHN PACE	6/5/12	PERMIT		YES <u>NO</u>	
Debbie Garnett	6/5/12	Permit		YES <u>NO</u>	

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Joseph Basile	6-5-12	Permit up Date 11-1258		YES <input checked="" type="radio"/> NO	JFB const.
STAN CRACCILO	6-5-12	" "		YES <input checked="" type="radio"/> NO	
D. Rose	6-5-12	Work		YES <input checked="" type="radio"/> NO	
Carol Kago	6-6-12	PICK up permit		YES <input checked="" type="radio"/> NO	
Kevin	6/6/12	Tony (Vendor)	Tony	YES <input checked="" type="radio"/> NO	
Jeff Merc	6/6/12	Permit Appl.	Counter	YES <input checked="" type="radio"/> NO	
Michael Platt	6/6/12			YES <input checked="" type="radio"/> NO	
Yinbo Rice	6/6/12	Permit		YES <input checked="" type="radio"/> NO	
Mike in person	6/6/12	Permit	Common	YES <input checked="" type="radio"/> NO	J & M
Jeff Gater	6/7/12	Service	Debbie Jackson	YES <input checked="" type="radio"/> NO	Gater's Community, Inc.
Johnny Dub	6/7/12			YES <input checked="" type="radio"/> NO	
Chap Noga	✓	Permit.		YES <input checked="" type="radio"/> NO	
SEFF BLASSER	6-8-12	PLANS RESUBMIT		YES <input checked="" type="radio"/> NO	MULIGAN'S/ BEASLEY & DEBBOT

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Bill Wenke	6/8/12	Plan Review	William Winter	YES NO	
Corey O'Gorman	6/8/12	Att. of Rodney	Permen	YES NO	
Eric De Dios	6/8/12	Permit		YES NO	
Alex Lopez	6.8.12	INTERVIEW	N/A	YES NO	
PATRICK KINFELA	6.11/12	Permit APPLIC.	N/A - / KIZO/CHRISTIANSON	YES NO	
Angela Tamm	6/11/12	Final?		YES NO	
Diane Cascio	6/11/12	Pick up Permit		YES NO	
Rick Harnar	6-11-12	Drop off Permit		YES NO	
Robert Cabrera	6/11/12	Permit		YES NO	
William E. Toller	6/11/12	Code		YES NO	
Michael Hiatt	6/12/12		William	YES NO	
STEVE SPRAGUE	6/12	Code		YES NO	
GRECIA MOULX				YES NO	

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BRANIM CHALHOUB	6/12/12	Permit Revision 211 N.E.	Bldg Dept.	YES <input checked="" type="radio"/> NO	
J. Stone	6/12/12	Permit	Bldg Dept.	YES <input checked="" type="radio"/> NO	
ERIK DE DIOS	6/12/12	Permit	Bldg Dept.	<input checked="" type="radio"/> YES NO	
PAUL HITT	6/12/12	Permit	Bldg DEPT.	YES <input checked="" type="radio"/> NO	
Larry Elliott	6/12/12	Permit	Bldg Dept	YES <input checked="" type="radio"/> NO	
Alex Anagnostu	6/13/12	Permitting	Bldg.	YES <input checked="" type="radio"/> NO	
CHAO	6/13/12		Bldg	YES <input checked="" type="radio"/> NO	
James Dixon	6/13/12	Permit	Bldg	YES <input checked="" type="radio"/> NO	
ANNE ROLAND	6/13/12	Register		YES <input checked="" type="radio"/> NO	
JAME LINARES	6/13/12	VIOLATION	EDUAR CARBALLO	YES <input checked="" type="radio"/> NO	
Mike Honan	6/13/12	Permit pick up	Permit	YES <input checked="" type="radio"/> NO	
JOHN LANG	6/13/12	PERMIT P.U.P	PERMIT DEPT	YES <input checked="" type="radio"/> NO	
Michael Hiatt	6/13/12		Sergio	YES <input checked="" type="radio"/> NO	

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Jose Padilla	6-13	Sergio		YES NO	
PETRO RUJICA	6-13	Sergio		YES NO	
JOHN SZERDI	6-13	WILLIAM WATERS		YES NO	
Tom ZAJA	13 Jun	Plan Review		YES NO	
Miguel Martinez	6-14			YES NO	
Phil. SABL		561-714.3571		YES NO	
Martin		Permit		YES NO	
Rochelle Rattkeel	2:59pm	Zoning		YES NO	
Michael Corley	6-14	Permit		YES NO	
David Winters	6-15	Water Line Install		YES NO	
Mitch Lewis	6-15	COA Application		YES NO	
JJ Quick	6-15	Building Dept		YES NO	
KATE CZACZYK	6-15	CODE VIOLATION		YES NO	

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ABRAHAM BOVITRA	6-15-12	FORELTL		YES <input checked="" type="radio"/> NO	
Jeff Gaten	6/15/12	Drop off Padlocks	Deldore Jackson	YES <input checked="" type="radio"/> NO	Hate's Locksmith Inc.
Nick Colner	6/15/12			YES <input type="radio"/> NO	
Jerry Zimberg	6/15/2012			YES <input type="radio"/> NO	
Michael Hatt	6/15/2012			YES <input checked="" type="radio"/> NO	
Wally Small	6/18/12			YES <input type="radio"/> NO	
Thomas Bessie	6/18/12	Pool & Pool house	Zoning	YES <input checked="" type="radio"/> NO	
Michael Hatt	6/18/2012			YES <input checked="" type="radio"/> NO	
T. DAGE	" 11		Code	YES <input type="radio"/> NO	
C. Carvajal	6/18/12	Permit		YES <input checked="" type="radio"/> NO	
H. DeCamp	6/18/12	Live Information		YES <input type="radio"/> NO	
Jim Serran Builders	6-18-12	Drop off Permit	Building Dept	YES <input type="radio"/> NO	
Stone	6-18-12	Permit Pickup		YES <input checked="" type="radio"/> NO	

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FERNANDO	6-18	LICENSING		YES NO	
Rob Tomascini	6/18	Permit Pickup		YES NO	
Paul Gildan	6/18	ECR	M. Morandi	YES <u>NO</u>	
Tony Ziaja	18 Jun	Historic Pres	Kelly Christensen	YES <u>NO</u>	
Michael Hiatt	6/18			YES <u>NO</u>	
Dorothy Pham	6/18			YES NO	
ERICK DE DIOS	6/18	✓ STATUS		YES NO	
Steve Kozka	6/18	8/0 Permit		YES <u>NO</u>	
Rafael Cabrera	6/19	Plu Permit		YES NO	
Don Kula	6/19	POWER	JAMES WOOLLEY	YES <u>NO</u>	
Michael Hiatt	6/19			YES <u>NO</u>	
WARREN	6/14	Zoning		YES NO	
Li Ben	6/19	PERMIT D/O		YES NO	

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Michael Hiatt	6/19		Sergio	YES NO	
Robert Webb	6/20			YES NO	
La VENG DAVENPORT	6/20	Energy Assurance	BRAD LOUKAS	YES NO	DC Group
LAWRENCE DAVENPORT	6/20	" "	" "	YES NO	" "
ALEXANDER WATKINS	6/20	" "	BRAD LOUKAS	YES NO	" "
Kristal Courchene	6/20	Demo Permits	Permitting	YES NO	BG Group
Bill Thorne	6/20	Window Permit	Permitting	YES NO	
John Strawn	6/20	P/U Permit		YES NO	
Libardo Mojica	6/20/12	Permit		YES NO	
Anton Aviler	6/20/12	Permit		YES NO	
Jerry Zimberg	6/20/12	Permit		YES NO	
Julie Clawson	6/21/12	pick-up		YES NO	
Sue Hersey	6/21/12	Utility	Clay LINDSTROM	YES NO	

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MARTIN Bixler	6/21	Zoning Q15	William Waters	YES <input checked="" type="radio"/> NO	Habitat For Humanity
ROGER CHARK	6/21	Roof on Historical out?	Kelly	YES <input checked="" type="radio"/> NO	
Ryan Samosh	6/21	Permit Submittal	Building	YES NO	
Jim Longo				YES NO	
Holly Valdez	6/21	P.U. Permit	Bida Dept	YES <input checked="" type="radio"/> NO	Metro PCS
Sue Hersey	6/22	Power Supply	Clay Lindstrom	YES <input checked="" type="radio"/> NO	
Robert Clark	6/22	Roof		YES NO	
Tim Dull	6/22	submit permit		YES <input checked="" type="radio"/> NO	TS Services LLC
Jessica Jhot	6/22	Plans. x2		YES NO	A
Alex A.	6/22	Sub Permit		YES <input checked="" type="radio"/> NO	Air America
RA Drew				YES NO	
Carol Munkit	6/22			YES NO	
Susan Taylor		Permitting + Plan son	Sergio Madera William Leifers	YES <input checked="" type="radio"/> NO	Palm Lake Condo.

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AVENUE SAL	6/22	Permitting	SARAH ASHLEY	YES NO	
CHAD HOPKINS	6/22	permits		YES NO	
Shawn ROOSE	6/22	Permit		YES NO	
TRIN JENNIE	6/2	Permit		YES NO	
DAVID BRADY	6/25	Permit		YES <u>NO</u>	
Melanie Pearson	6/25			YES NO	
Jack Bone	6/25	Permit		YES <u>NO</u>	
Mark McGinnis	6-25	Permit		YES NO	
H. Campbell	6-25	Permit		YES NO	
Shawn ROOSE	6-25	inspection		YES NO	
TS		Fence permit		YES NO	
FOREST	6-25	inspect.		YES <u>NO</u>	
ARRY CORSADE	6/25	ROOF		YES <u>NO</u>	

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FRED GARRA	6/25	Annex	Sergio	YES <input checked="" type="radio"/> NO	
A. Golshan	6/26	cond informant	negra	YES <input checked="" type="radio"/> NO	myself
Leonard Corrigan	6/26	J. Rutsky		YES <input checked="" type="radio"/> NO	
JAN CONTIN	6/26	Planning + 2on		YES <input checked="" type="radio"/> NO	
DAN WAKE	6/26	WATER		YES <input type="radio"/> NO	
Tony Zin	26 Jun	Preservation	Pres Team	YES <input checked="" type="radio"/> NO	
Bruce Mitchell	6/26	Permit		YES <input type="radio"/> NO	
Joseph Truile	6/26	Permit up DATE		YES <input checked="" type="radio"/> NO	
EDWARD BROWN	6/26	WATER SERVICE		YES <input checked="" type="radio"/> NO	
T.J. McGann	6/26	Fence		YES <input type="radio"/> NO	
Diana Stallone	6/26	Pool Permit Pickup	Diana Stallone	YES <input type="radio"/> NO	
Quince Prebber	6/26	Permits		YES <input checked="" type="radio"/> NO	
ROBERT ROSS	11	11		YES <input checked="" type="radio"/> NO	

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PATRICK KINSELA ROD REAGAN	6/26/12	Kelly Christensen Mitchell Wilson	→	YES NO	
Mary Lindsey	6/27/12	Utilities	M. Bernstein / C Lindstrom	YES NO	
Eric Doverspike	6/27/12	Engineering	Mouet	YES NO	
Jerry Zimberg	6/27/12	Permit		YES NO	
Maureen Pearce	6/27/12	Permit - Grand Opening	Zoning	YES NO	
Michael Hiatt	6/27/12			YES NO	
Richard Ruff	6/27/12	Returning girlfriend's keys		YES NO	
Chris Walk	6/27/12	Permitting		YES NO	
Jim Starnes	6-27-12	Pickup Permit	YOU	YES NO	
Virginia Broten Garage Doors	6-27-12	Submit Permit	Bldg	YES NO	
Devinis Ziegler	6-27-12	Pickup Permit		YES NO	
Darina	6-27-12	Submit Permit		YES NO	

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Chuck Caspell	6/27/12	Sign Permit		YES NO	
Bob Bailey	6/22/12	Permit		YES NO	
Lisa Kreutter	6/27/12	Permit		YES NO	
Bill Mavundza	6/27/12	Permit		YES NO	
Bruce Waffler	6/28	Permits		YES NO	
M. Menden	6/28	Letter		YES NO	
Alex Anagnostis	6/28	Permit		YES <u>NO</u>	
Fony Alker	6/28	Revision		YES NO	
Barbara Nulken	6/28	License		YES NO	
Tom Schroader	6/28	Permit		YES NO	
Donna Campbell	6/28	Permit		YES NO	
Joan Gower	6/29			YES NO	
Mary Lindsay	6/28	M. Bourn		YES NO	

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Fral Ingle	6/29	Permit		YES NO	
Marina	6/29	P/U Permit		YES NO	
Incent Benitez	6/29	License		YES NO	
Ginette Powell	6/29	Hist Preservation	Kelly Christensen	YES <u>NO</u>	Myself
GEORGE HENNING	6/29	Permit		YES NO	
Judy Just	6/29	Preservation Planning	William Waters	YES <u>NO</u>	
Arlene Locker	6/29	permits		YES NO	
Incent Benitez	6/29	License	Kelly	YES NO	
Michael Watt	6/29			YES <u>NO</u>	
Scott Pika	6-29	Historic Commission		YES <u>NO</u>	
Tony Zizzo	6-29	Historic folk	Kelly Kelly	YES <u>NO</u>	
Mohammad	7-2-12	Utility Turn on	Same	YES <u>NO</u>	
G. O. Smith	7-2-12			YES NO	

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GLAZIANO FELICIA	7/2	PERMIT		YES NO	
Stover	7/2	Permit		YES NO	
Aprille O'Donnell	7/2	Permit		YES NO	
Fadeler Fadael	7/2	Utility Bill		YES NO	
Robert Paege	7/2	Building Plans		YES NO	
Jarimy		License		YES NO	
Stover	7/2	Permit		YES NO	
Martin Bixler	7/2	Permit	Monica Morandi	YES NO	
Scott Pennell	7/3	Permit		YES NO	
Vanny DeFelle	7/3	Permit		YES NO	
Ryan Oak	7-3	Permit		YES NO	
Alex. Anagnostis	7/3	Permit		YES NO	
Delia Velez	7/3	permit (6'8" screens inc)	Kelly Christensen	YES NO	

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CODE OF ETHICS

(Effective date June 1, 2011)

Sec. 2-441. Title; statement of purpose.

This article shall be known as the Palm Beach County Code of Ethics. This code of ethics is enacted pursuant to Florida Constitution, Article VIII, Section 1(g), Florida Statutes, ch. 125, and the Charter of Palm Beach County. The Municipalities located within Palm Beach County are subject to the provisions of this Code of Ethics pursuant to referendum. The purpose of this code is to provide additional and more stringent ethics standards as authorized by Florida Statutes, §112.326. This code shall not be construed to authorize or permit any conduct or activity that is in violation of Florida Statutes, ch. 112, pt. III. This code of ethics shall be deemed additional and supplemental to any and all state and federal laws governing ethical conduct of officials and employees, as well as all local laws, rules, regulations and policies.

Officials and employees in the public service shall be conscious that public service is a public trust, shall be impartial and devoted to the best interests of the people of Palm Beach County, and shall act and conduct themselves so as not to give occasion for distrust of their impartiality.

Nothing herein shall abridge employees' constitutional right to collective bargaining.

Sec. 2-442. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Customer or client means any person or entity to which an official or employee's outside employer or business has supplied goods or services during the previous twenty-four (24) months, having, in the aggregate, a value greater than ten thousand dollars (\$10,000).

Domestic partner is an adult, unrelated by blood, with whom an unmarried or separated official or employee has an exclusive committed relationship and maintains a mutual residence.

Financial benefit includes any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, gratuity, or any promise of any of these, or anything else of value. This term does not include campaign contributions authorized by law.

Household Member includes anyone whose primary residence is in the official or employee's home, including non-relatives who are not rent payers or employees of the head of the household.

Inspector general shall mean the office established in article XII of this chapter.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. "Lobbyist" shall not include:

- (1) any employee, contract employee, or independent contractor of a governmental agency or entity lobbying on behalf of that agency or entity, any elected local official when the official is lobbying on behalf of the governmental agency or entity which the official serves, or any member of the official's staff when such staff member is lobbying on an occasional basis on behalf of the governmental agency or entity by which the staff member is employed.
- (2) any person who is retained or employed for the purpose of representing an employer, principal or client only during a publicly noticed quasi-judicial hearing or comprehensive plan hearing, provided the person identifies the employer, principal or client at the hearing.
- (3) any expert witness who is retained or employed by an employer, principal or client to provide only scientific, technical or other specialized information provided in agenda materials or testimony only in public hearings, so long as the expert identifies the employer, principal or client at the hearing.
- (4) any person who lobbies only in his or her individual capacity for the purpose of self-representation and without compensation.
- (5) any employee, contract employee, or independent contractor of the Palm Beach County League of Cities, Inc., lobbying on behalf of that entity.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "employee" includes but is not limited to all managers, department heads and personnel of the county or the municipalities located within the county. The term also includes contract personnel and contract administrators performing a government function, and chief executive officer who is not part of the local governing body. The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.

Outside employer or business includes:

- (1) Any entity, other than the county, the state, or any other federal regional, local, or municipal government entity, of which the official or employee is a member, official, director, proprietor, partner, or employee, and from which he or she receives compensation for services rendered or goods sold or produced. For purposes of this definition, "compensation" does not include reimbursement for necessary expenses, including travel expenses; or
- (2) Any entity located in the county or which does business with or is regulated by the county or municipality as applicable, in which the official or employee has an ownership interest. For



Wes Blackman, AICP

Principal at CWB Associates

West Palm Beach, Florida Area Real Estate

Join LinkedIn and access Wes Blackman, AICP's full profile.

As a LinkedIn member, you'll join 175 million other professionals who are sharing connections, ideas, and opportunities. And it's free! You'll also be able to:

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- Get introduced to **Wes Blackman, AICP**
- Contact **Wes Blackman, AICP** directly

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Wes Blackman, AICP's Overview

Current	Principal at CWB Associates
Past	Planner at Gunster Yoakley Director of Projects at Trump Organization
Education	Alma College
Recommendations	1 person has recommended Wes
Connections	247 connections

Wes Blackman, AICP's Summary

Twenty-six year career as an urban planner and project manager.

Specialties

Zoning issues, public relations, historic preservation, communications, Internet applications, due diligence research, expert witness, comprehensive land planning, relationship building

Wes Blackman, AICP's Experience

Principal

CWB Associates

2005– Present (7 years)

Planner

Gunster Yoakley

Privately Held; 201-500 employees; Law Practice industry

2004– 2009 (5 years)

Director of Projects

Trump Organization

Privately Held; 1001-5000 employees; Real Estate industry

September 1993– July 2003 (9 years 11 months)

Supervised permitting and construction related activities at the Mar-a-Lago Club and Trump International Golf Club in Palm Beach, project management, government approvals, public relations

Wes Blackman, AICP's Skills & Expertise

Historic Preservation Expert Witness Land Use Planning Zoning Government Permitting Due Diligence Urban Planning

Wes Blackman, AICP's Education

Alma College

BA, Business Administration, Spanish

1979 – 1983

Graduated with Honors

Wes Blackman, AICP's Additional Information

Groups and
Associations:



American Planning Association



American Planning Association - Florida Chapter



Free Market Florida



Int. Urban Planning & Regional Planning Group

Palm Beach County Planning Congress



Urban Planning Group

Contact Wes for:

- career opportunities
- job inquiries
- business deals
- getting back in touch
- consulting offers
- expertise requests
- reference requests

View Wes Blackman, AICP's full profile to...

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Lake Worth, Florida **Where the Tropics Begin**

Planning, Zoning, & Historic Preservation Division

The Planning, Zoning, & Historic Preservation (PZHP) Division provides for the comprehensive review and approval of all development within the City of Lake Worth. In addition, the Division is responsible for the implementation and enforcement of all current and long range land use planning, neighborhood revitalization, historic preservation and annexation.

Planners are available to the public daily from 9:00AM - 10:30AM and 3:00PM - 4:30PM, or by appointment.

General Contact information:

PZHP Division
561.586.1687
sdubose@lakeworth.org

ZONING IN PROGRESS (ZIP) ORDINANCES



Lake Worth Historic Districts

Historic Preservation Applications & Application Schedules

Planning & Zoning Applications & Application Schedules

7 N. Dixie Highway, Lake Worth, FL 33460

[Back to Web Site](#)

Lake Worth, Florida


Where the Tropics Begin

Historic Resources Preservation Board

The Board members shall consider historic preservation issues. The members serve three-year terms.

The members meet on the second Wednesday of the month at 6:00 PM on an as-needed basis.

For more information contact Sandi DuBose, Board Secretary, at 561.586.1687.

 [Membership Board Log](#)

7 N. Dixie Highway, Lake Worth, FL 33460

[Back to Web Site](#)

Lake Worth, Florida

Where the Tropics Begin

Historic Districts in Lake Worth

The City of Lake Worth Created a Preservation Ordinance in 1997 and created a Historic Resources Preservation board in 1999. Below is a List of Historic Districts in the City. There are currently Six Historic Districts, three of which are partially Listed on the National Register as well.

College Park

The local register historic district was designated in April 1999. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The boundaries are the north side of Columbia Drive, south to the north side of Wellesly Drive, West to the alley behind Dixie Highway, and East to Federal Highway.

Northeast Lucerne Townsite

The local register historic district was designated in December 2002. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The Approximate boundaries are from 13th avenue North to 2nd Avenue North from the alley behind Dixie, East to Federal up until 7th Avenue North and East to Golfview from 7th Avenue North to 13th Avenue North.

Old Lucerne

The local register historic district was designated in June 1999. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The boundaries are from 7th Avenue North, meandering south around Lucerne Avenue, east to the Golf Course, and west to the Alley behind Federal Highway.

Old Town

The local register historic district was designated in June 1999. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The approximate boundaries are from North G Street East to Federal Highway, South to 1st Avenue south and north to Lucerne Avenue. Maps are On File in the Community Development Department.

South Palm Park

The local register historic district was designated in September 2000. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The approximate boundaries are from the intracoastal waterway, to the alley behind federal highway, from Lake Avenue south to 18th Avenue South.

Southeast Lucerne Townsite

The local register historic district was designated in December 2002. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The Boundaries are from the alley behind Dixie Highway to Federal Highway, from 1st avenue South to 6th Avenue South.

7 N. Dixie Highway, Lake Worth, FL 33460



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

MEMORANDUM DATE: September 4, 2012

AGENDA DATE: September 12, 2012

TO: Chair and Members of the Historic Resources Preservation Board

FROM: Kelly M. Christensen, Preservation Planner
Department for Community Sustainability

RE: Administrative Certificates of Appropriateness

TITLE: Administrative Certificates of Appropriateness (COAs) approved by Staff between August 1, 2012 and August 31, 2012.

CoA#	Address	District	Contributing?	Request Type	Building Permit #	Date Received	Date Completed
12-00100087	901 North O Street	NE Lucerne	Yes	Garage door replacement	12-01492	8/9/2012	8/10/2012
12-00100090	621 Lake Ave	Old Town	Yes	Fence enclosure	12-01646	5/30/2012	8/24/2012
12-00100101	227 North O Street	Old Lucerne	No	Window replacement	12-01475	8/9/2012	8/20/2012
12-00100118	325 South L Street	SE Lucerne	Yes	Roof replacement	12-02243	8/6/2012	8/6/2012
12-00100119	104 South J Street	SE Lucerne	No	Roof replacement	12-02159	8/6/2012	8/6/2012
12-00100121	619 North Federal Hwy	NE Lucerne	No	Fence installation	12-02023	8/6/2012	8/7/2012
12-00100122	909 North M Street	NE Lucerne	No	Roof replacement	12-02263	8/9/2012	8/10/2012
12-00100123	414 North Federal Hwy	NE Lucerne	Yes	Roof replacement	12-02298	8/10/2012	8/13/2012
12-00100125	406 North L Street	NE Lucerne	Yes	Roof replacement	12-02380	8/20/2012	8/21/2012
12-00100126	17 South M Street	Old Town	Yes	Exterior Alterations	12-02400	8/21/2012	8/22/2012
12-00100128	514 North J Street	NE Lucerne	Yes	Panel Shutters	12-02366	8/29/2012	8/30/2012
12-00100129	211 North M Street	NE Lucerne	Yes	Porch Handrails	12-02414	8/29/2012	8/29/2012





CITY OF LAKE WORTH

1900 2nd Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

Agenda

Regular Meeting

City of Lake Worth

Historic Resources Preservation Board

City Hall Commission Room

7 North Dixie Hwy; Lake Worth, FL

WEDNESDAY, SEPTEMBER 12, 2012 6:00 PM

1. Roll Call and Recording of Absences
2. Additions/Deletions/Reordering and Approval of the Agenda
3. Approval of Minutes
 - A. August 8 2012 Regular Meeting Minutes
4. Cases
5. Swearing in of Staff and Applicants
6. Proof of Publication
 - A. Aug 23 2012 Lake Worth Herald Meeting Ad
7. Withdrawals/Postponements
8. Consent
9. Public Hearings
 - A. HRPB 12-01500004 Consideration of a request for a Variance from Section 23.03.06.00.(H) of the City of Lake Worth zoning code to allow the placement of a pool between the main structure and a public street for the existing single-family residence located at 722 North Lakeside Drive (P.C.N. 38-43-44-21-15-422-060)
10. Unfinished Business
11. New Business

September 12, 2012 Regular Meeting

- A. HRPB 12-00100114 Consideration of a Certificate of Appropriateness (COA) for window and door replacement to the subject property located at 1107 North M Street (PCN# 38-43-44-21-15-350-0150)
- B. HRPB 12-00100120 Consideration of a Certificate of Appropriateness (COA) for window replacement for the subject property located at 925 North Federal Highway (PCN# 38-43-44-21-15-286-0090)
- C. HRPB 12-00100117 Consideration of a Certificate of Appropriateness (COA) for exterior alterations to the subject property located at 507 South J Street (PCN# 38-43-44-21-15-173-0190)
- D. HRPB 12-00100124 Consideration of a Certificate of Appropriateness (COA) for exterior alterations to the subject property located at 1231 North Lakeside Drive (PCN# 38-43-44-21-15-362-0090)
- E. HRPB 12-00100028b Consideration of a Certificate of Appropriateness (COA) for awning installation for the subject property located at 701 Lake Avenue. (PCN# 38-43-44-21-15-019-0200)
- F. HRPB 12-00100066 Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive (PCN# 38-43-44-21-15-430-0010)

12. Planning Issues

13. Public Comments (3 minute limit)

14. Departmental Reports

- A. Administrative Certificates of Appropriateness, August 2012

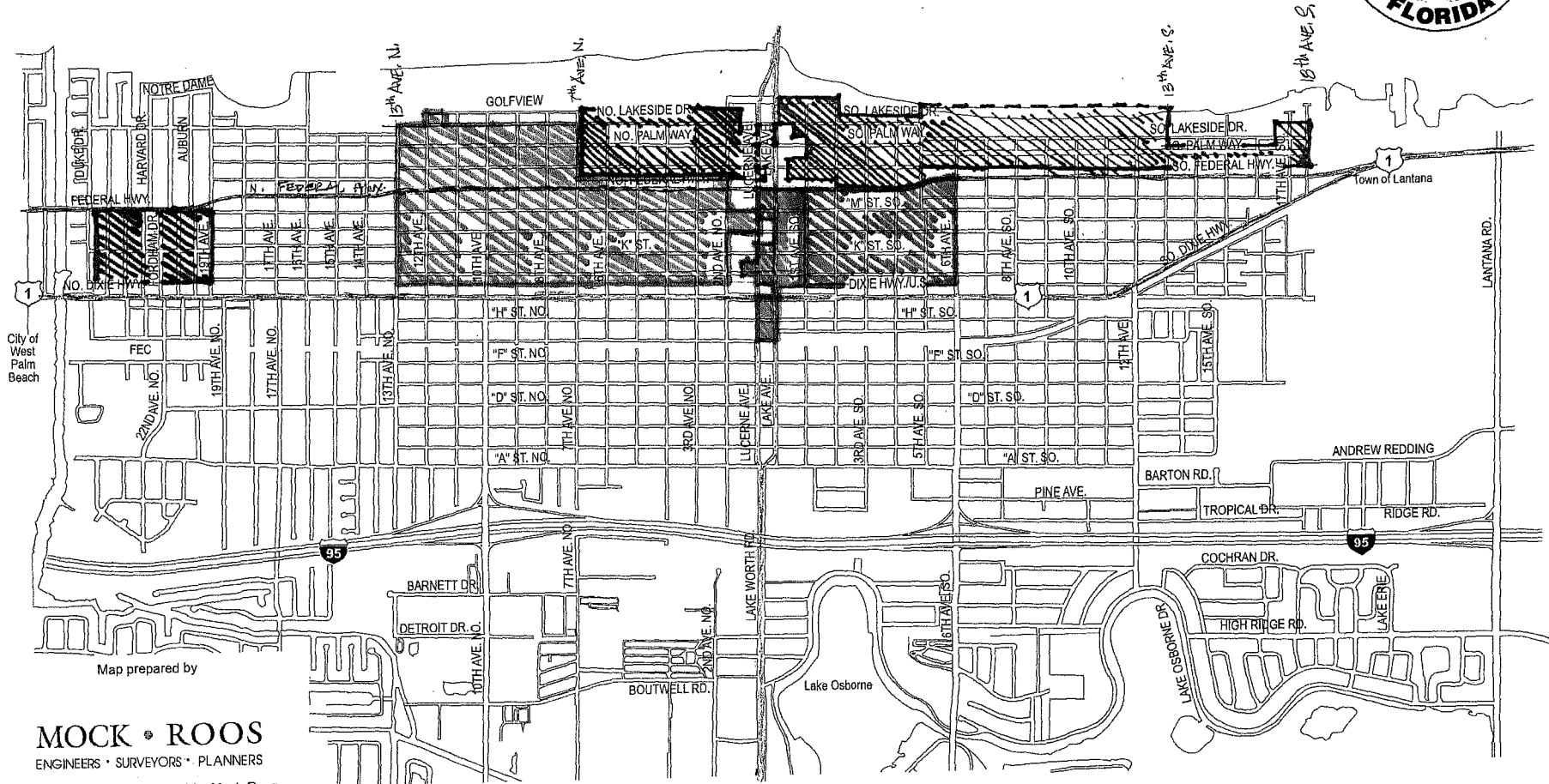
15. Board Member Comments

16. Adjournment

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.

COLLEGE PARK
 NE LUCERNE
 OLD LUCERNE
 OLD TOWN
 SE LUCERNE
 SOUTH PALM PARK
 CITY OF LAKE WORTH
 PLANNING, ZONING and
 HISTORIC PRESERVATION
 1986.11.6.87



Map prepared by

MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS

Base Map Copyright © 2004 by Mock-Roos



CITY OF LAKE WORTH
1900 2nd Ave N · Lake Worth, Florida 33461 · Phone: 561-586-1687

**Agenda
Regular Meeting
City of Lake Worth
Historic Resources Preservation Board
City Hall Commission Room
7 North Dixie Hwy; Lake Worth, FL**

WEDNESDAY, SEPTEMBER 12, 2012 6:00 PM

1. Roll Call and Recording of Absences
2. Additions/Deletions/Reordering and Approval of the Agenda
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September 12, 2012 Regular Meeting

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- F. HRPB 12-00100066 Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive (PCN# 38-43-44-21-15-430-0010)

12. Planning Issues

13. Public Comments (3 minute limit)

14. Departmental Reports

- A. Administrative Certificates of Appropriateness, August 2012

15. Board Member Comments

16. Adjournment

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Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

MEMORANDUM DATE: August 31, 2012

AGENDA DATE: September 12, 2012

TO: Chair and Members of the Historic Resources Preservation Board

RE: 302 North Lakeside Drive

FROM: Kelly M. Christensen, Preservation Planner
Department for Community Sustainability

TITLE: HRPB Project Number 12-00100066: Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive; PCN# 38-43-44-21-15-430-0010. The subject property is a vacant lot located within the boundaries of the Old Lucerne Local/National Historic District.

BACKGROUND:

This application for a COA concerns the proposed construction of a new two story single-family residence on the vacant lot located at 302 North Lakeside Drive, next to the Lake Worth Municipal Golf Course. The subject property is located within the Old Lucerne Local Historic District, which is also listed as a national historic district on the National Register of Historic Places. The lot is zoned Single Family Residential (SF-7) and is subject to the development standards for this district in the City of Lake Worth Zoning Code and in the City's Comprehensive Plan. In addition, the southern 17.5-feet of the lot is encumbered by a recorded utilities easement. The City's property files do not indicate that there have ever been any buildings constructed on the property.

Construction of a single-family residence is permitted by right in the SF-7 zoning district, so long as it conforms to the required development criteria in §23.03.03.00 of the City of Lake Worth Zoning Code. The following table includes some of the basic specifications for the proposed construction:

<u>Dimension</u>	<u>Required by Code</u>	<u>Proposed</u>
Lot size	5,000 square feet	9,450 square feet existing (70' x 135')
Front setback	20'	21.6' to bldg front
Side setback	10% of lot width = 7' each side	North= 7'6"; South=20'2"
Rear setback	20'	46'5"
Height ¹ (Comp. Plan)	35' for SFR land use designation	24', 2 stories; 24.9' to top of tower
Height (SF-7 zoning)	35', max. 2 stories	24', 2 stories; 24.9' to top of tower
Impervious surface	75% max. = 7,088 square feet	50%= 4,725 square feet

¹ *Building height:* The vertical distance measured from the minimum required floor or base flood elevation of twelve (12) inches above the crown of the road, whichever is less, to (a) the highest point of a flat roof; (b) the deck line of mansard roof, **(c) at the average height between eaves and ridge for gable, hip, and gambrel roofs**, or (d) the average height between high and low points for a shed roof. (Same definition in Comp Plan and zoning code.)



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

New construction within a local historic district is also subject to specific criteria for visual compatibility as set forth in §23.27.05.09 of the City's historic preservation ordinance. These criteria are provided in Attachment 1- Decision Criteria, and include Staff's response to each criterion. As part of the architectural plans for this proposal, the Applicant has provided graphics comparing the site plan and elevation of the proposed building to already existing residences in the neighborhood to aid staff and the Board in addressing the compatibility language in the ordinance. The historic preservation ordinance does not grant staff or the Board any purview over the choice of architectural style or paint color of new construction. The architectural style chosen by the Applicant for this property is eclectic, with a mix of Dutch Caribbean, Mission Revival and contemporary Florida elements.

It should be noted that there has been a significant amount of public interest in this project. Letters and emails from interested residents, both within and outside the Old Lucerne Local Historic District, have been included as Attachment 5 of this report. Included in this correspondence is a flyer that was widely distributed door to door by an anonymous resident. Some of these letters, including the flyer, reference a previous set of architectural plans that were originally scheduled to be considered by the HRPB at the regularly scheduled meeting in May. The west elevation of the building from the original proposal has been included as Attachment 6 of this report for reference only, as the project has undergone significant design changes since its original plans submittal.

COMPREHENSIVE PLAN CONSISTENCY:

The project, as proposed, is consistent with the following Comprehensive Plan goals and objectives concerning future land use and housing:

Goal 1.4 Encourage preservation and rehabilitation of historic and natural resources and where appropriate restrict development that would damage or destroy these resources.

Goal 3.1 To achieve a supply of housing that offers a range of residential unit styles and prices for current and anticipated homeowners and renters in all household income levels by the creation and/or preservation of housing units.

Objective 3.1.1 To upgrade the quality of existing housing and assure that new construction is of the highest possible quality while supporting the position that the city's housing supply will be principally provided by the private sector.

Goal 3.2 To assure that all citizens have decent, safe and sanitary housing in neighborhood environments that are attractive, secure and free from urban blight.

Objective 3.2.1 To maintain the integrity of existing residential neighborhoods and to promote their preservation and rehabilitation.

Objective 3.2.3 To promote the elimination of blighting influences on residential areas and improvement of substandard housing conditions.

Objective 3.2.4 To encourage architectural design that complements the city's appearance and considers the objectives of all facilities and services provided by the city.



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

CONSEQUENT ACTION:

Approve the application; approve the application with conditions; continue the hearing to a date certain to request additional information; or deny the application.

ANALYSIS AND RECOMMENDATION:

Staff has reviewed the documentation and materials provided applying the applicable guidelines and standards found in the City's, Zoning Code and Comprehensive Plan and Historic Preservation Ordinance.

The proposed project is consistent with the development requirements in the City's Zoning Code and Comprehensive Plan. The building as proposed would be conforming, and would not require any variances from the code.

Staff also concludes that, on the whole, the proposed project is also consistent with the City's Historic Preservation Ordinance. For a complete analysis of this project, addressing all criteria in the ordinance, please see Attachment 1- Decision Criteria. While the proposed project is larger in massing than other historic buildings within the district, Staff believes that these issues have been addressed through the utilization of diverse architectural elements in the design of the primary facades, which are further refined in the conditions of approval for this project.

In conclusion, Staff recommends approval of the project as submitted by the Applicant, with the following conditions:

- The Applicant work with Staff to further reduce the overall height of the building to bring the mass and height of the building more in line with other two-story buildings within the district.
- Eliminate the tower element entirely from the north side of the proposed building as it is incompatible with the proposed architectural style and is inconsistent with the overall character of the historic neighborhood.
- If the tower remains, the stringcourse should be removed from this element to give it a more consistent look with the architectural style the Applicant has proposed for the building.
- The glass block window on the North Elevation should be changed to stylistically match the other windows on the elevation and maintain the relationship with the fenestration pattern established on the building. Staff recommends a frosted, fixed pane window flanked by two shutters.
- The garage door on the South Elevation should be changed to a two-door configuration. This will
- The Applicant must ensure that any mechanical equipment, such as a/c units, be located outside of the minimum lot setbacks, and may not be located in the front of the property between the building and North Lakeside Drive.

POTENTIAL MOTION:

I MOVE TO APPROVE/DENY HRPB PR# 12-00100066: Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive based upon the following criteria: the application meets/does not meet the intent of the City's Zoning Code, Comprehensive Plan and the applicable guidelines of the City's Historic Preservation Ordinance.



City of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33460 · Phone: 561-586-1687

LOCATION MAP



ATTACHMENTS:

1. Administrative Decision Criteria
2. CoA Application
3. Photographs
4. Architectural Plans, submitted September 2012
5. Public Comment Letters and Emails
6. Original Design, submitted April 2012
7. Revised Design, submitted July 2012

MEMORANDUM

DATE: August 31, 2012

TO: Chair and Members of the Historic Resources Preservation Board

FROM: Kelly M. Christensen, Preservation Planner
Department of Community Sustainability

SUBJECT: HRPB Project Number 12-00100066: Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive; PCN# 38-43-44-21-15-430-0010. The subject property is a vacant lot located within the boundaries of the Old Lucerne Local Historic District.

HRPB Meeting Date: September 12, 2012

The Board is to use the following criteria in making a determination:

A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?

Staff Response: Not applicable. The lot is currently vacant and does not have either a contributing or non-contributing designation.

B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?

Staff Response: The proposed site, 302 North Lakeside Drive, is adjacent to three contributing historic properties within the Old Lucerne Local Historic District: 230 North Lakeside Drive, 306 North Lakeside Drive and 303 North Lakeside Drive.

C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?

Staff Response: Not applicable. The lot is currently vacant, and has no contributing or non-contributing status.

D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?

Staff Response: Yes. The lot is currently vacant, with no established use. Without the issuance of a certificate of appropriateness, the lot will continue to have no use, unlike a lot that has been previously developed.

E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?

Staff Response: Yes.

F. Do the plans satisfy the applicable portions of the general criteria contained in the United States Secretary of the Interior's Standards for Rehabilitation then in effect or as they may be revised from time to time? The current version of the Secretary's Guidelines provides as follows:

Staff Response: The Secretary of the Interior's Standards for Rehabilitation are not applicable to this project, as the building is entirely new construction.

G. What are the effects of the requested change on those elements or features of the structure which served as the basis for its designation and will the requested changes cause the least possible adverse effect on those elements or features?

Staff Response: Not applicable. The lot is currently vacant, and has no contributing or non-contributing status.

23.27.05.09. *Additional guidelines for new construction; visual compatibility.* All improvements to buildings, structures and appurtenances within a designated historic district shall be visually compatible. New buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements that relate to existing structures that surround them. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district.

A. In approving or denying applications for certificates of appropriateness for new construction, the HRPB shall also, at a minimum, consider the following additional guidelines which help to define visual compatibility:

(1) The height of proposed buildings shall be visually compatible in comparison to or in relationship with the height of adjacent buildings.

Staff Response: The two properties directly adjacent to the north and south of this lot are single story homes. Directly across from the lot is a two-story home, and there is another two-story home two homes north of the lot. Single and two-story homes are both customary within the Old Lucerne Local Historic District. For instance, on the blocks of North Lakeside Drive between 2nd Avenue North and 4th Avenue North, there are fifteen homes that are two-stories tall or have two-story tall elements, eleven that are contributing and four that are non-contributing historic properties (see Attachment 4, page A2.04.)

Address	Status
205 North Lakeside Drive	Non-contributing
210 North Lakeside Drive	Contributing
211 North Lakeside Drive	Non-contributing
216 North Lakeside Drive	Contributing
222 North Lakeside Drive	Contributing
226 North Lakeside Drive	Non-contributing
231 North Lakeside Drive	Contributing
303 North Lakeside Drive	Contributing
310 North Lakeside Drive	Contributing
314 North Lakeside Drive	Non-contributing
315 North Lakeside Drive	Contributing
319 North Lakeside Drive	Contributing
320 North Lakeside Drive	Contributing
327 North Lakeside Drive	Contributing
329 North Lakeside Drive	Contributing

However, the height of the proposed home is taller than any of the other two-story home within the district. In part, this is because the house must meet current building code and FEMA regulations that require new homes to have their first floor level above the base flood elevation. In this area, that elevation is approximately 1.5' above grade of the lot.

Nevertheless, it is Staff's opinion that the building height should be lowered in order for the house to be compatible in height with other adjacent buildings in the district. Staff recommends an additional overall height reduction. This height can be taken out between the first and second stories, maintaining the high ceiling heights in the buildings while creating an overall height reduction. While still leaving the home taller than other buildings in the area, the reduction would bring the building more into scale with the rest of the neighborhood.

(2)The relationship of the width of the building to the height of the front elevation shall be visually compatible with and in direct relationship to the width and height of the front elevation of adjacent or adjoining buildings within the district.

Staff Response: The combination of the width and height of the proposed building does present a broader façade than other properties directly adjacent. However, the width of the building facing the road is not out of proportion with other homes adjacent or within the district in general. It is the height of the building being taller than other two-story buildings, as discussed in the previous section. Should the Board and Applicant concur with Staff's recommendation to decrease the overall height of the building, then it is Staff's opinion that the revised building design would conform to the compatibility requirements of this item. Should the height of the building not be changed, the proposed design could still be considered in compliance with this item, though it would be stretching the limits of what is compatible with the existing single family residences in the historic district.

(3)The openings of any building within a historic district should be visually compatible with the openings in the prevailing architectural styles within the historic district. The relationship of the width of the windows and doors to the height of the windows and doors in a building shall be visually compatible with buildings within the district.

Staff Response: It is the opinion of Staff that the window and door openings for the proposed building are overall compatible in scale for the building itself, and are not out of scale with the windows and doors on other buildings within the district. However, Staff recommends two garage doors as opposed to one on the south elevation, to break up the wall space on the façade with more architectural elements. Staff also recommends that the large glass block window on the north façade be replaced with a frosted fixed pane window flanked by two shutters, to conform with all of the rest of the windows on the building.

(4)The relationship of solids to voids in the front facade of a building or structure shall be visually compatible with the front facades of historic buildings or structures. A long, unbroken facade in a setting of existing narrow structures can be divided into smaller bays which will complement the visual setting and the streetscape.

Staff Response: It is the opinion of Staff that the proposed design conforms to the requirements of this item. The front façade presents no empty, unbroken sections of wall, and utilizes a bay and porch to provide 'movement' to the front of the building.

(5)The relationship of a building to open space between it and adjoining buildings shall be visually compatible with the relationship between buildings and structures within the district.

Staff Response: The Applicant was required to shift the proposed building closer to the north property line due to a 17.5-foot wide utilities easement on the south side of the lot. The same easement is the reason why 230 North Lakeside Drive is sited closer to the south property line than the north or center of the lot. The proposed location of the structure does not encroach into any required setbacks and is in compliance with the Zoning Code regulations.

There is no set of uniform setbacks between contributing and non-contributing properties within the district. Some contributing properties do not conform to the minimum setbacks required by the Zoning Code today, while others provide a much larger setback. The setbacks proposed by the Applicant are within the requirements of what is required by the Zoning Code, and those that are customary within the district.

(6)The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible with the prevalent architectural styles of entrances and porch projections on buildings and structures within the district.

Staff Response: It is the opinion of Staff that the proposed design conforms to the requirements of this item. The front entrance is set back a similar distance from the street as compared to other properties within the district.

(7)The relationship of the materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings and structures within the district to which it is visually related.

Staff Response: The Applicant is proposing to use exterior materials that are commonly used on other buildings of various architectural styles within the district. It is the opinion of Staff that none of the materials proposed would be out of character within the district. The walls would be finished in stucco, the roof would be standing seam metal, the window shutters painted aluminum, the front door would be stained mahogany, and other exterior details, such as the porch, would be made of wood. A full materials list is provided on Pages A2.01 and A2.02 of the architectural plans in Attachment 4. Finish paint and stain colors are not provided in the plans. However, it is no longer the policy of the City to regulate paint color, and the Board has no direct purview over paint color.

(8)The roof shape of a building or structure shall be visually compatible with the roof shape of buildings or structures in the district.

Staff Response: The Applicant has proposed a hip shaped roof for the building. There are other properties within the district with hip roofs, and the shape would not be out of place in such a district with an eclectic mix of architectural styles. The style of roof is appropriate for the proposed architectural style of the building.

(9)Appurtenances of a building, such as walls, wrought iron, fences, evergreen, landscape masses and building facades, shall, if necessary, form cohesive walls of enclosures along a street to insure visual compatibility of the building to the buildings and places to which it is visually related.

Staff Response: The landscaping and fencing proposed by the Applicant are of an appropriate style and type for the area. The landscaping would screen, but not completely obscure, the front of the building. The fence would be set back significantly from the minimum front setback, giving the front yard area an open feel that many properties in the district share.

(10)The size and mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

Staff Response: It is the opinion of Staff that the proposed design conforms to the requirements of this item. The building itself only covers approximately 2733 square feet, or 28.9% of the lot. This is comparable to other buildings in the area, some of which have two buildings instead of one on their lots. The front and rear façades of the building, which face North Lakeside Drive and the Lake Worth Golf Course respectively, would have a significant number of window and door openings, as well as porches. These features help avoid any large stretches of open wall space, which is not a desirable feature in this neighborhood.

(11)A building shall be visually compatible with the buildings and places to which it is visually related in its directional character: vertical, horizontal or non-directional.

Staff Response: The length, width and overall lot coverage of the proposed building are not out of scale with other properties located in the immediate vicinity of the property (see Page A2.03 and A2.04 of Attachment 4 for a detailed graphic of the site plan compared to surrounding properties.) It is when the vertical element is added, the height of the building, that the mass of the building becomes 'boxy' in comparison to other properties in the district, some of which have much more irregular site plan and massing.

Site plan and massing, to a certain extent, are subject to the style of a property, which is not being considered as part of this review process. Historic, more eclectic styles tend towards a more irregular massing, and site plans have changed over time due to additions and other alterations. If the proposed project had a less regular shape, it would blend in more with the district. However, this could compromise the style of the building that the Applicant is attempting to achieve.

With this in mind, it is Staff's opinion that if the height of the building is reduced as recommended, the building would be compatible with surrounding structures, and the rectangular shape of the building will not be overwhelming.

(12)Landscaping shall be compatible with the architectural character and appearance of the designated structure and of buildings in the surrounding historic district.

Staff Response: The Applicant has provided a landscape plan that exceeds the minimum required landscaping for a residential structure in the City, as outlined in Ordinance #2010-25. The plan provides a number of shade trees, decorative plantings and grassy areas that screen the house from the street and from the golf course. Staff does not believe that the proposed design would have any adverse effect on any of the surrounding contributing and non-contributing properties.

(13)In considering applications for certificates of appropriateness to install mechanical systems which affect the exterior of a building or structure visible from a public right-of-way, the following criteria shall be considered:

(a)Retain and repair, where possible, historic mechanical systems in their original location, where possible.

Staff Response: Not applicable.

(b) New mechanical systems shall be placed on secondary facades only and shall not be placed on, nor be visible from, primary facades.

Staff Response: The proposed plans do not indicate the location of the a/c unit or other mechanical equipment. However, Staff recommends that the Board require that all mechanical equipment be placed outside of the property setbacks, as required by the Zoning Code, and not be visible from North Lakeside Drive as a condition of approval of this application.

(c) New mechanical systems shall not damage, destroy or compromise the physical integrity of the structure and shall be installed so as to cause the least damage, invasion or visual obstruction to the structure's building materials, or to its significant historic, cultural or architectural features.

Staff Response: Not applicable.

(14) The site should take into account the compatibility of landscaping, parking facilities, utility and service areas, walkways and appurtenances. These should be designated with the overall environment in mind and should be in keeping visually with related buildings and structures.

Staff Response: The overall site plan proposed is compatible and sympathetic to the overall environment of the district. The landscaping has already been addressed in previous sections; the garage doors are facing the side yard and not the street, avoiding large open voids of blank wall; the proposed sidewalks and fencing is also consistent with other properties within the district. The Applicant has not specifically addressed the utility services in their proposal.

B. In considering certificates of appropriateness for new buildings or structures which will have more than one primary facade, such as those on corner lots facing more than one street, the HRPB shall apply the visual compatibility standards to each primary facade.

Staff Response: The lot in question technically has two frontages, the primary frontage on North Lakeside Drive, and a secondary public frontage on the Lake Worth Golf Course. The front façade of the building would face North Lakeside Drive.



City of **LAKE WORTH**

HISTORIC RESOURCES PRESERVATION BOARD

**7 NORTH DIXIE HIGHWAY
LAKE WORTH, FLORIDA 33460-3787**

Where the Tropics Begin

www.lakeworth.org

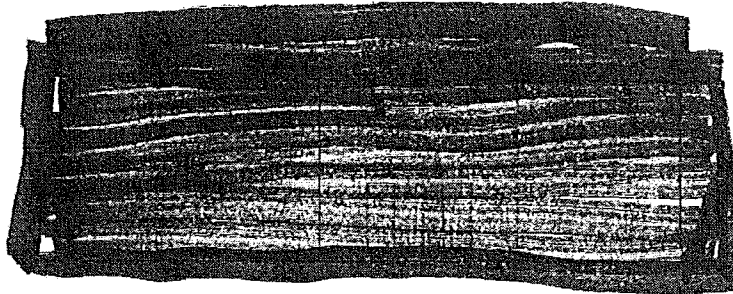
COMMUNITY APPEARANCE AND CERTIFICATE OF APPROPRIATENESS APPLICATION

Address of Property: 302 NORTH LAKESIDE DRIVE

CA CASE # _____

Date APRIL 9, 2012

COA HRPB CASE# 12-00100066



INSTRUCTIONS FOR COMPLETING AND FILING THE COA APPLICATION

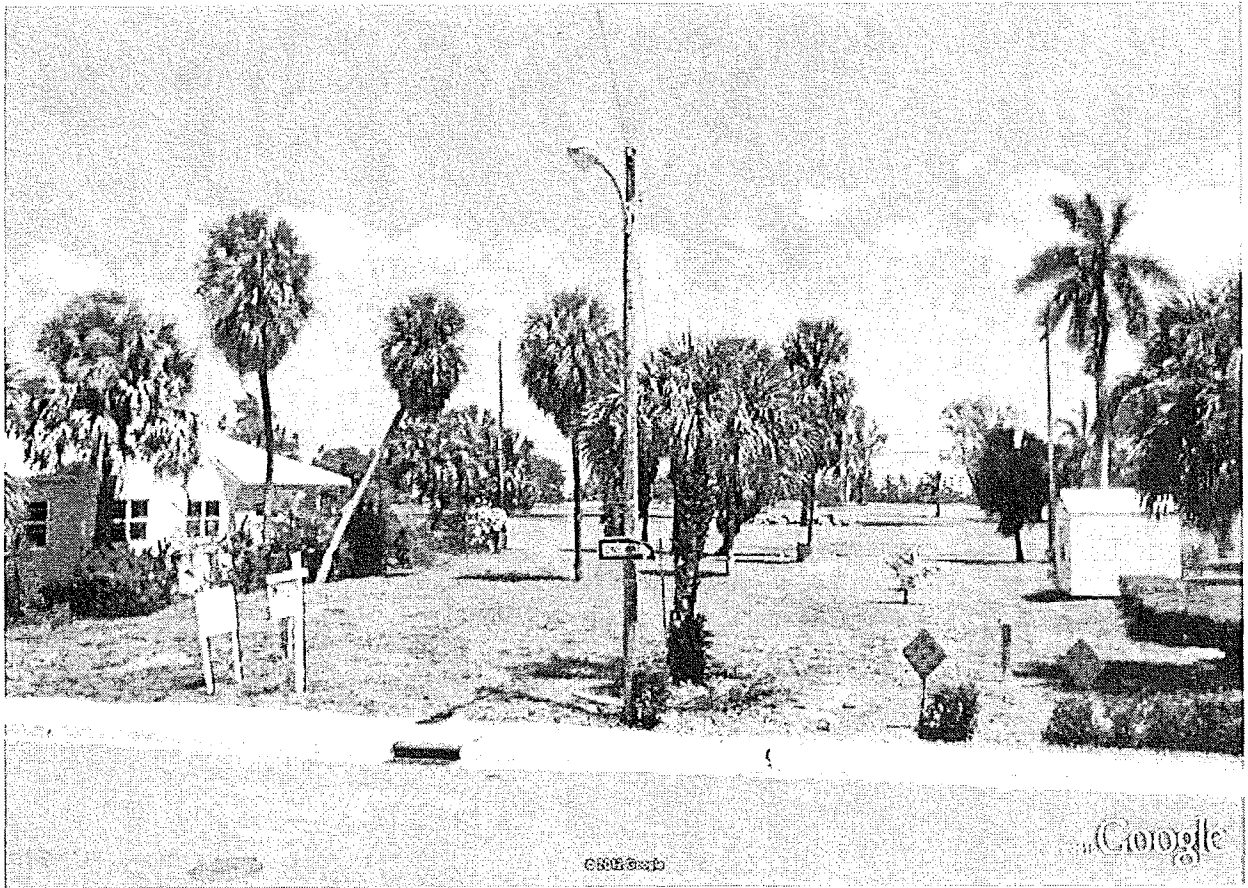
Applications may be submitted to the Planning, Zoning and Historic Preservation Department at any time between the hours of 8:00 a.m. and 4:00 p.m., Monday thru Friday. The Historic Resources Preservation Board (HRPB) will act on an application at the next available meeting. The application must be filed by 12:00 Noon a minimum of 15 days prior to that meeting. The application must be accompanied by the appropriate processing fee (make checks payable to the City of Lake Worth). Please print or type all required information, and ensure the application is complete and accurate.

It is necessary that an owner, or an authorized agent, be present at the Board meeting when the COA is reviewed. If a property owner wishes to designate a representative/agent, please execute the "Owner's Consent and Designation of Agent" form found on Page 9.

Pursuant to the City's Zoning Code Section 23.27.05.03 no application for a COA will be accepted by the HRPB unless it contains all required and pertinent information. A pre-application conference with a member of the Planning, Zoning and Historic Preservation staff is strongly recommended, and can be scheduled at your convenience. We will be glad to assist you in any way possible. If you are undergoing a substantial rehabilitation, please make sure to ask about the Historic Preservation Tax Abatement Program.

Office Use Only:

Requires Board Approval, Meeting Date: May 9, 2012
Requires Staff Approval _____



**CITY OF LAKE WORTH
BUILDING, PLANNING AND ZONING DEPARTMENT
APPLICATION FOR CERTIFICATION OF APPROPRIATENESS**

If approved, a CA/COA is valid for 12 months from the date of approval.

Project Name: Single Family Residence
Address or General Location: 302 North Lakeside Drive
Lake Worth, FL 33460

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: Tim & Elizabeth Hulett
Address: 108 Bloomfield Drive
West Palm Beach, FL 33405
Telephone Number: 561-602-6241

AGENT

Name: Brower Architectural Assoc. & Wes Blackman
Address: 350 S County Rd, Ste 207 241 Columbia Dr
Palm Beach, FL 33480 Lake Worth, FL 33460
Telephone Number: 561-659-1948 561-308-0364

OWNER (if other than applicant)

Name: Hector Cabrera
Address: PO Box 412
Lake Worth, FL 33460
Telephone Number: _____

Applicant is: Owner [] Lessee [] Other Buyer

PART TWO - PROPERTY INFORMATION:

Property Control Number: 38-43-44-21-15-430-0010

Legal Description (attach separate sheet if necessary): SEE ATTACHED SHEET

Historic District or Historic Site: OLD LUCERNE

Zoning Designation: SF-7

Existing Use of Property: VACANT PROPERTY

Proposed Use of Property: ONE SINGLE FAMILY RESIDENCE

Proposed Changes (refer to DESCRIPTION OF WORK Pages 4 & 5): N/A

Proposed Project Value: +/- \$650,000

Requested Waivers and Modifications (Fill-In Applicable Spaces Below):

	Code Requirement	Request
Front Yard Setback	<u>N/A</u>	<u></u>
Side Yard Setback	<u>N/A</u>	<u></u>
Rear Yard Setback	<u>N/A</u>	<u></u>
Parking	<u>N/A</u>	<u></u>
Height	<u>N/A</u>	<u></u>
Floor Area	<u>N/A</u>	<u></u>
Finished Floor Elevation	<u>N/A</u>	<u></u>
Other	<u>N/A</u>	<u></u>

Attach separate pages if necessary, with all necessary photographs to show work areas. Label each picture to describe what is to be done in each area.

Described property (give legal description):

Lot 1, Block 430, together with the north half of that 40 foot wide abandoned right-of-way laying south of and adjacent to said Lot 1, bounded on the east and west by the southerly prolongations of the east and west lines of Lot 1, Block 30, THE PALM BEACH FARMS COMPANY PLAT NO. 2 TOWNSITE OF LUCERNE (now known as Lake Worth), according to the Plat thereof as recorded in Plat Book 2, Pages 29 through 40, of the Public Records of Palm Beach County, Florida.

PART THREE - DESCRIPTION OF WORK FOR WHICH THE CA/COA IS DESIRED

[Check Appropriate Item(s)]

- ☐ Maintenance or Repair: The act or process of applying measures to sustain the existing form, integrity and material of a building or structure and the existing form or vegetative cover of a site that requires a building permit. It may include initial stabilization work, where necessary, as well as on-going maintenance and repair.
- ☐ Restoration: The process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.
- ☐ Renovation: The process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values.
- ☒ Landscaping: The process of improving the landscape features which includes, but is not limited to, subsurface alteration, site grading, fill deposition, paving, landscaping, courtyards, and exterior lighting.
- ☐ Signage: The process of installing or altering signs, billboards, advertisements or any other signage.
- ☐ Excavation: The process of performing an archeological dig to recover artifacts, historical materials or other archeological features.
- ☐ Demolition: The process of destroying or tearing down a building or structure or a part thereof, or the process of removing or destroying an archeological site or a part thereof.
- ☒ New Construction: The process of constructing a building or structure that has never existed at the location.
- ☐ Relocation: The process of moving a building or structure from its current foundation to another site.
- ☒ Walls, Fences and Sidewalks: The process of making any material change in existing walls, fences and sidewalks, or construction of new walls, fences and sidewalks.
- ☐ Change of Color: The process of changing the color of the exterior of any buildings or structures, walls, fences, sidewalks, or any other architectural features.

OVERALL DESCRIPTION OF THE WORK PLAN

Explain the chronology of the work involved and describe all new construction, excavation, demolition and relocation that will be required. If complete or partial demolition is involved, also complete the demolition section of this application. (Attach additional pages if necessary.)

Project consists of a new two story single family residence. The house will conform to the existing and proposed zoning code(s). It will have 2,125.5 S.F of enclosed building on the first floor and 2,099.34 S.F of enclosed building on the second floor. There will be a two car garage. The proposed architectural style is "Anglo-Caribbean". It will be stucco with a standing seam metal roof.

DEMOLITION (If Applicable)

Explain why the proposed demolition should occur. (attach additional pages if necessary.)

N/A

The Lake Worth Historic Resources Preservation Board will consider the following factors in reviewing requests for demolition:

- A. Is the structure of such interest or quality that it would reasonably fulfill criteria for designation on the National Register?
- B. Is the structure of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or economically unviable expense?
- C. Is the structure one of the last remaining examples of its kind in the neighborhood, City or designated historic district?
- D. Would retaining the structure promote the general welfare of the City of Lake Worth by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage?
- E. Are there definite plans for immediate reuse of the property if the proposed demolition is carried out, and what effect will those plans have on the character of the surrounding area?
- F. Would relocation of the building be a viable alternative to the proposed demolition?
- G. Would the Board's action on the requested COA cause undue economic hardship to the applicant?

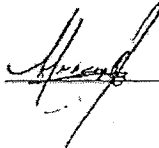
DOCUMENTATION ATTACHED IN SUPPORT OF THIS APPLICATION

Unless otherwise requested by Staff, five (5) 11 X 17 copies of drawings/plans and the following additional items must accompany this application in order for it to be processed. A master CD with all application documents in Word or pdf must also be provided. (Check Only the Appropriate Items.) All plans must be folded appropriately.


- ☒ Site Plan and/or Survey
- ☐ Continuation Sheets
- ☒ Elevation Plan
- ☒ Landscape Plan
- ☒ Floor Plan
- ☐ Other Plans
- ☒ Master Project CD
- ☒ Architectural Drawings
- ☐ Sketches or Artistic Renderings
- ☒ Photographs*
- ☐ Samples of Building Materials
- ☒ Engineering or Other Reports
- ☒ Other Photographs which Support this Application
- ☐ Published Materials, Documents and Bibliographies
- ☐ Other
- ☒ Appropriate Fee with Check Made Payable to the City of Lake Worth
- ☒ Executed and Notarized Agent Authorization Form

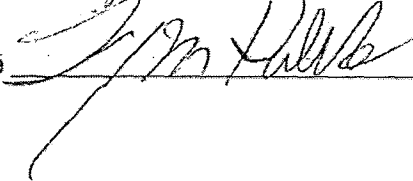
PART FOUR - SIGNATURE(S) OF OWNERS/APPLICANTS

The undersigned owner(s) and/or applicant(s) certifies under penalties of perjury that all the statements contained in this application, including any statement attached to the application or any papers or plans submitted herewith are true and correct.

Owner's Signature  Date 4-5-2012

Owner's Signature _____ Date _____

Applicant's Signature  Date 4-5-2012

Applicant's Signature  Date 4/6/2012

Sign Posting Agreement

Applicant:

Tim & Elizabeth Hulett

Owner:

Hector Cabrera

Property Address:

302 North Lakeside Drive

Meeting

Date: May 9, 2012

I, Ken Brower for Hector Cabrera will post the notification sign provided to me for a minimum of 10 calendar before the scheduled date of the hearing of my case.

Signed:

Date:

4/9/12

I Hector Cabrera, the fee simple owner of the following
(Owner's Name)

described property (give legal description): Lot 1, Block 430, together with the north half of that 40 foot wide

abandoned right-of-way laying south of and adjacent to said Lot 1, bounded on the east and west by the southerly prolongations of

the east and west lines of Lot 1, Block 30, THE PALM BEACH FARMS COMPANY PLAT NO. 2 TOWNSITE OF LUCERNE (now

known as Lake Worth), according to the Plat thereof as recorded in Plat Book 2, Pages 29 through 40, of the Public Records of

Palm Beach County, Florida.

hereby petition to the City of Lake Worth for site plan approval for (Project Name)
New Residence at 302 North Lakeside Drive

and affirm that Tim Hulett

(Applicants/Agent's Name)

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of the City of Lake Worth, Florida, and are not returnable.

[Signature]
(Owner's Signature)

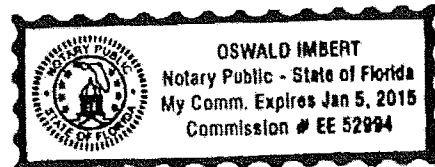
The foregoing instrument was acknowledged before me this 19th, day of
March, 19 2012 by HECTOR A. CARRERA, who is personally
known to me or has produced C16632167295 D (type of identification) as
identification and who did (did not) take an oath.

OSWALD IMBERT
(Printed Name of Notary Public)

[Signature]
(Signature of Notary Public)

Commission # _____, My Commission Expires _____

(NOTARY'S SEAL)



THIS PAGE FOR OFFICE USE ONLY

NOTES

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

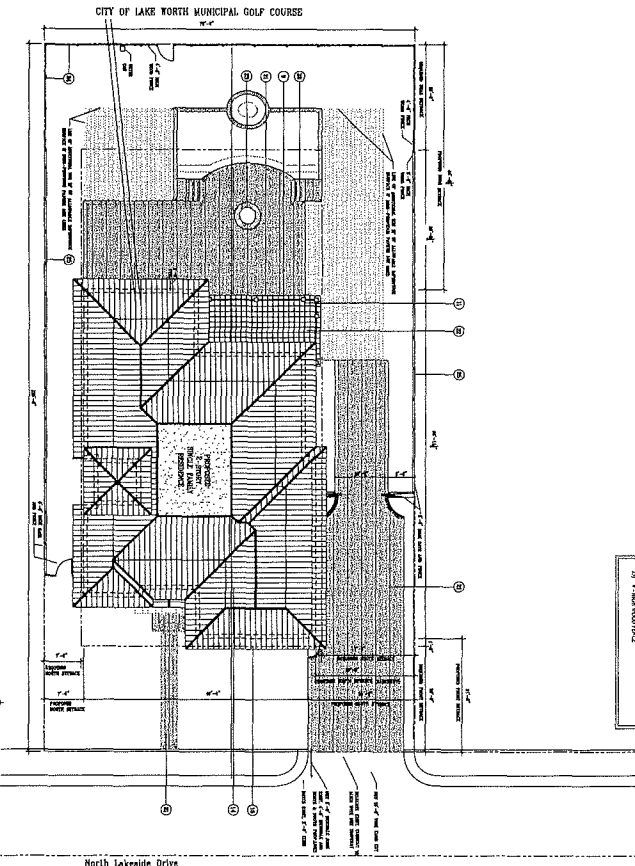


MEETING 11/14/2019
NOTICE
This property is being considered for a
NEW CONSTRUCTION
Project, 19-00-00066
If you have any questions regarding this case
please call the City of Lake Worth
Planning Department at 566-1667
336-1640

MEETING 11/14/2019
NOTICE
This property is being considered for a
NEW CONSTRUCTION
Project, 19-00-00066
If you have any questions regarding this case
please call the City of Lake Worth
Planning Department at 566-1667
336-1640

PROPOSED SITE PLAN

SCALE: 1/8" = 1'-0"



- MATERIALS LIST**
- 1. CONCRETE BLOCK VENEER
 - 2. STONE CLAY TILE
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NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES OF THE CITY OF LAKE WORTH, FLORIDA.
2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBMITTED FOR APPROVAL BY THE CITY ENGINEER.
3. ALL UTILITIES SHALL BE DEEPENED AND REPAIRED TO THE CITY STANDARDS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
5. ALL TRAFFIC CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
6. ALL NEIGHBORHOOD NOTICES SHALL BE PROVIDED TO THE ADJACENT PROPERTY OWNERS.
7. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LAKE WORTH, FLORIDA, STANDARDS.
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LAKE WORTH, FLORIDA, STANDARDS.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LAKE WORTH, FLORIDA, STANDARDS.

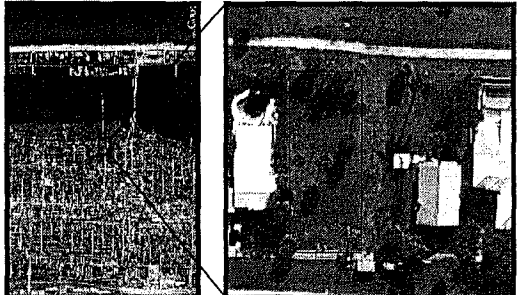
3rd Avenue North

North Lakeside Drive

The City Engineer of Lake Worth, Florida, has reviewed the plans and specifications for the proposed project and has determined that the plans and specifications are in accordance with the City of Lake Worth, Florida, standards. The City Engineer has issued this certificate of approval for the proposed project.

Building Description

Item	Description	Quantity	Unit	Notes
1	Concrete Block Veneer	1000	SF	
2	Stone Clay Tile	1000	SF	
3	Stone Clay Tile	1000	SF	
4	Stone Clay Tile	1000	SF	
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VICINITY MAP

SCALE: 1/8" = 1'-0"

AA 01

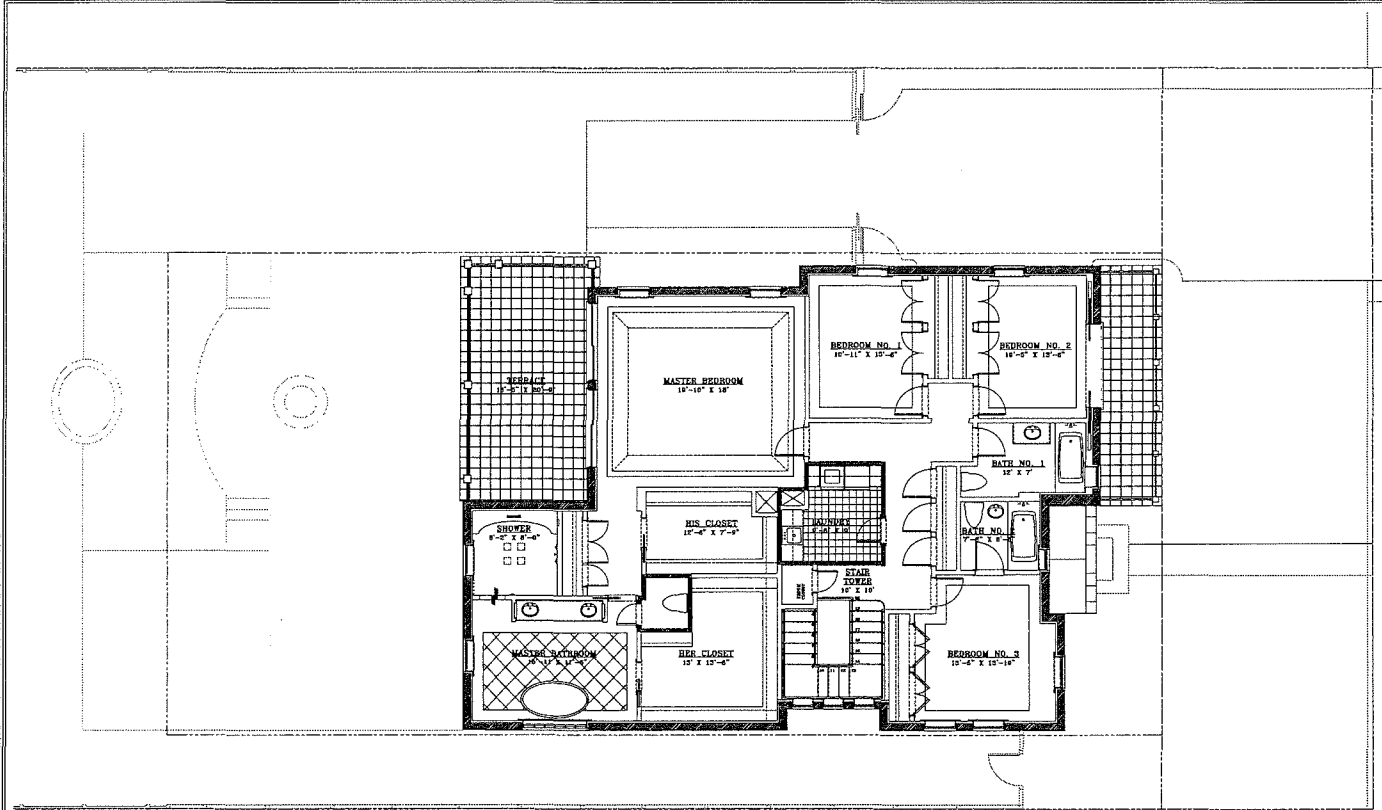
BROWER • ARCHITECTURAL • ASSOCIATES, INC.
350 • SOUTH COUNTY ROAD • SUITE 207 • PALM BEACH, FLORIDA, 33460 • TEL. 561 850 1846
• AA 28001400 •

NEW RESIDENCE FOR:
RANDY HULETT
304 NORTH LAKESIDE DRIVE, LAKE WORTH, FL 33460

CITY OF LAKE WORTH
CERTIFICATE OF APPROPRIATENESS
APPLICATION SUBMITTED

REVISIONS:
1

THIS DOCUMENT IS THE PROPERTY OF BROWER ARCHITECTURAL ASSOCIATES, INC. AND THE REPRODUCTION OF ANY PART OF IT WITHOUT WRITTEN CONSENT IS PROHIBITED.



PROPOSED SECOND FLOOR PLAN

SCALE:

1/4" = 1'-0"

ENVISION:

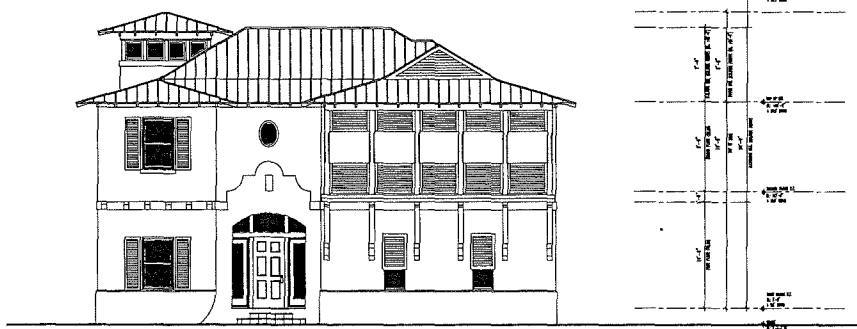
CONCEPT & APPEARANCE
CERTIFICATE OF APPROVAL/REVISION
APPLICABLE PERMIT

REV. REFERENCE FOR
RANDY HULETT
200 NORTH LAMAR BLVD., SUITE 200, TAMPA, FL 33609

BROWER ARCHITECTURAL ASSOCIATES, INC.
200 & SOUTH COUNTY ROAD & SUITE 207, PALM BEACH, FLORIDA 33480
• TEL. 561.857.1545
• FAX 561.857.1546

DATE
BY
CHECKED

A1.02



PROPOSED WEST ELEVATION

SCALE

1/4" = 1'-0"

MATERIALS LIST	
1	CONCRETE BLOCK, W/STUCCO
2	BRICK, RED
3	STUCCO, TYPICAL COURSEWORK & VENT
4	1" X 2" SHUTTER, 1/2" X 1/2" SLAT
5	ALUMINUM DOUBLE HUNG WINDOW
6	ALUMINUM DOUBLE HUNG WINDOW
7	ALUMINUM DOUBLE HUNG WINDOW
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49	ALUMINUM DOUBLE HUNG WINDOW
50	ALUMINUM DOUBLE HUNG WINDOW



PROPOSED EAST ELEVATION

SCALE

1/4" = 1'-0"



PROPOSED SOUTH ELEVATION

SCALE

1/4" = 1'-0"

MATERIALS LIST	
1	CONCRETE BLOCK WALL/DOOR
2	STUCCO FINISH
3	STRUCTURAL GLASS/STAINLESS STEEL
4	1/2" x 1/2" x 1/2" GLASS BLOCK
5	ALUMINUM FINISHING TRIM/DOOR HANDLES
6	ALUMINUM SLIDING GLASS DOORS
7	STAINLESS STEEL DOOR
8	ALUMINUM RAILINGS
9	ALUMINUM RAILINGS AND POSTS
10	CONCRETE WOOD GRILLS
11	STUCCO WALLS
12	STUCCO HANDRAILS
13	PAINT (WHITE/BLACK)
14	STAINLESS STEEL ROOF
15	WOOD DOOR/DOORS
16	WOOD DOORS
17	WOOD DOORS
18	WOOD DOORS
19	WOOD DOORS
20	WOOD DOORS
21	WOOD DOORS
22	WOOD DOORS
23	WOOD DOORS
24	WOOD DOORS
25	WOOD DOORS

REVISIONS:
 COMMENTS: APPROPRIATE
 CERTIFICATE OF APPROPRIATE
 APPLICATION FOR PERMIT

SEE REFERENCE FOR
 RANDY HULETT
 THE NORTH LANDING DRIVE, LAKE WORTH, FL 33469

BROWER ARCHITECTURAL ASSOCIATES, INC.
 285 S. RIVER COUNTY ROAD • SUITE 207 • PALM BEACH, FLORIDA 33480 • TEL. 561.851.1548
 • FAX 561.851.1549

DATE
 10/1/01
 PROJECT

A2.02



PROPOSED NORTH ELEVATION

SCALE

1/4" = 1'-0"



310 North Lakeside Drive (West Elevation)



306 North Lakeside Drive (West Elevation)



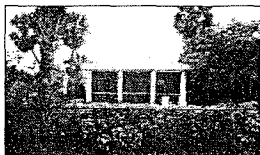
230 North Lakeside Drive (West Elevation)



226 North Lakeside Drive (West Elevation)



310 North Lakeside Drive (East Elevation)



306 North Lakeside Drive (East Elevation)

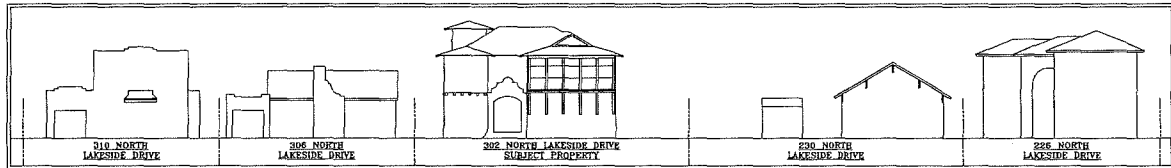


230 North Lakeside Drive (East Elevation)



226 North Lakeside Drive (East Elevation)

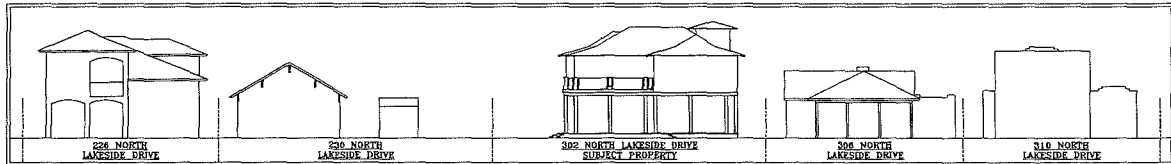
ADJACENT PROPERTY PHOTOS



STREETSCAPE - WEST ELEVATION

SCALE

SCALE 1/8"=1'-0"



STREETSCAPE - EAST ELEVATION

SCALE

SCALE 1/8"=1'-0"

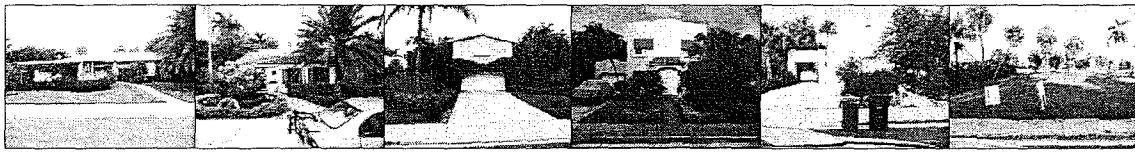
REVISIONS:
DATE: 10/1/03
BY: RANDY HULETT
REASON: CORRECTED APPROPRIATIONS
APPLICABLE PERMITS

NEW RESIDENCE FOR:
RANDY HULETT
302 NORTH LAKESIDE DRIVE, LAKESIDE, FL 33409

BROWER ARCHITECTURAL ASSOCIATES, INC.
503 S. SOUTH COUNTY ROAD # SUITE 207 • PALM BEACH, FLORIDA 33409 • TEL 561 835 1949
• FAX 561 835 1951

DATE: 10/1/03
BY: RANDY HULETT

A2.03



328 NORTH LAKESIDE DRIVE 320 NORTH LAKESIDE DRIVE 314 NORTH LAKESIDE DRIVE 310 NORTH LAKESIDE DRIVE 306 NORTH LAKESIDE DRIVE 302 NORTH LAKESIDE DRIVE SUBJECT PROPERTY



230 NORTH LAKESIDE DRIVE 228 NORTH LAKESIDE DRIVE 224 NORTH LAKESIDE DRIVE 222 NORTH LAKESIDE DRIVE 216 NORTH LAKESIDE DRIVE 210 NORTH LAKESIDE DRIVE 204 NORTH LAKESIDE DRIVE

STREETSCAPE PHOTOGRAPHS - EAST SIDE OF NORTH LAKESIDE DRIVE



211 NORTH LAKESIDE DRIVE 215 NORTH LAKESIDE DRIVE 219 NORTH LAKESIDE DRIVE 223 NORTH LAKESIDE DRIVE 227 NORTH LAKESIDE DRIVE 231 NORTH LAKESIDE DRIVE 303 NORTH LAKESIDE DRIVE



305 NORTH LAKESIDE DRIVE 311 NORTH LAKESIDE DRIVE 315 NORTH LAKESIDE DRIVE 319 NORTH LAKESIDE DRIVE 321 NORTH LAKESIDE DRIVE 327 NORTH LAKESIDE DRIVE 329 NORTH LAKESIDE DRIVE

STREETSCAPE PHOTOGRAPHS - WEST SIDE OF NORTH LAKESIDE DRIVE

REVISION:
COMMUNITY APPEALANCE
AND
CERTIFICATE OF NEIGHBORHOOD
APPROVAL REQUIRED

KEY REFERENCE FOR:
RANDY HULETT
302 NORTH LAKESIDE DRIVE, LAKESIDE, FL 33409

BROWER ARCHITECTURAL ASSOCIATES, INC.
205 S. W. 10TH STREET, SUITE 200, LAKESIDE, FL 33409
• A 200118 •

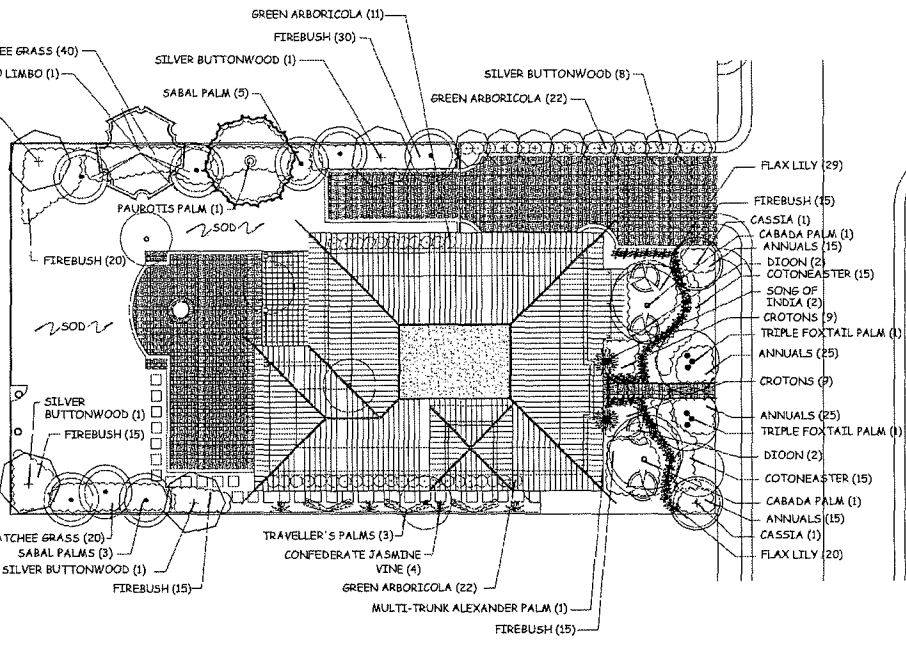
NOT
SCALE
APPROVED

PLANT LIST

NO.	PLANT NAME	COMMON NAME	HT. (FEET)	SPREAD (FEET)	QUANTITY
1	FAKAHATCHEE GRASS	FAKAHATCHEE GRASS	12"	12"	40
2	SILVER BUTTWOOD	SILVER BUTTWOOD	12"	12"	1
3	GUMBO LIMBO	GUMBO LIMBO	12"	12"	1
4	SILVER BUTTWOOD	SILVER BUTTWOOD	12"	12"	1
5	SABAL PALM	SABAL PALM	12"	12"	5
6	GREEN ARBORICOLA	GREEN ARBORICOLA	12"	12"	11
7	FIREBUSH	FIREBUSH	12"	12"	30
8	SILVER BUTTWOOD	SILVER BUTTWOOD	12"	12"	8
9	GREEN ARBORICOLA	GREEN ARBORICOLA	12"	12"	22
10	FLAX LILY	FLAX LILY	12"	12"	29
11	FIREBUSH	FIREBUSH	12"	12"	15
12	CASSIA	CASSIA	12"	12"	1
13	CABADA PALM	CABADA PALM	12"	12"	1
14	ANNUALS	ANNUALS	12"	12"	15
15	DIOON	DIOON	12"	12"	2
16	COTONEASTER	COTONEASTER	12"	12"	15
17	SONG OF INDIA	SONG OF INDIA	12"	12"	2
18	CROTONS	CROTONS	12"	12"	9
19	TRIPLE FOXTAIL PALM	TRIPLE FOXTAIL PALM	12"	12"	1
20	ANNUALS	ANNUALS	12"	12"	25
21	CROTONS	CROTONS	12"	12"	9
22	ANNUALS	ANNUALS	12"	12"	25
23	TRIPLE FOXTAIL PALM	TRIPLE FOXTAIL PALM	12"	12"	1
24	DIOON	DIOON	12"	12"	2
25	COTONEASTER	COTONEASTER	12"	12"	15
26	CABADA PALM	CABADA PALM	12"	12"	1
27	ANNUALS	ANNUALS	12"	12"	15
28	CASSIA	CASSIA	12"	12"	1
29	FLAX LILY	FLAX LILY	12"	12"	20
30	FIREBUSH	FIREBUSH	12"	12"	15
31	GREEN ARBORICOLA	GREEN ARBORICOLA	12"	12"	22
32	MULTI-TRUNK ALEXANDER PALM	MULTI-TRUNK ALEXANDER PALM	12"	12"	1
33	FIREBUSH	FIREBUSH	12"	12"	15
34	TRAVELLER'S PALMS	TRAVELLER'S PALMS	12"	12"	3
35	CONFEDERATE JASMINE	CONFEDERATE JASMINE	12"	12"	4
36	VINE	VINE	12"	12"	4
37	FAKAHATCHEE GRASS	FAKAHATCHEE GRASS	12"	12"	20
38	SABAL PALMS	SABAL PALMS	12"	12"	3
39	SILVER BUTTWOOD	SILVER BUTTWOOD	12"	12"	1
40	FIREBUSH	FIREBUSH	12"	12"	15

EXISTING TREE SYMBOL LIST

NO.	PLANT NAME	COMMON NAME	HT. (FEET)	SPREAD (FEET)	QUANTITY
1	SILVER BUTTWOOD	SILVER BUTTWOOD	12"	12"	1
2	FIREBUSH	FIREBUSH	12"	12"	15



PROPOSED PRELIMINARY LANDSCAPE PLAN
 SCALE: 1/8" = 1'-0"

A SPECIAL TOUCH
LANDSCAPING, INC.
 17062 JUPITER FARMS ROAD, JUPITER FL 33478
 PH: (561) 743-9780 FAX: (561) 743-4771

REVISIONS:

APPROVED FOR:
RANDY HULETT
 200 NORTH LAKEVIEW DRIVE, LAKE WORTH, FL 33460

APPROVED FOR:
BROWER ARCHITECTURAL ASSOCIATES, INC.
 200 NORTH LAKEVIEW DRIVE, LAKE WORTH, FL 33460
 • AIA REG. 1480 •

DATE:
10/10/00

HRPB Project Number 12-00100066: Consideration of a Certificate of Appropriateness (COA) for new construction at the subject property located at 302 North Lakeside Drive; PCN# 38-43-44-21-15-430-0010. The subject property is a vacant lot located within the boundaries of the Old Lucerne Local Historic District.

Attachment 5: Public Comment Letters

Kelly Christensen

From: Andrea Sinner [apsinner@gmail.com]
Sent: Thursday, July 26, 2012 12:11 PM
To: Kelly Christensen; waters@lakeworth.org
Subject: Protecting Historical District

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Kelly & William,

Greetings. I am sure you've had a few notes by now on the topic, but just wanted to add my voice of concern for the permit requested for 302 N Lakeside Drive.

I recently purchased my home in Lake Worth and was drawn by the heart and character of the community. Part of that pull is the variety of the homes (e.g., it's ok to have old/new, posh/rustic alongside eachother) and yet everything being in keeping with a feel of the history of the city. Having moved from West Palm Beach, I was looking to get away from the 'fake' of City Place and much of the housing in that city (which clearly includes many McMansion type dwellings).

It is my hope that Lake Worth will stick with the current feel of being beachy, historical, artsy, cool, soulful, relaxed, unpretentious...and avoid the desire of a small few to build in a manner not in keeping with that atmosphere.

Thank you so much for all that you do for the city (I can only imagine it is seriously hard work at times!) and if I can be of any assistance, please do let me know.

Sincerely,

Andrea Sinner
716 N Golfview Rd
617-797-1964

Do you know that you live in Old Lucerne Historic Residential District? It was added to the National Register of Historic areas in 2001. It runs roughly along N. Lakeside, N. Palmway and N. O Street from 7th Avenue N. to Lake Avenue.

LW has a Historical Resource Preservation Board whose purpose is to preserve the 6 historic districts including Old Lucerne by reviewing and approving changes to present homes and construction of new homes.

The present owner (purchased the lot in 2003) and prospective new owner have submitted plans to the city to build a 2 story 4,000 sqft. house on a vacant lot known as 302 N. Lakeside Dr. Some adjoining home owners have sent in written objections to the construction of this house to the HRPB. It is not compatible with the height, mass, and scale of the adjoining homes and the neighborhood in general. The average 2 story single family home in our district is 2,600 sqft.

New construction is good for the neighborhood provided there isn't a trend toward changing its character to what's known as "Mc Mansion" style construction. Under the Lake Worth municipal code new construction shall be visually compatible in height, scale, and mass to adjoining and present homes in the historical districts.

Some may say these large expensive houses will increase the neighborhood property values. Smaller homes overshadowed by oversized Mc Mansions will make them more desirable and marketable? Really?

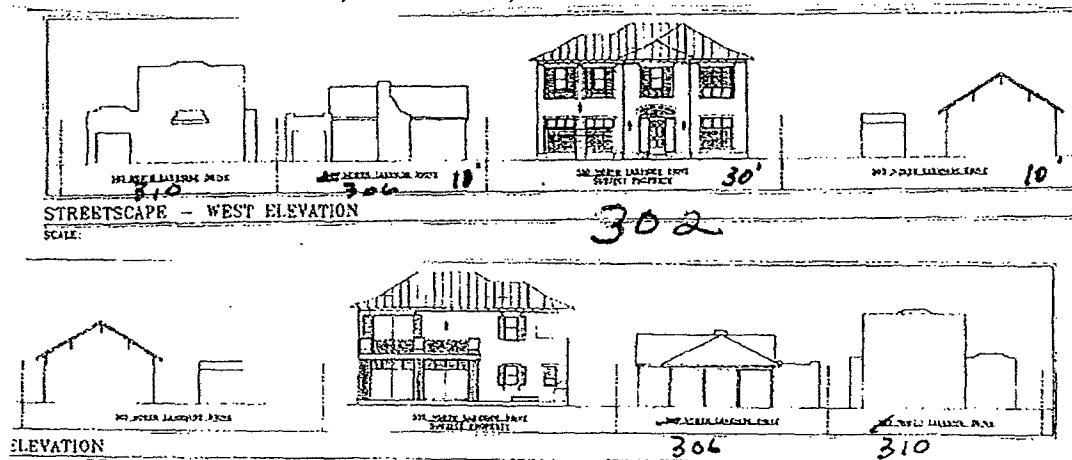
Help preserve our neighborhood and stop a growing trend toward this style of new construction.

Please voice your opinion to your elected officials, the city manager, preservation planner, director for community sustainability and the prospective new owners. Upon your request the preservation planner will direct any correspondence to the Historical Resource Preservation Board for their review. It is anticipated the board will vote on this matter during its August 8, 2012 7p.m. meeting, which is open to the public.

New owners: Tim and Elizabeth Hulett
108 Bloomfield Drive
West Palm Beach, FL 33405

Commissioner Andy Amoroso amoroso@lakeworth.org
Commissioner Christopher McVoy cmcvoy@lakeworth.org
Commissioner Scott Maxwell smaxwell@lakeworth.org
Commissioner Susan Mulvehill smulvehill@lakeworth.org
Mayor - Pam Triolo ptriolo@lakeworth.org
City Manager - Michael Bornstein citymanager@lakeworth.org
All the same address 7 N. Dixie Hwy, Lake Worth, FL 33460

Kelly Christensen, Preservation Planner kchristensen@lakeworth.org
William Waters, Director for Community Sustainability waters@lakeworth.org 561-586-1634
1900 Second Avenue N., Lake Worth, FL 33460



Rec. 7/19/12 KCC

Kelly Christensen

From: David Downing [dkdow4@gmail.com]
Sent: Wednesday, August 08, 2012 11:58 AM
To: amoroso@lakeworth.org; Christopher McVoy; Scott Maxwell; Suzanne Mulvehill; Pam Triolo; City Manager
Cc: Kelly Christensen; waters@lakeworth.org
Subject: 302 North Lakeside

Categories: Red Category

I'm writing concerning the submitted plans for new home construction at 302 North Lakeside. Any proposal over 3000 square feet will be uncharacteristic of the neighborhood. While I believe most residence will welcome new construction it's important that it stay in line with the Height and Scale of the general neighborhood. Please vote to deny any proposal that is not consistent with the intent of the preservation charter.

David Downing
Owner of 416 North Palmway

Kelly Christensen

From: D. S. [tddks71@yahoo.com]
Sent: Tuesday, July 24, 2012 2:17 PM
To: Andy Amoroso; cmcvoy@lakeworth.org; Scott Maxwell; Suzanne Mulvehill; Pam Triolo; City Manager; Kelly Christensen; waters@lakeworth.org
Subject: 302 North Lakeside
Categories: Red Category, HRPB

Hello Mayor, Commissioners, City Manager and Planning folks,

I have lived in lake worth since 1999 (from 1999-2004 in the Bryant Park neighborhood and from 2005-present in the Parrot Cove neighborhood).

Parrot Cove, as you know is a unique, historic neighborhood made up of homes from the 1920s, 1930s, 1950s, etc. While there is a mix of style and design, most of the homes are small. There are a few exceptions, 515 North Lakeside is a large home for the neighborhood with a square footage of 2900 sq ft. And along the golf course on some of the triple and double wide lots, i.e. 320 North Lakeside, there are larger homes but these larger homes are on very large lots (double or triple wide) for the neighborhood.

I am aware that there is a proposal for a 4000 square foot home for the vacant lot located at 302 North Lakeside, which while on the golf course is not a double or triple size lot. The only other comparable property is one two doors down, 226 North Lakeside, which of course should never have been built as it is not compatible with the scale, mass and height of the adjoining properties or our historic neighborhood in general. Similarly, the proposed project for 302 North Lakeside should be rejected and the developer/property owner should submit a new proposal that includes adequate front, back, and side, set backs (both on the first and second floor), significant green space, and a plan/design that will not overpower, indeed overshadow, the historic homes to the north, the south, across the street and in the neighborhood in general.

The problem with the McMansioning of our neighborhood is that each proposed nonconforming property looks to and relies on the prior nonconforming property and pretty soon Parrot Cove will lose its historic charm and Lake Worth will have lost what makes Lake Worth a unique gem.

My husband and I are active in the Parrot Cove neighborhood association and recently volunteered at the most recent house tour. So many wonderful visitors came to our neighborhood and our City to tour and enjoy our historic neighborhood and our historic homes, it would be a travesty to see more and more of this unique character disappear.

We ask that you soundly reject this proposed plan.

Thank you,

Dori K. Stibolt
Aaron V. Storonas.



FAX TO ANY EMAIL ADDRESS

1. Enter email address(es) below
2. When hand printing, copy characters EXACTLY as below
3. Fax ONLY to your dedicated MongoFAX number below

V13



Underline all boxes that contain numbers

0 1 2 3 4 5 6 7 8 9 . - _ A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

To:

J U D I T H J U S T O 1
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From: (Identifies Sender, Enables Replies, Provides Confirmation, Tracking Number & Exact Replica Archive Copy to Email)

P E T E R . J U S T
 @ T O P P R O D U C E R . C O M

Subject:



Notes:

HRPB Project Number 12-00100066- 302 N. Lakeside

HRPB Meeting September 12, 2012

Memo to Preservation Planner and Members of the HRPB

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Fax Only to: Your MongoFAX Number



Date: August 6, 2012

To: Preservation Planner and Members of the Historical Resources Preservation Board

From: Peter Just, owner, 306 N. Lakeside Drive, Lake Worth, FL 33460
Lisa Segara, owner, 226 N. Lakeside Drive, Lake Worth, FL 33460
Jeannie Thompson, owner, 307 N. Lakeside Drive, Lake Worth, FL 33460
Regina Miller, prospective owner, 303 N. Lakeside Drive, Lake Worth, FL 33460
Suzanne Thompson, owner, 629 N. Lakeside Drive, Lake Worth, FL 33460

Subject: HRPB Project Number 12-00100066 - 302 N. Lakeside Drive

HRPB Meeting Date: September 12, 2012;

I. Requested Considerations/Changes – Design and Size

(References to 226, 230, 231, 303 & 306 are properties' addresses or the proposed construction on N. Lakeside Drive):

- A. Give greater scrutiny to the 302 N. Lakeside Dr. structure since: a) it is taller than the predominately one story homes in the Old Lucerne district; b) it is twice as tall as its adjacent homes; and c) including the slab elevation the height of the proposed structure may exceed 30'.
- B. Verify the accuracy of 302's drawings (Exhibit I).
- C. See Exhibit II, an example of incompatible heights, taken from the City of Lake Worth's website link Model Guidelines for Design Review.
- D. 302 may be taller than 303 and 231 which are adjacent two story homes across the street.
- E. Enforce compatibility requirements as they relate to 302's adjacent properties 230 and 306, for details on **height, width and size**, referring to Section X. see pages 5-6 i.e., 23.27.05.09 A(1), (5), (9), (10) and (13(c)) from the City of Lake Worth Historical Resource Preservation code.
- F. Redesign 302 building massing to conform to its adjacent properties by minimizing boxiness and incorporating setbacks for second story volume and/or incorporate the use of a flat roof to reduce its height.
- G. See Exhibits II and III.1-2 illustrates construction which is not compatible, found on the City of Lake Worth's website link Model Guidelines for Design Review.

II. Conclusions

- A. Failure to enforce preservation code's height, width and size restrictions will negatively impact the property value of the adjacent cottage size homes.
- B. Failure to enforce the preservation code's height restrictions by allowing 302's construction in such close proximity to its northern neighbor will result in a large shadow being cast on 306 an adjoining home.
- C. The proposed structure is in the design phase. A more suitable new home which is: a) in compliance with the preservation code; and b) in harmony and compatible with the scale and character of the neighborhood, **should and can** be designed for this lot.

- D. We presently own our homes. The persons proposing the construction do not yet own the lot. The sale of the lot is contingent upon receiving approval to build the proposed construction.
- E. Construction was allowed at 226 N. Lakeside for a 4600 sqft home. This property is not adjacent to the proposed construction and should not be used for height, width and size compatibility purposes.
- F. We are not requesting the 302 be designed to look historical or object to the construction of a 4,000 sqft. home on this lot. Construction of: a) a single story home; b) a two story with second story setbacks; or c) a flat roof which is compatible with the heights of 230 and 360 its adjacent properties is acceptable.
- G. If approved 230 (1,000 sqft) a cottage, will be sandwiched between two massive structures. 226 to the south (4,600 sqft) and 302 to the north (4,000 sqft).
- H. Deny the Certificate of Appropriateness it will not affect the present owner's beneficial use of the property. (Exhibit IV Question (D) the Preservation Planner's April 27, 2012 memo).
- I. Deny all exceptions which allow the construction of 302, a tall massive structure in our historic neighborhood. Allowing this construction will detract from the scale and character of our neighborhood which is in contradiction to purpose of this board and City of Lake Worth Historical Preservation code.
- J. Deny this Certificate of Appropriateness for the plan as submitted which will be in the best interest of all Old Lucerne district property owners and public policy.

III. If Found Visually Compatible – Other Factors

- A. Relocate 302's air conditioner bank of multiple condensers (2-3) to the roof or a location which does not adversely affect 230 and 306, its adjacent neighbors', enjoyment of their property.
- B. Install gutters along the north roof line to avoid possible flooding onto the 306 property. 302's proposed construction within 10ft of 306 may cause flooding from the roof runoff.
- C. Install open fencing to allow air flow between 302 and 306. 302's adjacent properties and those adjacent to 306, 310, 230 and 226 and within a two block radius on the golf course do not have solid fence enclosures.
- D. Move the structure further south by relocating the garage entrance and driveway to the west side southern-most end. This will provide a) the footage for a larger northern property line set back; b) relocate the parking so 230 does not have a parking view from the north and south; and c) does not place the parking directly in front of 303.
- E. Remove or relocate the skylight where it does not overshadow an adjacent home.

IV. Old Lucerne Statistics

Statistics gathered from the Palm Beach County tax appraiser's online information on buildings in the Old Lucerne Historic district:

- A. Number of Single story homes 170, avg. sqft. 1680 (removed 2 of the smallest) avg. sqft. 1705
- B. Number of 2 story homes 40, avg. sqft. 2635 (removed 2 of the largest) avg. sqft. 2543
- C. Some homes sqft may include more than a single home – did not identify those with multiple structures.

V. All 302 adjacent properties are historical contributing entities.

Building a tall massive structure adjacent to small cottages will negatively impact the character of the neighborhood. Four adjacent properties are contributing entities and could not be razed and rebuilt to be compatible, 32ft.tall and 4,000+ sqft. homes.

- A. 306 N. Lakeside Drive – is over 50 yrs. old built circa 1934 1 story 1741 sqft (north adjacent property)
- B. 230 N. Lakeside Drive – is over 50 yrs. old built circa 1925 1 story 1040 sqft. (south adjacent property)
- C. 303 N. Lakeside Drive – is over 50 yrs. old built circa 1935 2 story 2296 sqft. (west adjacent property)
- D. 231 N. Lakeside Dr. – is over 50 yrs. old build circa 2 story 1280 sqft. (west adjacent property)

VI. Rebuttal to Preservation Planners response (Exhibit IV Question (B)):

We disagree. Construction of a building 2 times the size of its adjacent contributing properties will negatively impact its adjacent homes' property values.

306's southern wall is constructed 3.9 feet from the shared property line. Initially the proposed construction's southern wall was to be setback 10ft from the shared property line. The last amendment to the plan moved the construction within 7ft of the shared property line. The proposed construction of 32 ft height within 10.9 ft of 306 will overshadow the 16 ft home.

Both 226 (over 30 ft in height and 4600 sqft) and 302 (32 ft in height and 4000 sqft) will be over 2 times the mass of both adjacent properties 230 (1040 sqft) and 306 (1741 sqft (1348 under air)).

VII. Old Lucerne Historical District.

Added to the National Register of Historic Districts 2001 and has been designated by the City as a historic district.

VIII. 302 N. Lakeside Vacant Lot

Was purchased by the present owner in 2003, 6 yrs subsequent to the promulgation of the historical preservation code and 2 yrs. subsequent to the designation of Old Lucerne Historical District.

IX. From the City's website:

Historic Preservation

In 1997 Lake Worth adopted an historic preservation ordinance. Since then, 6 local historic districts and national register historic districts have been formed; and citizens volunteer their time to serve as members of the Historic Preservation Board to review exterior modifications to designated structures.

Old Lucerne

The local register historic district was designated in June 1999. Forty percent of the buildings in a district need to be considered "contributing" or historic for an area to be Eligible for a local listing. The boundaries are from 7th Avenue North, meandering south around Lucerne Avenue, east to the Golf Course, and west to the Alley behind Federal Highway.

X. Lake Worth Preservation Municipal code review as it applies to this case:

23.27.01.01 "...The city commission finds that this article benefits the residents and property owners of Lake Worth and declares as a matter of public policy that this article is required in the interest of the health, prosperity, safety, welfare and economic well-being of the people.

The commission further declares that this article specifically implements the comprehensive plan, and further embodies the city's commitment to conserving its historical, cultural, archaeological and architectural resources, not only to preserve its unique character, but also to meet the stated goals, objectives, and policy of land use, housing and conservation as mandated by chapter 163 Florida Statutes and its comprehensive plan."

23.27.01.01 Purposes. The Historical Resources Preservation Board shall have the following purposes...

- A. To effect and accomplish the preservation, protection, perpetuation, enhancement and appropriate use of landmarks, and historic districts have a special historic, architectural, archaeological, aesthetic or cultural interest and value to the city, state and nation;
- B. To promote the educational, cultural, economic and general welfare of the people and safeguard the city's history and heritage as embodied and reflected in landmarks and historic districts;
- C. To stabilize and improve property values in historic districts and in the city as a whole;
- D. To foster civic pride and cultural stability through conservation of historic neighborhoods and business districts;
- E. To strengthen and contribute to the stabilization of the economy of the city through the continued use, preservation, conservation and revitalization of its historic resources;
- F. To protect and enhance the scale, character and stability of existing neighborhoods, and protect against the destruction of or encroachment upon areas which contribute to the special character of the city,
- G. To protect and enhance the city's attractiveness to residents, business owners, tourists and visitors and serve as a support and stimulus to business and industry;
- H. To enhance the visual and aesthetic character; diversity and interest of the city;
- I. To provide a review process for the continued preservation and appropriate, compatible and sensitive development of new construction and additions to landmarks and structures within historic districts; and
- J. To avoid unnecessary demolition of, or other adverse affects on, landmarks and historic districts which could cause an irreparable loss to the city, by requiring a public review of private actions to demolish or otherwise alter historic resources prior to the city's granting permits to proceed with the intended work.

23.27.05.09. Additional guidelines for new construction; visual compatibility. All improvements to buildings, structures and appurtenances within a designated historic district shall be visually compatible. New

buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements that relate to existing structures that surround them. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district.

A.

In approving or denying applications for certificates of appropriateness for new construction, the HRPB shall also, at a minimum, consider the following additional guidelines which help to define visual compatibility:

(1)

The height of proposed buildings shall be visually compatible in comparison to or in relationship with the height of adjacent buildings.

Referencing Kelly Christensen's Memorandum dated April 27, 2012 (Exhibit V) although she states the proposed construction meets regulation 23.03.03.00 of City of Lake Worth Municipal Zoning Code, we maintain that it is not compatible in comparison or in relationship with the height of the adjacent buildings in accordance with 23.27.05.09. In the interest of public policy the board should not approve the construction at its proposed height.

302 proposed construction is 32 ft. in height

306 is 16 ft. in height

230 is 17 ft. in height

(5)

The relationship of a building to open space between it and adjoining buildings shall be visually compatible with the relationship between buildings and structures within the district.

302 has to accommodate for the utility easement on the southern property line. This has resulted in uncentered placement of the construction closer to the northern property line. The prevailing construction in the district is construction centered within the lot...

(9)

Appurtenances of a building, such as walls, wrought iron, fences, evergreen, landscape masses and building facades, shall, if necessary, form cohesive walls of enclosures along a street to insure visual compatibility of the building to the buildings and places to which it is visually related.

302 will be enclosed by a solid wooden fence. Not compatible with the northern and southern adjacent properties.

(10)

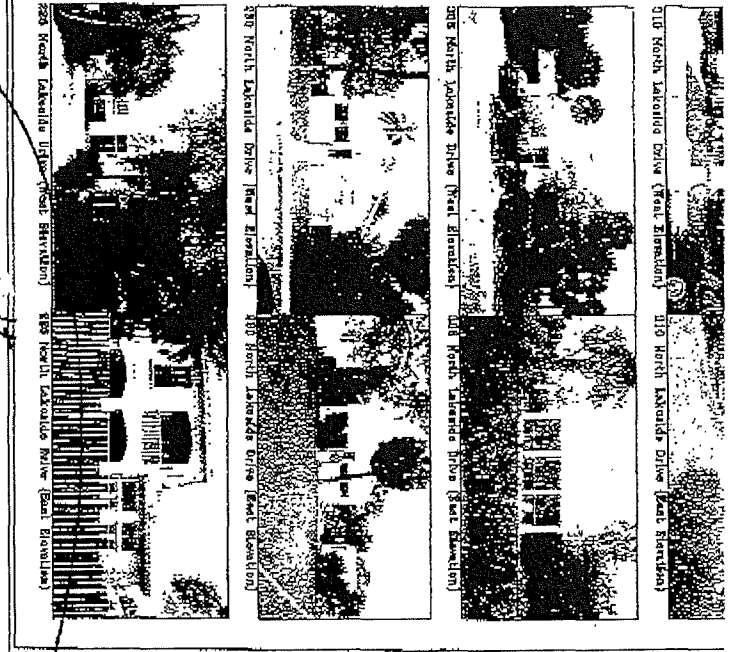
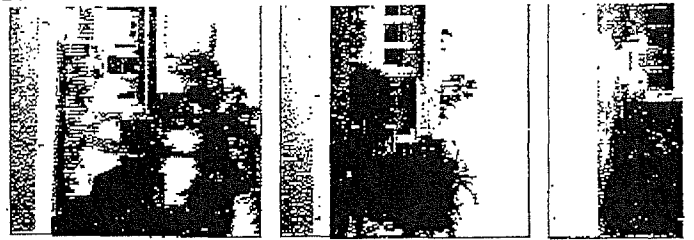
The *size and mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.*

- 302 will be 4000 sqft on 150'x75' lot (15' width is utility easement)
- 306 is total of 1741 sqft (1348 under air) on 150'x 50' lot
- 230 is 1040 sqft. (1040 under air) 150'x75' lot (25' width is utility easement)
- 303 is a 2 story 2296 sqft (1,864 under air) 175'x50' lot
- 213 is a 2 story 1280 sqft (1280 under air) 175'x50' lot

(11)

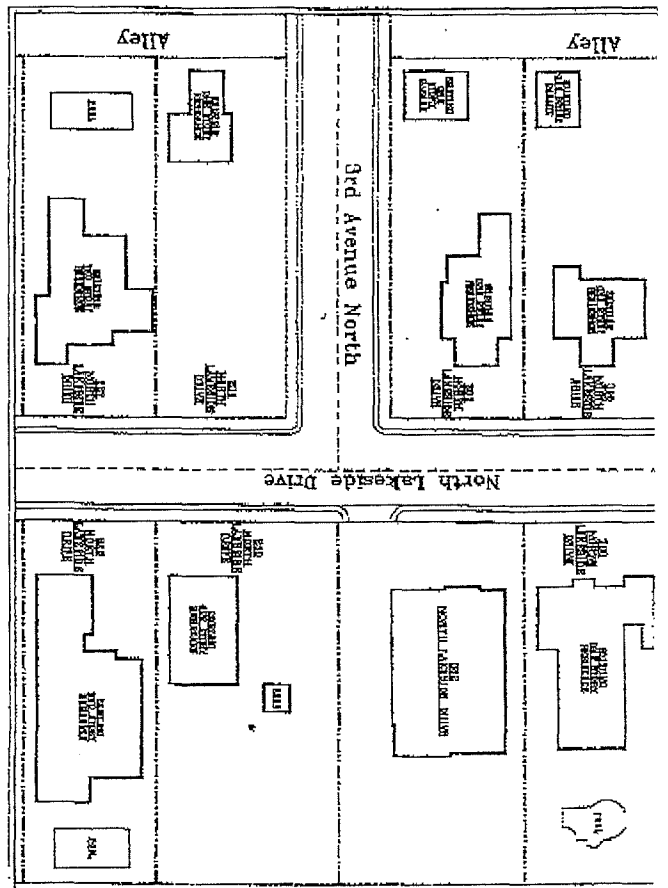
A *building shall be visually compatible with the buildings and places to which it is visually related in its directional character: vertical, horizontal or nondirectional.* ..

302 will be the tallest building on the street.



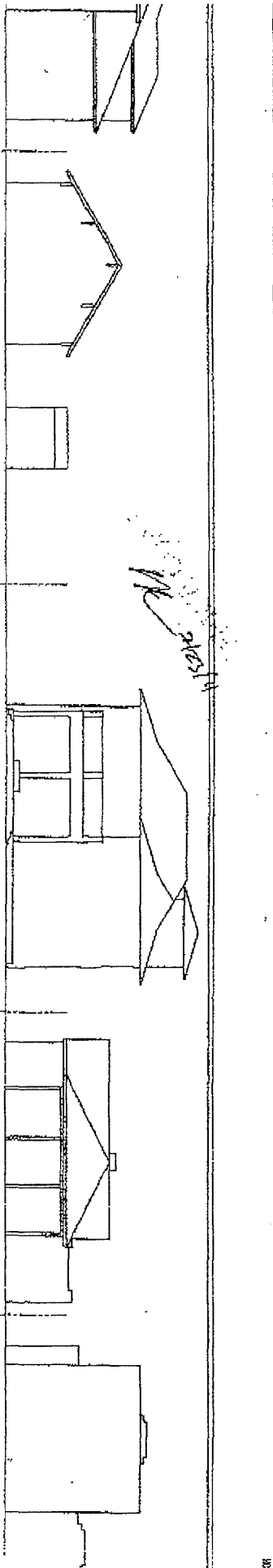
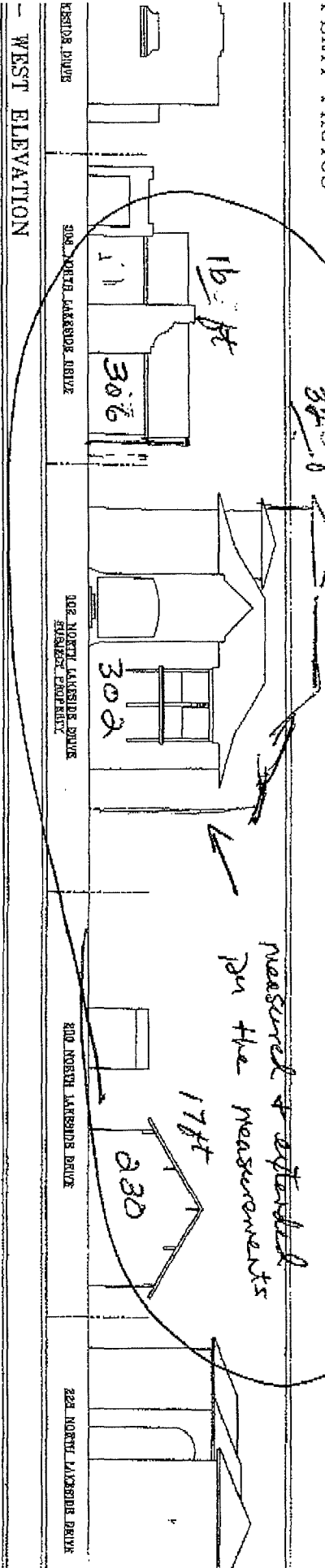
PARTY PHOTOS

Exhibit I

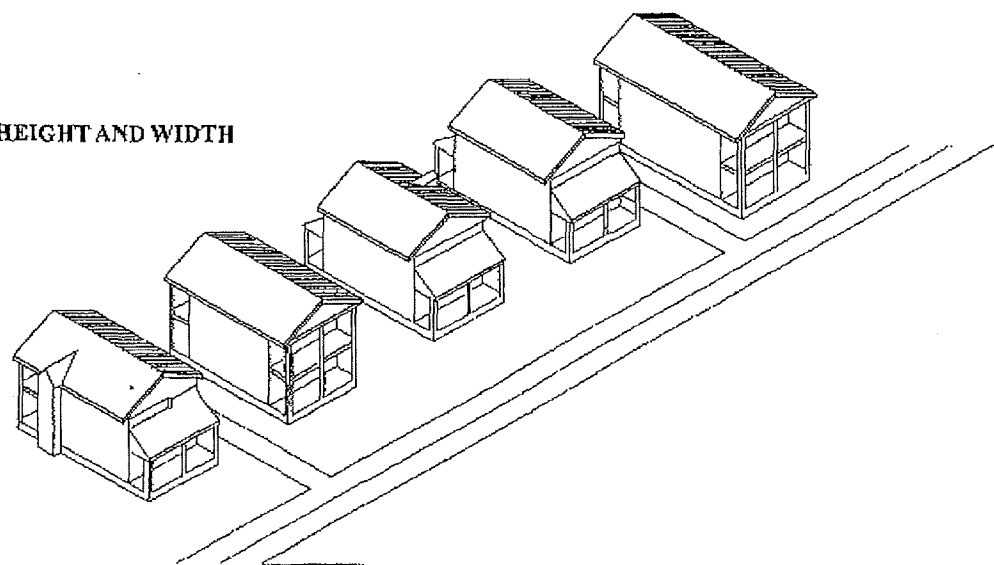


STREETSCAPE

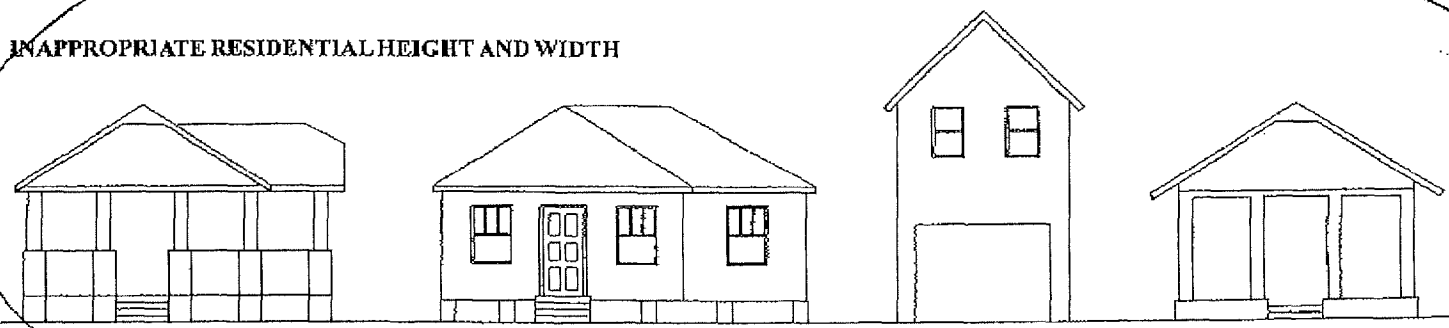
measured & extended
on the measurements



APPROPRIATE RESIDENTIAL HEIGHT AND WIDTH

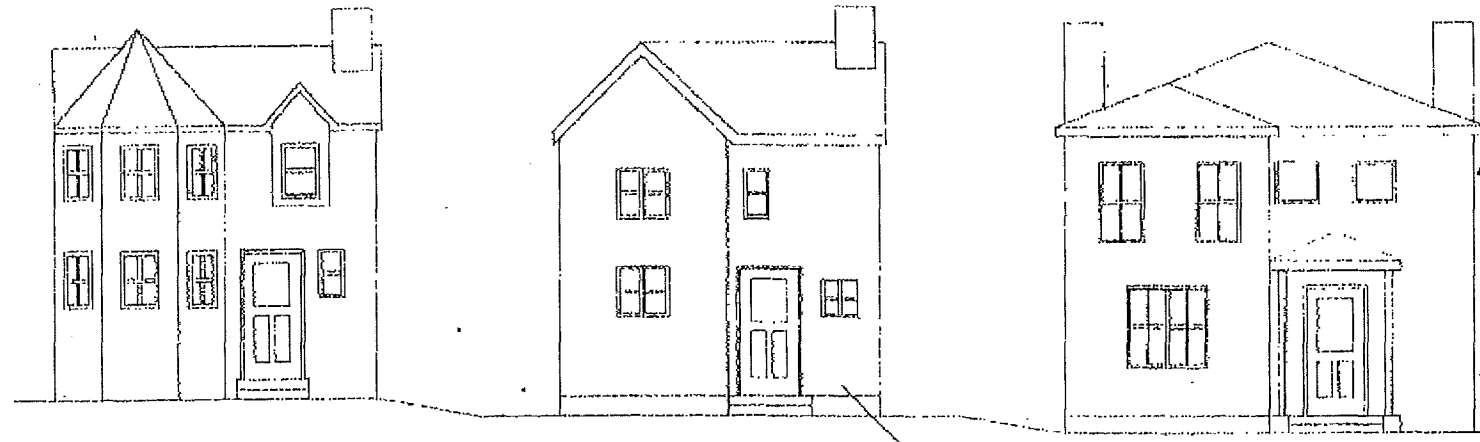


INAPPROPRIATE RESIDENTIAL HEIGHT AND WIDTH



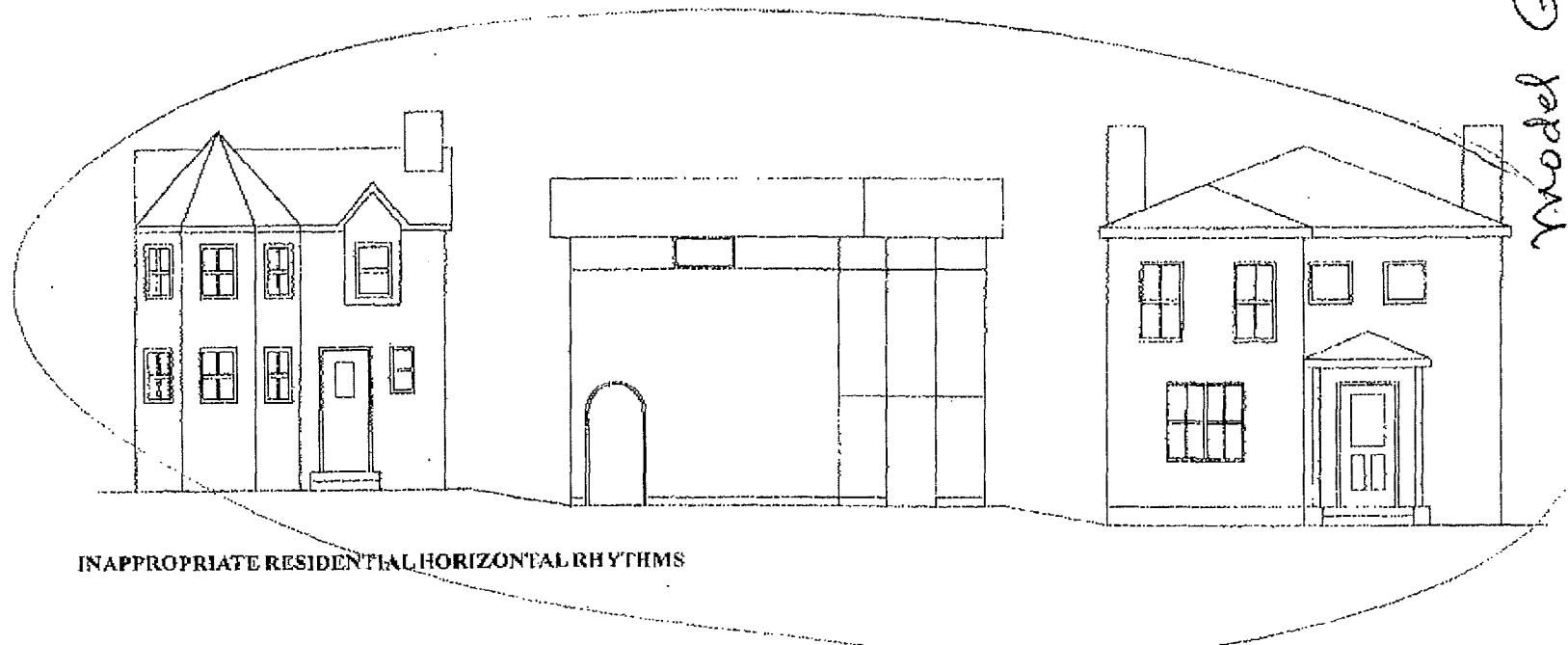
Model Guidelines for Design Review
take worth website.

Exhibit II



APPROPRIATE RESIDENTIAL HORIZONTAL RHYTHMS

NEW INFILL RESIDENCE

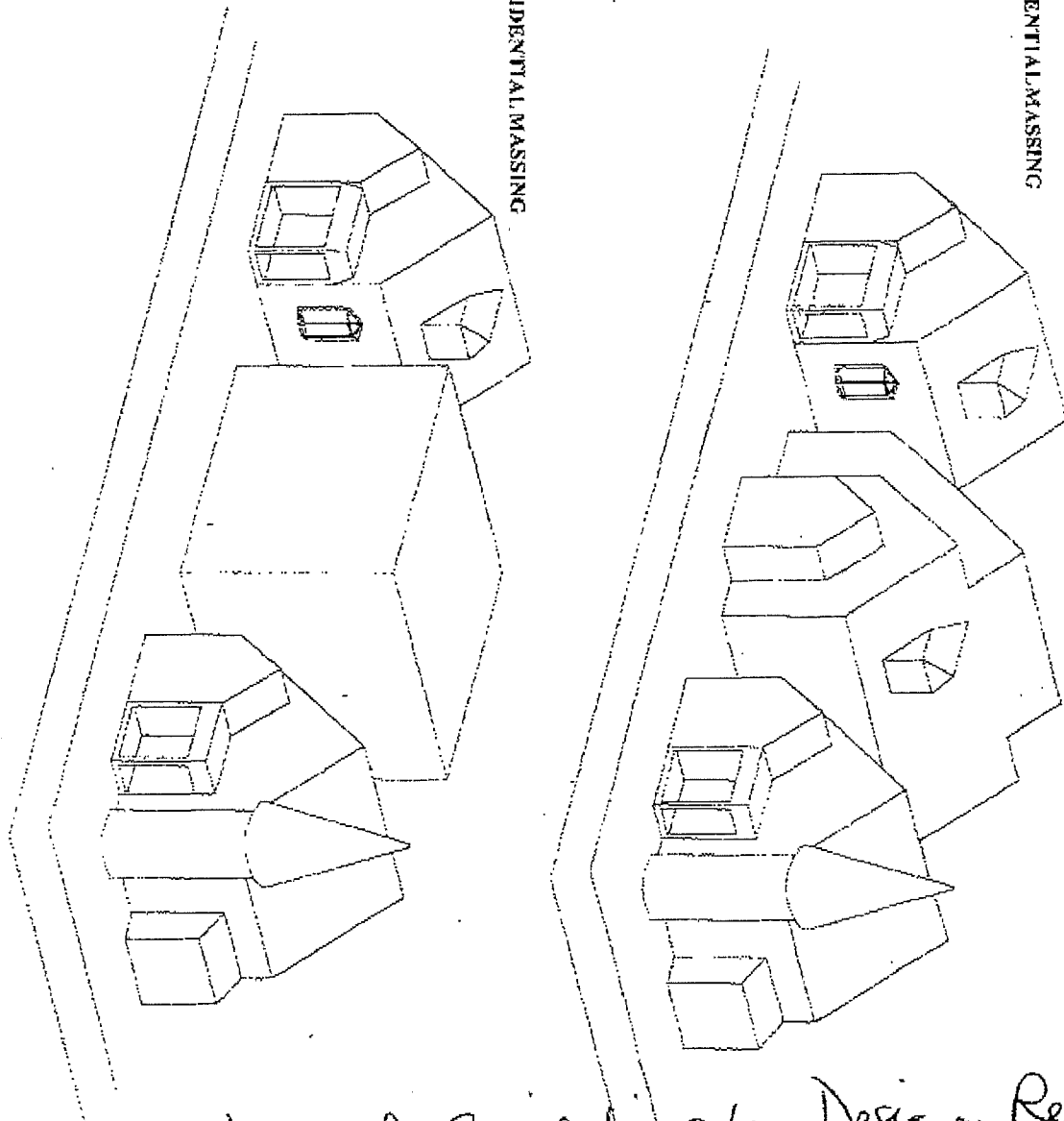


INAPPROPRIATE RESIDENTIAL HORIZONTAL RHYTHMS

Review
Model Guidelines for Design
Lake Worth Website
Exhibit III.1

APPROPRIATE RESIDENTIAL MASSING

INAPPROPRIATE RESIDENTIAL MASSING



Model Guidelines for Design Review
Lake Worth Website

Exhibit III.2

Planning, Zoning, and Historic Preservation
1900 2nd Avenue North - Lake Worth, Florida 33461 - Phone: 561-586-1687

MEMORANDUM

DATE: April 27, 2012 (DRAFT)

TO: Chair and Members of the Historic Resources Preservation Board

FROM: Kelly M. Christensen, Preservation Planner
Department of Community Sustainability

SUBJECT: HRPB Project Number 12-00100066: Consideration of a Certificate of Appropriateness (CoA) for demolition of the subject property located **302 North Lakeside Drive**; PCN# 38-43-44-21-15-430-0010. The subject property is a vacant lot within the Old Lucerne Local Historic District.

HRPB Meeting Date: May 9, 2012

The Board is to use the following criteria in making a determination:

A. What is the effect of the proposed work on the landmark or the property upon which such work is to be done?

Response: Not applicable. The property is currently a vacant lot.

B. What is the relationship between such work and other structures on the landmark site or other property in the historic district?

Response: The work proposed would have no adverse effect on any other contributing or non-contributing properties within the Old Lucerne Local Historic District.

C. To what extent will the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials and color of the landmark or the property be affected?

Response: Not applicable. The property is currently a vacant lot.

D. Would denial of a certificate of appropriateness deprive the property owner of reasonable beneficial use of his property?

Response: No.

E. Are the applicant's plans technically feasible and capable of being carried out within a reasonable time?

Response: Yes.

F. Do the plans satisfy the applicable portions of the general criteria contained in the United States Secretary of the Interior's Standards for Rehabilitation then in effect or as they may be revised from time to time? The current version of the Secretary's Guidelines provides as follows:

Response: This section has been omitted, as it does not apply to wholly new construction.



City Of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1687

MEMORANDUM DATE: April 27, 2012

AGENDA DATE: May 9, 2012

TO: Chair and Members of the Historic Resources Preservation Board

FROM: Kelly M. Christensen, Preservation Planner
Department for Community Sustainability

RE: 302 North Lakeside Drive

TITLE: HRPB Project Number 12-00100066: Consideration of a Certificate of Appropriateness (CoA) for new construction on the subject property located **302 North Lakeside Drive**; PCN# 38-43-44-21-15-430-0010. The subject property is a vacant lot within the Old Lucerne Local Historic District.

BACKGROUND:

The application for a CoA is a request for construction of a new single-family residence on the vacant property located at 302 North Lakeside Drive. At the time the Old Lucerne Local and National Historic Districts were established, the lot was vacant. As a result, the property has a non-contributing designation.

The proposed residence is a two-story building with a contemporary 'tropical' style. Exterior finishes include stucco walls, aluminum impact windows with fixed or operable colonial and bahama shutters, glass block windows, a two-story open rear deck with white aluminum railings and concrete pilasters, and a standing seam metal roof. The site plan includes a driveway, walkway, and rear patio made of concrete pavers laid in a decorative pattern. The backyard will include a pool and fire pit. The entire rear yard will be enclosed with a fence, made alternately of wood and chain link fencing.

The proposed project meets the following development requirements, as per §23.03.03.00 of the City of Lake Worth Municipal Zoning Code for a residence within the Single Family Residential (SF-7) zoning district:

Minimum lot area: 5000 sq. feet
Minimum lot width: 50'
Building Height: 35' and not to exceed two (2) stories
Setbacks: front=20', side=10% of total lot width, rear=5'
Impermeable surface: 75%

1
Exhibit V

Kelly Christensen

From: Thompson, Jeanne (DEP) [jeanne.thompson@state.ma.us]
Sent: Wednesday, May 02, 2012 10:58 AM
To: Kelly Christensen
Subject: FW: HRPB - 302 N. Lakeside application for Certificate of Appropriateness

Categories: Red Category, HRPB

Good Morning Kelly,

I was informed that you are the person who is putting together the packet for the HRPB to review regarding the application for the proposed house at 302 N. Lakeside Drive. This morning I mailed the original copy of my letter - along with a picture - to Mr. Manuel Occhiogrosso. Below is a copy of my letter regarding the proposed plans however the picture which shows the size, scale and style of my home is only contained in the letter sent in the mail. I included the picture of my home so that the Board can consider existing visual and aesthetic character and compatibility when reviewing building plans within the Old Lucerne Historic District. Please include the copy of my letter below when you prepare the packet for the Board.

Thank you for your assistance.

Jeanne L. Thompson

From: Thompson, Jeanne
Sent: Wednesday, May 02, 2012 9:00 AM
To: 'Gestalt Design'
Subject: RE: HRPB - 302 N. Lakeside application for Certificate of Appropriateness

Mr. Occhiogrosso,

Below is a copy of my letter regarding proposed building plans for the vacant lot located at 302 North Lakeside Drive in Lake Worth. The original signed copy of the letter has been mailed to you along with a picture which shows the size, scale and style of my 1920's bungalow which is located diagonally across the street from the site.

Thank you for your consideration of this matter.

Jeanne L. Thompson

Jeanne L. Thompson
4 High Street
Haydenville, MA 01039

Owner of property at:
311 North Lakeside Drive
Lake Worth, Florida 33460

May 1, 2012

Manuel Occhiogrosso, Chair
Historic Resources Preservation Board
City of Lake Worth
1900 2nd Avenue North

Lake Worth, Florida 33461

Dear Mr. Occhiogrosso and Members of the Historic Resources Preservation Board:

I am writing to you to express my concern about the proposed plans of the owners of a vacant lot on the Golf Course side of North Lakeside Drive in Lake Worth, Florida to build a large two story, 4000 square foot home in the Old Lucerne Historic District. I own the property located at 311 North Lakeside Drive which is diagonally across the street from the site. My home is a one story Florida bungalow which was built in the 1920s. I was drawn to Lake Worth and the Old Lucerne Historic District because of the charming and simple old-style homes which have been preserved in this area. This historic area has a walk-able and neighborhood feel to it with views of the Golf Course green space and water views of the Intracoastal Waterway. Most of the homes in this area are small one-story homes with Old Florida style, authentic details and historic charm. The style and scale of the homes in relationship to the land allows for open space and views in-between and around the homes.

It is my understanding that the purpose of The Historic Resources Preservation Board is to protect existing visual and aesthetic character and to ensure compatibility and sensitive development of new construction within historic districts. I am urging you to view the proposed plans for this site with a critical eye toward the size, style and scale of the home. Additionally I urge you to ensure that there will be proper height restrictions and adequate set backs from the street and side lots to enable neighbors to continue to see the Intracoastal Waterway and the green space of the Golf Course as is currently possible with the smaller size and lower roof lines of most of the existing homes along North Lakeside Drive. I strongly urge you to limit building at this site to a one- story, small scale home which is the size and scale appropriate and compatible with the neighboring homes. If a two story home is going to be allowed I request that the Board require that the second floor design be of a smaller scale and stepped back in proportion to the first floor dimensions. Finally, I would urge the board to preserve the historic neighbor character of this area by limiting the use and height of any fencing proposed for this site.

Thank you for your attention to this matter. I appreciate your work in promoting and protecting the valuable historic resources we have in the Old Lucerne Historic District and the City of Lake Worth.

Very truly yours,

Jeanne L. Thompson

Cc: Lynda Mahoney, Chair of Planning and Zoning Board
Andy Amoroso, Commissioner District 3

7/21/2012

To Whom It May Concern ,

At :

The Historical Resource Preservation Board

Recently, I received correspondence in my mailbox, from someone only referred to as a representative of "Help Preserve Our Neighborhood". It refers negatively, to the building of a new home, on the vacant lot at :

302 N. Lakeside Dr., Lake Worth, Fl., 33460

As a longtime homeowner in this neighborhood, I would like to give my most heartfelt recommendation;

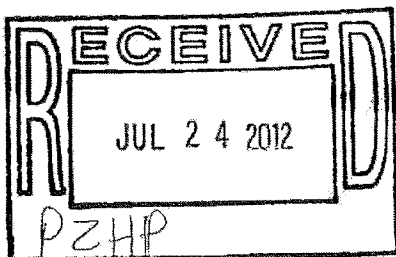
" for your approval "

of this homebuilding project.

A vacant lot, with a construction company's sign, may help bring business to a relater's office next door, or a construction company, but I think this well designed home would be a much more preferable asset to our community.

Secondly, to have the Hulett Family, longtime South Florida residents, well established business owners and pinnacles of our society, establish homeownership in our neighborhood, would also certainly be an asset to any community.

I have conflicting events, which won't let me attend your meeting on August 8th, but I hope this letter will represent my desires.



Sincerely,

John H. Kohsiek
John H. Kohsiek
611 N. Lakeside Dr.

COPY

Judith Ann Just
Attorney, P.A.
306 N. Lakeside Drive
Lake Worth, Florida 33460
Tel. (561)547-0549 – Fax (561)214-4788

July 15, 2012

Andy Amoroso, Commissioner
City of Lake Worth
7 N. Dixie Hwy.
Lake Worth, FL 33460

Re: HRPB Project Number 12-00100066

Dear Mr. Amoroso:

Attached are copies of a) page 3 of the City of Lake Worth Building, Planning and Zoning Department Application for Certification of Appropriateness, b) a letter I received from the State of Florida Commission on Ethics regarding Wes Blackman's role as it relates to the above referenced HRPB matter and c) the relevant paragraph from CEO11-6.

Florida statutes 112.313(1), 112.313(7)(a), and CEO 11-6 confirm Mr. Blackman's personal employment and/or contractual relationships with the clients in this project, while serving on an advisory board which regulates the proposed construction project, constitutes a prohibited act.

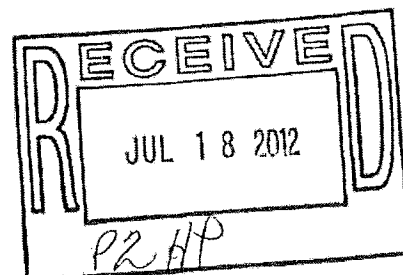
Mr. Blackman's employment on this project has impeded his full and faithful discharge of his public duties. His subsequent recusal during the HRPB vote on the matter, after he has completed the purpose behind his personal employment contract on this project, is not sufficient.

As our district representative I urge you to intervene. Please request that Mr. Blackman immediately resign or be removed as a HRPB member and/or any city advisory board which regulates the referenced project, otherwise I will be compelled to file a complaint with the state's ethics commission.

Very truly yours,


Judith Just

cc
Wes Blackman
Michael Bornstein, City Manager
Pam Triolo, Mayor
Scott Maxwell, Commissioner
Suzanne Mulvehill, Commissioner
Christopher McVoy, Commissioner
Manny Ochiogrosso, Chairperson HRPB
William Waters, Director for Community Sustainability



**CITY OF LAKE WORTH
BUILDING, PLANNING AND ZONING DEPARTMENT
APPLICATION FOR CERTIFICATION OF APPROPRIATENESS**

If approved, a CA/COA is valid for 12 months from the date of approval.

Project Name: Single Family Residence
Address or General Location: 302 North Lakeside Drive
Lake Worth, FL 33460

PART ONE - APPLICANT INFORMATION:

APPLICANT

Name: Tim & Elizabeth Hulett
Address: 108 Bloomfield Drive
West Palm Beach, FL 33405
Telephone Number: 561-602-6241

AGENT

Name: Brower Architectural Assoc. & Wes Blackman
Address: 350 S County Rd, Ste 207 241 Columbia Dr
Palm Beach, FL 33480 Lake Worth, FL 33460
Telephone Number: 561-659-1948 561-308-0364

OWNER (if other than applicant)

Name: Hector Cabrera
Address: PO Box 412
Lake Worth, FL 33460
Telephone Number: _____

Applicant is: Owner [☐] Lessee [☐] Other Buyer

Susan Horovitz Maurer
Chair

Morgan R. Bentley
Vice Chair

Matthew F. Carlucci

I. Martin Ford

Jean M. Larsen

Linda McKee Robison

Edwin Scales, III

Robert J. Sniffen

Stanley M. Weston



State of Florida
COMMISSION ON ETHICS
P.O. Drawer 15709

Tallahassee, Florida 32317-5709

3600 Maclay Boulevard South, Suite 201
Tallahassee, Florida 32312

Virilindia Doss
Executive Director

C. Christopher Anderson, III
*General Counsel/
Deputy Executive Director*

(850) 488-7864 Phone

(850) 488-3077 (FAX)

www.ethics.state.fl.us

"A Public Office is a Public Trust"

July 2, 2012

Ms. Judith Just
306 N. Lakeside Drove
Lake Shore, FL 33460

Dear Ms. Just:

This is in response to your fax of June 27, in which you ask whether an appointed member of a historical district advisory board may "hire out his services" to assist a private party in seeking approval from the same advisory board for a proposed construction project.

Pursuant to Section 112.322(3), Florida Statutes, only the public officer or employee or candidate whose conduct is at issue has standing to request an opinion from the Commission on Ethics. Therefore, I cannot give you an opinion on whether any particular conduct would violate the Code of Ethics for Public Officers and Employees; I can only offer general information about the applicable statutes.

Section 112.313(1), Florida Statutes, provides:

DEFINITION.—As used in this section, unless the context otherwise requires, the term "public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

Section 112.313(7)(a), Florida Statutes, provides:

CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee . . . ; nor shall any officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private

Ms. Judith Just
July 2, 2012
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interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

This provision generally prohibits a public officer or employee from having a contractual or employment relationship with businesses doing business with, or regulated by, his agency. However, there are a number of exceptions to the law, and determining whether a business is regulated by or doing business with the official's agency requires a detailed review of the facts. The law also prohibits contractual relationships which would actually tempt the official to disregard his public responsibilities in favor of his private interests. Again the determination of whether that is the case requires a detailed review of the facts.

The Commission has a number of opinions related to employment or contractual relationships which you may find informative. I would direct you especially to CEO 11-6, and the opinions cited therein. The Commission's opinions are accessible at www.ethics.state.fl.us.

I hope you will find this information helpful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Virlindia Doss".

Virlindia Doss
Executive Director
Florida Commission on Ethics

VAD/bd

CEO 11-06 - August 3, 2011

CONFLICT OF INTEREST; VOTING CONFLICT**CITY PLANNING AND ZONING BOARD MEMBER PLANNER
AND LANDSCAPE ARCHITECT IN FIRM REPRESENTING CLIENTS
IN DEVELOPMENT, PERMITTING, AND SIMILAR MATTERS***To: Mr. Keith Pelan (Vero Beach)***SUMMARY:**

No prohibited conflict of interest under Section 112.313(7)(a), Florida Statutes, would be created were a city planning and zoning board member or his firm to work for a client on a matter that might, in the future, come before the board. Also, a prohibited conflict would not be created under the first part of Section 112.313(7)(a) if a client of the firm who has work performed under the professional licensure of the member to apply for action by the board. In such a situation, the member would hold employment or a contractual relationship with the client, a business entity, but the client would not be subject to the regulation of the board as prohibited by the statute. However, a prohibited conflict would be created were the member's firm to work on a matter for a client after the matter becomes a matter before the board, regardless of whether the member works on the matter for the client. Also, a prohibited conflict would be created were the member, or his firm, as developers and not for clients, to apply to the board or have a matter before the board and appear before the board. CEO 10-24, CEO 08-8, CEO 96-1, CEO 94-37, CEO 93-36, CEO 88-40, CEO 87-39, CEO 81-84, CEO 81-20, CEO 78-86, and CEO 77-126 are referenced.¹

QUESTION 1:

Would a prohibited conflict of interest be created were you or your firm to work for a client on a matter that might, in the future, come before the city planning and zoning board of which you are a member?

This question is answered in the negative.²

By your letter of inquiry, we are advised that recently you were appointed to the Planning and Zoning Board (PZB) of the City of Vero Beach.³ In addition, you advise that PZB responsibilities include site plan approval for projects of a certain size, based on size criteria established in the City's land development code (with site plan approvals being final at the PZB level unless they are appealed to the City Council); authority to approve conditional use requests for various land uses and authority to grant special exception requests for reduction of parking requirements (with conditional use approvals and special exception approvals being final at the PZB level unless appealed to the City Council); and review of proposed amendments to the City's land development regulations and its comprehensive plan (with this review being advisory to the City Council). Further, you advise that within approximately the next few months, the City Council intends to charge the PZB with the duties of a board of adjustment, thereby adding general review of variance applications and other technical appeals of City Manager decisions to the PZB's duties (with such decisions of the PZB being final, unless appealed to the City Council).

Also, you advise that you are a planner and a licensed landscape architect in a multi-discipline firm which provides professional services to developers and others, including landscape architecture services, planning services, civil engineering services, land surveying services, and environmental design and permitting services. Additionally, you advise that your firm often is retained by clients to provide such services in regard to different types of particular land development projects, or in regard to representing clients in what you describe as "legislative matters," such as ordinance amendments, rezonings, and comprehensive plan amendments. Further, you advise that in most situations your firm is one of a number of different consultants that may be serving the client on a project, with the consultants other than your firm providing services such as architectural services, legal services, or other engineering services (e.g., structural or mechanical engineering services).

In addition, you advise that the typical process of a design project includes initial site investigations, preliminary design, and possible pre-application meetings with various permitting agencies, including the City. Also, you advise that your firm may provide many months of various design and permitting services for the client before any type of formal application would be submitted to the City or would reach the level of PZB consideration, that the nature of land development projects is that they are constantly changing, and that many times clients may terminate projects, for reasons of financial feasibility or permitting, prior to the projects ever reaching consideration by the PZB.

Section 112.313(7)(a), Florida Statutes,⁴ is relevant to your inquiry; it provides:

CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP. - No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee . . . ; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Section 112.313(7)(a) has two parts. The first part prohibits a public officer (e.g., a planning and zoning board member) from having or holding employment or a contractual relationship with another public agency or with a business entity if the agency or entity is subject to the regulation of or is doing business with the officer's public agency. The second part prohibits a public officer from having or holding any employment or any contractual relationship that would create a continuing or frequently recurring conflict between the officer's private interests and the performance of the officer's public duties or that would impede the full and faithful discharge of the officer's public duties. However, in order for a prohibited conflict to exist under either part of the statute, there must be an adequate intersection of the private interests of the officer and the functions, duties, or subject matter of his public agency.

In the instant situation, we find such an intersection would not exist, and, thus, that no prohibited conflict would be created for you, were your firm merely to work for a client on a matter that might, in the future, come before the PZB. See, for example, CEO 81-84, in which we said:

As a general rule, we do not believe that every person whose private employment involves real estate sales, land development, or contracting should be prohibited from serving on a planning commission. Local communities should not be deprived of the opportunity either to appoint to their planning commissions persons with substantial knowledge or expertise in the area of land development or to appoint persons reflecting the entire spectrum of opinions regarding development. It is

only in situations where the member's private interests are substantial and would be substantially affected by the commission's work, that he should not be permitted to serve on the planning commission.

Question 1 is answered accordingly.

QUESTION 2:

When, or under what circumstances, would your firm's work for a client intersect with the functions or subject matter of the PZB such that a prohibited conflict of interest would be created for you under Section 112.313(7)(a)?

This question is answered as set forth below.

As stated earlier, the first part of the statute is triggered when a public officer holds employment or a contractual relationship with a business entity which is subject to the regulation of the officer's public agency. Thus, in order for the prohibition of the first part to apply, you personally, not just your firm or another member of your firm, must hold employment or a contractual relationship with a particular client,⁵ and the client must be "regulated"⁶ by the PZB,⁷ your "agency."

Regarding the issue of which clients of your firm you would hold employment or a contractual relationship with, we do not find that you would hold such with all clients of your firm merely because they are the firm's clients. Rather, we find your situation to be analogous to that of, for example, a licensed insurance agent. That is, we find that you would hold employment or a contractual relationship with your firm and with any client of your firm who has work performed under professional licensure personal to you. See, for example, CEO 94-37 (city councilman officer, director, stockholder, and employee of insurance agency clients of which do business with city); and see CEO 08-8 (county commissioner engineer doing business in county).⁸ Thus, we find that you would hold employment or a contractual relationship with any client of your firm who has work handled under licensure personal to you.⁹

Next, under the first part of the statute, the issue is whether, and when, a given client of your firm who has work performed under your licensure is/becomes regulated by the PZB such that the prohibition would apply.

We find that were a client of yours to apply for or receive a variance, approval, or similar action from the PZB, that such application or receipt would not trigger applicability of the first part of the statute to you. Rather, we find, under the particular situation presented in your inquiry, that it is appropriate to apply Section 112.316, Florida Statutes,¹⁰ as we did in CEO 77-126. In CEO 77-126, which presented a situation in which the functions of a city planning board included amendment of the city's master development plan, submittal of proposed changes to the city's zoning plan, approval of deviations from the plan, approval of changes of use of property, and approval of proposed construction, we relied on Section 112.316 to determine that while clients of an architect member of the board might have a need to access the functions of the board, as might other landowners in the city, that such "incidental or passive regulation" should not create a prohibited conflict for the member under the first part of Section 112.313(7)(a). Rather, we found that such situations more properly fell within the provisions of the voting conflicts law, Section 112.3143, Florida Statutes, in essence finding that what could commonly be seen as "regulation" was not the type of government activity encompassed by the statute. Thus, for purposes of the first part of Section 112.313(7)(a), we find that the functions of the PZB do not constitute regulation supportive of a prohibited conflict.

Nevertheless, the discussion above does not end our inquiry, inasmuch as Section 112.313(7)(a) contains a second part, a part embodying prohibitions not dependent on "regulation" or professional/client privity. Rather, the second part prohibits a public officer from having or holding any

employment or any contractual relationship, if it logically, or in reality, would create a substantial conflict or would impede the performance of public duty. In particular, we have found the second part applicable when a public officer, or other members of his professional firm, represented clients before the officer's public board. See, for example, CEO 77-126 (member of city planning board privately representing as architect clients before the board), CEO 78-86 (board of adjustment member occasionally representing clients before board of adjustment), CEO 88-40 (city council member or partners of his law firm representing clients before city council), and CEO 96-1 (law firm of which electric authority member is "of counsel" representing clients before authority). Further, we have found that such a conflict does not evaporate, in a situation where the firm of a public officer does work for the client on the matter, merely because the firm does not go on to appear for the client before the officer's assembled public board. See CEO 10-24 (Question 1). In essence, we have found that a prohibited conflict of interest is created under the second part of the statute when a public officer's firm does work on a matter that is before his public board. Thus, in your situation, we find that a prohibited conflict would be created were your firm to work on a matter for a client after the matter becomes (through original filing, "appeal" from City staff decisionmaking, or another mechanism) a matter before the PZB, even if a firm unrelated to your firm represents the client before the PZB; but we find that no such conflict would be created were your firm to terminate its relationship with the client on the matter before the matter becomes a PZB matter. See CEO 10-24 (Questions 1 and 3).¹¹

Question 2 is answered accordingly.

QUESTION 3:

Would a prohibited conflict of interest be created under Section 112.313(7)(a) were you, outside of involvement with your firm, or your firm to seek (as a developer/owner and not for a client) to develop property in the City requiring site plan approval or other approval by the PZB?

Question 3 is answered in the affirmative, if you or a member of your firm were to appear before the PZB.

While, under the reasoning of Question 2 above, such a situation would not create a prohibited conflict of interest for you under the first part of Section 112.313(7)(a), we find that it would be conflicting under the second part of the statute, if you or a member of your firm were to appear before the PZB.¹²

Question 3 is answered accordingly.

QUESTION 4:

Will you be presented with a voting/participation conflict of interest under Sections 112.3143(3)(a) and 112.3143(4), Florida Statutes, regarding measures/matters/votes of the PZB concerning clients of your firm?

Question 4 is answered in the affirmative.¹³

ORDERED by the State of Florida Commission on Ethics meeting in public session on July 29, 2011 and **RENDERED** this 3rd day of August, 2011.

Robert J. Sniffen, Chairman

^[1]Prior opinions of the Commission on Ethics may be obtained from its website (www.ethics.state.fl.us) or may be obtained directly from the Commission.

^[2]Herein, we have restated and renumbered the questions presented in your letter of inquiry. Our intent in so doing is not to alter the substance of your inquiries; rather, our intent is to provide more complete advice to you. Nevertheless, should additional questions need our or our staff's attention in the future, please feel free to contact us further.

^[3]You describe PZB seats, including your seat, as "non-designated," meaning that one is not required to have a particular expertise or a particular affiliation in order to qualify for appointment.

^[4]Section 112.313(7)(b), Florida Statutes, which can negate an otherwise prohibited conflict under Section 112.313(7)(a), due to a law's or ordinance's designation of certain specific professional or similar characteristics required to hold a position, apparently is not relevant to your inquiry, inasmuch as you advise that PZB seats are not so designated. Section 112.313(7)(b) provides:

This subsection shall not prohibit a public officer or employee from practicing in a particular profession or occupation when such practice by persons holding such public office or employment is required or permitted by law or ordinance.

^[5]It appears likely that many, if not all, clients of your firm would be "business entities," defined in Section 112.312(5), Florida Statutes, to mean

any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.

^[6]The "doing business" prong of the first part is not at issue in your inquiry, inasmuch as the scenario you present does not indicate that you, your firm, or its clients would be selling services to the PZB or otherwise would be engaged in similar activity vis-a-vis the City.

^[7]We find that the PZB, and not the City Council, is your agency. See CEO 87-39 ("agency" of town planning and zoning board member), and see Section 112.312(2), Florida Statutes, which provides:

'Agency' means any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; or any public school, community college, or state university.

^[8]Note that we have found that the employment or contractual relationship is anchored in a public officer's licensed work for a client, not in whether the work is in relation to a matter of the officer's public agency. That is, we find that if you perform work under your licensure for a client of your firm, then you have employment or a contractual relationship with that client.

^[9]Apparently, this would include your landscape architecture work for a client, but not your planner work.

^[10]Section 112.316 provides:

CONSTRUCTION.- It is not the intent of this part, nor shall it be construed, to prevent any officer or employee of a state agency or county, city, or other political subdivision of the state or any legislator or legislative employee from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by such officer, employee, legislator, or legislative employee of his or her duties to the state or the county, city, or other political subdivision of the state involved.

^[11]Our answers herein are not dependent on whether a PZB matter is quasi-judicial or not. Also, abstention from voting and compliance with the voting conflicts law, Sections 112.3143(3)(a) and 112.3143(4), Florida Statutes, as to PZB matters concerning your firm or its clients, while paramount under the voting conflicts law itself, is not relevant to our analysis herein concerning Section 112.313(7)(a); see, for example, CEO 94-5, in which we found that Section 112.313(7)(a) operates independently of the voting conflicts law of Section 112.3143, Florida Statutes.

^[12]We find that your situation is distinguishable from that of CEO 81-20 (city building officials developing property located within city), in which we found that a prohibited conflict under Section 112.313(7)(a) would be obviated if building inspection services were obtained from another (the county's) building department. In your situation, there is no alternative, or substitute, PZB. And, we find your situation to be distinguishable from that of CEO 93-36 (school board member representing another member before property value adjustment board), in which, after finding that the member would be prohibited from representing the other member, we observed that [n]o public officer or employee is prohibited from appearing before any board in an individual capacity as a private citizen, representing his or her own personal interests. However, in your situation, the interests include those of a commercial, development nature, engaged in by natural and legal persons other than yourself in your individual capacity as a private citizen.

^[13]Given our answers earlier in this opinion, the voting conflicts law should only be of actual relevance regarding PZB matters of your firm's clients in which your firm is not working on the PZB matter for the client when the matter is filed with, or is otherwise before, the PZB; otherwise, Section 112.313(7)(a) also would be implicated.

CEO 10-24 – December 8, 2010

**CITY ECONOMIC DEVELOPMENT COMMISSION MEMBER PARTNER
IN LAW FIRM WITH CLIENTS INTERACTING WITH COMMISSION**

To: Jon Phillips, Ethics Counsel, City of Jacksonville

SUMMARY:

A person who is an attorney in a law firm would not have a prohibited conflict of interest under Section 112.313(7)(a), Florida Statutes, were he to become a member of a city's economic development commission, provided that his firm does not work on a client's application for an incentive from the commission; a prohibited conflict under Section 112.313(7)(a) would not be created were a client of the firm to apply to a subordinate board of the commission for a permit, provided a denial of the application by the subordinate board is not appealed to the commission and provided that the firm does not work on the permit application to the subordinate board; and a prohibited conflict would not be created were a client to apply to the subordinate board for a zoning waiver or variance, provided the firm does not work on the waiver/variance matter for the client. In addition, we find that the commission is not an "advisory board" for purposes of Section 112.313(12), Florida Statutes. Also, the member must comply with Section 112.3143, Florida Statutes (the voting conflicts law), regarding votes/measures/matters of the commission concerning himself, his firm, his firm's clients, and certain others, whether or not his firm works on the matter for the client. CEO 74-8, CEO 77-178, CEO 79-82, CEO 80-79, CEO 86-13, CEO 86-24, CEO 96-1, CEO 03-7, CEO 04-6, CEO 06-24, CEO 07-11, CEO 08-1, CEO 08-11, and CEO 10-20 are referenced, and CEO 87-60, CEO 89-29, and CEO 07-13 are distinguished.¹

QUESTION 1:

Would a prohibited conflict of interest be created were a client of a law firm of a member of a city's economic development commission to apply to the commission for or receive from the commission a waiver of part of the client's property taxes or other similar economic incentive?

Question 1 is answered in the negative, unless the firm provides work for the client regarding the incentive application.

By your letter of inquiry and additional information subsequently provided to our staff, we are advised that George Gabel (member) is considered to be a well-suited, possible appointment to the Jacksonville Economic Development Commission (JEDC), due to his partnership in a large, interstate, international law firm and other affiliations.² Further, we are advised that the JEDC is the economic development agency and the community redevelopment agency (CRA) for the City³ and that its primary objectives are to recruit and expand higher-wage opportunities, to increase the growth and expansion of small businesses, to promote private capital investment in the City, to promote and leverage investment in economically-distressed areas, and to promote a healthy and vibrant downtown.⁴

Also, we are advised that one of the law firm's clients is a large, publicly-traded corporation, important to the City's overall economic health, which in the past applied for JEDC-related "incentives,"

such as a waiver of part of the corporation's property taxes for some portion of its property. Such a tax waiver, you advise, can be granted to businesses as part of either a City or State incentive program to keep large employers in the City. More particularly, you advise that applications for incentives are evaluated by JEDC staff and, if approved, are presented by the staff to the JEDC board (commissioners), but that JEDC board votes (decisions) on applications are advisory, with the final decision resting with the City Council.⁵ Additionally, you advise that another lawyer of the member's firm performs work for the corporation, but that the member personally does not, and that, in the past, the corporation also has retained the services of a non-lawyer, salaried employee of the firm (a former City Council member) for the purpose of providing political advice and guidance in applying to the JEDC for incentives. And we are advised that the member would recuse himself from voting on or participating in measures or matters of the JEDC involving any client of the firm.

Thus, pursuant to the foregoing information and history, you inquire whether, should the member be appointed to the JEDC, he would have a prohibited conflict of interest, were the corporation or another client of his firm to apply for such an incentive.

Relevant to this question, is Section 112.313(7)(a), Florida Statutes,⁶ which provides:

CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee . . . ; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Under the first part of Section 112.313(7)(a), a prohibited conflict of interest exists where a public officer (e.g., a city board member) holds employment or a contractual relationship with a business entity (e.g., a corporation) which is subject to the regulation of, or which is doing business with, the officer's public agency. Under the second part of the statute, a prohibited conflict exists where the officer holds any employment or contractual relationship, if the employment/contractual relationship will create a continuing or frequently recurring conflict between the officer's private interests and the performance of his public duties or if it would impede the full and faithful discharge of his public duties.

In the instant situation, we find that the member would hold employment or a contractual relationship with the corporation (or with any other client of his law firm which might seek to receive a JEDC-based waiver of taxes or similar incentive), regardless of whether the member personally works on the client's matters. See, for example, CEO 80-79 and CEO 10-20, in which we found, recognizing pertinent caselaw, that an attorney in a law firm (other than an "of counsel" attorney) has employment or a contractual relationship with all clients of the firm. Further, we find that the corporation (and likely any other client of the firm which would seek an incentive) would be a "business entity" under the applicable statutory definition of Section 112.312(5), Florida Statutes, which includes ". . . any corporation . . . doing business in this state."

However, we do not find that the corporation or other client of the firm would, by virtue of seeking or obtaining a waiver of taxes or similar incentive, be either regulated by or doing business with the JEDC or with the City. In order for "regulation" to exist, we have found that a business's operations

or modes of doing business must be subject to the control or authority of a public agency. CEO 74-8. Here, such control or authority is lacking; rather, the instant situation (granting of a partial property tax waiver—incentive) is analogous to that of CEO 04-6, in which we did not find "regulation" by a city council of a private economic development entity to exist where the city council appropriated funds for the entity's use. Also, we have not found "regulation" where the government role was annexation (CEO 03-7) or where the government role was occupational tax licensing for revenue purposes (CEO 79-82). Further, we do not find that the corporation or other client of the member's firm would be "doing business with" the JEDC by virtue of the tax waiver or similar incentive. We have found "doing business" to exist where the parties have entered into a lease, contract, or other type of arrangement where one party would have a cause of action against the other in the event of a breach or default. CEO 86-24 and CEO 07-11. Assuming arguendo that the JEDC would be a "party" to a granting of a tax waiver or similar incentive by the City Council, nothing presented in your inquiry indicates that a potentially actionable arrangement would result from the waiver. Rather, we view the waiver of taxes as analogous to the appropriation of city funds to the economic development entity in CEO 04-6 (a situation in which we found neither "regulation" nor "doing business" to exist).

Regarding the second part of the statute, we find that a prohibited conflict also would not be created for the member, provided that his firm does not represent the client in the client's JEDC incentive matter. We have found the second part to prohibit a public officer, or other members of his professional firm, from representing clients before the officer's public board (see, among others, CEO 96-1 and opinions cited therein). And while opinions of ours can be read to emphasize that such a prohibited conflict is based in the appearance of the public officer or a member of his private firm before the assembled public board, our decisions also recognize that such a prohibited conflict is grounded in the impediment to the objective performance of one's public duty occasioned by his firm's representation of its client intersecting the functions of the public board on which he sits, even if the officer's work for his firm does not involve advising the firm or its clients about matters of his public board. See CEO 96-1 (Question 1), an opinion concerning a member of the Jacksonville Electric Authority (JEA) who had a "special counsel" or an "of counsel" relationship with a law firm which represented bond underwriters on JEA bond issues, in which we stated:

Therefore, we find that, because of the Board member's close, regular and continuing relationship with the law firm and duty of loyalty to the clients of the law firm, a prohibited conflict of interest under the second part of Section 112.313(7)(a) would exist when the law firm appears before the JEA on behalf of a client, notwithstanding that the Board member's special counsel position does not entail advising the firm about JEA bond issues, projects, or contracts. An impediment to public duties could exist for the Board member to favor the law firm or the client (his private interests) and to disregard his public duty to act independently and impartially in the best interests of the JEA, when the firm's representation of the client involves the JEA. [Emphasis supplied.]

Regarding the instant situation, there is no doubt that the member, as a partner in the firm, would have a close, regular, and continuing relationship with his law firm and a duty of loyalty to the firm's clients seeking JEDC incentives via the firm's efforts. And we find that such a reality would create the "wearing of the second hat" or the "inability to simultaneously serve two masters in relation to the same subject," which is the essence of a prohibited conflict under the statute. *Zerweck v. State Commission on Ethics*, 409 So. 2d 57 (Fla. 4th DCA 1982). In other words, we are not persuaded that there is a meaningful difference under the second part of the statute between a situation in which a public board member's law firm undertakes representation of a client in a matter involving application to the member's public board, but stops short of appearing before the assembled board, and a situation where

the firm goes on to appear before the assembled board, especially where the firm might communicate with staff of the board, prepare or strategize applications or paperwork submitted directly to the board or to its staff, and/or attend board meetings to be available for questions. Further, we find that the instant situation is distinguishable from that of CEO 89-29, in which we found that a city commission member's employment as executive director of a chamber of commerce lobbying the city commission was not conflicting if her chamber role was devoid of lobbying the city commission and devoid of chamber activities encompassing lobbying the city commission. Contrastingly, the current scenario would involve, were the firm to work on the incentive matter for its client, a licensed person (attorney) bound by professional duties to a client of his firm and would involve his firm's working for the client on a specific matter which simultaneously is a matter of his public board; it is not a situation involving an unlicensed person working generally for an umbrella organization of businesses.

Accordingly, we find that a prohibited conflict of interest would not be created for the member under Section 112.313(7)(a), Florida Statutes, were a client of his law firm to seek a JEDC incentive, provided the firm does not work on the incentive, including but not limited to not appearing for the client before the JEDC board.

QUESTION 2:

Is the JEDC an "advisory board" such that a conflict, if any were present, under Section 112.313(7)(a), Florida Statutes, is susceptible to waiver under Section 112.313(12), Florida Statutes?

Question 2 is answered in the negative.

Section 112.313(12) provides,⁷ in relevant part:

(12) EXEMPTION.—The requirements of subsections (3) and (7) as they pertain to persons serving on advisory boards may be waived in a particular instance by the body which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative vote in favor of waiver by two-thirds vote of that body. In instances in which appointment to the advisory board is made by an individual, waiver may be affected, after public hearing, by a determination by the appointing person and full disclosure of the transaction or relationship by the appointee to the appointing person.

Section 112.312(1), Florida Statutes, defines "advisory body" as follows:

'Advisory body' means any board, commission, committee, council, or authority, however selected, whose total budget, appropriations, or authorized expenditures constitute less than 1 percent of the budget of each agency it serves or \$100,000, whichever is less, and whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relating to its internal operations.

However, for purposes of waiver under Section 112.313(12), we have found that the Legislature intended this exemption to apply to boards (in a generic sense) whose powers

and authority are advisory, without regard to the size of a board's budget. See CEO 77-178.

We find that the JEDC is not an "advisory board" and thus that waiver, if waiver were needed, is not available. Notwithstanding that we found in CEO 87-60 that a predecessor entity of the JEDC [the Economic Development Council of the City of Jacksonville (EDCCJ)] was advisory and, thus, that waiver was available, we find that the JEDC is different. The entity at issue in CEO 87-60 was created by executive order of the Mayor and operated through ad hoc committees. In contrast, the JEDC's existence is more "institutionalized" via provisions of the City Charter, and its powers and duties do not appear to us to be merely advisory in nature, especially given the fact that it functions, inter alia, as the community redevelopment agency (CRA) for the City and given the fact that it has combined powers of several predecessor entities.⁸ City Charter provisions provide, in part:

There is created and established an autonomous body within the office of the mayor which shall be known as the Jacksonville Economic Development Commission. The commission is designated as the sole community redevelopment agency for the city according to part III, chapter 163, Florida Statutes. The commission shall serve as the city's only countywide industrial development authority with authority over all economic development functions within the City of Jacksonville. [Section 24.01, Jacksonville, Florida, Code of Ordinances.]

The commission shall operate with all the powers and authority of a community redevelopment agency under part III, chapter 163, Florida Statutes, as an industrial development authority under part III, chapter 159, Florida Statutes, and is authorized to function throughout all of the territorial limits of the City of Jacksonville, Florida, as its only community redevelopment agency and only industrial development authority. As the city's sole community redevelopment agency, the commission shall be successor to and hereafter exercise all authority, power and responsibility which has heretofore been vested by resolution or ordinance of the council in either the Jacksonville Downtown Development Authority or the Jacksonville International Airport Community Redevelopment Authority. While it is intended that the commission shall have city-wide authority as both the city's industrial development authority and community redevelopment agency, the commission must secure council approval consistent with those powers and duties specifically retained by the council in Section 30.705 of the code and as required by part III of chapter 159 and part III of chapter 163, Florida Statutes. [Section 24.07, Jacksonville, Florida, Code of Ordinances.]

Further, Chapter 163, Florida Statutes, itself supports the view that a CRA is not just advisory,⁹ providing in part:

Upon a finding of necessity as set forth in s. 163.355, and upon a further finding that there is a need for a community redevelopment agency to function in the county or municipality to carry out the community redevelopment purposes of this part, a county or municipality may create a public body corporate and politic to be known as a 'community redevelopment agency' [Section 163.356(1), Florida Statutes.]

. . . . the members of the agency . . . constitute the head of a legal entity, separate, distinct, and independent from the governing body of the county or municipality [Section 163.357(1)(b), Florida Statutes.]

Accordingly, we find that the JEDC is not an advisory board regarding which waiver, if waiver were needed, is available under Section 112.313(12), Florida Statutes¹⁰.

QUESTION 3:

Would a prohibited conflict be created were a client of the member's law firm to apply to a subordinate board of the JEDC for a permit?

Question 3 is answered in the negative, provided that there is no appeal to the JEDC of the application decision of the subordinate board and provided that the firm does not provide work for the client regarding the application to the subordinate board.

In addition to the information set forth above, you advise that the Downtown Development Review Board (DDRB) is a subordinate board of the JEDC, that the DDRB has some permitting and zoning functions limited to the downtown area of the City (e.g., operating a sidewalk café downtown would require a permit from the DDRB), and that the permitting functions of the DDRB are "carried out entirely by its staff." Further, you advise that an appeal of a denied permit application could go from the DDRB to the JEDC board (the board the member would hold a seat on), but that such an appeal is "theoretical," in that it only has happened once in several years and in that it is not anticipated that any of the firm's clients would have any reason to apply for a DDRB permit or any reason to appeal denial of a permit to the JEDC. Additionally, you advise that any vote by the JEDC on an appeal would be advisory only, with the final decision on the matter resting with the City Council (under a de novo standard of review by the Council with no presumption of correctness attaching to the JEDC's handling of the matter).

Again, Section 112.313(7)(a), Florida Statutes, quoted above, is relevant.

Concerning permits from the DDRB, for example, to operate a sidewalk café, were we to consider Section 112.313(7)(a) in isolation, we could find that a prohibited conflict would be created for the member under the first part of the statute were a client of his firm to apply for or receive such a permit. In this circumstance, the member (a public officer) would hold a contractual relationship with the client (a business entity operating the café), and the client would be subject to the regulation of the JEDC (via the functioning of its subordinate board, the DDRB). See CEO 08-1, recognizing that a city's board of adjustment regulated a developer via the board's ability to grant conditional uses and variances sought by the developer, a situation analogous to the ability to grant a café permit.¹¹

However, we believe it is not appropriate to consider Section 112.313(7)(a) in isolation regarding this Question, but, rather, to consider the statute in conjunction with Section 112.316, Florida Statutes, also a part of the Code of Ethics, which provides:

CONSTRUCTION.—It is not the intent of this part, nor shall it be construed, to prevent any officer or employee of a state agency or county, city, or other political subdivision of the state or any legislator or legislative employee from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by

such officer, employee, legislator, or legislative employee of his or her duties to the state or the county, city, or other political subdivision of the state involved.

Unless there is an appeal of a client of the firm's subordinate board matter to the JEDC, or unless the firm does work for the client on the subordinate board matter, we find that it is appropriate to find, in regard to this Question, that Section 112.316 applies to negate the conflict, given the separation, in the main, between the functions of the JEDC and the functions of its subordinate board regarding such permits.

Question 3 is answered accordingly.

QUESTION 4:

Would a prohibited conflict be created were a client of the member's firm to apply to the DDRB for a zoning waiver or variance?

Under the circumstances presented and the conditions noted herein, Question 4 is answered in the negative.

Further, we are advised that the DDRB also functions similar to the City Planning Commission within the geographical area of the DDRB, in that, for example, DDRB staff handle applications for zoning waivers and variances, but that appeals from DDRB zoning variance or waiver decisions go straight to the City Council (for de novo review) and that they do not go to the JEDC.

Section 112.313(7)(a) is relevant. We find that a prohibited conflict would not be created under the first part of the statute were a client of the member's firm to seek or obtain a zoning waiver or variance from the DDRB. Notwithstanding the sharing of the permitting function by the DDRB and the JEDC (see Question 3, above), the scenario presented does not indicate that the JEDC has any function regarding zoning waivers and variances. Thus, we find no prohibited conflict under the first part of the statute, relying on Section 112.316, Florida Statutes, due to the JEDC's lack of an actual role regarding waivers and variances. Again, Section 112.316 provides:

CONSTRUCTION.—It is not the intent of this part, nor shall it be construed, to prevent any officer or employee of a state agency or county, city, or other political subdivision of the state or any legislator or legislative employee from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by such officer, employee, legislator, or legislative employee of his or her duties to the state or the county, city, or other political subdivision of the state involved.

Under the second part of Section 112.313(7)(a), we also find no prohibited conflict, provided that the firm does not provide work for the client regarding the zoning waiver/variance¹².

Question 4 is answered accordingly.¹³

ORDERED by the State of Florida Commission on Ethics meeting in public session on December 3, 2010 and **RENDERED** this 8th day of December, 2010.

Roy Rogers, Chairman

^[1] Prior opinions of the Commission on Ethics may be obtained from its website (www.ethics.state.fl.us) or may be obtained directly from the Commission.

^[2] We are advised that the law firm represents a variety of business entities and has more than one hundred practice areas; that the member is active with the local Chamber of Commerce in the promotion of the City's business opportunities to national and multinational corporations; and that, as a City native, the member has a keen interest in attracting appropriate businesses to locate and stay in the City.

^[3] We are advised that the JEDC has a budget of around ten million dollars and a salaried staff of seventeen employees, but that its members (commissioners), who are appointed by the Mayor with City Council approval, serve in a volunteer, unpaid capacity. In addition, we are advised that the commissioners have no authority to hire or fire JEDC staff, that the commissioners serve in an advisory capacity with respect to certain contracts, but that all JEDC-related contracts must be approved by the City Council in order to take effect, resulting in a situation in which the JEDC board has the ability to give advice to the City Council about expenditures of public funds but has no authority to spend money without Council approval.

^[4] You advise that the JEDC exists to help promote overall economic health throughout Duval County, that it oversees the administration of local and State incentives to businesses, the redevelopment of an airfield, and the administration of sports and entertainment programs. Thus, you maintain, "[t]here is . . . complete unity between the City's and [the member's] business goals."

^[5] You advise that, in the past, there have been occasions where an attorney of the member's firm or a non-lawyer of the member's firm communicated, either telephonically or in-person, with JEDC staff regarding a proposed incentive; that such communications were not adversarial; and that, generally, no person from the firm appeared in front of the JEDC at a board meeting, although there were occasions where someone from the firm was in attendance at a board meeting and was available to answer any questions from the board.

^[6] Section 112.313(3), Florida Statutes, is not in need of treatment by us, inasmuch as a tax waiver or similar "incentive" to the corporation or another client of the member's firm would not amount to the City or any agency of the City purchasing, renting, or leasing any realty, goods, or services from the corporation or other client, and would not constitute a rental, lease, or sale from any person or entity to the City or an agency of the City. Rather, private entities would be obtaining the incentive from the City. However, should the member be appointed to the JEDC and if, in the future, the substance or character of a particular "incentive" sought by the corporation or another of the firm's clients includes provision of some realty interest, goods, or services to the City, you, or the member, should contact us or our staff for further advice regarding Section 112.313(3). The statute provides:

DOING BUSINESS WITH ONE'S AGENCY.—No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer's or employee's spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer's or employee's own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator's place of business or when such offices are on property wholly or partially owned by the legislator. This subsection shall not affect or be construed to prohibit contracts entered into prior to: (a) October 1, 1975. (b) Qualification for elective office. (c) Appointment to public office. (d) Beginning public employment. [Section 112.313(3), Florida Statutes.]

^[7] CE Form 4A is used when waiver is applicable.

^[8] We are advised that in 1997, the EDCCJ was folded into the new JEDC, along with the Jacksonville International Airport Community Redevelopment Authority, with this change also replacing the Downtown Development Authority, which was reconstituted as an advisory board to the JEDC; and that the Cecil Field Development Commission, too, was folded into the JEDC in 1997.

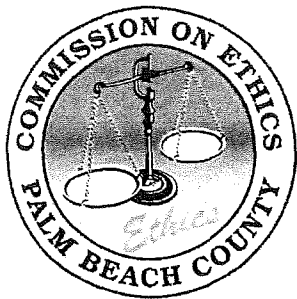
^[9] And see, *inter alia*, Sections 159.45 and 159.47, Florida Statutes, regarding industrial development authorities.

^[10] In making this finding, we have not overlooked the information you provided that any likely incentive from the JEDC to a client of the member's firm would not involve the CRA functions of the JEDC. However, we find that the exemption requires that the board or body (the whole of its attributes and operations) be "advisory," not merely some of its nature. And here, we also do not find that the non-advisory attributes of the JEDC are limited to its CRA functions.

^[11] Whether a given conduct or action of a government entity constitutes "regulation," what "agency(s)" are engaged in the regulation, what government entity(s) are contained within a given agency, and what are the agency(s) of a particular public officer or employee are often complicated, intertwined issues. Here, it is our view, as stated above, that café permitting or similar functions constitute regulation. But, we do not find that the DDRB and the JEDC are separate agencies or that the JEDC is divorced from the regulation because, under the process described, the JEDC has an "appellate" role regarding the permitting. Instead, we find that the DDRB is not a separate agency from the JEDC (for purposes of such permitting), but, rather, that, for the permitting function, the DDRB is within the JEDC. See CEO 06-24 and opinions cited therein. CEO 06-24 and other opinions recognize that for a board to be a separate ("it's own") agency it should possess independent authority and not be solely advisory to another board or body. However, notwithstanding that the DDRB has a partial separation from the JEDC, as more fully discussed in Question 4 below, we do not find that it is as separate from the JEDC regarding the permitting subject matter, given the review function of the JEDC regarding permits and given your description of the DDRB as a board subordinate to the JEDC.

^[12] In including this proviso, we have not overlooked CEO 07-13 (and similar opinions), which found that a city commissioner would not have a prohibited conflict were his law firm to represent a client before city boards other than the city commission. However, we are persuaded that the instant situation differs from that of CEO 07-13, in that the DDRB and the JEDC are more intertwined than were the city commission and the various boards in CEO 07-13.

^[13] We also note the voting conflicts law applicable to local, appointed officials, Sections 112.3143(3)(a) and 112.3143(4), Florida Statutes. The member must comply with these statutes regarding any vote/measure/matter of the JEDC which would affect himself, his firm, any client of his firm, or any other person or entity enumerated in the statutes. In complying, he should utilize and follow the instructions on CE Form 8B. However, should a measure be considered by the JEDC in the capacity of a community redevelopment agency within the meaning of Section 163.356 or Section 163.357, Florida Statutes, Section 112.3143(3)(b), Florida Statutes, would operate not to require the member to abstain from the vote on the measure. The member still would be required to announce his private relationship and file Form 8B. CEO 86-13. Further, the member's voluntarily refraining from any participation in the matter, including not voting (recusal), in order to avoid even the appearance of impropriety, would appear to be in accord with Section 286.012, Florida Statutes. CEO 08-11.



Palm Beach County Commission on Ethics

Commissioners
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Robin N. Fiore, Vice Chair
Ronald E. Harbison
Daniel T. Galo
Patricia L. Archer

Executive Director
Alan S. Johnson

September 13, 2012

Judith Just, P.A.
306 North Lakeside Drive
Lake Worth, FL 33460

Re: RQO 12-058
Conflict of Interest/Land Development

Dear Ms. Just,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion, and rendered its opinion at a public meeting held on September 12, 2012.

YOU ASKED in your submission dated July 26, 2012, whether as a member of the Lake Worth Historical Preservation Board (Preservation Board), you may participate and vote in a matter involving a proposed construction in a vacant lot adjacent to your home, where you have filed objections to the proposed construction. Additionally, you asked whether you may attend and participate as an individual homeowner, should you be required to abstain.

IN SUM, under the facts and circumstances you submitted, you may not participate or vote on this matter. While you remain a member of the Preservation Board, you may not personally participate, notwithstanding your views as an individual homeowner.

THE FACTS as we understand them are as follows:

You have recently been appointed to the Lake Worth Historical Resource Preservation Board (Preservation Board) and currently live in a historic neighborhood (National Register) and have a home which is a contributing property built in 1936. Prior to your appointment, you and your husband filed objections to a proposed construction project in a vacant lot adjacent to your home. Your house is a 1,600 square foot, single family, home built in 1936. The proposed new construction is 35 feet in height, 4,000 square feet, and will be built to within 10.5 feet of your southern wall.

The Preservation Board is a decisional or quasi-judicial board that, among other things, decides whether to approve "certificates of appropriateness" involving construction within certain areas of the City of Lake Worth (the City).¹

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Commission on Ethics Ordinance and Code of Ethics, which took effect on June 1, 2011:

¹ City of Lake Worth Ordinance 2012-17, §23.27.03.03(7)

§2-443(c) Disclosure of voting conflicts. County and municipal officials as applicable shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above. The official shall publicly disclose the nature of the conflict and when abstaining from the vote, shall complete and file a State of Florida Commission on Ethics Conflict Form 8B pursuant to the requirements of Florida Statutes, §112.3143. Simultaneously with filing Form 8B, the official shall submit a copy of the completed form to the county commission on ethics. Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, as set forth in subsections (a)(1) through (7).

§2-443(a) Misuse of public office or employment. An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:

- (1) Himself or herself;
- (2) His or her spouse or domestic partner, household member or persons claimed as dependents on the official or employee's latest individual federal income tax return, or the employer or business of any of these people;

Essentially, an Official may not use his or her official position to obtain a special financial benefit for themselves or their spouse. This prohibition extends to circumstances whereby voting or participating in a matter would constitute a misuse of office based upon that special financial benefit. The COE has previously opined that financial benefit, in the context of the Palm Beach County Code of Ethics, constitutes economic gain or loss.² The question then becomes whether the issue coming before the Preservation Board will result in a special financial benefit, not shared with similarly situated members of the general public. Under the facts you have submitted, the proposed construction is adjacent to your property. It will consist of a 4,000 square foot structure, 35 feet in height and extend to within 10.5 feet of your property line. Currently, the lot is vacant. You and your husband have filed an objection to the project. Under these circumstances, the economic benefit or loss to you is not remote or speculative in nature so as to remove any special financial benefit.³ Therefore, you are required to abstain and not participate in this issue when the matter comes before your board.

Notwithstanding State of Florida voting conflicts laws, the Palm Beach County Code of Ethics (the Code) is more stringent⁴ and requires that an official not only abstain but also not participate in a matter involving a special financial benefit. While you may attend the meeting, you may not participate by expressing your views before the Preservation Board, even in your personal capacity as a resident of the City. As a member of the Preservation Board, if you do attend, you will need to formally abstain and file a State 8B form as required under the Code. This participation prohibition does not extend to your spouse.

² RQO 10-013 (For the purpose of ordinance construction, the commission finds that a financial benefit includes either a private gain or loss).

³ State of Florida CEO Opinion 01-8, June 12, 2001

⁴ See, §112.326, Florida Statutes, allowing local ethics codes to be more stringent than state law

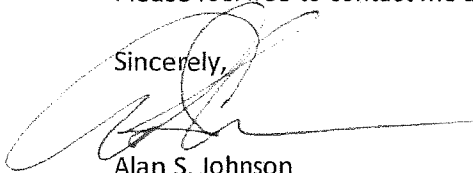
Lastly, an official is prohibited from using his or her official position "to corruptly secure or attempt to secure a special privilege, benefit, or exemption for himself, herself, or others." Corruptly means done with a wrongful intent resulting from some act or omission "which is inconsistent with the proper performance of his or her public duties."⁵ The COE will not opine regarding speculative facts and circumstances; however, voting on an issue "to secure a special privilege, benefit, or exemption" could potentially rise to the level of a violation where there is wrongful intent, even where there is no financial gain or loss. In this instance, you would be voting on your own filed objection.

IN SUMMARY, under the facts and circumstances you submitted, the financial impact to you and your husband stemming from the proposed development is not so speculative or remote as to eliminate a special financial gain or loss. Therefore, as a member of the Preservation Committee, you may not participate or vote on an issue involving a construction project in a vacant lot next door to your 1600 square foot home, which is a contributing property to a nationally registered historic neighborhood. The proposed project consists of a 4,000 square foot structure, 35 feet in height, and 10.5 feet from your property line. You have a pending objection to a certificate of appropriateness, which will be ruled on by your board. Participation includes expressing your views before the Preservation Board in your personal capacity. If you attend the meeting, you may not participate and you will need to formally abstain and file a State form 8B as required by §2-443(c) of the Code.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at 561-233-0724 if I can be of any further assistance in this matter.

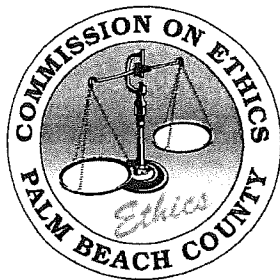
Sincerely,



Alan S. Johnson
Executive Director

ASJ/gal

⁵ Art. XIII, §2-443(b)



Palm Beach County Commission on Ethics

Commissioners

Manuel Farach, *Chair*
Robin N. Fiore, *Vice Chair*

Ronald E. Harbison
Daniel T. Galo

Executive Director

Alan S. Johnson

August 3, 2012

Mr. Kevin J. Foley
12056 SE Birkdale Run
Tequesta, FL 33469

Re: RQO 12-054
Lobbyist Registration Ordinance

Dear Mr. Foley,

The Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting held on August 2, 2012.

YOU ASKED in your submission dated, July 17th, 2012 whether, as a real estate development consultant who spends less than one percent of his consultation time in contact with government officials or staff members, you must register as a lobbyist under the Palm Beach County Lobbyist Registration Ordinance.

IN SUM, a lobbyist is any person who is employed and receives payment, or who contracts for economic consideration for the purpose of lobbying on behalf of a principal. Lobbying is defined as seeking to influence a decision through oral or written communication, or an attempt to obtain the goodwill, of a public official or employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to an advisory board or governing body.

Whether or not a particular individual is captured within these definitions is determined by the specific facts and circumstances of the contact between that individual and public employees and officials. However, where a real estate developer, hired by a principal to develop a project, seeks to influence a decision or obtain a public employee or official's goodwill on a matter which may foreseeably be presented for consideration, he or she would likely fall within these definitions, regardless of how often the developer engages in such activity.

The FACTS as we understand them are as follows:

You have been a real estate developer and real estate development consultant for the past 35 years. You are currently a consultant to Braman Motorcars (Braman) on a variety of real estate related matters, which include, among many things, the acquisition of the Jupiter Dodge/Mazda site (the BMW Project) located in the Town of Jupiter (the Town). This would include its development and anticipated re-redevelopment at the request of BMW and your employer, Braman. As a Braman consultant, the Jupiter BMW Project is one of nine Braman developments with which you are currently involved. You estimate that you spend less than one percent of your Braman consultation time in contact with government officials or their staffs. According to your factual submission, when you do meet with Town

of Jupiter officials or staff members the sole purpose of that communication is the "exchange of information" about Braman's projects and to solicit ideas and comments from officials and staff in order to develop better projects in their communities.

There are unresolved ongoing issues regarding the BMW Project that foreseeably will require government action. On June 5th, you met with Town Councilwoman Harrison, and Planning and Zoning Director, John Sickler, regarding the development of the BMW Project. After this meeting you were contacted by the Town Manager and informed that it appeared as though you were acting as a lobbyist during this meeting and as such you were required to register as a lobbyist through the county lobbyist registration system. After receiving your request for opinion, COE staff contacted the Town Manager for more information. In conversation with the Town Manager, it is his belief that during your meeting with the Town Staff and Councilwoman, you advocated a change in Staff's current position regarding the BMW Project property.

Additionally, you indicated that you have met with Town Officials regarding the purchase of a nearby piece of property by Braman that would seek to alleviate Town development concerns during the time period when Braman would be seeking to develop the subject BMW Project site. Lastly, you indicated that you have appeared in front of the Town Council at public meetings to advocate on behalf of your client, Braman. You are seeking a determination from the Palm Beach County Commission on Ethics (COE) as to whether you are required to register as a lobbyist based upon the information you provided.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

Section 2-353 of the lobbyist registration ordinance requires all lobbyists, prior to lobbying, to register by electronic submission via the "Central Lobbyist Registration Site" or by paper submission.¹ Whether or not a person appearing before a public official or employee must register as a lobbyist depends upon whether they are a lobbyist as defined by the ordinance. Section 2-352 contains the definitions of lobbyist and lobbying.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of ... a local municipal governing body, ..., any advisory board member, or any employee with respect to the passage defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, ... or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with the government or representing the employer in its contacts with government.

"Lobbyist" shall not include:

- (1) Any employee, contract employee, or independent contractor of a governmental agency or entity lobbying on behalf of that agency or entity, any elected local official when the official is lobbying on behalf of the governmental agency or entity which the official serves, or any member of the official's staff when such staff member is

¹ The effective date of the Lobbyist Registration Ordinance for municipalities is April 2, 2012

lobbying on an occasional basis on behalf of the governmental agency or entity by which the staff member is employed.

- (2) Any person who is retained or employed for the purpose of representing an employer, principal or client *only during a publicly noticed quasi-judicial hearing or comprehensive plan hearing, provided the person identifies the employer, principal or client at the hearing.* (emphasis added)
- (3) Any expert witness who is retained or employed by an employer, principal or client to provide only scientific, technical or other specialized information provided in agenda materials or testimony only in public hearings, so long as the expert identifies the employer, principal or client at the hearing.
- (4) Any person who lobbies only in his or her individual capacity for the purpose of self-representation and without compensation.
- (5) Any employee, contract employee, or independent contractor of the Palm Beach County League of Cities, Inc., lobbying on behalf of that entity.

In RQO 12-025, the COE determined that a person who contracts with a principal for economic consideration who meets with county or municipal staff for the sole purpose of gathering information for a project, asking technical questions only, and not providing information to county or municipal staff other than what is needed to meet technical requirements for required approvals, is not engaged in lobbying and is not required to register as a lobbyist.

Lobbying is defined as seeking to influence a decision of a public employee or official on an issue which foreseeably will come before a board or commission for advice or approval. When information flows from Town Staff to you, the exchange of information is one sided. Therefore, if the purpose of your meeting is solely to extract information as compared to inputting information for the purpose of persuading a staff member or official to change their position, you would not be required to register as a lobbyist under the ordinance. However, in your submission to this Commission you noted that your conversations with local employees and officials, no matter how few and far between, included an exchange of information and ideas. Moreover, it was the impression of Town staff that your meeting was not for the purpose of asking questions of the Town Councilwoman and planning and zoning director, but was also to influence and advocate a modification to staff's current position on the Braman Project.

You indicated that as part of your consulting work for Braman you spend less than one percent of your time meeting with local staff and officials. However, as an independent consultant to your client, Braman, you are not an employee of that entity within the meaning of the Lobbyist Registration Ordinance. Therefore, the percentage of time you spend representing Braman in its discussions with government employees and officials is irrelevant. The exclusionary language contained within the definition of lobbyist, limiting the scope of the definition to "an employee whose principal responsibility to the employer is overseeing the employer's relationships with government," applies to lobbying by an employee directly on behalf of their employer and not a consultant retained by an outside principal.

Further, you indicated that on behalf of Braman, you have discussed the purchase of a vacant property in the vicinity of the BMW Project site. It is unclear by the facts that you have submitted whether or not

a purpose of this purchase is to obtain the goodwill of the Town Council or otherwise facilitate approvals for the BMW Project site, however, the proximity in time and location of the proposed purchase would, at a minimum, create the appearance that it is contemplated in part to obtain the goodwill of the Town Council with regard to future decisions involving the BMW Project redevelopment.

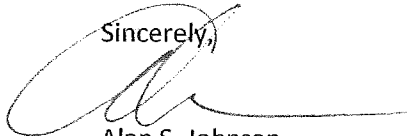
Finally, in your submission to staff, you described your past participation in public meetings as a consultant to Braman. Please keep in mind that as a compensated representative of an applicant seeking to influence a decision of an advisory board or the Town Council that you must register as a lobbyist in order to participate on behalf of Braman in any public meeting except for publicly noticed quasi-judicial hearings or comprehensive plan hearings.²

IN SUMMARY, based on the facts and circumstances you provided, your activities constitute lobbying within the meaning of the Palm Beach County Lobbyist Registration Ordinance. As a paid consultant seeking to influence the decision-making of a public employee, advisory board member or elected official, or attempting to obtain their good will, with respect to the passage, defeat, or modification of any item which may foreseeably be presented for their consideration, you are required to register as a lobbyist. This applies regardless of the percentage of your duties to your principal involving lobbying activities.

This opinion construes the Palm Beach County Code of Ethics and Lobbyist Registration Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,



Alan S. Johnson,
Executive Director

ASJ/mcr/gal

² Art VIII, §2-353. Definitions. *Lobbyist* (2)



Palm Beach County Commission on Ethics

Commissioners

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Edward Rodgers
Ronald E. Harbison
Daniel T. Galo

Executive Director

Alan S. Johnson

May 4, 2012

Ms. Darlene Schaukowitch
Cotleur & Hearing
1934 Commerce Lane, Suite 1
Jupiter, FL 33458

Re: RQO 12-025
Lobbyist Registration Ordinance

Dear Ms. Schaukowitch,

The Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting held on May 3, 2012.

YOU ASKED two questions in your email dated March 27th, 2012. First, whether landscape architecture firm staff members who meet with Palm Beach County staff members for the purpose asking technical questions related to a project are "lobbying" for the purpose of the lobbyist registration ordinance. Second, when the Vice President of your organization is a registered lobbyist for a principal and he attends a meeting as a lobbyist, and is assisted by several staff members including engineers, for the purpose of assisting him or answering technical questions, must accompanying staff members or traffic engineers also register as lobbyists.

IN SUM, a lobbyist is *any person who is employed and receives payment, or who contracts for economic consideration for the purpose of lobbying on behalf of a principal*. Lobbying is defined as *seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of an official or employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or governing body*.

Whether or not a particular individual is captured within these definitions is determined by the specific facts and circumstances of the contact between that individual and public employees and officials. Purely ministerial or administrative functions, as may be provided by an assistant to a lobbyist, may not rise to the level of lobbying. However, where an engineer, employed by a firm contracted by a principal to lobby government, directly negotiates or otherwise actively participates in a discretionary matter, including matters regarding technical requirements, he or she would likely fall within these definitions.

The FACTS as we understand them are as follows:

Cotleur and Hearing (CH) provide professional services in landscape architecture, residential landscape design, land planning and environmental consulting. Don Hearing, vice-president of CH, is a registered lobbyist for Palm Beach County. While Mr. Hearing is a lobbyist, members of CH staff are planners,

2633 Vista Parkway, West Palm Beach, FL 33411 561.233.0724 FAX: 561.233.0735

Hotline: 877.766.5920 E-mail: ethics@palmbeachcountyethics.com

Website: palmbeachcountyethics.com

landscape architects, environmental consultants and are engaged in property maintenance and management. Staff members are assigned to work on particular projects based upon their professional expertise. Meanwhile, Mr. Hearing may be lobbying the county in conjunction with these projects. You are seeking clarification as to whether, when Mr. Hearing meets with county staff for the purpose of lobbying, CH staff who attend the meeting in order to answer technical questions are required to register as lobbyists. Up and until this point the CH general staff member would have worked on the project in his professional capacity and without contact with public employees or officials. Similarly, should CH's client hire another professional, such as a traffic engineer to meet with staff or elected officials alongside Mr. Hearing, would the traffic engineer be considered a lobbyist and required to register under the code of ethics.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

Section 2-353 of the lobbyist registration ordinance requires all lobbyists, prior to lobbying, to register by electronic submission via the "Central Lobbyist Registration Site" or by paper submission. Whether or not a person appearing before a public official or employee must register as a lobbyist depends upon whether they are a lobbyist as defined by the ordinance. Section 2-352 contains the definitions of lobbyist and lobbying.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with the government or representing the employer in its contacts with government.

If a member of CH staff, who does not otherwise lobby the county, meets with county staff for the purpose of gathering information for a project, asking technical questions only and not providing information to county staff other than what is needed to meet technical requirements for required approvals, under these facts a CH staff member is not engaged in lobbying and is not required to register as a lobbyist. Lobbying is defined as seeking to influence a decision of a public employee or official on an issue which foreseeably will come before a board or commission for advice or approval. When information flows from county staff to a CH employee developing a project, the exchange of information is one sided. Input is provided by county staff, not by CH staff. Accordingly, a CH employee cannot be described as "seeking to influence" county staff in this exchange and is not engaged in lobbying. However, once there is an exchange or negotiation as to the manner, substance or interpretation of a matter, technical or otherwise, the exchange ceases to be merely an extraction of information. Such an interchange inherently involves input on the part of the CH staffer, and that constitutes lobbying under the code.

The exclusionary language contained within the definition of lobbyist, limiting the scope of the definition to employees *whose principal responsibility to the employer is overseeing the employer's relationships with government*, applies to lobbying by an employee directly on behalf of their employer and not under these facts where their employer, CH, is retained by an outside principal for the purpose of lobbying.

Whether or not a member of CH staff or a contracted professional who accompanies a CH registered lobbyist to a meeting with a public employee or elected official must register as a lobbyist involves the same analysis. A lobbyist is a person who receives compensation for the purpose of lobbying on behalf of a principal.

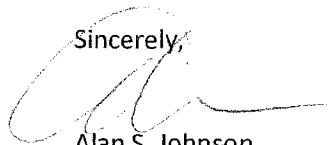
Therefore, under the facts and circumstances you describe, if a staff member of your firm accompanies Mr. Hearing and performs a purely ministerial function such as the taking of notes, he or she is not engaging in lobbying. Likewise, if a traffic engineer or landscape designer is present to assist Mr. Hearing in his presentation, but does not otherwise engage directly in the negotiation or other lobbying activity that Mr. Hearing performs, they too would not be participating in lobbying activity. Akin to the analysis whereby professionals meet directly with staff to establish criteria, submit required information, or otherwise comply with established process, where their presence is only to extract relevant information or assist Mr. Hearing with information relevant to his ability to communicate with the public employee or official, and they do not attempt to influence a decision, they are not engaged in lobbying. Once your staff member engages in the process of influencing a public decision by participating in a negotiation or other exchange, they are lobbying on behalf of CH's principal and must therefore be registered as required by the code.

IN SUMMARY, based on the information you provided, CH staff who are not engaged in lobbying activities and merely seek to extract information may meet with county staff in order to obtain that information without registering as a lobbyist. Any attempt to engage in negotiation, or otherwise influence the process will likely change the relationship to one of lobbying and will require registration. The same analysis applies to professional staff, including contracted engineering professionals, who accompany a registered lobbyist, where they directly participate in seeking to influence a decision.

This opinion construes the Palm Beach County Code of Ethics and Lobbyist Registration Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

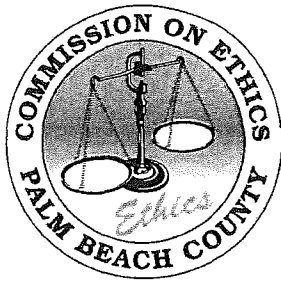
Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,



Alan S. Johnson,
Executive Director

ASJ/mcr/gal



Palm Beach County Commission on Ethics

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Robin N. Fiore, *Vice Chair*

Ronald E. Harbison

Daniel T. Galo

Executive Director

Alan S. Johnson

July 16, 2012

Pastor Leo Abdella, Community Relations Director
Christ Fellowship Church
5343 Northlake Boulevard
Palm Beach Gardens, FL 33418

Re: RQO 12-050
Lobbyist

Dear Pastor Abdella,

The Commission on Ethics (COE) considered your request for an advisory opinion and rendered its opinion at a public meeting held on July 12, 2012.

YOU ASKED in your email dated June 25, 2012, whether an organization that previously retained a lobbyist for land planning matters, and may again retain a lobbyist in the future, but does not presently retain a lobbyist, is a principal or employer of a lobbyist as defined by the Palm Beach County Code of Ethics (the Code).¹

IN SUM, based on the facts and circumstances you provided, Christ Fellowship Church (CFC) is not a principal or employer of a lobbyist as defined by the Code. While CFC has employed a lobbyist in the past, such employment was remote in time and CFC does not have an existing or pending contract with any individual or entity for lobbying services.

The FACTS as we understand them are as follows:

You are a pastor at Christ Fellowship Church (CFC). CFC has several campuses in Palm Beach County. When CFC purchased and developed those properties, the church hired a land planner and registered lobbyist to assist in the site plan review process. Should CFC expand in the future, you anticipate that the church will again hire a land planner to assist in the process. Because CFC retained a lobbyist in the past and may do so in the future, you are seeking clarification from the Commission as to whether CFC is a principal or employer of a lobbyist.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the revised Palm Beach County Code of Ethics:

Section 2-442 of the Code defines a lobbyist, in part, "as any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal ..." To fall within the definition of a lobbyist, the lobbyist must have an *existing* contract or be employed for the purpose of lobbying on behalf of a principal. Similarly, a business, organization or individual that retained a lobbyist in the past, but does not have an existing contract or agreement to employ a person for the purpose of lobbying, is no longer a principal or employer of a lobbyist.

¹ In RQO 12-048, Mr. Abdella asked whether CFC could invite municipal and county elected officials to a 2 day leadership summit. The COE opined that the value of the summit in excess of \$100, calculated for each individual elected official, would constitute a prohibited gift if CFC were a vendor or lobbyist of the applicable official's government. No reference was made in the facts and circumstances indicating that CFC had employed a lobbyist in the past, or may do so again in the future.

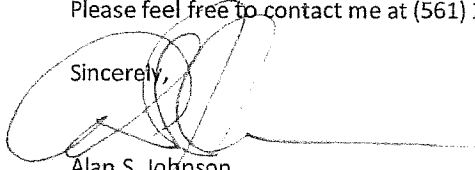
Just as §2-444(a)(1) prohibits officials, advisory board members and public employees from accepting gifts valued in excess of \$100, annually in the aggregate, given by lobbyists, principals or employers of lobbyists who lobby their government entity, principals and employers of lobbyists are prohibited by §2-444(a)(2) from giving such a gift. Under the circumstances you describe, these prohibitions would not apply to a donor who does not employ a lobbyist.

IN SUMMARY, based upon the facts and circumstances presented, CFC is not a principal or employer of a lobbyist and is not subject to the gift law prohibitions specific to lobbyists as provided by the Code.

This opinion construes the Palm Beach County Code of Ethics Ordinance and is based upon the facts and circumstances that you have submitted. It is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

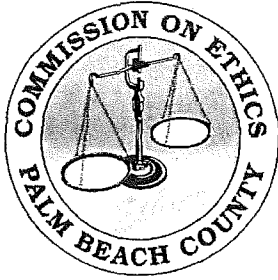
Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,



Alan S. Johnson,
Executive Director

ASJ/mcr/gal



Palm Beach County Commission on Ethics

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Ronald E. Harbison
Bruce E. Reinhart

Executive Director

Alan S. Johnson

November 4, 2011

Gregory Miklos
Boca Raton Community Appearance Board
2263 N.W. Boca Raton Boulevard, Suite 112
Boca Raton, FL 33431

Re: RQO 11-067
Voting Conflicts

Dear Mr. Miklos,

The Palm Beach County Commission on Ethics (COE) considered your request for an advisory opinion on October 6, 2011 and again on November 3, 2011, and rendered its opinion at a public meeting held on November 3, 2011.

YOU ASKED as a member of the Boca Raton Community Appearance Board (CAB), whether a member of your outside business may represent a customer or client of your firm in front of the CAB, so long as you abstain from voting and do not participate in any part of the decision-making process.

IN SUM, as an appointed official you are prohibited from using your official position as an advisory board member to give a special financial benefit, not shared with *similarly situated members of the general public*, for yourself, your outside business, or a customer or client of your outside business. Voting on a client's proposal, participating in conversations or attempting to influence CAB members would therefore constitute a misuse of office. The prohibition extends to you, or someone using your official position on your behalf. Therefore, the financial misuse and voting conflicts sections of the Code of Ethics do not prohibit a member of your outside business from representing a customer or client provided that you *publicly disclose the nature of the conflict*, file the required state disclosure form, refrain from voting and do not participate in, or influence the process.

THE FACTS as we understand them are as follows:

You are an architect who serves on the Community Appearance Board (CAB), an advisory board for the City of Boca Raton (the City). The CAB reviews all commercial and multifamily residential projects in the City and all signage (free-standing and on buildings) for aesthetics and code compliance.

Your firm, Miklos and Associates, is based in the City and you are contacted frequently by clients who wish to develop, remodel, or rezone a property they own within the City. As their architect, you meet with the City zoning staff to work out site specifics and other issues. Once the preliminary site, floor and evaluation plans are completed, you present your proposal to the Planning Advisory Board (PAB) for review and discuss the reviewer's comments from related departments such as traffic, fire, utility, zoning or environmental divisions. After these discussions, you make the required revisions to the proposal as needed and then resubmit your plans to the PAB and the City Council. Throughout this

process, you will be the member of your firm representing the client. Prior to final approval, this plan must go before the CAB. At that time you disclose the nature of your conflict- that your firm represents the client's plan subject to the Board's approval, abstain from voting and do not participate in any part of the process, including conversations with staff regarding CAB issues. Subsequent to the abstention, you file a state conflict form as required by statute. In dealing with the CAB and the department within the CAB's authority, another member of your firm presents the project.

THE LEGAL BASIS for this opinion is found in the following relevant sections of the Palm Beach County Code of Ethics:

Section 2-443(a) prohibits you from using your official position to give yourself, your outside business, or a customer or client of your outside business a financial benefit, in a manner which you *know or should know with the exercise of reasonable care will result in a special financial benefit not shared with similarly situated members of the general public.* A customer or client is defined as a person or entity to whom your outside business has supplied goods or services in excess of \$10,000 over the previous 24 months.

Section 2-443(c) similarly prohibits you from voting on an issue or participating in a manner that would result in a special financial benefit attributable to yourself, outside business or customer as previously described. Essentially, the voting conflict section addresses the scenario whereby in voting you would violate the misuse of office prohibitions of the code. In such a scenario you are required to 1) disclose the nature of your conflict before your board discusses the issue; 2) abstain from any discussion or vote or otherwise participate in the matter; and 3) File a state voting conflict form (8B), submitting a copy to the CAB clerk and the Palm Beach County COE. The language of §2-443(c) is as follows:

County and municipal officials...shall abstain from voting and not participate in any matter that will result in a special benefit as set forth in subsections (a)(1) through (7) above...Officials who abstain and disclose a voting conflict as set forth herein, shall not be in violation of subsection (a), provided the official does not otherwise use his or her office to take or fail to take any action, or influence others to take or fail to take any action, in any other manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public...

In this context, "participate" means that you may not present your clients project to the CAB or take part in any presentation or discussion regarding your client's project with your fellow CAB board members. You are not prohibited from meeting with and presenting to Zoning staff and other related city advisory boards.¹ However, while you may submit and discuss your client's project with staff prior to the matter coming before the CAB, you may not use your official position to influence the process. The misuse of office and voting conflict prohibitions apply to you personally, or someone using your official title or position at your direction. Therefore, you are not prohibited from working with City staff on your client's project up and until it goes before your board, so long as it is in your professional as

¹ Please note that contacting CAB members about a matter coming before the board may result in a Sunshine Law violation.

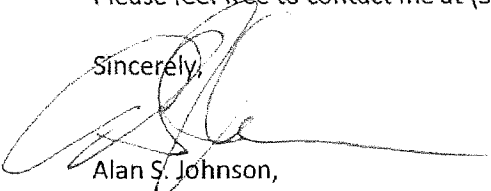
compared to your official capacity. Additionally, this provision does not prohibit other owners or employees of your outside business from representing your client's interest in these matters.

IN SUMMARY, based on the facts and circumstances presented, you may not use your appointed office to give yourself, your outside business or a customer or client of your outside business a special financial benefit, not shared with similarly situated members of the general public. When faced with a conflict, you must disclose the nature of that conflict, refrain from participating and file the required conflict disclosure form 8b. The Code of Ethics does not prohibit a business associate or other individual from representing your client's interests before the CAB separate and apart from you or your official office.

This opinion construes the Palm Beach County Code of Ethics Ordinance, but is not applicable to any conflict under state law. Inquiries regarding possible conflicts under state law should be directed to the State of Florida Commission on Ethics.

Please feel free to contact me at (561) 233-0724 should you have any further questions in this matter.

Sincerely,



Alan S. Johnson,
Executive Director

ASJ/mr/gal

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PALM BEACH COUNTY PLANNING CONGRESS, INC.					
<u>Filing Information</u>					
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FEI/EIN Number	113836452				
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Event Date Filed	08/15/2008				
Event Effective Date	NONE				
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241 COLUMBIA DRIVE LAKE WORTH FL 33460					
Changed 07/19/2008					
<u>Mailing Address</u>					
P.O. BOX 1371 WEST PALM BEACH FL 33402					
Changed 12/10/1990					
<u>Registered Agent Name & Address</u>					
PALEN, FRANK S 324 ROYAL PALM WAY STE 300 PALM BEACH FL 33480 US					
Name Changed: 08/15/2008					
Address Changed: 08/15/2008					
<u>Officer/Director Detail</u>					
<u>Name & Address</u>					
Title PD					
NEMSER, BILL 8525 BONITA DRIVE LAKE WORTH FL 33467					
Title VD					
CARLSON, AIMEE 2377 CRAWFORD LANTANA FL 33462					

Title DS

VAIL, JENNIFER
400 COLUMBIA DRIVE, SUITE 110
WEST PALM BEACH FL 33409

Title DT

BLACKMAN, WES
241 COLUMBIA DRIVE
LAKE WORTH FL 33460

Title DS

FITZHUGH, ERIN
807 NORTH O STREET
LAKE WORTH FL 33460

Title D

BANTING, PETER
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<u>Florida Non Profit Corporation</u>					
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<u>Filing Information</u>					
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<u>Registered Agent Name & Address</u>					
LINDSEY, MARY 327 COLUMBIA DRIVE LAKE WORTH FL 33460					
Name Changed: 01/18/2011					
Address Changed: 01/18/2011					
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Title SECT					
CASELLA, CATHY 25 HARBOR DRIVE LAKE WORTH FL 33460					
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Title P					
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LAKE WORTH FL 33460

Title D

PICKETT, KC
2160 NOTRE DAME DRIVE
LAKE WORTH FL 33460

Title T

YORSTEN, RUSSELL
VANDERBILT DRIVE
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Title VP

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- > **Architects**
- > **Asbestos Contractors and Consultants**
- > **Athlete Agents**
- > **Auctioneers**
- > **Barbers**
- > **Boxing, Kickboxing and Mixed Martial Arts**
- > **Building Code Administrators and Inspectors**
- > **Certified Public Accounting**
- > **Community Association Managers**
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PALM BEACH COUNTY COMMISSION ON ETHICS
MEMORANDUM OF LEGAL SUFFICIENCY

To: Palm Beach County Commission on Ethics
From: Alan S. Johnson, Executive Director
Re: C12-011 – Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board

- **Recommendation**

Regarding Respondent, Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board, COE staff recommends a finding of **LEGAL SUFFICIENCY** be entered in Complaint C12-011.

Legal sufficiency exists where there is an allegation of a violation of an ordinance within the jurisdiction of the Ethics Commission, purportedly committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the complainant, relating to an alleged violation occurring after the effective date of the code, and filed with the Ethics Commission within two years of the alleged violation.

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through sworn complaint dated September 17, 2012 by Judith Just, a member of the Lake Worth Historical Resources Preservation Board (HRPB). The Respondent, Wes Blackman, is the current Chairman of HRPB, which is an advisory board of the City of Lake Worth with quasi judicial powers. HRPB has the sole power to issue a "Certificate of Appropriateness" required for various construction related building changes, as well as for any new construction to be located within any of the six (6) areas of the City that are identified as "historic preservation" districts. These historic preservation districts include: College Park; Northeast Lucerne; Old Lucerne; Old Town; Southeast Lucerne; and South Palm Park. This Complaint involves the Old Lucerne Historic Preservation District.

Complainant's specific allegation involves the proposed construction of a new home on a current vacant lot to be located at 302 North Lakeside Drive, Lake Worth, FL 33460. Complainant and her husband own and live in a home located at 306 North Lakeside Drive, directly adjacent to this vacant lot. In April of this year, Complainant alleges that the City posted a notice regarding proposed construction of a single family home on this vacant lot. A copy of an Application for Certificate of Appropriateness for this location was included in the documents filed with this Complaint. The application lists Respondent as one of the agents of the applicant.

The Complainant advises that she and her husband, as well as other neighbors, have met with both Respondent and the architect about this project. Complainant states that on the date of their meeting, April 27, 2012, Respondent stated that although he was a member of the HRPB, he would not be voting on this particular issue when it came before the Board, and asked them to contact him directly with any concerns regarding the proposed home construction. While not a member of the HRPB herself at the time of this meeting, Complainant was appointed to this Board on July 23, 2012, and Complainant alleges that in July, Respondent reapplied for his board position and during an interview he failed to disclose his relationship to this project and pending application before the Board. Respondent was reappointed to HRPB on July 24, 2012.

The specific basis for this Complaint is an allegation that Respondent worked with City staff as an agent of either the applicant or the architect, and has been involved in lobbying City staff, while not being registered as a lobbyist as required by the Lobbyist Registration Ordinance.

- **Analysis**

As the Chairman of the Lake Worth Historical Resources Preservation Board (HRPB), Respondent is subject to the provisions of the Countywide Lobbyist Registration Ordinance (LRO), as of April 2, 2012, when the LRO became effective within the City of Lake Worth (the City).

The following sections of the Lobbyist Registration Ordinance are relevant to this inquiry.

Sec. 2-352. Definitions.

Unless expressly provided herein to the contrary, for purposes of this article, the following definitions will apply:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Central Lobbyist Registration Site will mean the official location for countywide lobbyist registration.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

Local Municipal Governing Body will mean the councils and commissions of the municipalities located within Palm Beach County, Florida.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid. The term "employee" includes but is not limited to all managers, department heads and personnel of the county or the municipalities located within the county. The term also includes contract personnel and contract administrators performing a government function, and chief executive officer who is not part of the local governing body. The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.

Persons and entities shall be defined to include all natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business entities, syndicates, fiduciaries, corporations, and all other organizations.

Principal shall mean the person or entity a lobbyist represents, including a lobbyist's employer or client, for the purpose of lobbying.

Sec. 2-353. *Registration and expenditures.*


- (a) *Registration required.* Prior to lobbying, all lobbyists shall submit an original, fully executed registration form to county administration, which shall serve as the official location for countywide lobbyist registration and which shall be known as the "Central Lobbyist Registration Site." The registration may be submitted in paper or electronic form pursuant to countywide policies and procedures. Each lobbyist is required to submit a separate registration for each principal represented. A registration fee of twenty-five dollars (\$25) must be included with each registration form submitted. A registrant shall promptly send a written statement to county administration canceling the registration for a principal upon termination of the lobbyist's representation of that principal. This statement shall be signed by the lobbyist. Lobbying prior to registration is prohibited. It is the responsibility of the lobbyist to keep all information contained in the registration form current and up to date.

Upon inquiry it was confirmed that Respondent met with City staff regarding this issue in his capacity as representative of the applicant regarding the application for consideration of a Certificate of Appropriateness for new construction in a Historic District. Specifically, Respondent met with; Kelly Christensen, City Preservation Planner, Karen Vaughn, City Planning, Preservation Manager, William Waters, Director of Community Sustainability and City Attorneys Monica Morandi and Melissa Anderson.

- **Conclusion**

Based on the fact that the allegations provided in the Complaint allege a violation of an ordinance within the jurisdiction of the COE and are based substantially upon the personal knowledge of the Complainant, the Complaint filed in C12-011 against Respondent, Wes Blackman, alleging a violation of §2-353(a) is **LEGALLY SUFFICIENT**.

BY:



Alan S. Johnson, Executive Director
Florida bar #223352
Commission on Ethics

11/06/2012
Date

MEMORANDUM OF INVESTIGATION

To: Alan S. Johnson, Executive Director
From: James A. Poag, Investigator
Re: C12-011 – Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board

- **Background**

This matter came to the attention of the Commission on Ethics (COE) staff through sworn complaint dated September 17, 2012 by Judith Just, a member of the Lake Worth Historical Resources Preservation Board (HRPB). The Respondent, Wes Blackman, is the current Chairman of HRPB, which is an advisory board of the City of Lake Worth with quasi judicial powers. All employees and elected/appointed officials of the City of Lake Worth are under the jurisdiction of the Commission on Ethics as of January 11, 2011, by memorandum of understanding and June 1, 2011 by referendum.

The HRPB has the sole power to issue a "Certificate of Appropriateness" required for various construction related building changes, as well as for any new construction to be located within any of the six (6) areas of the City that are identified as "historic preservation" districts. The historic preservation districts include: College Park, Northeast Lucerne, Old Lucerne, Old Town, Southeast Lucerne and South Palm Park. This Complaint involves the Old Lucerne Historic Preservation District.

The Complainant's allegation involves the proposed construction of a new home on a current vacant lot located at 302 North Lakeside Drive, Lake Worth, FL 33460. The Complainant and her husband reside at 306 North Lakeside Drive, directly adjacent to the vacant lot. In April, 2012, the Complainant alleges that the City posted a notice regarding proposed construction of a single family home on the vacant lot. A copy of an Application for Certificate of Appropriateness for this location was included in the documents filed with the Complaint. The application lists the "Applicant" as Tim and Elizabeth Hulett, who currently reside in West Palm Beach. It lists the property owner as Hector Cabrera of Lake Worth and Brower Architectural Associates of Palm Beach and Wes Blackman of Lake Worth as Agents of the applicant.

The Complainant advises that she and her husband, as well as other neighbors, have met with both Wes Blackman and the project architect. Complainant states that on the date of their meeting, April 27, 2012, Respondent stated that although he was a member of the HRPB, he would not be voting on this particular issue when it came before the Board, and asked residents to contact him directly with any concerns regarding the proposed home construction. While not a member of the HRPB herself at the time of this meeting, the Complainant was appointed to this Board on July 23, 2012. She further alleges that Respondent reapplied for his board position in July, and during an interview failed to disclose his status as agent to an applicant coming before the board in what she believes is a conflict of interest. Respondent was reappointed to HRPB on July 24, 2012.

The specific basis for this Complaint is an allegation that Respondent has met with City staff as an agent of either the applicant or the architect, and has been involved in lobbying efforts of City staff, while not being registered as a lobbyist as required by the Lobbyist Registration Ordinance.

- **Investigation**

I assumed this investigation from Investigator Mark Bannon on Wednesday, October 3, 2012. On this same date, I accompanied Investigator Bannon to conduct an interview with Kelly Christensen, Preservation Planner, at her office located at 1900 second Avenue North, Lake Worth Florida. During the interview Investigator Bannon asked Christensen if she met with the Respondent at any time concerning the property at 302 Lakeside Drive. According to Christensen, on July 18, 2012, she met with the project architect Ken Brower and the Respondent along with Karen Vaughn, City Planning and Preservation Manager and William Waters, City Director for Community

Sustainability. Christensen recalls that during the meeting, Brower was more involved in the discussion with staff while the Respondent simply observed. Christensen reported one other meeting that took place in July 2012 with the Board members to discuss board rules and procedures. She stated, during this meeting the Respondent made no mention of the property at 302 Lakeside Drive, however he did ask a question concerning the procedures to abstain from a vote.

At the conclusion of the interview, Investigator Bannon asked Christensen to provide copies of all emails between her and the Respondent. In addition she was asked to provide copies of all contact logs for the months of July and August 2012.

On October 5, 2012, I received the information Investigator Bannon requested from Christensen via email with attachments. I reviewed the attached emails and found one email communication between Christensen and the Respondent that took place on September 5, 2012. In this email exchange, the Respondent asked Christensen to, "Confirm whether or not the Old Lucerne Historic District is a local or national historic district". I also reviewed the contact logs from July 2012 thru August 2012 and found that neither the Respondent nor Brower had ever signed the contact logs.

A review of the City of Lake Worth Application for Consideration of a Certificate of Appropriateness for new construction at the property (COA# 12-00100066) lists the "Applicant" as Tim and Elizabeth Hulett. It lists the property owner as Hector Cabrera of Lake Worth. The application lists as Agents to the applicant, Brower Architectural Associates of Palm Beach and the Respondent. After my initial review of the information contained in the file, I determined that I needed to conduct additional interviews.

On October 11, 2012, I made contact with William Waters, Director of Community Sustainability and set an appointment to interview him on October 16, 2012, at 9:00 AM. I also made contact with Vaughn and set an appointment to interview her at 8:00 AM on the same date.

It should be noted, during the investigation several unsuccessful attempts were made to contact the Hulett family.

- **Sworn statement: Hector Cabrera, Owner**

On October 15, 2012, I contacted Hector Cabrera, the owner of the property located 302 Lakeside Drive, Lake Worth, FL (the property). I asked Cabrera if he would be willing to answer a few questions concerning the sale of his property. He agreed and came to the Commission on Ethics Offices located at 2633 Vista Parkway, West Palm Beach, FL 33411, to provide a statement. The interview was recorded and Cabrera was placed under oath. No other persons were present during this interview.

Mr. Cabrera stated that he is currently the owner and seller of the property located at 302 North lakeside drive, lake Worth, FL. According to Cabrera the property is currently vacant however the prospective buyers plan to build a new single family home on the site which requires approval from the Lake Worth Historical Resources Preservation Board (HRPB). I asked Cabrera if he was familiar with the HRPB approval process and he stated that he did have knowledge of the process because he has presented other projects to this board for approval in the past. I then asked him if he knew the Respondent, Wes Blackman. He stated that he knew Mr. Blackman as a long standing member of the HRPB.

I asked Cabrera if he had hired Blackman to conduct any business on his behalf for the sale of the property or to obtain approval from the HRPB, he replied "no, I have no business relationship with him." I then asked if he knew what Blackman's involvement with the project was. He stated that he was not sure what Blackman's involvement was because as the seller he has no interest. I also asked Cabrera if he knew who hired Blackman. He stated that he did not know.

End of Interview.

- **Sworn statement: Karen Vaughn, Planning & Preservation Manager, City of Lake Worth Department of Community Sustainability**

October 16, 2012, I went to the offices of the City of Lake Worth Community Sustainability located at 1900 second Avenue North Lake Worth, FL, to interview Karen Vaughn, Planning & Preservation Manager. The interview was recorded and Vaughn was placed under oath. No other persons were present during this interview.

According to Vaughn, the property is a vacant lot that is located in a historic preservation district and requires the HRPB to issue a "Certificate of Appropriateness" prior to any new construction taking place on the site. Vaughn added that the property is the last undeveloped parcel in the neighborhood and the property line runs along the municipal golf course. The property is a legal lot of record that is zoned for single family home construction by right, with a permitted height restriction up to 35 feet.

I asked Vaughn if she knew the Respondent, she replied "Yes," however only through his service on the HRPB. Vaughn stated that the application process for COA# 12-00100066 began prior to her employment with the City. When she became involved with COA# 12-00100066 much of process had been completed however the application had not been presented to HRPB for approval.

I asked Vaughn to explain the process to obtain a Certificate of Appropriateness for a new construction project. She stated that for new construction projects in a historic preservation district, a series of pre-development meetings are held with the applicant prior to the application package being submitted to the Department of Community Sustainability (the department) to ensure that the applicant meets all of the requirements of the Land Development Code. Additionally, the Certificate of Appropriateness ensures that the proposed construction is compatible with the existing structures in the neighborhood.

I asked Vaughn if she or any other staff members met with the Respondent regarding COA# 12-00100066 prior to the application being presented to HRPB for approval. She said that there were several pre-development meetings that took place prior to the application being submitted however she only participated in one where the Respondent was present. I asked if any other individuals were present during this meeting. Vaughn indicated that William Waters, Kelly Christensen and Ken Brower were also present. I then asked her if she could recall the date that this meeting took place, however; she was uncertain of that information and suggested that the exact date could be obtained from Christensen. I asked Vaughn to explain her understanding of Respondent's purpose for attending the meeting. She stated that she understood him to be a representative of the project. She explained that the Respondent did not speak much during the meeting, and Brower and Waters were primarily involved in a discussion regarding architectural style.

I then asked Vaughn what she believed the Respondent's role to be in COA# 12-00100066. She stated that she was not sure, however she assumed that he was hired to help navigate through the City's zoning code. I asked her if she knew who was responsible for hiring the Respondent. She stated that she did not know if the Respondent was hired by the owner, the buyer or the architect. I asked if it would be unusual to hire someone like the Respondent to deal with an application for a Certificate of Appropriateness. She stated that she did not feel that it would be an unusual occurrence. I asked if she had any other communications with the Respondent during the application process. She replied, "No" and stated the only other contact she had with the Respondent was during an HRPB orientation where all board members were present which took place mid-summer 2012.

I then asked if she had any knowledge regarding the sign-in procedure for registered lobbyists. Vaughn stated that the City's procedure required all visitors to the building to sign-in and to indicate whether or not they are a lobbyist. I asked her if there would be any reason why an individual would not sign-in, particularly the Respondent and Brower on the date of July 18, 2012. She indicated there is no reason that she is aware of in which an individual would not be required to sign in, however the process is new and the persons at the front desk may not have asked them to sign in because they were there to meet with a specific person.

End of Interview.

- **Sworn statement: William Waters, Director, City of Lake Worth Department of Community Sustainability**

October 16, 2012, I went to the offices of the City of Lake Worth Community Sustainability located at 1900 Second Avenue North Lake Worth, FL, to interview William Waters, Director. The interview was recorded and Waters was placed under oath. No other persons were present during this interview.

I asked Waters if he knew the Respondent, he replied "Yes", and that he has known him over the past 20 years as they both are land development planners. Waters stated that Respondent was appointed to the HRPB over a year and a half ago, however prior to that he served as the Board Chairman when both Planning and Zoning and Historic Preservation were one board.

I asked Waters to describe his understanding of the Respondent's involvement in COA# 12-00100066. According to Waters, he did not know what the Respondent's role was, except when the project was initially started the Respondent introduced him to Brower. Following the introductions, the Respondent sat off in the corner while he and Brower discussed the application process. I then asked Waters how many meetings he participated in with the Respondent. He replied, "Two." I asked if he remembered the dates of those meetings. He stated that the first meeting took place in early March 2012 and the second meeting in early April 2012, however there were subsequent meetings in which the Respondent was not present.

I asked him to describe the Respondent's involvement in the meeting in which he was present. Waters stated that the Respondent listened, took notes and asked a question regarding a proposed zoning ordinance and how it would affect the project and a question regarding the Comprehensive Plan. I asked Waters if the Respondent attempted to influence staff's decision during either one of these meetings. He replied, "No."

I then asked if he knew who hired the Respondent to work on COA# 12-00100066. According to Waters, he believed the Respondent to be an intermediary between the applicant and Brower keeping each of them informed. Waters added that he was not sure exactly who hired Respondent. He believed it to be Brower.

I asked Waters whether it would be unusual to hire someone like the Respondent to deal with an application for a Certificate of Appropriateness. He stated that the larger the project, the more difficult it becomes for the applicant to attend meetings, and therefore, it increases their willingness to hire an owner representative. According to Waters, there are few times in the City when an owner representative is hired, because they have not had many new construction projects in the Historic Preservation District. Waters stated that this project is only the second new construction during his tenure with the City. He stated that the prior new construction also had an owner representative.

I asked Waters if he had any direct e-mail communication with the Respondent during the application process. He stated that most of his communication was directly with Brower. I asked if he would supply me with a copy of all his e-mail communication regarding COA# 12-00100066 and also the exact dates of the two meetings in which the Respondent was present. He agreed to supply me with the requested information following our meeting.

End of Interview.

- **Telephone statement: Ken Brower, Brower Architectural Associates**

On October 16, 2012, I made contact with Ken Brower, Brower Architectural Associates. I asked Brower if he knew the Respondent. He replied "yes", and that he knew that the Respondent was the Chairman of the HRPB. I then asked if he or the Hulett family hired the Respondent to work on COA# 12-00100066. According to Brower, the Respondent was hired by the Hulett family and that it was Respondent who put Brower in contact with the Hulett family regarding the architectural component of the project. I then asked if he knew how the Respondent's services were solicited. Brower stated that he was not sure; however he believed that Greg Rice, who works for the Hulett family, is the individual responsible for putting Respondent in contact with the Hulett family. I asked him to describe the Respondent's role in COA# 12-00100066. According to Brower, the Respondent was hired to "facilitate the process, because it can be very cumbersome and time consuming."

End of Interview.

On October 17, 2012, I received an e-mail communication from Waters with several e-mail attachments. A review of the e-mails provided by Waters revealed that his initial meeting with the Respondent took place on March 9, 2012, prior to the April 1, 2012 effective date of the Lobbyist Registration ordinance. My review also revealed e-mail communication between the Respondent and several other City staff members regarding a proposed easement agreement for the property located at 302 Lakeside Drive, Lake Work, FL.

On October 18, 2012, I made contact with Christie Goddeau, City Attorney. I asked Goddeau about an email message that she sent to the Respondent dated August 21, 2012 regarding the grant of an easement for 302 N. Lakeside Drive, Lake Worth, FL 33460. According to Goddeau, she got involved in the easement agreement a few months after the interim City Attorney took employment elsewhere. Goddeau stated that she never had any meetings or conversations with Respondent. She said she was only responsible for drafting the final easement agreement and forwarding it to the Respondent. I then asked at any time during her involvement with the easement if the Respondent made any written or oral attempt to influence her decision. She replied, "No."

I also made contact with Monica Morandi, Utility Engineer for the City of Lake Worth. According to Morandi, on July 16, 2012, she and Melissa Anderson, former Interim City Attorney, met with the Respondent and the Hulett's regarding a right of way easement. I asked Morandi what the Respondent's role was during their meeting. Morandi stated that the Respondent introduced the owners and indicated that he was their representative. I asked her if the Respondent attempted to influence her decision regarding the easement at any time during the meeting. She replied, "No." According to Morandi the Respondent simply listened and took notes regarding what would be needed for the easement.

- **Sworn statement: Greg Rice, Marketing Director, Hulett Environmental Services**

On October 24, 2012, I interviewed Greg Rice, Marketing Director for Hulett Environmental Services. The interview was held at the Commission on Ethics Offices located at 2633 Vista Parkway, West Palm beach, FL. The interview was recorded and Rice was placed under oath. No other persons were present during this interview.

I asked Rice if he knew the Respondent, Wes Blackman. He replied, "Yes," and stated that he was familiar with the Respondent because of his professional work as a land development planner and his service on the HRPB. I then asked Rice if he was familiar with the proposed new construction project located at 302 N. Lakeside Drive, Lake Worth, FL. According to Rice, he was very familiar with the site because he is a resident of Lake Worth. He stated that at one point he sought to purchase the lot himself. I then asked if he had any direct involvement with COA# 12-00100066 on behalf of the Hulett family. Rice stated that he had no direct involvement on the project; however, he did receive a call from the applicant prior to the purchase of the lot. According to Rice, the applicant expressed his interest in purchasing the lot and building a new home on the property. Rice said that he advised the applicant that if he was interested in purchasing the property, then he would recommend that the applicant hire someone with experience in historic preservation development to assist them in navigating the process.

I asked Rice if he or the applicant hired the Respondent. According to Rice, he recommended the Respondent to the applicant, who in-turn hired the Respondent. I then asked why he recommended the Respondent for the project. He stated that he knew that the Respondent was a land development planner in Lake Work and a member of the HRPB who had performed this type of service in the past. I asked Rice what the Respondent's role was in the project. He stated that the Respondent was hired to "shepherd" the applicant through the application process. According to Rice the Respondent was responsible for assisting the applicant in completing application documents and ensuring deadlines were met.

End of Interview.

- **Telephone statement: Melissa Anderson, former Assistant City Attorney for the City of Lake Worth**

On October 29, 2012, I made contact with Melissa Anderson, former Assistant City Attorney for the City of Lake Worth. I asked Anderson about her email communication with the Respondent regarding the easement agreement for 302 N. Lakeside Drive. According to Anderson in May 2012, she was advised by Morandi that there was an existing sanitary gravity line located on the property that required the homeowner to dedicate a 15ft easement prior to receiving approval on the architectural plans for the proposed new home construction. Anderson stated that she received a request from Morandi to draft the proposed easement agreement and to forward it to the Respondent. A review of e-mail documentation submitted to the file revealed, on July 18, 2012, Anderson forwarded a copy of the draft easement agreement to Morandi and Waters for review.

I then asked Anderson if she ever met with the Respondent concerning the easement agreement. She replied, "Yes," she along with Morandi met on one occasion with the Respondent and the Hulett's, however, she could not remember the exact date. Witness testimony and documents obtained during the interview revealed that this meeting took place on July 16, 2012. I then asked Anderson to describe the Respondent's role during this meeting. She stated that the Respondent asked questions about what was needed in order to complete the project and that he took notes during their conversation. I asked at any time during the meeting did the Respondent attempt to influence her or any other staff member with regard to the easement. She replied, "No." I then asked, if the Respondent attempted to influence her either in writing or orally at any other time during her involvement with the project and she indicated he had not.

- **Sworn statement: Wes Blackman, Respondent**

On October 30, 2012, I interviewed Wes Blackman, Chairman of Lake Worth HRPB. The interview was held at Blackman's Office, located at 241 Columbia Drive, Lake Worth, FL. The interview was recorded and Blackman was placed under oath. No other persons were present during this interview.

According to Blackman, in March 2012, he was hired by the Huletts to serve as a consultant regarding the establishment of an easement for the property located at 302 N. Lakeside Drive and to also assist in providing information regarding code changes related to the application process for COA# 12-00100066. I asked Blackman, how the Huletts became aware of his services. He stated, he was recommended to the Huletts by Greg Rice, because Rice is familiar with his background in land development planning through their interactions as residents of Lake Worth. Blackman explained that Rice recommended him to the Huletts because he felt that he could assist them to understand changes to the application process due to changes to the code and the regulatory structure within the City.

I then asked Blackman, if he had performed this service for other clients in the past. He replied, "Yes", on one other occasion for a window replacement project that came before the HRPB, however, he abstained from voting. I asked Blackman to explain the conversations he had with the Hulett's at the time his services were contracted. According to Blackman, his services would be to provide information to assist the architect in designing the construction plans so that they meet zoning regulations of the historic preservation district. Blackman added that did disclose that he was a member of the HRPB, however, he advised them he would not be voting on the issue. He also stated that at no time did he guarantee the Huletts that he would be able to get the application approved.

I asked Blackman if he met with any Lake Worth staff members to discuss the project. He stated that he believed that he had two or three meeting with staff. Witness testimony and documentary evidence indicated that there were three meetings between the Respondent and Lake Worth staff. I then asked Blackman to describe his role in each of these meetings. He stated, during each of these meetings the architect was the person communicating with staff and he was there listening and taking notes. I asked him if he made any attempts during these meeting to influence any staff decisions. He replied, "No." I also asked, if he attempted to use his official position to gain favorable or preferential treatment from staff concerning project approval. He again replied, "No."

I asked Blackman about his meetings with the residents in the community. He explained that it was part of his role as an urban planner to meet with the residents in the community of the proposed project. He further stated as a

member of the American Institute of Certified Planners, he is responsible for providing accurate information to any individual who may be affected by a proposed project. This requires meeting adjacent property owners to the proposed project and working with them to make sure that they are aware of what is taking place and to reduce any impact the project may have on the community.

Blackman stated when he met with the Residents he did disclose that he was a member of the HRPB and that he would not be voting. I asked him to explain the context in which he disclosed this information. According to Blackman, he wanted to provide a clear record that "he did not have a horse in the race." Blackman confirmed that each time the issue came before the HRPB, he recused himself from the vote and did not participate in any conversation.

End of Interview

A review of the HRPB meeting minutes revealed that COA# 12-00100066 was discussed on September 12, 2012. The item was passed and the Respondent abstained from the vote and did not participate. In addition, on September 13, 2012, the Respondent filed the appropriate Form 8B with the State Commission on Ethics and a copy has been submitted to file.

- **Documents Submitted to File**

1. Copy of e-mails from K. Christensen
2. Copy of e-mails from W. Waters
3. Copy of contact logs from Planning, Zoning and Historic Preservation Department, located at 1900 Second Avenue North, Lake Worth, for the period from 7/03/2012 to 09/20/2012.
4. Form 8B Memoranda of Voting Conflict (4) for County, Municipal, and Other Public Officers for Wes Blackman.

- **Analysis**

The following portions of the PBC Commission on Ethics ordinance are relevant to this Inquiry:

Section 2-254. Creation and jurisdiction.

The Palm Beach County Commission on Ethics (hereinafter "commission on ethics") is hereby established. The jurisdiction of the commission on ethics shall extend to *any person required to comply with the countywide code of ethics, the county lobbyist registration ordinance, and the county post-employment ordinance...* (Emphasis added)

The following sections of the Palm Beach County Code of Ethics are relevant to this inquiry.

Section 2-442. Definitions.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid.... *The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.* (Emphasis added)

Section 2-443(a), Misuse of public office or employment, states in relevant portion:

An *official* or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the

exercise of reasonable care will result in a *special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:* (Emphasis added)

- (1) Himself or herself;
- (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
- (5) A customer or client of the official or employee's outside employer or business;

Section 2-443(c) *Disclosure of voting conflicts*, states in relevant portion:

County and municipal officials as applicable *shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above* (Emphasis added) In addition, the official must publicly disclose the conflict and complete and file a State of Florida Commission on Ethics Conflict Form 8B. Simultaneously with filing the 8B Form, the official must submit a copy to the county commission on ethics.

Witness testimony indicated that the Respondent was hired at the recommendation of Greg Rice (Hullet employee) to assist the Hullet family with completing the application process for a Certificate of Appropriateness (COA) for the construction of a new home to be built on a vacant lot located at 302 S. Lakeshore Drive, Lake Worth, FL. (COA# 12-00100066). A review of documents submitted to file indicated that the property address was located in a "historic district" requiring COA# 12-00100066 to be approved by the HRPB, the same Board that the Respondent serves as the Chairman. On September 12, 2012, COA# 12-00100066 was approved by the HRPB. A review of the recorded meeting conducted by Investigator Bannon revealed that the Respondent publicly recognized that he had a conflict of interest with COA# 12-00100066, did not participate in any discussion on the matter and abstained from voting.

The Complainant also alleged that the Respondent failed to disclose a conflict of interest at the time of his re-appointment to the HRPB on July 24, 2012. Even if this allegation is true, it does not constitute a violation of the Palm Beach County Code of Ethics. Recurring conflicts of interest are addressed under the State of Florida Ethics Code. It should be noted that Respondent has filed four (4) 8B Conflict of Interest Forms since January, 2012.

The following sections of the Palm Beach County Lobbyist Registration Ordinance are relevant to this inquiry.

ARTICLE VIII. LOBBYIST REGISTRATION

Sec. 2-351. Title and purpose.

(a) This article may be cited as the "Palm Beach County Lobbyist Registration Ordinance."

Sec. 2-352. Definitions.

Unless expressly provided herein to the contrary, for purposes of this article, the following definitions will apply:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Central Lobbyist Registration Site will mean the official location for countywide lobbyist registration.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

Official or employee means any official or employee of the county or the municipalities located within the county, whether paid or unpaid.... The term "official" shall mean members of the board of county commissioners, a mayor, members of local municipal governing bodies, and *members appointed by the board of county commissioners, members of local municipal governing bodies or mayors or chief executive officers that are not members of local municipal governing body, as applicable, to serve on any advisory, quasi judicial, or any other board of the county, state, or any other regional, local, municipal, or corporate entity.* (Emphasis added)

Principal shall mean the person or entity a lobbyist represents, including a lobbyist's employer or client, for the purpose of lobbying.

Sec. 2-353. Registration and expenditures.

- (a) *Registration required.* Prior to lobbying, all lobbyists shall submit an original, fully executed registration form to county administration, which shall serve as the official location for countywide lobbyist registration and which shall be known as the "Central Lobbyist Registration Site." The registration may be submitted in paper or electronic form pursuant to countywide policies and procedures. Each lobbyist is required to submit a separate registration for each principal represented. A registration fee of twenty-five dollars (\$25) must be included with each registration form submitted. A registrant shall promptly send a written statement to county administration canceling the registration for a principal upon termination of the lobbyist's representation of that principal. This statement shall be signed by the lobbyist. Lobbying prior to registration is prohibited. It is the responsibility of the lobbyist to keep all information contained in the registration form current and up to date.

Sec. 2-354. Record of lobbying contacts.

- (a) *Contact log.* Except when appearing before the board, local municipal governing body, or any advisory board, all persons shall sign, for each instance of lobbying, contact logs maintained and available in the office of reception of each department of county or municipal government as applicable. The person shall provide his or her name, whether or not the person is a lobbyist as defined in this article, the name of each principal, if any, represented in the course of the particular contact, and the subject matter of the lobbying contact. All contact logs shall be maintained by the County or municipality as applicable for a period of five (5) fiscal years. (Emphasis added)

The Complaint alleges that the Respondent failed to register as a lobbyist pursuant to Sec. 2-353. *Registration and expenditures.* A lobbyist is defined as any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal. Lobbying is defined as seeking to influence a decision through oral or written communication, or attempt to obtain goodwill, of any public official or employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to an advisory board or governing body.

Whether or not a particular individual is captured within these definitions is determined by the specifics facts and circumstances of the contact between that individual and public employees and officials. In this particular case, there is no documentary evidence or witness testimony indicating that the Respondent was contracted to perform services defined as *lobbying* pursuant to Sec. 2-352, *Definitions*, of the Palm Beach County Lobbyist Registration Ordinance. Interviews with City staff revealed that the Respondent's contacts with staff involved his seeking information from staff and acting as a facilitator for the applicant, and that during each of the Respondent's meetings with staff, the Respondent did not attempt to influence a staff decision. According to the uncontroverted testimony, the information exchange during these meetings was one-sided with information flowing from staff to the Respondent and the Respondent simply asking questions and taking notes.

In RQO 12-025, the COE determined that a person who contracts with a principal for economic consideration who meets with county or municipal staff for the sole purpose of gathering information for a project, asking technical questions only, and not providing information to county or municipal staff other than what is needed to meet technical requirements for required approvals, is not engaged in lobbying and is not required to register as a lobbyist.

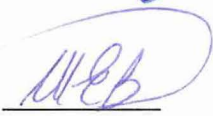
Submitted by:



James A. Poag, Investigator
PB County Commission on Ethics

11/6/12
Date

Reviewed by:



(Initials)

11/6/2012
Date

Kelly Christensen

From: lisa segarra [golden_girl_usa@yahoo.com]
Sent: Wednesday, May 02, 2012 1:41 PM
To: Kelly Christensen
Subject: Fw: HRPB - 302 N. Lakeside application for Certificate of Appropriateness

Categories: Red Category, HRPB

Please see the letter I wrote to Mr. Occhiogrosso concerning the HRPB - 302 N. Lakeside application for Certificate of Appropriateness Thanks you! Lisa Segarra

Lisa T. Segarra, MPH, RD, LD
Certified Personal Trainer and Registered Dietitian
515 East Beach Drive
Ocean Springs, MS 39564
228-875-2954

"Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover." -- Mark Twain

----- Forwarded Message -----

From: lisa segarra <golden_girl_usa@yahoo.com>
To: Gestalt Design <gestaltdesign@bellsouth.net>
Sent: Wednesday, May 2, 2012 12:02 AM
Subject: Re: HRPB - 302 N. Lakeside application for Certificate of Appropriateness

Mr. Manuel Occhiogrosso,
Chairman of the Historical Resources Preservation Board
City of Lake Worth, Florida

Dear Mr. Occhiogrosso,

Regrettably I am unable to visit Lake Worth at this time to discuss in person the development of 302 N. Lakeside Drive with either the owner of the property, or with you. Therefore, I am writing to you regarding the application for Certificate of Appropriateness (application number 2-00100066) regarding the proposed construction of a 4000 square foot spec home on the vacant lot at 302 North Lakeside Drive. This is adjacent to my historic cottage, located at 230 North Lakeside Drive. My cottage is full of Old South Florida charm, and built in 1925. I have painstakingly tried to maintain the character and historic quality of my home.

I have seen the plans for the proposed new construction, and feel that a house of this size, bulk, and scale will be incompatible with the neighbourhood, and will negatively impact the historic nature of the quaint Parrot Cove neighbourhood, as well as negatively effect the real estate and aesthetic value of my cottage home, as well as the other homes in the neighbourhood. Would it be possible for the architect to design something less daunting, and overwhelming to the neighborhood, but still desirable to the owner of the property?

I hope that this will be considered very carefully; we all want to work together to preserve the charm and old Florida character of our neighbourhood.

Respectively submitted,

Lisa Segarra,
Owner, 230 North Lakeside Drive
Lake Worth, Florida



Lisa T. Segarra, MPH, RD, LD
Certified Personal Trainer and Registered Dietitian
515 East Beach Drive
Ocean Springs, MS 39564
228-875-2954

"Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover." -- Mark Twain

May 5, 2012

TO: Chair & Members of the Historic Resources Preservation Board
Mr & Mrs. Hulett

RE: HRPB Project No. 12-00100066
302 N. Lakeside Drive PNC#38-43-44-21-15-430-0010

In reference to the above application and information posted for the board meeting May 9th. I will not be available to attend the meeting but submit my comments within..

I have had a chance to consider the applications vision in it's entirety. The information presented to the board is worded as conformable but is not convincing. Taking into consideration all of the "radical departures from the historic patterns within the historic district", specifically items 3, 4, 6, 7, 8, 9, 10, 11, 12, and then the responses that do not answer the criteria relative to the adjoining /adjacent structures but are "in keeping with the proposed style", criteria 1, 2, 8, 10, 11;. summed together, becomes a big stretch in meeting the old Florida charm the neighborhood has. Regardless of the property being designed within the newer setbacks, you have to agree that the comparative elements are lost.

Further described in the elevation exercise sheet, A2.03, without measuring every inch, it is obvious that the building pushes the limits to the extent that it is out of place with the immediate homes. For example, every house it compares to has a one story feature and in some cases, some sort of curvature, as well as the height of other two story homes are consistent with the other. It is plain to see that this home, out of character the way it is.

I acknowledge the efforts in putting the initial presentation together, but I request that you, the board and the Owner re-evaluate the front elevation, (west facing) and propose a one story feature and reduce the height of the roof line to put forth a flow in appearance to the adjoining and adjacent homes.

For a visual I have taken the liberty in providing a cut and paste of the applicants elevations suggesting that just the entrance and the office area, be designed as a one story. It would entail pushing the upper level of the house back, and lower the height of the roof line, thus creating a beautiful covered porch off the entire back of the house. This would include pushing back the upper deck as well. Doing so, you achieve more consistency with adjoining houses along the front without fully compromising the initially vision of roof lines and no loss in square footage of the house.

Finally, like my neighbors, I welcome the development of this property, and I live here because of the uniqueness of architecture in the neighborhood. I hold my confidence in you that modifications are

made to this proposal to preserve the architectural flow we have in Old Lucerne. A neighborhood that somehow blends from one house to the next because of one similarity to another.

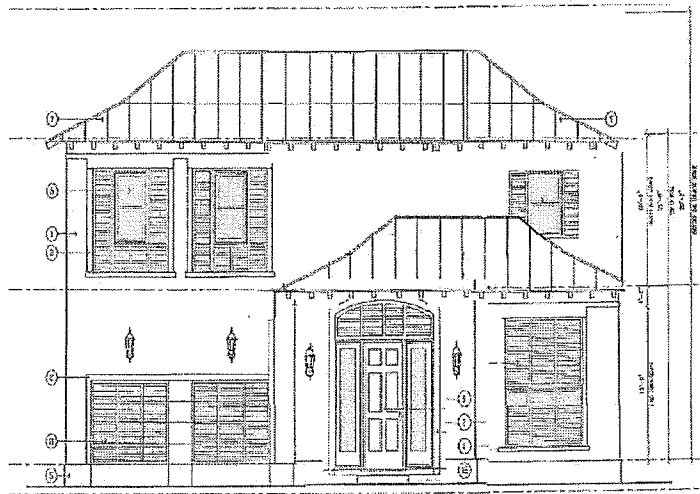
Respectfully requested,

Regina Miller

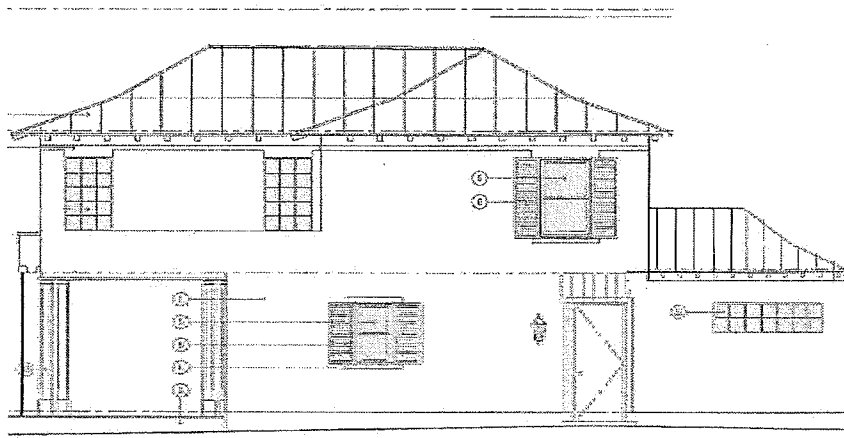
303 N Lake Side Drive (directly across the street)

Lake Worth, FL 33460

Tel: 561-667-5387 Email: Pro_Solutions@comcast.net



Suggested Front Elevation



Suggested North Side

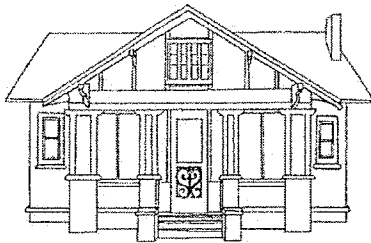
Here are the City of Lake Worth's prominent architectural styles referred to at http://www.lakeworth.org/index.asp?Type=B_BASIC&SEC={C490B34C-1F7A-44AF-BB3B-CD8123C23064} Perhaps we can utilize some of these concepts as well.... :)

Prominent Architectural Styles: http://www.lakeworth.org/index.asp?Type=B_BASIC&SEC={C490B34C-1F7A-44AF-BB3B-CD8123C23064}

Art Deco/Art Moderne (1920's-1930's)

This style is usually found on public or commercial structures and is frequently used for apartment buildings. Identifying features of this style include a smooth wall surface, usually of stucco, zigzags, chevrons and other stylized or geometric motifs on the façade. A vertical emphasis is often placed on the structure through the use of towers or vertical projections above the roofline.

Bungalow (1900-1940)



Influenced by peasant huts in India, Bungalows have a particularly good design for Florida climate utilizing large, wide overhangs, wrap around porches, and pier foundations to cool the interior. Design characteristics typically include battered porch piers or columns, brick chimneys, multi-plane roof lines often with cross or front facing gables with exposed rafters tails, dormers, roof brackets or knee braces, and gable vents. Fenestration can include casements, and single or double hung sash with 3/1 and 4/1 light configurations. Hand carved woodwork and stained glass craftsmanship is also common in the interior as well as exterior.

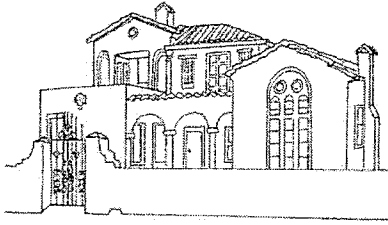
Frame Vernacular



Frame Vernacular

Constructed of wood framing and reflecting no high architectural style or formal architectural design, the vernacular house can be either symmetrical or asymmetrical in design. Built by laymen, often the owner, with no formal construction experience who utilized local building materials and craftsmanship techniques. (Also Masonry Vernacular)

Mediterranean Revival (1915-1940)



Influenced by the Italian and Spanish styles and popularized by Henry Flagler and Addison Mizner, this style displays low pitched, multi-plane roof lines often with red clay tiles and little or no overhang. Tile visor roofs are also common. A stucco exterior, often textured, covers an asymmetrical, wood or hollow clay tile frame. Arches are prevalent within the fenestration design including entryways, arcades, and colonnades.

Minimal Traditional (1935-1950)



Typically, a one-story building displaying a low or intermediate pitched gable roof with a large chimney. Shares Tudor style traits such as rock or brick facing (particularly on the chimney) and minimal wood detailing. Popularized after World War II, this style is often associated with tract housing.

Mission Revival

Minimally ornamented with built-up, flat roofs with stepped or curvilinear parapets, a wood or hollow clay tile frame with smooth or rough textured stucco exterior. Tile visor roofs over windows and entryways are also common. Fenestration often includes casement windows and arched entryways.

Monterrey (1925-1955)



Two-story building with low pitched gable or hip roof. Second story displays a balcony typically cantilevered over the first floor and covered by the principal roof. Fenestration includes paired windows often with false shutters

Resort Colonial Revival (1930-1939)

Typically two-story with a rectangular or square floor plan topped with hip or side-gabled roof and often wood cladding. Symmetrical and asymmetrical facades are common with minimal detailing. Fenestration includes a six, eight, or nine light pattern on a double hung sash with bay, paired, and triple windows, often part of the design elements

Kelly Christensen

From: Robert Wanvestraut [roberthw@hotmail.com]
Sent: Saturday, July 14, 2012 3:21 PM
To: Kelly Christensen
Subject: 302 N Lakeside Drive

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Dear Ms. Christensen,

It has come to my attention the lot at 302 N. Lakeside Drive is in line to have a 2 story 4,000 sqrft home developed on the property.

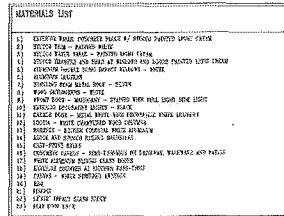
Please be advised as to my objection to the construction of a home of those dimensions in our (historic) neighborhood.

I am not against development and have been generally happy to see recent developments in our area (Snook Island waterfront area, Artist Lofts etc.). However, a structure of the dimensions proposed for the home soon to be on 302 N. Lakeside is incongruent with historic nature of the rest of the area.

Please forward this correspondence to the Historical Resource Preservation Board for their review.

Sincerely,

Robert Wanvestraut
1128 North O Street
Lake Worth FL 33460



PROPOSED WEST ELEVATION

SCALE: $1/4" = 1'-0"$





1

Kelly Christensen

From: William Waters
Sent: Monday, June 25, 2012 2:52 PM
To: Kelly Christensen; Karen Vaughn
Subject: FW: COA#12-00100066 302 N. Lakeside
Attachments: Historic guidelines.pdf

Categories: Red Category, HRPB

FYI Ladies. Thanks.

William Waters, AIA, NCARB, LEED AP BD+C
FL AR94136
Director for Community Sustainability
City of Lake Worth
1900 Second Avenue North
Lake Worth, Florida 33461
561-586-1634
wwaters@lakeworth.org

From: Judith Just [<mailto:judithjust01@hotmail.com>]
Sent: Monday, June 25, 2012 2:40 PM
To: William Waters
Subject: FW: COA#12-00100066 302 N. Lakeside

Since you are communicating directly with Wes Blackman ...

From: judithjust01@hotmail.com
To: wesblackman@gmail.com
CC: golden_girl_usa@yahoo.com; jeanne.thompson@state.ma.us; pro_solutions@comcast.net; peter.just@topproducer.com; jmorris187@aol.com
Subject: COA#12-00100066 302 N. Lakeside
Date: Sun, 24 Jun 2012 08:28:35 -0400

Mr. Blackman,

Peter and I reviewed the latest changes to the proposed construction. Have you ever reviewed the Florida guidelines for new construction as it relates to historic preservation?

Attached is a printout which I found under the Lake Worth website Historic Preservation page which specifically addresses new construction in historic Florida communities. As you know Old Lucerne is on the National Historical Register, does this not warrant following preservation guidelines for new construction?

Old Lucerne Historic Residential District (added 2001 - - #01000526)

Also known as **Townsite of Lucerne**

Roughly along N. Lakeside Dr., N. Palmway St., and N. O St., from Lake Ave. to 7th Ave. N., Lake Worth

Historic Significance: Event, Architecture/Engineering

Architectural Style: Mission/Spanish Revival

Area of Significance: Community Planning And Development, Architecture

Period of Significance: 1950-1974, 1925-1949, 1900-1924

Owner: **Private**

Historic Function: Domestic, Religion
Historic Sub-function: Multiple Dwelling, Religious Structure, Single Dwelling
Current Function: Domestic, Religion
Current Sub-function: Multiple Dwelling, Religious Structure, Single Dwelling

As an active board member of the Historical Preservation Resource Board how do you reconcile lobbying for the construction of an inappropriately designed building in our historic neighborhood?

Clearly this project does not meet the compatibility criteria set out in the attached document. The adjacent residents are not requesting construction reflect something of a historical nature/design, we want compatible height, mass, scale and set backs to the site's adjacent properties!

The building 2 doors south of the proposed site should not be used for compatibility/comparison, it is not adjacent to the construction site, nor is it historic and obviously was never compatible to its adjacent properties. According to the scale of your drawings the proposed construction is even taller than this building!

With the options of many acceptable designs why choose one that is not compatible and force the proverbial hippotomus into a tea cup?

JJ

Judith Ann Just, Attorney, P.A.
Tel. 561 547-0549
Fax 561-214-4788
Cell 561-379-5372
E-mail: judithjust01@hotmail.com

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Thank you.

Kelly Christensen

From: William Waters
Sent: Tuesday, June 26, 2012 9:48 AM
To: Kelly Christensen
Subject: FW: COA#12-00100066 302 N. Lakeside
Attachments: Historic guidelines.pdf

Categories: Red Category, HRPB

Please file. Thanks.

William Waters, AIA, NCARB, LEED AP BD+C
FL AR94136

Director for Community Sustainability

City of Lake Worth
1900 Second Avenue North
Lake Worth, Florida 33461
561-586-1634
wwaters@lakeworth.org

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Sent: Monday, June 25, 2012 2:40 PM
To: William Waters
Subject: FW: COA#12-00100066 302 N. Lakeside

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peter.just@topproducer.com; jmorris187@aol.com
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Judith Ann Just, Attorney, P.A.
Tel. 561 547-0549
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Cell 561-379-5372
E-mail: judithjust01@hotmail.com

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Thank you.

Kelly Christensen

From: Julie Marie [julimariad@gmail.com]
Sent: Monday, July 09, 2012 9:48 AM
To: Kelly Christensen
Subject: 302 N Lakeside Drive

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Dear Kelly Christensen,

Thank you for your work for our City. As a homeowner in our City's Old Lucerne Historic Residential District, I would like to request your improvement to the proposed new home plan for 302 N Lakeside Drive. I am in favor of new construction, but it should be consistent with the character of our neighborhood. It is important to reflect the Mission / Spanish Revival or Art Deco architecture. The current proposed elevation is a box style home that would be in a mass development subdivision. Please request architectural style be changed to Mission / Spanish Revival or Art Deco.

Thank you,
Julie Augustyn
632 N Lakeside Drive
Lake Worth, FL 33460

Kelly Christensen

From: Lou Ann [labohn@comcast.net]
Sent: Thursday, July 12, 2012 10:33 AM
To: amoroso@lakeworth.org; Christopher McVoy; Scott Maxwell; Suzanne Mulvehill; Pam Triolo; City Manager; Kelly Christensen; waters@lakeworth.org
Subject: Parrott Cove Construction
Categories: Red Category, HRPB

I have been noticed that an unacceptable building project for a huge private home at 302 N. Lakeside is being considered for approval. This is a historic area and this size home does NOT fit the neighborhood nor is it consistent with the historic designation of Parrott Cove, a/k/a Old Lucerne. It isn't good for the community, nor for the owners of this project. That size home is a much better fit in College Park, not Parrot Cove. I and many others will be attending the August 8th meeting if this issue is on the agenda. We will state our disapproval of this inappropriate structure in a cottage community that has been designated as "Historic".

Thank you for your attention to this important matter. Your vote to prohibit this intrusion to our neighborhood will be greatly appreciated, AND it the responsible thing to do.

Lou Ann LaBohn
514 N. Palmway
Lake Worth, FL 33460
561-512-0818

Kelly Christensen

From: James K. Brower [ken@baapb.com]
Sent: Friday, July 13, 2012 10:34 AM
To: Kelly Christensen
Subject: RE: 302 North Lakeside Drive COA Application

Categories: Red Category

Kelly,

I didn't think you were suggesting anything one way or the other.....[until you mentioned it – kidding]. I appreciate that you attached it. And I appreciate that you and the rest of the staff have been very helpful throughout this process.

Thank you for agreeing to set up a meeting. I will likely be bringing Wes Blackman.

I look forward to hearing from you.

Best,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Kelly Christensen [mailto:kchristensen@LakeWorth.org]
Sent: Thursday, July 12, 2012 5:12 PM
To: 'James K. Brower'
Subject: RE: 302 North Lakeside Drive COA Application

Mr. Brower-

I completely understand where you are coming from. I hope, that by including the flyer, you did not think that I was suggesting anything one way or the other about this project. I just wanted to make sure that you had all the information that I have so that when you and your client attend the meeting that you are fully aware of all the comments that are out there, so that you do not get ambushed by unexpected questions. It has been no issue at all for us to help facilitate bringing this project before the Board. It what I am here for, to help all applicants through this public hearing process as easily as possible.

I will get together with William tomorrow to figure out what when would be a good time to set up a meeting. I'd like to include him and Karen, because they have also been involved in the process of bringing the application to the HRPB.

Have a great evening, and I will speak to you tomorrow,

Kelly M. Christensen
Preservation Planner
Department for Community Sustainability



City of Lake Worth
1900 2nd Avenue North
Lake Worth, Florida 33461
561-586-1690
kchristensen@lakeworth.org
www.lakeworth.org

Florida has a very broad public records law. Most written communication to or from local officials regarding City business is considered public records and available to the public and media upon request. Your communications may therefore be subject to public disclosure.

From: James K. Brower [<mailto:ken@baapb.com>]
Sent: Thursday, July 12, 2012 5:02 PM
To: Kelly Christensen
Subject: RE: 302 North Lakeside Drive COA Application

Good afternoon Kelly,

We have put a lot of work into making some significant changes to the project as a result of meeting with neighbors, reading their letters, along with the recent flyer. We have also had to work around the need to grant the city an easement along the southern 17.5 feet of the property. That situation led to the incorporation of a side entry garage, which significantly changed the house's street appearance, for the better in my opinion. We have also incorporated a number of other changes that we would like to fully present at the August HRPB meeting. We appreciate being granted the various continuances while we dealt with these issues.

We would like an opportunity to meet with you next week to review the project. I am also preparing a letter to those people that were mentioned on the flyer distributed through the neighborhood. The letter will review the changes to the project, over time, that are not represented in the flyer or the graphic that is part of the flyer. Taken as a whole, these changes address many of the neighbors' concerns. I would also point out that many neighbors support the project and we plan to present evidence of that prior to the meeting.

Please let me know when you might be available to meet with us next week.

Thank you,

Ken Brower

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Kelly Christensen [mailto:kchristensen@LakeWorth.org]
Sent: Thursday, July 12, 2012 9:28 AM
To: 'James K. Brower'
Subject: RE: 302 North Lakeside Drive COA Application

Mr. Brower-

I wasn't going to make the plans available to the public until the middle of next week at the earliest, to give you some time to make any tweaks should they come up.

As you are probably aware, we have been getting some public comment in on this project. All of the letters we received will be available in the agenda packet for you to review ahead of the meeting. We were also recently informed that someone within the neighborhood distributed a flyer about the project, which I've attached to this email. We thought you and your client might want to see this right away, as it was widely distributed in the neighborhood.

Have a good morning,

Kelly M. Christensen
Preservation Planner
Department for Community Sustainability



City of Lake Worth
1900 2nd Avenue North
Lake Worth, Florida 33461
561-586-1690
kchristensen@lakeworth.org
www.lakeworth.org

Florida has a very broad public records law. Most written communication to or from local officials regarding City business is considered public records and available to the public and media upon request. Your communications may therefore be subject to public disclosure.

From: James K. Brower [mailto:ken@baapb.com]
Sent: Wednesday, July 11, 2012 5:25 PM
To: Kelly Christensen
Subject: RE: 302 North Lakeside Drive COA Application

Thank you Kelly. Can you also let me know when these documents will be made public?

Best,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Kelly Christensen [mailto:kchristensen@LakeWorth.org]
Sent: Wednesday, July 11, 2012 4:45 PM
To: 'James K. Brower'
Subject: RE: 302 North Lakeside Drive COA Application

Mr. Brower-

I have the plans in hand, thank you! I will be in touch in a week or two to deliver a new sign with the proper meeting date on it.

Have a great afternoon,

Kelly Christensen

From: James K. Brower [mailto:ken@baapb.com]
Sent: Wednesday, July 11, 2012 3:51 PM
To: Kelly Christensen
Subject: RE: 302 North Lakeside Drive COA Application

She is on her way now.

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Kelly Christensen [mailto:kchristensen@LakeWorth.org]
Sent: Wednesday, July 11, 2012 3:39 PM
To: 'James K. Brower'
Subject: RE: 302 North Lakeside Drive COA Application

Mr. Brower-

I will be here, just have her ask the ladies at the desk to call me up when she gets here.

Thanks,

Kelly Christensen

From: James K. Brower [mailto:ken@baapb.com]
Sent: Wednesday, July 11, 2012 3:38 PM
To: Kelly Christensen
Subject: RE: 302 North Lakeside Drive COA Application

Kelly,

Linda from my office, is dropping of another set of application drawings and a disk and I wanted to be sure you or someone knows they are coming. They should be here by 4:15 (sorry not sooner, but snags always seem to appear just when you don't expect them).

Thank you,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road

Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

Kelly Christensen

From: kurt [kurthyde@yahoo.com]
Sent: Sunday, July 15, 2012 11:02 AM
To: amoroso@lakeworth.org; Christopher McVoy; Scott Maxwell; Suzanne Mulvehill; Pam Triolo; City Manager; Kelly Christensen; waters@lakeworth.org
Subject: 302 N. Lakeside

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

I bought in Lake Worth in 2008 primarily because of its look and feel as a cottage community that has a proper height, mass, and scale. I love the historic nature of it and felt that it has great potential as long as it preserves its historic look. The house proposed on 302 N. Lakeside is a step in destroying that look and feel. Allowing such inappropriate structures for the neighborhood will also destroy many of the positive steps that Lake Worth has taken to preserve its historic character. In addition, data shows that towns with a preserved historic area fair far better in maintaining values than those that don't.

Please do not allow the construction of 302 N. Lakeside in its present form. It must conform to its historic district's look.

Kind regards,

Kurt Hyde
1018 N. Palmway

Kelly Christensen

From: Maryanne Webber [webbergalleries@bellsouth.net]
Sent: Monday, July 16, 2012 10:41 AM
To: William Waters; Kelly Christensen
Cc: City Manager
Subject: 302 North Lakeside Drive Certificate of Appriateness

Categories: Red Category

Mr. William Waters, AIA, NCARB, LEED AP BD+C, FL AR94136
Director for Community Sustainability
City of Lake Worth
1900 Second Avenue North
Lake Worth, Florida 33461

Re: Certificate of Appropriateness
302 North Lakeside Drive
Lake Worth, FL

Dear Mr. Waters,

It has come to our attention that the vacant lot at 302 North Lakeside Drive will be reviewed by the Historic Resources Preservation Board in early August. We have made it a point to see the *most recent* plans for this proposal and we both feel that the owner and their architect has responded to and accommodated the suggestions of some of the neighbors on the street. We think the house will be a great addition to our street, our neighborhood and our historic district.

We have resided at 327 North Lakeside Drive since 1989. Our home is two story and it was built in 1913. It along with the City of Lake Worth will be celebrating its centennial birthday next year. Most likely at the time our home was built it was not the norm nor the average home being built in Lake Worth, but today it is a valued part of the historic aspect of our city.

We encourage the approval of the project.

Thank you,

Bruce and Maryanne Webber
327 N. Lakeside Drive
Lake Worth

Maryanne Webber Gallery
711 Lucerne Avenue
Lake Worth, Florida 33460
561 585 0003
www.webbergallery.com

Kelly Christensen

From: James K. Brower [ken@baapb.com]
Sent: Wednesday, July 18, 2012 9:47 AM
To: Kelly Christensen
Subject: RE: 3:00

My mistake, you are correct. It's 2:00.
Wes Blackman will also be attending.
Thanks

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Kelly Christensen [mailto:kchristensen@LakeWorth.org]
Sent: Wednesday, July 18, 2012 9:41 AM
To: 'James K. Brower'
Subject: RE: 3:00

Mr. Brower-

I had our meeting down for 2:00 this afternoon. William and I will both be in attendance. Is this time still okay for you? William has another meeting scheduled for 3:00 already.

Kelly M. Christensen
Preservation Planner
Department for Community Sustainability



City of Lake Worth
1900 2nd Avenue North
Lake Worth, Florida 33461
561-586-1690
kchristensen@lakeworth.org
www.lakeworth.org

Florida has a very broad public records law. Most written communication to or from local officials regarding City business is considered public records and available to the public and media upon request. Your communications may therefore be subject to public disclosure.

From: James K. Brower [mailto:ken@baapb.com]
Sent: Wednesday, July 18, 2012 9:41 AM
To: Kelly Christensen
Subject: 3:00

Good morning Kelly,

Just confirming our meeting there, today at 3:00.

Thanks,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

Kelly Christensen

From: Wes Blackman [wesblackman@gmail.com]
Sent: Wednesday, September 05, 2012 1:34 PM
To: Kelly Christensen
Subject: Re: Old Lucerne Historic District

Thank you.

On Wed, Sep 5, 2012 at 1:29 PM, Kelly Christensen <kchristensen@lakeworth.org> wrote:

Mr. Blackman-

The Old Lucerne district is in fact listed on the *National Register* as a residential historic district. The boundaries are the same between the local and national district.

Kelly M. Christensen

Preservation Planner

Department for Community Sustainability



City of Lake Worth

1900 2nd Avenue North

Lake Worth, Florida 33461

561-586-1690

kchristensen@lakeworth.org

www.lakeworth.org

Florida has a very broad public records law. Most written communication to or from local officials regarding City business is considered public records and available to the public and media upon request. Your communications may therefore be subject to public disclosure.

From: Wes Blackman [mailto:wesblackman@gmail.com]
Sent: Wednesday, September 05, 2012 1:21 PM
To: Kelly Christensen
Subject: Old Lucerne Historic District

Can you confirm whether or not the Old Lucerne Historic District is a local or a national historic district. The only two I remember being on the National Register were College Park and the Old Town (Downtown) historic districts.

--



241 Columbia Drive

Lake Worth, Florida 33460

561 308 0364

email: wesblackman@gmail.com

--



241 Columbia Drive

Lake Worth, Florida 33460

561 308 0364

email: wesblackman@gmail.com

James Poag A.

From: Kelly Christensen [kchristensen@LakeWorth.org]
Sent: Thursday, July 12, 2012 10:39 AM
To: 'Lou Ann'
Subject: RE: Parrott Cove Construction

Ms. LaBohn-

Thank you very much for your comments regarding COA#12-00100066 302 North Lakeside Drive. Your email will be added to the file for this project, and will be forwarded to the Historic Resources Preservation Board when this case comes to public hearing.

The flyer you received about this project was not distributed by City of Lake Worth staff, and the graphic of the exterior of the building is not currently part of the official application for this project. You will be able to access the up-to-date meeting packet, including building elevations, approximately one week before for the August 8, 2012 meeting at the following link when it becomes available:

http://www.lakeworth.org/index.asp?Type=B_BASIC&SEC={C86A230D-BF65-42FD-81FE-97C659B28B55}&DE={9F7A31B1-1069-4D2F-9AF2-8FF8C52CC4F5}

If you have any further questions concerning this information, please feel free to contact me.

Sincerely,

Kelly M. Christensen
Preservation Planner
Department for Community Sustainability



City of Lake Worth
1900 2nd Avenue North
Lake Worth, Florida 33461
561-586-1690
kchristensen@lakeworth.org
www.lakeworth.org

Florida has a very broad public records law. Most written communication to or from local officials regarding City business is considered public records and available to the public and media upon request. Your communications may therefore be subject to public disclosure.

From: Lou Ann [<mailto:labohn@comcast.net>]
Sent: Thursday, July 12, 2012 10:33 AM
To: amoroso@lakeworth.org; Christopher McVoy; Scott Maxwell; Suzanne Mulvehill; Pam Triolo; City Manager; Kelly Christensen; waters@lakeworth.org
Subject: Parrott Cove Construction

I have been noticed that an unacceptable building project for a huge private home at 302 N. Lakeside is being considered for approval. This is a historic area and this size home does NOT fit the neighborhood nor is it consistent with the historic designation of Parrott Cove, a/k/a Old Lucerne. It isn't good for the community, nor for the owners of this project. That size home is a much better fit in College Park, not Parrot Cove. I and many others will be attending

the August 8th meeting if this issue is on the agenda. We will state our disapproval of this inappropriate structure in a cottage community that has been designated as "Historic".

Thank you for your attention to this important matter. Your vote to prohibit this intrusion to our neighborhood will be greatly appreciated, AND it the responsible thing to do.

Lou Ann LaBohn
514 N. Palmway
Lake Worth, FL 33460
561-512-0818

James Poag A.

From: James K. Brower [ken@baapb.com]
Sent: Friday, July 27, 2012 9:12 AM
To: William Waters; Kelly Christensen; Karen Vaughn
Cc: Randy Hulett (Corporate - Management); tim@bugs.com; liz@bugs.com; Wes Blackman
Subject: COA 302 North Lakeside Drive

Dear M. Waters,

It has been brought to my attention that Mr. and Mrs. Hulett will be out of town the week of August 6 through the 10, 2012. They are desirous of attending the HRPB meeting on August 8, 2012, for the presentation of their request for approval of the Certificate of Appropriateness for 302 North Lakeside Drive. To allow the Huletts to attend the presentation of their project, I am on their behalf, respectfully requesting a continuance to the September 2, 2012 HRPB meeting.

Both the Huletts' and I are very grateful for the kind consideration the HRPB has extended for the previous continuance requests. As you are aware, those requests were, for the most part, due to circumstances beyond their control. This request for personal reasons is made with the understanding of the time and effort you and the staff of the Department of Community Sustainability and the members of the Historic Resources Preservation Board have made.

We appreciate and thank you for your continuing, professional consideration.

Respectfully,

Ken Brower

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

James Poag A.

From: James K. Brower [ken@baapb.com]
Sent: Wednesday, September 19, 2012 2:40 PM
To: William Waters
Subject: FW: 302 N. Lakeside

William,

Please see the note from Judith Just below. Isn't it nice that she likes the house and that he is appreciative of the concessions made?

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: James K. Brower [mailto:ken@baapb.com]
Sent: Wednesday, September 19, 2012 2:35 PM
To: 'Judith Just'
Subject: RE: 302 N. Lakeside

Judith,

I am happy to work that you like the house, thank you. I will pass your wishes along to the Huletts.

Best Regards,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

From: Judith Just [mailto:judithjust01@hotmail.com]
Sent: Thursday, September 13, 2012 6:52 PM
To: ken@baapb.com
Subject: 302 N. Lakeside

Ken,

Yesterday was the first time Peter and I had seen the actual rendering of the home. It looks lovely - although the actual design was never an overwhelming concern to us this is a more esthetically pleasing design. We were more concerned about the close proximity to our small home, the prospective height and mass of the new home.

Please convey our thanks to the Huletts for their concessions and working to address our concerns. I hope they all understand we have our perspective and they have theirs, it was never personal. They seem like a nice family and a lovely young couple. We wish them the best.

Thank you for working so hard to try and address everyone's concerns.

JJ

Judith Ann Just, Attorney, P.A.

Tel. 561 547-0549

Fax 561-214-4788

Cell 561-379-5372

E-mail: judithjust01@hotmail.com

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Thank you.

James Poag A.

From: William Waters [wwaters@LakeWorth.org]
Sent: Wednesday, October 17, 2012 11:02 AM
To: James Poag A.
Subject: Meetings for 302 North Lakeside Drive

Mr. Poag,

Per your request concerning meetings that I attended with regard to 302 North Lakeside Drive, there was one scheduled for 1:30 pm, Friday, March 9, 2012. This was the first meeting to discuss this project. I have not been able to find the one for April, though I do recall my meeting with Mr. Brower and included my new Historic Preservation Staff. I will continue to look. Thank you.

William Waters, AIA, NCARB, LEED AP BD+C

FL AR94136

Director for Community Sustainability

City of Lake Worth

1900 Second Avenue North

Lake Worth, Florida 33461

561-586-1634

wwaters@lakeworth.org

May 16, 2012

Mr. William Waters, Director for Community Sustainability
Chair and Board Members, Historic Resources Preservation Board
1900 2nd Avenue North
Lake Worth, FL 33461

Re: Request for Continuance
12-00100066 302 North Lakeside Drive

Dear Mr. Waters and Historic Resources Preservation Chair and Board Members:

This is to respectfully request a continuance of the above mentioned item to your July 8, 2012 HRPB meeting. This project initially appeared on your May 9, 2012 HRPB agenda. We requested and were granted a continuance to the June 12, 2012 HRPB meeting. Thank you for granting that continuance on such short notice.

The reason for this request is because the issue regarding the un-recorded easement in the abandon right of way of 3rd Avenue North, which is necessitating some re-design of the proposed new residence, has not been resolved. We expect the easement issue to be resolved soon and we will submit design revisions for your consideration at the July HRPB meeting. Anticipated design revisions will include relocating the garage entrance from [facing] North Lakeside Drive to facing south, entering the garage from the south side yard and reducing the width of the house along North Lakeside Drive, allowing for additional open space.

Thank you for your continued consideration.

With Best Regards,

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

Cc: Tim and Liz Hulett
Randy Hulett
Karen Vaughn, Planning and Preservation Manager, City of Lake Worth
Kelly Christenson, Preservation Planner, City of Lake Worth
Wes Blackman

James Poag A.

From: Christy Goddeau [christy@torcivialaw.com]
Sent: Wednesday, August 22, 2012 2:49 PM
To: Michael Bornstein
Cc: William Waters
Subject: FW: Proposed easment for 302 N. Lakeside
Attachments: GRANT OF EASEMENT - 302 N. Lakeside.doc

Mike – this is the email I sent recently on the easement at 302 N. Lakeside – this was after I coordinated with Ms. Morandi on the easement and she suggested coordinating with Mr. Blackman. Please let me know if it should go to the architect and attorney who you will be meeting with next week.

Thanks!

Christy L. Goddeau, Esq.
*Board Certified City County and Local
Government Attorney*
Law Offices of Glen J. Torcivia, P.A.
Northpoint Corporate Center
701 Northpoint Parkway, Suite 209
West Palm Beach, FL 33407
(561) 686-8700
(561) 686-8764 fax
christy@torcivialaw.com

Placed a call to
Goddeau 10/17/12
Lake Worth #

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ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL
REIMBURSE YOU FOR YOUR EXPENSES. THANK YOU.

From: Christy Goddeau
Sent: Tuesday, August 21, 2012 5:30 AM
To: 'wesblackman@gmail.com'
Cc: cgoddeau@lakeworth.org; mmorandi@lakeworth.org; Joni Taurosa (jtaurosa@LakeWorth.org)
Subject: Proposed easment for 302 N. Lakeside

Mr. Blackman:

As you may know, our firm is serving as the interim City Attorney for the City of Lake Worth. I have reviewed your prior correspondence with Melissa Anderson and prepared the attached draft easement. Please review and let me know if you have any questions, comments or revisions. Exhibit "A" will consist of the legal description you provided and the survey. Please also provide me with the owner's legal name (if different than online) and appropriate mailing address.

Thank you,

Christy L. Goddeau, Esq.
Board Certified City County and Local

Government Attorney

Law Offices of Glen J. Torcivia, P.A.

Northpoint Corporate Center

701 Northpoint Parkway, Suite 209

West Palm Beach, FL 33407

(561) 686-8700

(561) 686-8764 fax

christy@torcivialaw.com

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James Poag A.

From: Melissa Anderson [manderson@LakeWorth.org]
Sent: Wednesday, July 18, 2012 3:55 PM
To: Jamie Brown; William Waters
Subject: FW: let me know what you think
Attachments: Amended Easement ver 1 302 North Lakeside.doc

Can you please review and let me know your thoughts. This is on the wes blackman utility easement.

Melissa P. Anderson, Asst. City Attorney
City Attorney's Office
7 North Dixie Highway
Lake Worth, Florida 33460
(561)586-1631
**Board Certified by the Florida Bar in City, County and Local Government Law*

From: Melissa Anderson
Sent: Wednesday, July 18, 2012 11:42 AM
To: Monica Morandi
Subject: let me know what you think

Melissa P. Anderson, Asst. City Attorney
City Attorney's Office
7 North Dixie Highway
Lake Worth, Florida 33460
(561)586-1631
**Board Certified by the Florida Bar in City, County and Local Government Law*

James Poag A.

From: Melissa Anderson [manderson@LakeWorth.org]
Sent: Wednesday, July 18, 2012 3:55 PM
To: Jamie Brown; William Waters
Subject: FW: let me know what you think
Attachments: Amended Easement ver 1 302 North Lakeside.doc

Can you please review and let me know your thoughts. This is on the wes blackman utility easement.

Melissa P. Anderson, Asst. City Attorney
City Attorney's Office
7 North Dixie Highway
Lake Worth, Florida 33460
(561)586-1631
**Board Certified by the Florida Bar in City, County and Local Government Law*

From: Melissa Anderson
Sent: Wednesday, July 18, 2012 11:42 AM
To: Monica Morandi
Subject: let me know what you think

Melissa P. Anderson, Asst. City Attorney
City Attorney's Office
7 North Dixie Highway
Lake Worth, Florida 33460
(561)586-1631
**Board Certified by the Florida Bar in City, County and Local Government Law*

RETURN TO:

Prepared by:

EASEMENT AGREEMENT

THIS AGREEMENT, made and entered into the _____ day of _____, 2012, by and between _____ and, parties of the first part, and the City of Lake Worth, a municipal corporation existing under the laws of the State of Florida, its licensees, agents, successors, and assigns, party of the second part.

WITNESSETH:

WHEREAS, the said parties of the first part are seized and possessed of the following described real property located at 302 North Lakeside, Lake Worth, Florida with the following legal description:

Lot 1, Block 430, TOWNSITE OF LUCERNE (now known as Lake Worth), according to the Palm Beach Farms Co. Plat No. 2, recorded in Plat Book 2, Page 29, in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida; together with the North 20 feet of abandoned 3rd Avenue lying south of and adjacent thereto, which formerly constituted a public right of way abandoned by the city of Lake Worth, Florida pursuant to Resolution 38-92 dated August 17, 1992.

WHEREAS, the party of the second part desires to have the exclusive right to use a portion of the above-described lands for public utility easement purposes.

NOW THEREFORE, the parties of the first part, for and in consideration of the sum of One and no/100 Dollar (\$1.00) and other good and valuable consideration to them in hand paid, the receipt whereof is hereby acknowledged, do hereby grant to the party of the second part a ~~fifteen~~ seventeen and a half foot utility easement as shown as Exhibit "A" attached here for UTILITY EASEMENT PURPOSES ONLY: to lay or cause to be laid, and maintain water, sewer and ~~natural gas pipes, mains and conduits; manholes and markers, underground or buried cables and wires, cable terminals, splicing boxes, pedestals, and other amplifiers, boxes, appurtenances and devices; to erect, maintain, repair, rebuild, operate and control electric power transmission lines, telephone, telegraph, or other communications lines or systems including the right to erect poles, wires, and anchors, cables and any necessary appurtenances; the right to clear said former right-of-way and keep it clear of brush, trees, semi-permanent structures not approved by the city and removal of fire hazards; together with all reasonable rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto.~~

The party of the second part may remove or cause to be removed any previously approved semi-permanent structures which encroach upon the utility easement at any time for any reasonable purpose, which the reasonableness of such purpose shall be in the party of the second part's sole discretion. The party of the first part shall have the

being expressly understood, however, that in the event party of the second part, its licensees, agents, successors and assigns, abandons or vacates the easement herein granted, that the same shall revert back to the parties of the first part, their heirs, successors or assigns.

Signed, sealed and delivered
in the presence of:

Signature of Witness

Printed Name of Witness

Signature of Witness

Printed Name of Witness

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by _____, who is personally known to me

or who has produced _____ as identification and who did (did not) take an oath.

James Poag A.

From: Wes Blackman [wesblackman@gmail.com]
Sent: Tuesday, May 15, 2012 3:14 PM
To: Karla White; Monica Morandi
Cc: William Waters; Elaine Humphreys; Michael Bornstein
Subject: Re: Easement - 302 North Lakeside

If an initial meeting is necessary to start things off, we can make those arrangements.

For the City Attorney and the City Manager, 302 North Lakeside contains the northern 20 ft of the former 3rd Avenue North R-O-W. As we were working with the property, we discovered a manhole that is part of an east/west running sewer pipe 12 ft. north of the property line. It is our understanding that the city would like an easement of 15 feet centered on the sewer pipe. The owner/applicant is willing to accommodate the city's request. The house is currently being re-designed to avoid being placed over the southern 19.5 ft of the property.

We are eager to start the process as soon as possible. Please let us know how we should proceed.

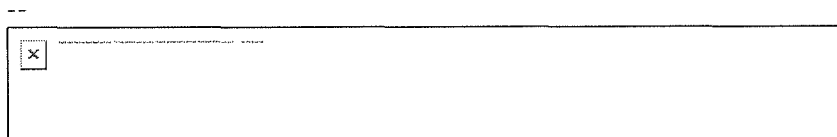
On Tue, May 15, 2012 at 9:59 AM, Wes Blackman <wesblackman@gmail.com> wrote:
I want to bring both of you up to date on what is happening with this property.

The project application was on last week's HRPB agenda and when we asked for a continuance until the board's June 13th meeting. We are currently re-designing the site so that the easement would not be violated by the house location.

What we need to know is the time frame the city would need to create an easement and at what point in the process an easement being in place would become critical. We are hoping that this is something that would not hold-up the HRPB approval process. Can we get working on the easement right now?

Please copy whoever would need to see this in the city attorney's office with your response.

Thank you. Please call if you have any questions.



241 Columbia Drive
Lake Worth, Florida 33460
561 308 0364
email: wesblackman@gmail.com



241 Columbia Drive
Lake Worth, Florida 33460
561 308 0364
email: wesblackman@gmail.com

James Poag A.

From: Monica Morandi [mmorandi@LakeWorth.org]
Sent: Tuesday, May 15, 2012 4:07 PM
To: Wes Blackman; Karla White
Cc: William Waters; Elaine Humphreys; Michael Bornstein; Melissa Anderson
Subject: RE: Easement - 302 North Lakeside

Good Afternoon Wes,

Per our conversation, since the project site has been surveyed recently, you will not be required to have the property re-surveyed. In order to dedicate the required easement for the existing sanitary gravity line, please have your surveyor provide the sketch and legal description of the proposed 15ft Utility Easement. Forward this to Melissa Anderson at the City Attorney's Office. She will then draft the Easement Agreement, and submit it for your approval and signature. Ms. Anderson can be reached at (561) 533-7388.

Please let me know if you should have any further questions or concerns.

Thank you,

Monica Morandi, P.E.
Utilities Engineer
City of Lake Worth
(561) 586-1798

From: Wes Blackman [<mailto:wesblackman@gmail.com>]
Sent: Tuesday, May 15, 2012 3:14 PM
To: Karla White; Monica Morandi
Cc: William Waters; Elaine Humphreys; Michael Bornstein
Subject: Re: Easement - 302 North Lakeside

If an initial meeting is necessary to start things off, we can make those arrangements.

For the City Attorney and the City Manager, 302 North Lakeside contains the northern 20 ft of the former 3rd Avenue North R-O-W. As we were working with the property, we discovered a manhole that is part of an east/west running sewer pipe 12 ft. north of the property line. It is our understanding that the city would like an easement of 15 feet centered on the sewer pipe. The owner/applicant is willing to accommodate the city's request. The house is currently being re-designed to avoid being placed over the southern 19.5 ft of the property.

We are eager to start the process as soon as possible. Please let us know how we should proceed.

On Tue, May 15, 2012 at 9:59 AM, Wes Blackman <wesblackman@gmail.com> wrote:
I want to bring both of you up to date on what is happening with this property.

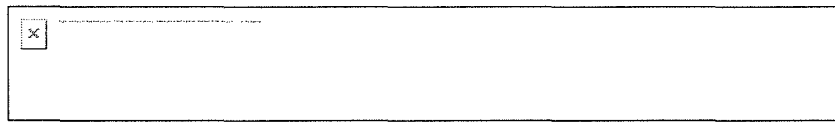
The project application was on last week's HRPB agenda and when we asked for a continuance until the board's June 13th meeting. We are currently re-designing the site so that the easement would not be violated by the house location.

What we need to know is the time frame the city would need to create an easement and at what point in the process an easement being in place would become critical. We are hoping that this is something that would not hold-up the HRPB approval process. Can we get working on the easement right now?

Please copy whoever would need to see this in the city attorney's office with your response.

Thank you. Please call if you have any questions.

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241 Columbia Drive
Lake Worth, Florida 33460
561 308 0364
email: wesblackman@gmail.com

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241 Columbia Drive
Lake Worth, Florida 33460
561 308 0364
email: wesblackman@gmail.com

James Poag A.

From: James K. Brower [ken@baapb.com]
Sent: Wednesday, May 16, 2012 12:59 PM
To: William Waters; Karen Vaughn; Kelly Christensen
Cc: Wes Blackman; tim@bugs.com; liz@bugs.com; Randy Hulett (Corporate - Management); Greg Rice (Corporate - Management)
Subject: RE: 302 North Lakeside Drive Application
Attachments: 2nd Continuance Request 5 15 12.docx

William,

Attached, please find a second request for continuance for 302 North Lakeside Drive to the July HRPB meeting.

Please let me know if you need any additional information.

Thank you.

With Best Regards,

Ken

J. Kenneth Brower, AIA
BROWER ARCHITECTURAL ASSOCIATES, Inc.
350 South County Road
Suite 207
Palm Beach, Florida 33480
Ph: 561 659 1948
Fax: 561 659 1968
Cell: 561 762 0363

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Stone	7/3/12	Permit		YES NO	
Mena	7/3/12	Permit		YES <u>NO</u>	
Madeleine Burnside	7/5/12	set backs for pool	Madeleine Burns	YES <u>NO</u>	
R. GOMEZ	7/5/12	Inspections	Lacey	YES <u>NO</u>	
SACK FARMER	7/5/12	Permit		YES NO	
STON SIMON	7/5/12	permit		YES NO	
Chris VANDER	7/5/12	Permit		YES NO	
Bob BAILEY	7/5/12	Permit		YES <u>NO</u>	
Crystal Russell				YES NO	
Samuel Long	7/5/12	zone	Kelly	YES <u>NO</u>	
Daniel		Permit	me	YES <u>NO</u>	
April	7/6	Permit		YES NO	
Brian	07/06	Permit	Mike	YES <u>NO</u>	

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Susan Taylor	7/6/2012	Palm Lake Condo Gates + Fences	Mr. Waters	YES NO	
Darrell Cuy	7/6/12	Permit		YES <u>NO</u>	
DOUG THARP	7/6/12	PERMIT		YES NO	
Bryan				YES NO	
Roselene Vert	7/9	Notice		YES NO	
Doreen Plana	7/9/12	Permit		YES NO	
Aprille O'Donnell	7/9/12	Permit		YES <u>NO</u>	
J Weschreck	7-9	Permit		YES NO	
MIKE MURPHY	7-9	VARIANCE/PERMIT	RODNEY	YES <u>NO</u>	
ZANE A. FISKE	7-9			YES NO	
Ray Lumsden	7/9	Metering	C. Linstrom	YES <u>NO</u>	
Robert Turso	7/9	PERMIT APP.		YES <u>NO</u>	
Brian Kelleher	7/9	Permit		YES NO	

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Scott Eskew	7-9-12	OPEN PERMIT?	Bldg DEPT.	YES <input checked="" type="radio"/> NO	
Rob Pagan	7/9/12		Bldg Int/Coning	YES <input checked="" type="radio"/> NO	
Susan Taylor	7/9/12	Palm Lake Cenda	Sergio/Rodney	YES NO	
Mary Lindsay	7/11/12	PP Beds	Clay Cundatum	YES NO	
Justin Jensen	7/10/12	Bldg Permit App		YES NO	
Bob Rossi	7/10/12	PLU PERMIT		YES NO	
Enix De Dios	7/10/12	CANCELLATION LETTER		YES NO	
Will Mang	7/10/12	permit		YES <input checked="" type="radio"/> NO	
Elia P Gorman				YES NO	
Monique Kig	7/10	Permit		YES NO	
McAvoy, Kevin J.	7/12			YES <input checked="" type="radio"/> NO	
Christine Vellez	7/11/12	Review file		YES NO	
Gary Ellsath	7/11/12	P/U Permit	Center	YES <input checked="" type="radio"/> NO	

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Stone	7/11/12	Permit		YES NO	
LINDSTROM Air	7/11/12	PICK UP PERMIT		YES <u>NO</u>	
T. S. Davis	7/6/12	COA		YES <u>NO</u>	
Maya Degasper				YES NO	
Martin Blak	7/11/12	Permit	Patsy/Monica	YES <u>NO</u>	HPH PR
Ana Alvarez	7-11-12	Permitting		YES NO	
Jada Brown	7-11-12	Drop off plans	Kelly	YES NO	
Marshall Adams	7/12/12	Sales Call	George Gurgius	YES <u>NO</u>	
Michael A Floering	7-12-12	Business License		YES <u>NO</u>	
GRAZIANO	7-12	PERMIT		YES NO	
Bob Bailey	7/12	Permit		YES <u>NO</u>	
Crawford Deas	7/12	D/O Permit	Sean	YES NO	
Scott Eskew	7-12	P/U PRINTER		YES <u>NO</u>	

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T. DALE	7-13	17 S m St.		YES <input checked="" type="radio"/> NO	
Jerry Zimberg			Permit	YES <input checked="" type="radio"/> NO	
Michael Hatt		1826 N. Dixie	Planning/Zoning	YES <input checked="" type="radio"/> NO	
Joan Ingersoll	7-13	Variance / Permits	Surgis	YES <input checked="" type="radio"/> NO	
Cheryl	7-13			YES NO	
Lorna Biegner	7-13	Alterations to Historic Home		YES NO	
Will Mary	7-13	permit		YES <input checked="" type="radio"/> NO	
Jilly Wpb	7-13	Permit	electrical permit	<input checked="" type="radio"/> YES NO	
Peggy Sloan	7-13	Permit		YES <input checked="" type="radio"/> NO	
WLSFS	7-13	Permit	Brother	YES NO	
E. Echevarria	7/13	Permit		YES NO	
JACK BONE	7-14	Permit PU		YES NO	
FRANK PATEN	7/16	Mr Winters - P&Z Board		YES <input checked="" type="radio"/> NO	

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JAIME LINARES	07/16/12	HOME INSPECTIONS	MR. CARRALLO	YES NO	
RICARDO GOMEZ	7/16/12	" "	MR. PHIL	YES NO	
Roberto Martin	7/16/12		K. Christensen	YES NO	
Gnette Powell	7/16	Hrs Pres	K. Christensen	YES NO	
Will Mary	7/16	Permit		YES NO	
Jim Finnegan	7/16	Permit	Kelly	YES NO	
Nonne Lulca	7/16	Pole Attachment	Clay Linstrom	YES NO	
Christopher Sinker	7/16	Pole Attachment	Clay Linstrom	YES NO	
Jim Sinker	7-16	Permit Problem	John	YES NO	
Bernard Bonnell	7-16	Pump Station Permit		YES NO	
Dean Thami	7/16	P2B	Karen	YES NO	
Loethen Shufy				YES NO	
JAIME LINAREZ	7/16			YES NO	

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JOHN PACE	7/16/12	PERMIT		YES <input checked="" type="radio"/> NO	
Nikki Womack	7/16/12	Permit Pickup		YES NO	
DUSTEN BARKS	7/16/12	MTG		YES <input checked="" type="radio"/> NO	
Anna A	7-16-12	Pick up.		YES NO	
LEVA S.	7-16-12	Permit		YES NO	
AT Pestana	7-16-12	permit		YES NO	
Mark A. Parrilla	7-16-12	P&Z orientation		YES <input checked="" type="radio"/> NO	
Bon Rossi	7-16-12	PERMIT P/U		YES NO	
WIM PAINE	7/17/12	VARIANCE	KELY	YES <input checked="" type="radio"/> NO	
Judith DE Jesus	7/17/12	permit		YES <input checked="" type="radio"/> NO	
Christine Lewis	7/17/12	permit		YES <input checked="" type="radio"/> NO	
Sue Vance	7/17/12	Landlord license	Sue	YES <input checked="" type="radio"/> NO	
Robert Wyle	7/17/12	Planning + Zoning		YES <input checked="" type="radio"/> NO	

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Nikki Womack	7/17/12	Permit PLU		YES NO	
TOM SCHROEDER	7/17/12	PERMIT		YES NO	
Chuck Men	7/17/12	permit		YES NO	
Randy Gagnier	7/17/12	permit		YES NO	
David Vogt	7/17/12	Permit / zoning codes		YES NO	
Cary Sabol	7/17/12	Planner		YES NO	
John				YES NO	
Eileen Fisher		license		YES NO	
ROBIN OGONOW	7-19	Emergency	CLAN	YES <u>NO</u>	WESCO
John				YES NO	
John Lee	7-18	Inspection NO show		YES <u>NO</u>	
Eva Postelnicu	7/18	code vics		YES <u>NO</u>	
Monique Kim	7/18	Perm. to		YES NO	

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JEFF BROWN HOLT	7/18/12	Walt	Walt	YES <input checked="" type="radio"/> NO	
STEPHEN HEMINGWAY	7/18/12	//	//	YES <input checked="" type="radio"/> NO	
Michael Hiatt	7/18/12	Grand Opening Banner	Planning / Zoning	YES <input checked="" type="radio"/> NO	
Suzanne Lipp	7/18/12	Code - permits		YES <input type="radio"/> NO	
Tim MARRAS	7-18-12	Permit	Blog	YES <input checked="" type="radio"/> NO	
JAVIER MONSO	7-19-12	PERMIT	BLOG	YES <input type="radio"/> NO	
DOMINGO CAMACHO	7-19-12	PERMITTING	ROD	YES <input type="radio"/> NO	
Michael	7-19	Permitting	MR WATERS	YES <input checked="" type="radio"/> NO	
Vince DeFelice	7-19-12	Business Tax Receipt	Status	YES <input checked="" type="radio"/> NO	
Wendy Seltzer				YES <input type="radio"/> NO	
ABSOLUTE SIGN	7/19/12	Permit Question	SERGIO	YES <input checked="" type="radio"/> NO	
Lori Prouty	7/19/12	Permit Copy		YES <input checked="" type="radio"/> NO	
Norma Ky				YES <input type="radio"/> NO	

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STEVEN TROSKA	7/19/12	PERMIT SUBMIT		YES <input type="radio"/> NO <input checked="" type="radio"/>	
JOHN OLIVA	7-19-12	CLIA		YES <input type="radio"/> NO <input type="radio"/>	
SHILDEAN MOORE	7-19-12	CODE ENFORCEMENT		YES <input type="radio"/> NO <input type="radio"/>	
JIM PAINE	7/19/12	VARIANCE	KEU	YES <input type="radio"/> NO <input checked="" type="radio"/>	
RICHARD BARNES	7/19/12			YES <input type="radio"/> NO <input type="radio"/>	
Mary Lindsay	7/19/12	Cynthia Hammond		YES <input type="radio"/> NO <input checked="" type="radio"/>	
George Linday	7/19/12	Sewer Service Area		YES <input type="radio"/> NO <input type="radio"/>	
Don Lipscomb	7/19/12	permits		YES <input type="radio"/> NO <input type="radio"/>	
Virginia	7/20/12	Submit		YES <input type="radio"/> NO <input checked="" type="radio"/>	
Junior	7/20/12	Submit Survey		YES <input type="radio"/> NO <input type="radio"/>	
Trista Fuller				YES <input type="radio"/> NO <input type="radio"/>	
Kristin Kellogg	7/23/12	Preservation Foundation		YES <input type="radio"/> NO <input type="radio"/>	
KEVIN DARRUK	7/23/12	ILFV		YES <input type="radio"/> NO <input type="radio"/>	

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Nancy/Fritz Masse	7-23-12	Pickup + drop off permit		YES NO	
Steve Elwin	7/23/12	seeing about a permit		YES NO	
LANDY CASTING	7-23-12			YES NO	
Justin Just	7/23/12	Kelley Chester		YES <u>NO</u>	
Thomas Glass	7/24/12	copier		YES <u>NO</u>	
Michael Hatt	7/24/12	Fence buffer	Zone/Plan	YES <u>NO</u>	
Christian Kellogg	7/24/12	Internship - Kellogg	Kelly	YES <u>NO</u>	
Shrek Gavan	7/24/12	S.E. Pump	Holly	YES <u>NO</u>	
Jack Ferrari	7/24/12	Pick up Permit		YES <u>NO</u>	
JOEY BASILE	7/24/12	Pick up Permit		YES NO	
Linda Piccardi	7/24/12	Mtg w/ Monica Mancini	Monica	YES <u>NO</u>	
Ludith Delgado	7/24/12	Agad Building Zoning		YES NO	
Vivian Birdell	7/24	Rental license		YES NO	

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EDUARDO HERNANDEZ	07/23/12	PICK UP PERMIT		YES NO	
Maranda Hunt	7/24/12			YES NO	
Rimberly Jackson	7/24/12			YES NO	
Elsi Torres Alba	7/25/12	Occupational License		YES NO	
Michael Hiatt	7/25/12	Fence Buffer		YES (NO)	
Stewart Hurd	7/25/12	Tax Receipt	Sergio	YES NO	
Rimberly Jackson	7/25/12			YES NO	
Ryan Berry	7/25/12	Product Approval	Monica	YES (NO)	
Craig Fisher	7/25/12	Product Approval	Monica	YES (NO)	
Nikki Womack	7/25/12	Permit P/U		YES NO	
Antoinette		License	Tori	YES NO	
M. Hunt	7/25/12	Windows	M. W. Hayes	YES (NO)	
Pam Ruse II	7/25/12	Permit info		YES NO	

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JEANE COOPER	7-25-12	BTR	KELLY	YES <input checked="" type="radio"/> NO	
Carla Eddings	7/25/12	Permits	Bern Kelly	YES NO	
Rene Vieu	7/26/12	Pre con		YES <input checked="" type="radio"/> NO	
Kristin Kellogg	7/26/12			YES NO	
Matt Cohen				YES NO	
Barbara Howard	7-26-12			YES NO	
Jim Mercurio	7/27/12		Pre Con Mtg	YES NO	
Mike Ventrella	7/27/12		Pre Con Mtg	YES NO	
Victor Felix	7/26/12			YES NO	
Manuel L. Monts	7/26/12			YES <input checked="" type="radio"/> NO	
H. Smith	7/26/12	permit		YES NO	
Jerry Zumba	7/26/12	Permit.		YES NO	
April Strangh	7/26/12	Permit Plu	Apr.	YES <input checked="" type="radio"/> NO	

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James T	7/26/2012	permit app		YES NO	
JOAN MORAN	7/26	ZONING SETBACK INFO		YES <u>NO</u>	
Mike Listle	7/26	permit info	Sergio	YES <u>NO</u>	
Julen Mender			BRAD	YES NO	
Martin Decikes				YES NO	
Mike Listle	7/26	permit info	Sergio	YES <u>NO</u>	
Angela Vancova	7/26	permit info	Kelly	YES <u>NO</u>	
Joseph Ardy	7/26	Zoning	William Watters	YES NO	
Michael Guo	7/27			YES NO	
GARY VON HUSEN	7/30	Permit	GARY	YES <u>NO</u>	
JACK ZIMMERMAN	7/30	PERMIT		YES <u>NO</u>	
LAUREN BIRKIS	7/30	Permit		YES NO	
Michael Hatt	7/30	Planning	William Watters	YES <u>NO</u>	

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Stanley Roth	7-30	Pick up Permit	Permit clerk	YES <input checked="" type="radio"/> NO	
Michael Hiatt	7-30	Planning	Planner on Call (6/29/10)	YES <input checked="" type="radio"/> NO	
Tammy Panser	7/31	Zoning	W. Water	YES <input checked="" type="radio"/> NO	
Lee Bleakley	7/31	Zoning	Chiric Barba	YES <input checked="" type="radio"/> NO	
Jerry	7-31	P/a Permit		YES NO	
Dori	7/31	permit		YES <input checked="" type="radio"/> NO	
Hammond	7/31	Complain		YES NO	
Qilberta Jene	7-31	Permit Submit		YES <input checked="" type="radio"/> NO	
SANDRO ROSSO	7/31	REGIST.		YES NO	
TONGA TIMM	1:00	Permit		YES <input checked="" type="radio"/> NO	
Ch Watha Epp	2:20	Permit		YES <input checked="" type="radio"/> NO	
John Arneri	3:10	Demo - Historical		YES <input checked="" type="radio"/> NO	
Stan Ketcham	8-1	permit		YES <input checked="" type="radio"/> NO	

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CHRIS BARBAA	8/1/12	CODE & Building DEPT		YES NO	
Ann Fengfish	8/1/12	Permit		YES NO	
Boyd Turner	8/1/12	Permit		YES NO	
Henry Kusinski	8/1/12	Building		YES NO	
Mike Wharton				YES NO	
Justin Jensen	8/2/12	Pickup Permit		YES NO	
TYRONE RUIZ	8-12-12	Permit		YES NO	
JIM PAINE	8/2/12	DELIVER SUBWAY	KELLY	YES NO	
J. Sane	8/2/12	Permit		YES NO	
JAN ROJA	8/3/12	Permit		YES NO	
Pong	8/3	Permit		YES NO	
Ricardo Roman	8/3/12	Diner Permit	John Gufman	YES NO	
Kelli Bird	8/3/12	Rental license for client		YES NO	

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Leval Smith	8/6/12	ROOFING Application	Mike	YES NO	
BEAVER REG. INC.	8-6-12	ROOF Permits	Permit Desk	YES NO	
582-5316 SEEF Bldg. Unit	8/6/12	Wult Tuning	Wult S. Xpert	YES NO	
Loretta SHARPE	8/6/12	Historical Brand Training	Kesler	YES NO	
Donal DeJes	8/6/12	RE-INST. fads		YES NO	
Judith Just	8/6/12	HR PB	Karas Jaughn	YES NO	
Mary Lindsey	8/7/12	maps	Michael Blevins	YES NO	
ST GILBERT	8/7/12	Eng meeting	Monica	YES NO	
Fred Ross	8/7/12	" "	monica	YES NO	
Rony Caluste	8/7/12	Information		YES NO	
Kelly Kingston	8/7/12	Permits - Roof	Kelly	YES NO	
TIM SCHRADE	8/7/12	PICK UP PERMIT		YES NO	
Yusuf Cell	8/7/12	Renew permit		YES NO	

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				YES	NO	
Ashtey Gilob	8/7/12	Permit	Ashtey Gilob	YES	NO	
J. Stone	8/7/12	Pick up		YES	NO	
LB Cook	8/7/12	Insp		YES	NO	
IVAN VELASQUEZ	8/7/12		Kelly	YES	NO	
Mike Listhe	8/7/12	plu permit		YES	NO	
GLENN RIMPERA	8/7/12	PERMIT		YES	NO	
Ramiro Law	8/7/12	Permit		YES	NO	
F. Si. torrealba	8/8/12	PER OCUF license	Mr. Sergio Madera	YES	NO	
C. Goddeau	8/8/12	Code / E. Diaz	E. Diaz	YES	NO	
GLENN RIMPERA	8/8/12	PERMIT		YES	NO	
Jennifer Landolt	8/8	Appoint -	Deborah Key	YES	NO	
Kiana Tingo	8/8	Appt.	Deborah Key	YES	NO	
Charles Walker	8/8/12	Permit		YES	NO	

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Lisa Kennedy	8/8/12	? zoning		YES NO	
Matthew Brin	8/8/12	Business	Front Desk	YES NO	
Tomas Gonzalez	8/8/12	permitting	front desk	YES NO	
Hector Sardinia	8/8/12	Permitting		YES NO	
Matthew Brin	8/8/12	Business Permit		YES NO	
Robert Beville	8/8/12			YES NO	
Barbara Altermann	8/8/12	PVZ	William Waters	YES <u>NO</u>	
JACOB RIVERA	8/9/12			YES NO	
Aida	8/9/12	permit plu		YES NO	
HEMM COLEMAN	8/9/12	UTILITIES		YES NO	
PETE NOBLE	8/9/12	UTILITIES		YES NO	
RAFAEL GALVEZ	8/9/12	UTILITIES		YES NO	
AL Valdes	8-9-12	Permitting	Any one	YES <u>NO</u>	

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Kevin Donnan	8/5/12	OCCUPATION CIRCULAR		YES NO	
Victoria Borton	"	Permit		YES NO	
Oliver Gonzalez	8/9/12	Permit pick up		YES NO	
John Fable	8/9/12	Pickup permit copies		YES <u>NO</u>	
CHRIS LaMONICA				YES NO	
Richard Stowe	8/9/12	conservation program	Christine	YES <u>NO</u>	
Sabrina Kayla	8/9/12	Zoning		YES NO	
John - Pura	8/10/12	Mr. Patrick		YES <u>NO</u>	
Laurie Birkins		Pick up		YES NO	
George Krag	8/10/12	Permit		<u>YES</u> <u>NO</u>	
STU MENDELSON	8/10/12	Permit		YES <u>NO</u>	
Norah Selkowitz	8/10/12	Permit		YES NO	
Priscilla Orbea	8/10/12			YES NO	

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Mr. M.S.	8/6/12	FRONT	?	YES <input checked="" type="radio"/> NO	
Jose A. Oresco	8/10/12	PEZ		YES <input checked="" type="radio"/> NO	
Alice F. Campbell	8-10-12	Permit		YES <input type="radio"/> NO	
Rick Villano	10-13-12	Permit		YES <input type="radio"/> NO	
Cheryl Geller	10/12/12	GRAM		YES <input type="radio"/> NO	
LINDSTROM Air	8/13/12	PERMIT	BUILDING	YES <input checked="" type="radio"/> NO	
Skip Sallinger	8/13/12	Permit	Building	YES <input type="radio"/> NO	
Anthony	8/13/12	permit application	self	YES <input checked="" type="radio"/> NO	
Larry Lindsay	8/14	map	M. Blavine	YES <input type="radio"/> NO	
Kevin McGinley	8/14	Meeting - Overhaul	Sergio	YES <input checked="" type="radio"/> NO	
Yusniel Cuello	8/14	revision		YES <input type="radio"/> NO	
Nikki	8/14	Permit		YES <input type="radio"/> NO	
Chris McD.	8/14	Electric - Wholesale	Clay Lindstrom	YES <input checked="" type="radio"/> NO	

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MARILYN	8/15/12	PERMIT	BUDG DEPT.	YES <input checked="" type="radio"/> NO	
Gary E. Feltz	8/15/12	Bldg Attach Info		YES <input checked="" type="radio"/> NO	
John H. L.	8/15/12	Permit	Bldg Dept	YES <input checked="" type="radio"/> NO	
Melisa	8/15/12	Permit apply	Bldg Dept	YES <input checked="" type="radio"/> NO	
ELVIN E. GREENE #1	8/15/12	Look AT COMP COMPL FILE 211 NO. 4 ST		YES <input checked="" type="radio"/> NO	
JEFF BARKER	8/15/12	Permit		YES <input checked="" type="radio"/> NO	
Adam Ehrlich	8/15	Permit	Bldg	YES <input checked="" type="radio"/> NO	
Diane Crowe	8/15	Permit	Bldg Dept	YES <input checked="" type="radio"/> NO	
Wagner Munda	8/15	Contractor Registration	Bldg Dept	YES <input checked="" type="radio"/> NO	
Anna Wasyly	8/15	License	Ad Biz	YES <input checked="" type="radio"/> NO	
ELVIN E. GREENE #1	8/15	request for information reports re 211 NO. 4 ST		YES <input checked="" type="radio"/> NO	
AL Valdes	8/16	C/O	AL	YES <input checked="" type="radio"/> NO	
John Arneri	8/16	Historical/Preservation Permit	John	YES <input checked="" type="radio"/> NO	

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Chuck Cappelletti	8/14/12	Sign Permit	Seegio Melius	YES NO	
STEVE DANIELS	8/16/12	Remodel	William Waters	YES NO	
Redino Giverson	8/17			YES NO	
HOUSED INC Annie Netty	8/17	Permit	ANNIE NETTY	YES NO	
Dee Ann Wozniak	8/17	Permit	Will Waters	YES NO	
DAN COLANGELO	8/17	Violations	BLDG DEPT.	YES NO	
RICHARD KONRADY	8/17	A/C PERMIT	BLDG DEPT	YES NO	
John Rinaldi	8/17	P+2		YES NO	
Ryan Maier	8/17	Rental License		YES NO	
Yusniel	8/17	Permit Pickup		YES NO	
HECTOR CABRERA	8-20-2012	GROUP HOMES TYPE A-1		YES NO	
Shane Seibert	8-20	Permit		YES NO	
Tom Williams	8-20	Permit Copy		YES NO	

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Gina Sanchez	8/20	rental property		YES NO	
Elena Sacramento	8/20	rental property		YES NO	
Chelsa Colliford				YES NO	
Bernard McDaniel	8-20	Permitting		YES <u>NO</u>	
Chris Walk	8-20	Permitting		YES <u>NO</u>	
Lauren Birkins	8/20	pick up		YES NO	
Adrianna Benson	8/20	Permit		YES <u>NO</u>	
Lee Savarese	8-20	Permit		YES <u>NO</u>	
HARRY Barber	8/20	Permit	Bldg Dept	YES <u>NO</u>	
Clemencia Arsen	8/20	Zoning Question	Sergio Madera	YES NO	
A. J. Garza	8/20	Permit		YES NO	
Glen Daniels	8/20	CODE	DANA NICHOLS	YES NO	
				YES NO	

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CJ. Tatum		Roof.	Mike	YES NO	
Maria T. Hille	8/22/12	Bid walk thru		YES NO	
Craig Saxton	8/21/12	JANITORIAL		YES NO	
Paul Seguedra	8/21/12	Janitorial Clerk thru		YES NO	
Stewart T. HUN	8/21/12	Sanitor walk thru	Stewart Honor	YES NO	
L. Skrzycki	8/21/12	JANITORIAL PRE BID	Clackling	YES NO	
Don Besman	8/21/12	JANITORIAL WALK THRU		YES NO	
Gina Sanchez	8/21/12	rental property		YES NO	
Ron Schmitt	8/21/12	1501 N L ST work	MIKE	YES NO	
Millie Carreno	8/21	grounds Maint. Pre Bid meeting	Millie Carreno	YES NO	
AL Valdes	8/21	C/O		YES NO	
Debbie Lynn				YES NO	
Mama	8-21	PIU		YES NO	

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T. DALE	8/21	PERMIT APPLICATION		YES <input checked="" type="radio"/> NO	
STEVE GORDON	8-21	PLANNER OF THE DAY		YES <input checked="" type="radio"/> NO	
CHARLES STEVENS	8/21	PERMIT AP		YES <input checked="" type="radio"/> NO	
John Gann	8/21	Inspection	Mike Ricard	YES <input checked="" type="radio"/> NO	Self
Phil Dover	8/22	Precon		YES <input checked="" type="radio"/> NO	Dover Eng.
Felipe Lafaso	8/22	Pre-con		YES <input checked="" type="radio"/> NO	Foster Marine
DOUG McINTEE	8/22	HISTORIC	Kelly	YES <input checked="" type="radio"/> NO	
RICHARD KONRADY	8/22	P/O PERMIT		YES <input checked="" type="radio"/> NO	ST. JAMES
STEVE ATKINSON	8/22	PERMITTING		YES NO	
ROD REGAN	8/22	CODE ENF.	Kelly	YES <input checked="" type="radio"/> NO	
DAN PETROGLIA	8/23	CODE ENFORCEMENT	Edger	YES NO	
CARY VONHESEN	8/23	PERMIT CK.		YES NO	
Virginia	8/23	Revision		YES <input checked="" type="radio"/> NO	

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Howard Sinkler	8-23	Historic Planning	Kelly	YES <input checked="" type="radio"/> NO	
JAY DOJAS	8-23	BGT-BLOCKS	ROGNEY	YES <input checked="" type="radio"/> NO	
PATLYCK KILBERT	8-23	Reclamation of Bay	Kelley	YES <input checked="" type="radio"/> NO	
BEAVER RFG.	8-23	Permit		YES <input type="radio"/> NO	
Danielle McCarroll	8-28	Historic	DELIVER DOCS	YES <input type="radio"/> NO	
JIM PAINE	8-28	HISTORIC/POOL VARIANCE	to KELLY	YES <input checked="" type="radio"/> NO	
Elvis E Green	8-28	211 No. M ST.	LEFT PROFF. FOR M. WILSON	YES <input checked="" type="radio"/> NO	
April Strength	8-28	Permit plu		YES <input type="radio"/> NO	
Roger Bezek	8-29	Permi		YES <input type="radio"/> NO	
MARILYN	8-29	Permit PU		YES <input type="radio"/> NO	
CHRIS LAMONICA	8-29	PU Permit		YES <input type="radio"/> NO	
Construction Tech.	8/29/12	PU PERMIT	"	YES <input checked="" type="radio"/> NO	
Glen Daniels	8/29/12	CODE	DANA N.	YES <input checked="" type="radio"/> NO	

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Virginia Martin	8/29/12	Plc Revision 12-2084	Contractor	YES <input checked="" type="radio"/> NO	
Ramesh Rao	8/29/12	Occupational license		YES <input checked="" type="radio"/> NO	
John Holtz	8/29/12	Permit	John Holtz	YES <input checked="" type="radio"/> NO	
Mike Bickel	8/29/12	Permit		YES <input checked="" type="radio"/> NO	
Byner Fresh	8/30/12	Permit	Pick up	YES <input checked="" type="radio"/> NO	
LINDA RICHARD	8/30/12	Mtg	William Waters	YES <input checked="" type="radio"/> NO	
CMIAE	8/30	Permit	Permit	YES <input checked="" type="radio"/> NO	
F. DALE	8/30	Permit	Permit	YES <input checked="" type="radio"/> NO	
Gregg McLeannan	8/30/12	Occupational	Occupational	YES <input checked="" type="radio"/> NO	Lake Shore
John Huchins	8-30-12			YES <input checked="" type="radio"/> NO	Mag.
George Harty	8/30/12	Re apply for permit		YES <input checked="" type="radio"/> NO	
Tim Whips	8/30	William Waters		YES <input checked="" type="radio"/> NO	
JACOB ADAMS	8/30	PERMIT SUBMIT	PERMIT SUBMIT	YES <input checked="" type="radio"/> NO	

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DAVID BRADY	8/31	Permit		YES NO	
BRIAN PERWINSKI	8/31	Permit		YES NO	
Andrey Locker	8/31	permit extension		YES NO	
H. KUSINSKI	9/4			YES NO	
L. BIRKINS		P/U		YES NO	
BEAVER ROOFING	9-4	582-5310 Free ESTIMATES		YES NO	
Brian Kelleher	9/4	Permit		YES NO	
Brian Wilson	9/4			YES NO	
Grabe Sandin	9/4	Halfway House Info		YES NO	
D. Mearns	9/5			YES NO	
Wanda Young	9-4-12	Open Permit		YES NO	
LUCIA LEAHY	9-4-12	Electrical Inspection		YES NO	
JIM ATKINSON	9-5-12	CC		YES NO	

"Lobbying" shall mean seeking to influence the decision of any Elected Official, any Advisory Board member, or any Employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or elected body as applicable.

"Lobbyist" shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Gilberto Jones	9-7-2012	Rich of Permit		YES NO	
Chuck	9-7	Register + Permit App.		YES NO	
Jim Barba	9-7-12	Sign Papers		YES NO	
Wally	9-7	Meeting w/ Kelly		YES NO	
M. Helms	9-10-12	INQUIRING PROCEDURES		YES NO	
B. Chequis	9-10-12	A4FL - DO Extension	Karen - Planning Zoning	<u>YES</u> NO	Cottlev Hearing
H. H. H.	9/10	Pick up		YES NO	
Appereee	9/10	Feenels		YES NO	
Kelly Bruce II	9/10	Permit INFO	Permit Text	YES <u>NO</u>	
EFFE 10011111	9/10	HUSO @ W	WHL 520000	<u>YES</u> NO	
Richard Bird	9-10	Permit App	Permit Desk	YES <u>NO</u>	
Elna Gibbs	9-11	Permits 1829 N A St. LLO R.	Permit Desk	YES <u>NO</u>	
Wagner Alminda	9-11	Permit application		YES NO	

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CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
MIKE MALDONADO	9/11/12	SUBMIT doc to permit		YES NO	
Kenny	9/14/12	Check on Permit		YES NO	
YED AQUINO	9/12/12	PICK UP PERMIT.		YES NO	
JOEY ORTIZ	9/12/12	Renewal of ^{BUS. Lic.} occ. Lic.		YES NO	
JB KERN	9/12/12	PICK UP PERMIT		YES NO	
Ramon Ra	9/12	Pick up Menus		YES NO	
Eric	9/12	submit rebate form		YES NO	
Katie McGuckon	9/12	inspection / Biz. Lic.		YES NO	
Rick Philpot	9/12	Permit.		YES NO	
SHIRAZ AHMED	9/12	JUST QUESTION		YES NO	
Danex	9/12	Permit		YES NO	
DAVID TRIMMISSE	9/12	TEMP ELEC.		YES NO	
Wagner Almeida	9/12	Permit pick-up/submission		YES NO	

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CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
MARK McCallister	9/12/12	Permit Drop off		YES <input checked="" type="radio"/> NO	
GLENN AMETCO	9/12/12	Permit Pick-up		YES <input checked="" type="radio"/> NO	
Samuel	9-12	perm 1		YES NO	
DENISE B.	9/12/12	Permit Car # 20		YES <input checked="" type="radio"/> NO	
RHI	9/12/12			YES NO	
TOOSDAY	9/12/12	COPY OF PLUMBING PLANS		YES NO	
Darigana	9/12/12	staying open longer		YES <input checked="" type="radio"/> NO	
Paul Smith	9/12/12	Zoning - Sergio	Serg 10	YES <input checked="" type="radio"/> NO	
Helen	9/12/12	Budding		YES <input checked="" type="radio"/> NO	
BRIAN CHEGUIS	9/13/12	Zoning -	Sergio	<input checked="" type="radio"/> YES NO	CH
DAN HEARN	9/13/12	Building	Kelly	YES NO	
WIGWAG/MCGLICK	9/18/12	MEETINGS	McGilly	YES NO	
DON SCHAE		Permit		<input checked="" type="radio"/> YES NO	Rapid Rince

"Lobbying" shall mean seeking to influence the decision of any Elected Official, any Advisory Board member, or any Employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or elected body as applicable.

"Lobbyist" shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE _____

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject?"
Jeff Paolino	9-13	CODE VIOLATION / MAGISTRATE	DANA Nichols.	YES NO	
Jean Adolphe	9/14	zoning	SERGIO	YES NO	
Jennifer Vail	9-14	zoning		<input checked="" type="radio"/> YES NO	LDS
TRACY Smith Coffey	9/14	Historic Preservation	Kelly	YES <input checked="" type="radio"/> NO	CRA
Kari Neville	9/17			YES NO	
Eric A. Ray	9-14	Permit		YES NO	
Kevin Butler II	9-14	Permit	Permit Tech	YES <input checked="" type="radio"/> NO	
Greg Knuth	9/14	Permit		YES NO	
Julie Pepe	9/14	submit permit		YES <input checked="" type="radio"/> NO	
Paul Richards	9-14	SUBMIT		YES NO	
Ed Ferrara	9-17	Pickup Permit		YES <input checked="" type="radio"/> NO	
Lance Guy	9:50	Palm Lakes	Sergio	YES NO	
Hugh Morton	10:05	Palm Lake #1	Sergio	YES <input checked="" type="radio"/> NO	

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CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Lee Savarese	9-17-12	Permit	Lee Savarese	YES <input checked="" type="radio"/> NO	
master Contractors	9/17	Permit		YES <input checked="" type="radio"/> NO	
Mike Poole	9/17/12	Registration / Permit		YES <input checked="" type="radio"/> NO	
J. Clawson	9/17/12			YES <input type="radio"/> NO	
Margarita Perdomo	9/17/12	Permit		YES <input checked="" type="radio"/> NO	
Chris Rendeau	9/18/12	zoning issue		YES <input checked="" type="radio"/> NO	
Exp. Rev	9/18/12	Permit		YES <input checked="" type="radio"/> NO	
Mark Davis	9/18/12	Permit plus	Bldg. Dept	YES <input checked="" type="radio"/> NO	
McClachy	9-19-12			YES <input type="radio"/> NO	
Lance Coxy	9-19-12	Palm Lakes	Sensio	YES <input type="radio"/> NO	
GARY VONLISEN	9-19-12	Permit		YES <input checked="" type="radio"/> NO	
Built Right Roofing	9/19/12	Sign Question	Bldg. Dept.	YES <input type="radio"/> NO	
Alex A.	9/19/12	Permit	Bldg. Dept	YES <input type="radio"/> NO	

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CITY OF LAKE WORTH CONTACT LOG (ALL INFORMATION IS MANDATORY) DEPARTMENT/DIV./OFFICE

PLEASE PRINT NAME	DATE	SUBJECT MATTER	PERSON VISITING	ARE YOU A REGISTERED LOBBYIST? (Please circle one)	REPRESENTING "Lobbyist, must list principal, if any, represented when discussing this subject"
Max	9/19/12	Submit permit		YES NO	
Jennifer Hmedle	9/19/12	code imp.	William Walters	YES NO	
Frank Githney	9/19/12	GATT	Clay Lindholm	YES NO	
Dan G Hogan	9/19/12	GATT	" "	YES NO	
Lisa Maxwell	9/19/12	UIL	Rosalind	YES NO	
JAMES PARKER	9/20/12	PERMIT		YES NO	
Shella McMahon	9/20/12	Permit		YES NO	
Greg Knuth	9/20/12	Permit	Greg Knuth	YES NO	
Foyce	9-20-12	Lic		YES NO	
April O'Donnell	9-20-12	Permit		YES NO	
John Spruill	9-20	PIV permit		YES NO	
MIKE M.				YES NO	
Carlos Gorman	9/20/2012	MEETING	Deborah Kay	YES NO	

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"Lobbyist" shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Blackman Charles Wesley</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Lake Worth Historic Rosalie Preservation Board</i>	
MAILING ADDRESS <i>241 Columbia Drive</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <i>Board</i>	
CITY <i>Lake Worth</i>	COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>9/12/12</i>		NAME OF POLITICAL SUBDIVISION <i>Lake Worth</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- 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. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Charles Wesley Blockman hereby disclose that on September 12, 20 12.

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Tim Hulett, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

Certificate of Appropriateness Application for new construction at 302 N. Lakeside Drive - I assisted in preparation of the application

9/13/12
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Steckman Charles Wesley</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Historic Resources Preservation</i>	
MAILING ADDRESS <i>241 Columbia Drive</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Lake Worth</i>	COUNTY <i>Palm Beach</i>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION <i>Lake Worth</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- 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. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Charles Wesley Blackman hereby disclose that on May 9, 20 12:

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Tim Flolett, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

Date Filed

6/26/12

Signature

Charles Wesley Blackman

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Blackman Charles Wesley</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Fl. 3 for 2 Regional Representative</i>	
MAILING ADDRESS <i>241 Columbia Drive</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Lake Worth</i>	COUNTY <i>Palm Beach</i>	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED		NAME OF POLITICAL SUBDIVISION: <i>Lake Worth</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- 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. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Charles Wesley Blackman hereby disclose that on June 13, 20 12:

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Tim Thibault, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

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

Retained for technical assistance related to item for a Certificate of Appropriateness for New construction

6/26/12
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.

PALM BEACH COUNTY COMMISSION ON ETHICS

MEMORANDUM OF NO PROBABLE CAUSE

To: Commission on Ethics
From: Megan C. Rogers, Staff Counsel/Advocate
Re: C12-011 – Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board

- **Recommendation**

A finding of NO PROBABLE CAUSE and DISMISSAL should be entered in the above captioned matter as to the allegations made in the Complaint.

Probable Cause exists where there are reasonably trustworthy facts and circumstances for the Commission on Ethics (COE) to believe that the Respondent, Wes Blackman, violated the Palm Beach County Code of Ethics.

- **Jurisdiction**

The COE has jurisdiction pursuant to Chapter 2, Article V, Division 8, §2-258(a) of the Palm Beach County Commission on Ethics Ordinance which states in pertinent part:

Article V, Division 8, Section 2-258. *Powers and duties.*

- (a) The commission on ethics shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided. The commission on ethics shall be empowered to review, interpret, render advisory opinions and enforce the;
 - (1) County Code of Ethics;
 - (2) County Post-Employment Ordinance, and
 - (3) County Lobbyist Registration Ordinance.

Palm Beach County Code of Ethics:

Art. XIII, §2-443(a), *Misuse of public office or employment*, states in relevant portion:

An official or employee shall not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities: (Emphasis added)

- (1) Himself or herself;
- (4) An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
- (5) A customer or client of the official or employee's outside employer or business;

Art. XIII, §2-443(c) *Disclosure of voting conflicts*, states in relevant portion:

County and municipal officials as applicable *shall abstain from voting and not participate in any matter that will result in a special financial benefit as set forth in subsections (a)(1) through (7) above* (Emphasis added) In addition, the official must publicly disclose the conflict and complete and file a State of Florida Commission on

Ethics Conflict Form 8B. Simultaneously with filing the 8B Form, the official must submit a copy to the county commission on ethics.

Palm Beach County Lobbyist Registration Ordinance:

Art. VIII. §2-352. Definitions, states as follows:

Advisory board shall mean any advisory or quasi-judicial board created by the board of county commissioners, by the local municipal governing bodies, or by the mayors who serve as chief executive officers or by mayors who are not members of local municipal governing bodies.

Central Lobbyist Registration Site will mean the official location for countywide lobbyist registration.

Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.

Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government.

Principal shall mean the person or entity a lobbyist represents, including a lobbyist's employer or client, for the purpose of lobbying.

Art. VIII, §2-353. *Registration and expenditures.*

- (a) *Registration required.* Prior to lobbying, all lobbyists shall submit an original, fully executed registration form to county administration, which shall serve as the official location for countywide lobbyist registration and which shall be known as the "Central Lobbyist Registration Site." The registration may be submitted in paper or electronic form pursuant to countywide policies and procedures. Each lobbyist is required to submit a separate registration for each principal represented. A registration fee of twenty-five dollars (\$25) must be included with each registration form submitted. A registrant shall promptly send a written statement to county administration canceling the registration for a principal upon termination of the lobbyist's representation of that principal. This statement shall be signed by the lobbyist. Lobbying prior to registration is prohibited. It is the responsibility of the lobbyist to keep all information contained in the registration form current and up to date.

This Memorandum adopts by reference the Memoranda of Inquiry and Investigation prepared by COE investigative staff. In addition, staff adopts by reference the advisory opinion requested by Complainant in RQO 12-059.

- **Background**

This Inquiry is based on a sworn Complaint against Wes Blackman, Chairman, Lake Worth Historical Resources Preservation Board (HRPB), filed by Judith Just, a member of the HRPB, an advisory board of the City of Lake Worth with quasi judicial powers. The HRPB has the sole power to issue a "Certificate of Appropriateness" required for any new construction located within any of the six (6) areas of the City that are identified as "historic preservation" districts. These historic preservation districts include: College Park; Northeast Lucerne; Old Lucerne; Old Town; Southeast Lucerne; and South Palm Park. This Complaint involves the Old Lucerne Historic Preservation District. Construction in these districts cannot commence without a Certificate of Appropriateness.

The Complainant's specific allegations involve the proposed construction of a new home on a vacant lot located adjacent to the Complainant's home. Respondent was hired by the Applicant seeking the Certificate of Appropriateness for this construction. Between April and August, 2012, Respondent attended several meetings with City staff and residents within the affected District. Respondent has not registered as a lobbyist under the central lobbyist registration site maintained by Palm Beach County. The Certificate of Appropriateness was granted by the HRPB on September 12, 2012. Respondent and Complainant abstained and did not participate in the matter before the HRPB and both filed a State of Florida Conflict of Interest Form 8B as required.

Legal sufficiency was found to exist as to the allegations of a violation of the Lobbyist Registration ordinance §2-353(a) and a memorandum of legal sufficiency was filed on November 1, 2012.

- **Inquiry and Investigation**

Inquiry and Investigation into this matter indicated that Respondent was retained by a Representative of the Applicant before the HRPB based upon Respondent's knowledge and experience as a land development planner. According to the sworn testimony of the Applicant's Representative, the Applicant was not solicited by Respondent. The Representative recommended the Respondent to the Applicant who in-turn hired the Respondent to assist the Applicant through the application process, complete application documents and ensure deadlines were met.

According to the Complainant, Respondent met with Complainant and other neighbors in the area of the proposed project along with the Project Architect on April 27, 2012. At that meeting, Respondent stated that although he was a member of the HRPB, he would not be participating or voting on the issue when it came before the Board. The Complainant applied for and became a member of the HRPB on July 23, 2012.

COE Investigative staff conducted interviews with City staff, including; Karen Vaughn, Planning and Preservation Manager, William Waters, Director for Community Sustainability, Monica Morandi, City Utility Engineer, Melissa Anderson, former City Attorney and Christi Goddeau, current City Attorney. While several meetings with staff took place, attended by Respondent, involving easement issues and the issue of a Certificate of Appropriateness, the testimony was consistent that Respondent did not actively participate or attempt to influence any staff decision. Questions asked at these meetings were informational. The purpose of the meetings was to obtain the necessary information from staff to comply with the requirements of the relevant City codes and ordinances. COE Investigative staff additionally conducted interviews with Greg Rice, Marketing Director of Hulett Environmental Services and a representative of the Applicant as well as the Respondent, Wes Blackman. Both Respondent and Mr. Rice confirmed that Respondent did not solicit the Applicant or otherwise use his position as Chairman of the HRPB to obtain this employment. Attempts to interview the Applicant were unsuccessful.

The Complaint alleges that the Respondent failed to register as a lobbyist pursuant to Sec. 2-353. *Registration and expenditures*, of the Palm Beach County Lobbyist Registration Ordinance. A lobbyist is defined as any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal. Lobbying is defined as seeking to influence a decision through oral or written communication, or attempt to obtain the goodwill, of any public official or employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to an advisory board or governing body.

Whether or not a particular individual is captured within these definitions is determined by the specific facts and circumstances of the contact between that individual and public employees and officials. In this particular case, there is no witness testimony or other evidence indicating that the Respondent engaged in lobbying activity as defined by the Palm Beach County Lobbyist Registration Ordinance. Interviews with City staff revealed that the Respondent's contact with staff was informational and that he was acting as a facilitator for the applicant, not as an advocate attempting to influence a staff decision. According to the uncontroverted testimony, the informational exchange during these meetings was one-sided with information flowing from staff to the Respondent and the Respondent simply asking questions and taking notes.

In RQO 12-025, the COE determined that a person who contracts with a principal for economic consideration and who meets with county or municipal staff for the sole purpose of gathering information for a project, asking technical questions geared toward compliance, and not providing information to county or municipal staff other than what is needed to meet technical requirements for required approvals, is not engaged in lobbying and is not required to register as a lobbyist.

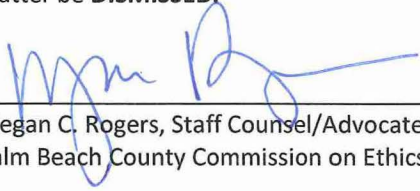
In addition, documentary evidence and testimony of witnesses indicate that Respondent did not use his official position as Chairman of the HRPB to obtain a special financial benefit for himself or his customer or client. While both staff and the applicant were aware of Respondent's position on the HRPB, there is no indication that he used his position to either obtain employment or obtain a favorable result from City staff. Most notably, Respondent did not solicit the Applicant. Complainant acknowledges that at a neighborhood meeting Respondent indicated to surrounding neighbors that while he was on the HRPB, he would not vote or participate in the matter. Merely stating his position for transparency purposes does not, under these circumstances, constitute a misuse of his position for financial gain. Both he and Complainant announced their conflict at the HRPB meeting on September 12, 2012, did not vote or participate, and submitted a copy of the 8B State of Florida Conflict of Interest Form to the COE as required.

The Complainant also alleged that the Respondent failed to disclose a conflict of interest at the time of his re-appointment to the HRPB on July 24, 2012. Even if this allegation is true, it does not constitute a violation of the Palm Beach County Code of Ethics. Recurring conflicts of interest are addressed under the State of Florida Ethics Code. It should be noted that Respondent has filed four (4) 8B Conflict of Interest Forms since January, 2012.

- **Conclusion**

Based on the facts and circumstances, there is **NO PROBABLE CAUSE** to believe that Respondent, Wes Blackman, has violated §2-443(a) or (c) or §2-353(a) of the Palm Beach County Code of Ethics. Therefore, staff recommends that this matter be **DISMISSED**.

By:


Megan C. Rogers, Staff Counsel/Advocate
Palm Beach County Commission on Ethics

November 4, 2012
DATE