

TOWN OF PALM BEACH

Planning, Zoning & Building Department

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SWEET
BD

May 18, 1999

Mr. James Wearn, Esquire
2023 North Flagler Drive
West Palm Beach, FL 33407

Subject: Special Exception #10-99, 140 North County Road

Dear Mr. Wearn:

The Town Council at the regularly scheduled meeting of May 11, 1999, conditionally approved the subject Special Exception in which you requested approval for a new occupational license for Nations Bank at the above location. Approval was granted on the condition that the applicant be required to demonstrate Town serving each year at the time of renewal of the occupational license pursuant to the Town serving requirements as outlined in said section of the Zoning Ordinance.

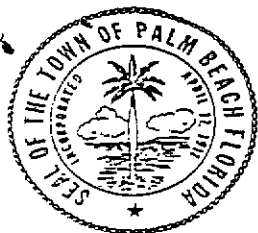
The Town Council action constitute zoning approval only and does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required such as necessary construction permits.

The work authorized under this Special Exception must be commenced or implemented within one year from the date of approval or said approval will expire.

Sincerely,

Paul Castro, AICP
Zoning Administrator

cc: Robert J. Doney, Town Manager
Robert L. Moore, Director of Planning, Zoning & Bldg.
Mary A. Pollitt, Town Clerk
Harry P. Ackerman, Assistant Building Official
pf & zf



TOWN OF PALM BEACH

Planning, Zoning & Building Department

June 20, 2000

Mr. James Wearn, Esquire
2023 North Flagler Drive
West Palm Beach, FL 33407

Subject: Special Exception #12-2000, 140 North County Road

Dear Mr. Wearn:

The Town Council at the regularly scheduled meeting of June 13, 2000, conditionally approved the subject Special Exception in which you requested approval for a new occupational license for Bank of America at the above location. Approval was granted on the condition that the applicant be required to demonstrate Town serving each year at the time of renewal of the occupational license pursuant to the Town serving requirements as outlined in said section of the Zoning Ordinance.

The Town Council action constitute zoning approval only and does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required such as Architectural Commission approval and necessary construction permits.

The work authorized under this Special Exception must be commenced or implemented within one year from the date of approval or said approval will expire.

Sincerely,

Paul Castro, AICP
Zoning Administrator

cc: Robert J. Doney, Town Manager
Tom G. Bradford Asst. Town Manager
Robert L. Moore, Director of Planning, Zoning & Bldg.
Veronica B. Close, Asst. Director of Planning, Zoning & Bldg.
Mary A. Pollitt, Town Clerk
Harry P. Ackerman, Assistant Building Official
pf & zf



Bank of America
140 N County Road
Palm Beach, FL 33480

August 30th, 2022

Town of Palm Beach
Planning, Zoning & Building Department
360 S County Rd., PO Box 2029
Palm Beach, FL 33480

To whom it may concern,

Bank of America, N.A. (the "Bank") has performed the procedures enumerated below to evaluate the Bank's list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida (the "list of customers/client addresses") and that it is in accordance with the Bank's Special Exception approval request for the Town of Palm Beach, Florida's zoning ordinance Section 134-229(12) as of July 28, 2022. We understand that the definition of "Town Persons" as it is used in this report and as it appears in the Town's zoning ordinance is:

"All full-time and seasonal residents as well as visitors staying in accommodations and employees working in establishments located within the Town."

Our procedures and findings are as follows:

The Bank created a list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida.

If the customer's address listed Palm Beach as the Town, the Bank concluded the customer was a "Town Person." If the address has a zip code more than 25 miles away, we concluded the customer was a "Town Person." If the account was for a known Palm Beach business, or an employee known to work in Palm Beach the Bank concluded the customer was considered a "Town Person." The Bank's calculation of the percentage of "Town Persons" is as follows:

Total "Town Persons"	2032
Total Accounts	4055



Percentage of "Town Persons"

50.11%

If you have any questions or determine this report is insufficient to meet the requirements of the Town of Palm Beach zoning ordinance, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to be "G. Roux" with a stylized flourish at the end.

Gerald E. Roux
Senior Vice President
Bank of America
East Division Operations
Consumer Banking and Investments
gerald.e.roux@bofa.com
T 386.944.7002

GER.to



Bank of America
140 N County Road
Palm Beach, FL 33480

January 14, 2022

Town of Palm Beach
Planning, Zoning & Building Department
360 S County Rd., PO Box 2029
Palm Beach, FL 33480

To whom it may concern,

Bank of America, N.A. (the "Bank") has performed the procedures enumerated below to evaluate the Bank's list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida (the "list of customers/client addresses") and that it is in accordance with the Bank's Special Exception approval request for the Town of Palm Beach, Florida's zoning ordinance Section 134-229(12) as of November 30, 2021. We understand that the definition of "Town Persons" as it is used in this report and as it appears in the Town's zoning ordinance is:

"All full-time and seasonal residents as well as visitors staying in accommodations and employees working in establishments located within the Town."

Our procedures and findings are as follows:

The Bank created a list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida.

If the customer's address listed Palm Beach as the Town, the Bank concluded the customer was a "Town Person." If the address has a zip code more than 25 miles away, we concluded the customer was a "Town Person." If the account was for a known Palm Beach business, or an employee known to work in Palm Beach the Bank concluded the customer was considered a "Town Person." The Bank's calculation of the percentage of "Town Persons" is as follows:

Total "Town Persons"	1850
Total Accounts	3605



Percentage of "Town Persons"

51.3%

If you have any questions or determine this report is insufficient to meet the requirements of the Town of Palm Beach zoning ordinance, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to be "G. Roux", written over a light blue horizontal line.

Gerald E. Roux
Senior Vice President
Bank of America
East Division Operations
Consumer Banking and Investments
gerald.e.roux@bofa.com
T 386.944.7002

GER.to



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

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NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
POST OFFICE BOX 347
WEST PALM BEACH, FLORIDA 33402-0347
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MARK J. BYMASTER, CFE, CPA
RYAN M. SHORE, CFP®, CPA
WEI PAN, CPA
WILLIAM C. KISKER, CPA
RICHARD E. BOTTS, CPA

INDEPENDENT ACCOUNTANT'S REPORT ON APPYING AGREED-UPON PROCEDURES

BELLE GLADE OFFICE
333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

To the Board of Directors
Bank of America
140 North County Road
Palm Beach, Fl, 33480

We have performed the procedures enumerated below, which were agreed to by management of Bank of America (the "Bank") solely to assist you with respect to evaluating management's assertion about the Bank's list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida (the "list of customers/client addresses") and that it is in accordance with the Town of Palm Beach, Florida's zoning ordinance as of June 30, 2019. We understand that the definition of "Town Persons" as it is used in this report and as it appears in the Town's zoning ordinance is:

"All full-time and seasonal residents as well as visitors staying in accommodations and employees working in establishments located within the Town."

Bank of America's management is responsible for the list of customers/client addresses. The sufficiency of these procedures is solely the responsibility of Bank of America. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

We obtained a list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida. We haphazardly selected a sample of 30 customers who were identified by management as being "Town Persons", 15 who have a 33480 zip code and 15 who either have Town residency or employment. We verified that each customer has a deposit relationship with the bank and that computerized bank records agreed with the list provided by management. For the sample of customers outside the 33480 zip code that live within a 25 mile radius we obtained an affidavit

from management which states the customers are known to be employed in the Town. If the customer's address listed Palm Beach as the Town, we concluded the customer was a "Town Person". If the address has a zip code more than 25 miles away, or the account was for a known Palm Beach business, or an employee known to work in Palm Beach we concluded the customer was considered a "Town Person". Our calculation of the percentage of "Town Persons" is as follows:

Total "Town Persons"	2,151
Total Accounts	4,029

Percentage of "Town Persons"	<u>53.26%</u>
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This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the bank records referenced above. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the use of the Board of Directors and management and is not intended to be and should not be used by anyone other than those specified parties.

Nowlen, Holt & Miner, P.A.

West Palm Beach, Florida
December 12, 2019



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE
NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

BELLE GLADE OFFICE
333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

To the Board of Directors
Bank of America
140 North County Road
Palm Beach, FL, 33480

We have performed the procedures enumerated below, which were agreed to by management of Bank of America (the "Bank") solely to assist you with respect to evaluating management's assertion about the Bank's list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida (the "list of customers/client addresses") and that it is in accordance with the Town of Palm Beach, Florida's zoning ordinance as of June 30, 2018. We understand that the definition of "Town Persons" as it is used in this report and as it appears in the Town's zoning ordinance is:

"All full-time and seasonal residents as well as visitors staying in accommodations and employees working in establishments located within the Town."

Bank of America's management is responsible for the list of customers/client addresses. The sufficiency of these procedures is solely the responsibility of Bank of America. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

We obtained a list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida. We haphazardly selected a sample of 30 customers who were identified by management as being "Town Persons", 15 who have a 33480 zip code and 15 who either have Town residency or employment. We verified that each customer has a deposit relationship with the bank and that computerized bank records agreed with the list provided by management. For the sample of customers outside the 33480 zip code that live within a 25 mile radius we obtained an affidavit

from management which states the customers are known to be employed in the Town. If the customer's address listed Palm Beach as the Town, we concluded the customer was a "Town Person". If the address has a zip code more than 25 miles away, or the account was for a known Palm Beach business, or an employee known to work in Palm Beach we concluded the customer was considered a "Town Person". Our calculation of the percentage of "Town Persons" is as follows:

Total "Town Persons"	2,160
Total Accounts	4,279
Percentage of "Town Persons"	<u>50.48%</u>

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the list of customers/client addresses. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the use of the Board of Directors and management and is not intended to be and should not be used by anyone other than those specified parties.

Nowlen, Holt & Mimer, P.A.

West Palm Beach, Florida
April 26, 2019



NOWLEN, HOLT & MINER, P.A.

CERTIFIED PUBLIC ACCOUNTANTS

WEST PALM BEACH OFFICE
NORTHBRIDGE CENTRE
515 N. FLAGLER DRIVE, SUITE 1700
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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

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333 S.E. 2nd STREET
POST OFFICE BOX 338
BELLE GLADE, FLORIDA 33430-0338
TELEPHONE (561) 996-5612
FAX (561) 996-6248

To the Board of Directors
Bank of America
The Whitney, Suite 105
410 Evernia Street
West Palm Beach, FL 33406

We have performed the procedures enumerated below, which were agreed to by management of Bank of America (the "Bank") solely to assist you with respect to evaluating management's assertion about the Bank's compliance with certain occupational license requirements of the Town of Palm Beach as of June 30, 2016. We understand that the definition of "Town Persons" as it is used in this report and as it appears in the Town's zoning ordinance is:

"All full-time and seasonal residents as well as visitors staying in accommodations and employees working in establishments located within the Town."

Bank of America's management is responsible for the Bank's accounting records. This agreed upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of Bank of America. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

We obtained a list of customers/client addresses of the accounts domiciled at the Palm Beach Banking Center located at 140 North County Road, Palm Beach, Florida. We haphazardly selected a sample of 30 customers who were identified by management as being "Town Persons", 15 who have a 33480 zip code and 15 who either have Town residency or employment. We verified that each customer has a deposit relationship with the bank and that computerized bank records agreed with the list provided by management. For the sample of

customers outside the 33480 zip code that live within a 25 mile radius we obtained an affidavit from management which states the customers are known to be employed in the Town. If the customer's address listed Palm Beach as the Town, we concluded the customer was a "Town Person". If the address has a zip code more than 25 miles away, the account was for a known Palm Beach business, or employee known to work in Palm Beach we concluded the customer was considered a "Town Person". Our calculation of the percentage of "Town Persons" is as follows:

Total "Town Persons"	1,746
Total Accounts	2,486

Percentage of "Town Persons"	<u>70.23%</u>
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We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on accounting records. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the use of the Board of Directors and management and is not intended to be and should not be used by anyone other than those specified parties.

Nowlen, Holt & Miner, P.A.

West Palm Beach, Florida
March 2, 2017