

From: [Wayne Bergman](#)
To: [James Murphy](#); [Kelly Churney](#); [David Rivera](#); [Paul Castro](#)
Subject: FW: Simmons, Virginia/Zoning Matter - The Palm Hotel:
Date: Friday, January 7, 2022 9:35:54 AM

FYI

Wayne Bergman, MCP, LEED® AP

Director

Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426
www.townofpalmbeach.com

From: John Eubanks Jr <jeubanks@sniffenlaw.com>
Sent: Friday, January 07, 2022 9:23 AM
To: Wayne Bergman <wbergman@TownOfPalmBeach.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>
Cc: Donald Lunny <Donald.Lunny@brinkleymorgan.com>; Maura Ziska <MZiska@floridawills.com>
Subject: FW: Simmons, Virginia/Zoning Matter - The Palm Hotel:

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Wayne:

Per your request, please see the below e-mail from our office on December 15, 2021 withdrawing/dismissing the ARCOM Appeal filed on behalf of our clients, Tim and Gayle DeVries. Thank you.

John R Eubanks, Jr.
SNIFFEN & SPELLMAN, P.A.

TALLAHASSEE | WEST PALM BEACH | PENSACOLA

605 North Olive Avenue, 2nd Floor
West Palm Beach, Florida 33401
T (561) 721-4000 / F (561) 721-4001 / D (561) 721-4002
E-mail: jeubanks@sniffenlaw.com
Website: www.sniffenlaw.com / Twitter: @Sniffenlaw

IMPORTANT NOTICE REGARDING EMAIL COMMUNICATION: With changes in technology, the Firm is

aware that email is a common method of communication; however, please keep in mind the following: **(1)** clients should never use computers maintained or monitored by others (e.g., work; public computers) when communicating about sensitive or attorney-client matters; **(2)** incoming emails may not be read immediately, because the intended recipient may be out of the office or otherwise unavailable; if your email communication is time-sensitive, please call our office to ensure we are aware of your email; and **(3)** the Firm uses automated filters to block viruses and unwanted emails. It is possible the Firm's network may not recognize your email address and prevent your emails from being properly delivered. Please call our office if we have not responded to your email within a reasonable time or if the matter is time-sensitive.

CONFIDENTIALITY NOTICE: Information in this email may be protected from distribution by law, confidential, or protected from disclosure by the attorney-client privilege. It is intended only for the use of the disclosed individual or entity. If you are not the intended recipient of this communication, you are hereby notified that the law may restrict or prohibit the unintended use, copying or distribution of this communication. If you have received this email in error, please email the sender immediately upon receipt for further instruction.

DISCLAIMER: Pursuant to Circular 230 issued by the United States Treasury Department and relating to practice before the Internal Revenue Service, any comment or opinion in this communication relating to a federal tax issue is not intended to be used, and cannot be used, by a taxpayer for the purpose of avoiding tax-related penalties that may be imposed on the taxpayer.

From: John Eubanks Jr

Sent: Wednesday, December 15, 2021 7:20 AM

To: Randolph, John C. <JRandolph@jonesfoster.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Maura Ziska <MZiska@floridawills.com>

Cc: Donald Lunny <Donald.Lunny@brinkleymorgan.com>

Subject: RE: Simmons, Virginia/Zoning Matter - The Palm Hotel:

Based upon the below e-mails that the Town is fine with the comfort opinion, along with Donald Lunny's e-mail from last night, this will confirm that our office hereby withdraws/dismisses the ARCOM Appeal filed on behalf of Tim and Gayle DeVries. We appreciate the Town's time working through what has at sometimes been a tedious process.

Please do not hesitate to contact me if you require any further information.

John R Eubanks, Jr.

SNIFFEN & SPELLMAN, P.A.

605 North Olive Avenue, 2nd Floor

West Palm Beach, Florida 33401

T (561) 721-4000 / F (561) 721-4001 / D (561) 721-4002

E-mail: jeubanks@sniffenlaw.com

Website: www.sniffenlaw.com / Twitter: @Sniffenlaw

IMPORTANT NOTICE REGARDING EMAIL COMMUNICATION: With changes in technology, the Firm is aware that email is a common method of communication; however, please keep in mind the following: **(1)** clients should never use computers maintained or monitored by others (e.g., work; public computers) when communicating about sensitive or attorney-client matters; **(2)** incoming emails may not be read immediately, because the intended recipient may be out of the office or otherwise unavailable; if your email communication is time-sensitive, please call our office to ensure we are aware of your email; and **(3)** the Firm uses automated filters to block viruses and unwanted emails. It is possible the Firm's network may not recognize your email address and prevent your emails from being properly delivered. Please call our office if we have not responded to your email within a reasonable time or if the matter is time-sensitive.

CONFIDENTIALITY NOTICE: Information in this email may be protected from distribution by law, confidential, or protected from disclosure by the attorney-client privilege. It is intended only for the use of the disclosed individual or entity. If you are not the intended recipient of this communication, you are hereby notified that the law may restrict or prohibit the unintended use, copying or distribution of this communication. If you have received this email in error, please email the sender immediately upon receipt for further instruction.

DISCLAIMER: Pursuant to Circular 230 issued by the United States Treasury Department and relating to practice before the Internal Revenue Service, any comment or opinion in this communication relating to a federal tax issue is not intended to be used, and cannot be used, by a taxpayer for the purpose of avoiding tax-related penalties that may be imposed on the taxpayer.

From: Randolph, John C. <JRandolph@jonesfoster.com>
Sent: Tuesday, December 14, 2021 5:10 PM
To: Wayne Bergman <wbergman@TownOfPalmBeach.com>; Maura Ziska <MZiska@floridawills.com>
Cc: Donald Lunny <Donald.Lunny@brinkleymorgan.com>; John Eubanks Jr <jeubanks@sniffenlaw.com>
Subject: Re: Simmons, Virginia/Zoning Matter - The Palm Hotel:

Thanks, Wayne.

From: Wayne Bergman <wbergman@TownOfPalmBeach.com>
Sent: Tuesday, December 14, 2021 4:53:52 PM
To: Maura Ziska <MZiska@floridawills.com>
Cc: Randolph, John C. <JRandolph@jonesfoster.com>; Donald Lunny <Donald.Lunny@brinkleymorgan.com>; John Eubanks Jr <jeubanks@sniffenlaw.com>
Subject: Re: Simmons, Virginia/Zoning Matter - The Palm Hotel:

EXTERNAL EMAIL - This Message originated outside your organization. DO NOT click any links before verifying the email is safe.

Paul is fine with this, let's get it wrapped up and done. Thanks.

Wayne Bergman
Sent from my iPhone

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.