

From: [Paul Castro](#)
To: [Kelly Churney](#); [Kathleen Ruderman](#)
Subject: FW: Restrictions on Carriage House - No Use of 238 Phipps Plaza
Date: Tuesday, February 13, 2018 2:07:22 PM

FYI, for the public comment email and zoning file.

-----Original Message-----

From: John Eubanks [<mailto:jeubanks@blesmlaw.com>]
Sent: Tuesday, February 13, 2018 10:40 AM
To: Paul Castro <PCastro@TownofPalmBeach.com>
Subject: RE: Restrictions on Carriage House - No Use of 238 Phipps Plaza

Paul:

As a follow up to the below, our clients would also object to any removal of the restrictions on "music" at the Carriage House as suggested by Ms. Ziska. Thank you.

John R. Eubanks, Jr.
Breton, Lynch, Eubanks & Suarez-Murias, P.A.
605 N. Olive Avenue, 2d Floor
West Palm Beach, FL 33401
Telephone: 561-721-4000
Facsimile: 561-721-4001
Direct Dial: 561-721-4002
Email: jeubanks@blesmlaw.com

Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

The information contained in this electronic mail transmission may be attorney/client privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect at 561-721-4000. Thank you.

-----Original Message-----

From: John Eubanks
Sent: Sunday, February 11, 2018 8:01 AM
To: 'Paul Castro' <PCastro@TownofPalmBeach.com>
Subject: Restrictions on Carriage House - No Use of 238 Phipps Plaza

Paul:

A you know, our clients do not believe the Application for the Carriage House should be approved due to a series of fatal flaws which we have outlined in our prior correspondence. Even if the Town were to entertain such an approval over the objections of the surrounding neighbors, it would need to place a condition on any "approval" that the Club cannot utilize any portion of the property located at 238 Phipps Plaza, which is not zoned for use as a private club. In the past the Carriage House has used portions of the 238 property for everything from its courtyard to its garbage disposal and delivery route. While Ms. Ziska has indicated the area will not be used and modified some of her presentation last month, there still remain several slides which clearly show the use of portions of 238

Phipps as part of the Club.

Thank you.

John R. Eubanks, Jr.
Breton, Lynch, Eubanks & Suarez-Murias, P.A.
605 N. Olive Avenue, 2d Floor
West Palm Beach, FL 33401
Telephone: 561-721-4000
Facsimile: 561-721-4001
Direct Dial: 561-721-4002
Email: jeubanks@blesmlaw.com

Tax Advice Disclosure: To ensure compliance with requirements imposed by the IRS under Circular 230, we inform you that any U.S. federal tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

The information contained in this electronic mail transmission may be attorney/client privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect at 561-721-4000. Thank you.