

**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, AUGUST 18, 2021.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Chairman Silvin called the meeting to order at 9:30 a.m.

II. ROLL CALL

Richard Rene Silvin, Chairman	PRESENT
Sue Patterson, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
Kim Coleman, Member	PRESENT
Anne Fairfax, Member	PRESENT
Brittain Damgard, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT
Bridget Moran, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Sarah C. Pardue, Historic Preservation Planner
Kelly Churney, Board Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant
Janet Murphy, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chairman Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JULY 21, 2021 MEETING

Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the minutes of the July 21, 2021 meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Motion made by Ms. Albarran and seconded by Ms. Coleman to approve the agenda as presented. Motion carried unanimously, 7-0.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all professionals before each presentation and throughout the meeting as necessary.

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

There were no comments heard at this time.

VIII. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

Mr. Silvin discussed the Town Council's decision to move forward with the meeting virtually via zoom for the month of September. He indicated that the Town Council would assess the COVID situation prior to the upcoming meetings and would make a decision on whether the meetings would resume in person. Mr. Silvin indicated that the next meeting would be held on Friday, September 24 (rather than Wednesday). Mr. Silvin indicated that the landscape changes at Mar-a-Lago would be brought to the September meeting, in the event anyone had received telephone calls on this matter.

There were no other comments at this time.

IX. PRESENTATIONS

1. New Development Review Process – James Murphy

Mr. Murphy presented the new process improvement plan for the Planning, Zoning and Building Department, which staff hopes will create a more efficient standard operating procedure for development review projects. The new plan includes changes to project deadlines, legal advertisement and the method in which projects are reviewed before they are presented to the Commission. Mr. Murphy answered all questions asked by the Commissioners.

X. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS

1. Application for Certificate of Appropriateness #034-2021

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 800 S. County Rd.

Owner/Applicant: Ann DesRuisseaux

Professional: Jason Drobot/Brasseur and Drobot Architects

Project Description: The original two story residence at 800 South County Road was designed by Addison Mizner in 1923 and was designated a landmark in 1980. The project consists of raising the previously approved Main House (excluding garage), the connected two story guest house, and the two story generator building to a finished first floor elevation of 11' NAVD in lieu of the previously approved finished first floor elevation of 9.0' NAVD. The pool deck

shall be raised to be top at 10.33' NAVD. Steps with railings to match existing to be added where required. **Please note: This is a tax abatement project**

A motion carried at the July meeting to defer the project for to the August 18, 2021 meeting to allow the professional to bring back details specific to the railings, grading, landscaping, the addition of the water table and additional elevations.

ZONING INFORMATION: The applicant is seeking to modify the previous approval (Z-20-00261) which allowed the renovation and additions to a 2 story landmarked residence with accessory buildings in the R-A Zoning District. The renovation is underway and the approval included raising the finished floor elevations of all of the structures to 9.0 feet NAVD. The applicant is requesting approval to modify the previous approval to raise the finished floor elevation of the main residence and generator building (only) another two feet to 11.0 feet NAVD to further project against flooding. The following variances are being requested to allow the new finished floor to be elevated another two feet from the previous approval: 1) Section 134-843(8): a north side yard setback of 5 feet for the boat house addition in lieu of the 30 foot minimum required; 2) Section 134-843(8): a north side yard setback ranging from 1.1 feet to 5.5 feet in lieu of the 30 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 3) Section 134-843(9): a rear yard setback of 0 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 4) Section 134-843(9): a rear yard setback ranging from 0 feet to 13.4 feet in lieu of the 15 foot minimum required for the existing main house when raising the finished floor thus increasing the height in the setback; 5) Section 134-843(9): a rear yard setback of 12.58 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 6) Section 134-843(8): a north side yard setback of 14.5 feet for the 2-story generator building in lieu of the 30 foot minimum required; 7) Section 134-843(8): a south side yard setback ranging from 9 feet to 15.5 feet in lieu of the 30 foot minimum required for the new cabana and main house addition; 8) Section 134-843(10): a height in the main residence and addition to main house of 28.5 in lieu of the 25 foot maximum allowed; 9) Section 134-847: to allow the finished floor elevation to be 3.6 feet above the crown of the road in lieu of the 18 inches maximum allowed; 10) Section 134-847: to allow the finished floor elevation at 2.66 feet above grade in lieu of the 8 inch maximum allowed; 11) Section 134-843(11): a lot coverage of 28.46% in lieu of the 25% maximum allowed for the raised terrace; 12) Section 134-843(9): a rear yard setback of 1.75 feet in lieu of the 15 foot minimum required for the raised terrace; 13) Section 134-843(8): a south side yard setback of 4.5 feet in lieu of the 30 foot minimum required for the raised terrace.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Jacqueline Albarran declared a continuing conflict of interest and left the zoom meeting. Fernando Wong declared a continuing conflict of interest and left the zoom meeting. It was noted that Ms. Metzger would be voting in Ms. Albarran's absence.*

Maura Ziska, attorney for the owner, discussed the previous approvals for the home and addressed the reason the owner was requesting to raise the home an additional two feet.

Jason Drobot, Brasseur and Drobot Architects, presented the architectural plans to raise the landmarked home. He showed the Commissioners a video, which presented a 3-D model of the home and how it would appear if raised the two additional feet requested.

Mr. Silvin inquired if staff had any comments. Mr. Murphy provided staff comments.

Mr. Silvin inquired if there were any public comments.

Devon Woolard, attorney on behalf of the owners at 790 S. County Road., expressed her clients' objections to the proposed project.

Zoning Manager Castro spoke about the previous approvals, in which the applicant had received to raise the home prior to Ms. Woolard's clients owning the home. He also clarified the current request to raise the home.

Town Attorney Randolph stated that the Commission should not be considering the hardship aspect of the application, as that should be left to the Town Council. He added that the Landmarks Commission should be considering the architectural aspects of the application and whether the granting of the variances will adversely affect the architecture.

Ms. Ziska stated that the applicant was not requesting a reduction in the setbacks with this application. The setbacks had already been approved or was an existing setback.

Mr. Castro stated there was an addition to the boat house that was approved and had an approved variance but had not yet been built.

Emily Stillings, MurphyStillings, stated that due to Mizner's Venetian design of the home on the water, she did believe it was a good preservation act to raise the boat house. However, she questioned the massing of the addition with the addition of the two feet. She added that while the extra two feet on the historic portion did not read as massive, she questioned the extra two feet on the addition.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the architect for speaking with her regarding the project. She spoke about the elements, which she believed were in keeping with the National Park Service Guidelines, such as the addition of the water table, the mediation of the raising of the structure between fill and architecture, and the detailing of the stairs and balustrades. She acknowledged Town Attorney Randolph's recommendation to review the variance as it pertained to the building's continued designation as a landmarked home. She also commented that the decision made on this project did not have to set a precedent for any future projects. She thought that the proposal to raise the home to 11 feet NAVD would help to preserve the home for the next 100 years and beyond.

Ms. Patterson thought that raising the home was the right path forward. She agreed with Ms. Sunny that the motion should include the verbiage regarding the Commission's decision and how this would not set a precedent for future projects.

Ms. Coleman questioned the roof line on the north side and wondered if raising the home 10 feet could be a compromise. She thought all of the railings and the home, in general, looked overwhelming.

Ms. Damgard also thought the home looked overwhelming. She expressed concern for the neighbors and what they would go through during construction. However, she acknowledged that she believed many homeowners would soon be seeking approval to raise their homes.

Ms. Fairfax was in favor of moving the project forward. She thought the property to the north had a structure very close to the property line as well. She thought with climate changes, she would like to see this project move forward.

Ms. Metzger was in favor of the project. She asked Ms. Sunny if the new addition on the bridge should be raised. Ms. Sunny responded and thought the boathouse roofline would be similar to other rooflines in the area once raised. Ms. Sunny questioned the roofline of the new addition to the south. Ms. Metzger agreed that the motion should state that the decision should not set a precedent for future projects.

Ms. Moran agreed that the home should be raised and was in favor of the proposed railings.

Mr. Segraves liked the house more at 9 feet. He thought the house should be on the water, not towering over the water. He also was not in favor of the number of railings proposed.

Mr. Silvin passed the gavel to Ms. Patterson.

Motion made by Mr. Silvin and seconded by Ms. Fairfax that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried 4-3, with Mses. Coleman, Damgard and Mr. Segraves opposed.

Motion made by Ms. Patterson to approve the project as presented with the provision that while this project was unique and had special circumstances, this decision would not set a precedent moving forward for other projects. Motion failed for the lack of a second.

Ms. Damgard questioned if it was possible to not raise the addition to the height of the rest of the home. She believed the addition seemed overwhelming.

Town Attorney Randolph discussed the possible motions for this project.

Ann DesRuisseaux, owner, discussed the reason for the proposal to raise the home to 11 feet, rather than the suggested 10 feet. She discussed what would need to occur in order to restudy the height of the addition.

Mr. Drobot discussed the addition and showed the Commission the elevations of the new addition compared to the historic structure. He indicated that the new addition matched the taller portion of the historic structure.

Mr. Silvin passed the gavel to Ms. Patterson.

Motion made by Mr. Silvin and seconded by Ms. Fairfax to approve the project as presented with the provision that the approval for this project would not set a precedent for any projects moving forward. Motion carried 4-3, with Mses. Coleman, Damgard and Mr. Segraves opposed.

B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS

1. Application for Certificate of Appropriateness #038-2021

Address: 127 Dunbar Road

Owner/Applicant: 127 Dunbar Trust (Maura Ziska, Trustee)

Professional: LaBerge & Menard Inc.

Project Description: Modify courtyard windows, remove projection of existing powder room, modification of windows. North elevation revision to windows, add 134 sq. ft. two-story addition for new stair and elevator. Add 204 sq. ft. one-story addition for electrical room, total 338 sq. ft. of new addition. Modification to windows throughout. Removal of existing foam garden wall on South property line. New entry door & location on South elevation.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran.

Daniel Menard, LaBerge & Menard Inc., presented the architectural modifications proposed for the existing, landmarked residence.

Mr. Silvin inquired if staff had any comments.

Ms. Stillings was happy to see that the windows on the southeast corner would remain. She also suggested returning to the original gate design by Fatio if the gates that were located on the site did not work.

Aimee Sunny, Preservation Foundation of Palm Beach, showed historic photographs and indicated where the home could be restored to the original condition. She stated she would share her photographs and microfiche images with Mr. Menard. She added that the loggia with the wrought iron arches were once squared off and were not infilled as they are currently. She proposed that they professional consider making the loggia open again with the squared openings.

Ms. Patterson thought the proposed changes looked great. She suggested considering Ms. Sunny's suggestion on the arches in the loggia.

Ms. Albarran thanked Mr. Menard for his work on the changes she suggested, particularly recessing the portion of the staircase. She was in favor of the changes.

Ms. Coleman thought the changes were good. She inquired about the previous approval of the changes. Mr. Menard responded. She confirmed that the exterior wall would be removed on Dunbar. Mr. Menard provided confirmation.

Ms. Damgard was thankful for the new owner and was happy that they were willing to restore the home.

Ms. Metzger thought the proposed changes were beautiful and elegant.

Ms. Moran inquired about the landscape plan. Mr. Menard stated the landscape architect would be returning to the Commission within the next few months.

Mr. Segraves stated he would be interested in seeing the landscaping plan, particularly for the front of the home.

Mr. Wong supported the changes.

Mr. Silvin provided a brief history of the home.

Please note: Ms. Fairfax left the meeting at 11:45 a.m. Ms. Metzger voted in her absence.

Motion made by Ms. Albarran and seconded by Ms. Damgard to approve the project with the following conditions: the professionals will return to the Commission with a landscape plan when appropriate, the addition is recessed at the stairs to break the plane of the addition, the applicant agrees to meet Aimee Sunny's suggestions regarding the arches in the loggia and to match the wrought iron work in the historic photographs. Motion carried unanimously, 7-0.

2. Application for Certificate of Appropriateness #021-001

Address: 221 Monterey Road

Owner/Applicant: Jonathan Adler & Simon Doonan

Professional: John Lang/ Lang Design Group

Project Description: Modifications to existing hardscape, landscape and landscape lighting. Added back in the hardscape a previously approved permitted rectangle pool as the previous permit was withdrawn this year due to sale of house. Removing the semi-circle driveway and stone material change on hardscape. Landscape modifications and landscape lighting to correlate with hardscape modifications.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Lang presented the landscape and hardscape plans proposed for the existing, landmarked residence.

Mr. Silvin inquired if staff had any comments. Mr. Murphy stated that staff had no comments on this project.

Mr. Silvin inquired if there were any public comments. There were no comments heard at this time.

Ms. Patterson stated the project was lovely.

Ms. Albarran thought the project was wonderful.

Ms. Coleman was in favor of all of the items with the exception of the tented carport. Mr. Lang stated the carport was existing but he would address the item with the owners.

Ms. Damgard agreed with Ms. Coleman and reaffirmed that she was not in favor of the carport.

Ms. Metzger was in favor of the project but added she generally did not like swimming pools in the front yard. Mr. Lang pointed out the other homes in the area that also had swimming pools in the front.

Ms. Moran was in favor of the project.

Mr. Segraves thought the professional did a great job. He did question the Canary palms and wondered if they were a bit formal for the site. Mr. Lang responded.

Mr. Wong stated the professional did a great job.

Mr. Silvin also felt the design was very nice, however he was not in favor of the carport.

Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project as presented. Motion carried unanimously, 7-0.

Please note: The Commission took a lunch break at 12:20 p.m. The Commission resumed the meeting at 12:50 p.m. Ms. Damgard returned at 12:52 p.m. Ms. Fairfax returned at 12:57 p.m.

C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS

None

D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS

1. Application for Historically Significant Building H-004-2021

Address: 235 Dunbar Rd.

Owner/Applicant: David W. Levinson

Professional: LaBerge & Menard

Project Description: Remove and replace front door; new landscaping.

A motion carried at the July meeting to approve the architectural portion of the project as presented and to defer the landscape and hardscape portion to the August 18, 2021 meeting.

Call for disclosure of ex parte communication: None.

Fernando Wong declared a continuing conflict of interest and stated he would be presenting the project.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Silvin inquired if staff had any comments. Mr. Murphy stated that staff did not have any comments.

Aimee Sunny, Preservation Foundation of Palm Beach, stated she previously expressed concern to Mr. Wong for the vines that would be applied to the building and the potential damage it could cause to the home. She added that Mr. Wong assured her that there would not be any damage to the home.

Mr. Wong discussed the installation of the vines and how he would move forward with the installation as to not harm the historic building.

Many of the Commissioners supported the request.

Ms. Moran questioned why there was nothing proposed for the retaining wall that ran the west side of the property. Mr. Wong responded.

Motion made by Ms. Patterson and seconded by Ms. Coleman to approve the project as presented. Motion carried unanimously, 7-0.

2. Application for Historically Significant Building H-005-2021

Address: 10 Tarpon Isle

Owner/Applicant: 10 Tarpon Island LLC (Todd Glaser)

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Request to demolish a portion of the existing residence and to construct a 17,999 sf two-story addition, pool, landscaping and hardscape. The portion of the existing residence, pool, and landscaping to remain will be renovated.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Janssen presented the architectural plans proposed for the modifications and additions to the existing home.

Christopher Cawley, Christopher Cawley Landscape Architecture, presented the landscape and hardscape plans proposed for the site.

Mr. Silvin inquired if staff had any comments. Mr. Murphy stated that the applicant had done quite a lot of due diligence in researching this project and had included staff on much of the planning.

Janet Murphy, MurphyStillings, discussed how the applicant was meeting the Secretary of Interior's Standards but added that it was important that the new addition was differentiated from the historic structure.

Aimee Sunny, Preservation Foundation of Palm Beach, discussed the Secretary of Interior's Standards that she believed applied to this project, particularly 2, 5 and 6, and encouraged the Commission to strongly consider that alternate design of the north and south elevation shown by Mr. Janssen. She recommended that the Commission request more information on the materials proposed for the historic portion of the building. She recommended allowing a flexible option for the restoration for the gable ends in the event that the owner would like to restore them back to the Howard Major configuration.

Ms. Patterson inquired about Howard Major's original design for the south elevation. Ms. Sunny responded and discussed the architect's proposal for the alternate design, which kept the second floor dormer windows on the north side while still opening the first floor for a breezeway. Ms. Sunny was glad to see that the alternate option preserved some of the components of the original home and minimized the demolition.

Mr. Silvin confirmed the proposal to keep the upper level of the connection piece but to open the lower level as a breezeway. Mr. Janssen confirmed this and stated he would also explore maintaining the first floor structure as an enclosed space as well.

Ms. Patterson was glad that the house was going to be saved. She questioned the front door and thought it was a bit of a departure from the design style. Mr. Janssen responded and showed some inspiration photographs. He also showed the existing and proposed front doors. Ms. Patterson questioned the size of the garage section of the house.

Ms. Albarran was happy to hear that the home was going to be saved as a historically significant building. She initially was concerned to hear about the removal of the section of the home with the dormers. However, she was happy to hear Ms. Sunny's suggestion to retain the portion with the dormers. She supported

the alternate design. She preferred to only see two garage doors from the entrance rather than three, however added she would support the garage structure.

Ms. Coleman was glad to see the color change for the home. She inquired about the proposed roof material. Mr. Janssen responded. She agreed with Ms. Sunny on the suggestion of the breezeway. She also agreed with Ms. Patterson on the massing of the garage.

Ms. Damgard expressed concern that the new gables looked nothing like the historic home. She questioned whether the folly fit into the design.

Ms. Fairfax was in favor of the entrance; she thought the arch looked a bit thin over the entrance. She thought the garage structure was fine. Ms. Fairfax thought that the style change in the buildings was acceptable. She questioned the size and the number of gables on the folly. She thought perhaps this element needed some study. She inquired about the evergreen material proposed. Mr. Cawley responded and described the material to be used.

Ms. Patterson agreed with Ms. Fairfax's assessment of the folly.

Ms. Metzger inquired about the copper roof proposed. Mr. Janssen responded and further discussed the copper roof.

Ms. Damgard also agreed with Ms. Fairfax's assessment of the folly.

Mr. Moran thought the house was nice and thought the folly seemed a bit heavy. She recommended considering a one story folly. Ms. Moran questioned one of the Secretary of Interior's Standards that indicated that the addition should not be larger or overwhelm the main structure. Mr. Janssen responded and thought the site was a unique situation. He added that given the location of the original home, in relationship to the property, it was appropriate that the home was a bit subordinate to the new structure.

Ms. Murphy stated she agreed with Mr. Janssen on his assessment, given the size of the island and that the original home was now a guest home.

Mr. Segraves questioned how the architect would feel raising the home to 11 feet. He also thought the landscape architect did a good job so that when driving over the bridge, the center section of the home would be the focus. He inquired about the window material proposed. Mr. Janssen responded. He agreed that the folly could be lower and simpler but was supportive of the copper roof material. Mr. Segraves suggested using the copper roof in more of the roof lines on the south elevation to tie the house and the folly together.

Mr. Wong agreed with many of the same suggestions as Mr. Segraves. Mr. Wong stated that the Australian pines were critical to him and advocated for the pines to be kept on the property.

Mr. Silvin was glad that the existing home was being saved. Mr. Silvin understood the window choice but wished a material, other than aluminum, would have been chosen. He also inquired about the proposed elevation of the home and wondered if the owner thought about raising the home during the renovation. He was glad to see the compromise to save the connection piece of the older home. He requested to see a restudy of the folly, particularly the scale.

Todd Michael Glaser, owner, discussed the requirements to remove the Australian pines as it was an invasive plant. He also discussed his intention to save the existing home and with the new design.

Ms. Sunny weighed in on the folly element and agreed it appeared to be a bit large and heavy. She pointed out the section of the landmark ordinance that discussed how the Commission should review new construction.

Mr. Silvin thought that the folly should be reviewed again by the Commission.

Mr. Segraves thought the connection should be restudied as well.

Mr. Silvin asked Mr. Segraves' opinion on the replication of the connection piece, rather than its restoration, due to the ceiling heights as stated by Mr. Glaser.

Ms. Murphy stated ideally it would be better to restore the element rather than demolishing and rebuilding the element. A discussion ensued about the construction of the connection piece.

Motion made by Ms. Patterson to approve the project as presented with the exception of the folly and the connection between the old and new wing, which will be restudied and will return to the September 24, 2021 meeting.

Mr. Silvin inquired about Mr. Cawley's suggestion regarding Mr. Wong's assessment of the Australian Pines. A discussion ensued about the existing Australian Pines on the property.

Mr. Janssen discussed the elevation of the property and stated the elevation met the Town's Code.

Mr. Murphy recommended to defer the landscaping plans for one month so that staff could make a formal determination on the Australian pine trees.

Mr. Glazer advocated for the removal of the Australian pine trees.

Motion made and restated by Ms. Patterson and seconded by Ms. Coleman to approve the project as presented, with the exception of the folly and the connection between the old and new wing, which will be restudied and will return to the September 24, 2021 meeting. Motion carried unanimously, 7-0.

3. Application for Historically Significant Building H-006-2021

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 217 Bahama Lane

Owner/Applicant: James L. McCann and Sara B. McCann

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: This home has been designated as Historically Significant and thus will be heard before Landmarks Preservation Commission prior to being heard before Town Council. Section 134-329 and Section 134-893(b): Site Plan Review to allow the renovation and one story additions totaling 894 square feet to an existing 3,034 square foot, one story residence by demolishing more than 50% cubic footage on a lot with a depth of 91 feet in lieu of the 100 foot minimum required in the R-B Zoning District. Section 134-893(7): to allow a west side yard setback for the garage addition to remain non-conforming with a setback of 9.83 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District. Section: 50-114: a request for a flood plain variance in order to construct the a 360 square foot one story garage addition on the east side of the residence; a 200 square foot one story closet addition on the west side of the residence; and a 334 square foot loggia addition to the rear of the residence, all with a finished floor elevation of 5.82 and 6.82 feet North American Vertical Datum ("NAVD") in lieu of the 7.0 foot NAVD required. Section 134-893(6): an angle of vision of 119 degrees in lieu of 103 degrees existing and 100 degrees maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Lauren Urquart, Dailey Janssen Architects, presented the architectural modifications proposed for the existing residence.

Mr. Silvin inquired if staff had any comments. Mr. Murphy stated that the staff had worked with architect on this project, assisting them with the zoning requests.

Ms. Stillings stated that she was comfortable with the proposal and added that she felt the proposed additions met the Secretary of Interior's Standards, specifically standards 9 and 10.

Aimee Sunny, Preservation Foundation of Palm Beach, presented a few historic photos of the home. She thought the additions were sensitive and respected the original design intent of the structure.

Heidi Doubleday, 225 Bahama Lane, expressed her concerns for the proposed project, specifically with the additions, hardscape and drainage, as she was concerned with a flooding issue on her street. Ms. Doubleday also requested a temporary screen to be put in place between their properties during the construction.

Cory Meyer, Nievera Williams Design, discussed the newly proposed drainage system for the site. Mr. Meyer stated he would install a temporary screen during

construction. He presented the landscape and hardscape plans proposed for the site.

Many of the Commissioners were supportive of the project.

Mr. Segraves was in favor of the project as well as the proposed landscape and hardscape plans. He suggested reducing the columns on the rear loggia as they were a bit bulky. He suggested a double column on each side. Ms. Albarran agreed with Mr. Segraves suggestion.

Ms. Urquhart stated she would be happy to discuss the suggestion with her clients.

Motion made by Ms. Damgard and seconded by Ms. Coleman to approve the project as presented, with the condition that staff has the ability to approve any recreation of historic features in the original photographs shown by Ms. Sunny. Motion carried unanimously, 7-0.

Motion made by Ms. Damgard and seconded by Ms. Coleman that implementation of the proposed variances do not cause negative architectural impact to the subject landmarked property. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no comments heard at this time.

2. Staff

Mr. Murphy reviewed the Landmark projects and issues presented at the July 2021 Town Council Meetings. Mr. Murphy answered questions from the Commissioners.

Mr. Murphy stated that Fernando Wong declared a continuing conflict of interest for the project at 800 S. County Road at the July 21, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy stated that Fernando Wong declared a conflict of interest for the project at 235 Dunbar Road at the July 21, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy stated that Patrick Segraves declared a continuing conflict of interest for the project at 1820 S. Ocean Blvd. at the July 21, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy stated that Jacqueline Albarran declared a continuing conflict of interest for the project at 800 S. County Road at the July 21, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

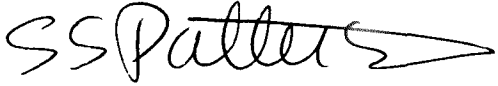
There were no comments heard at this time.

XII. ADJOURNMENT

Motion made by Mr. Segraves and seconded by Ms. Patterson to adjourn the meeting at 3:31 p.m. Motion carried unanimously, 7-0

The next meeting of the Landmarks Preservation Commission will be held on Friday, September 24, 2021 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

 vice chair

Richard Rene Silvin, Chairman
LANDMARKS PRESERVATION COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Albarran, Jacqueline</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>324 Royal Palm Way #227</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>		☐ CITY	☐ COUNTY
COUNTY <i>Palm Beach</i>		☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>August 18, 2021</i>		NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Jacqueline Albarran, hereby disclose that on August 18, 20 21:

(a) A measure came or will come before my agency which (check one or more)

- ☐ 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 Anna Des Ruisseaux, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

COA - 034 - 2021
800 S. County Rd.
Continuing Conflict

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8-19-2021

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>Wong Fernando</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmarks Preservation Commission</i>	
MAILING ADDRESS <i>201 Seaview Ave., #2</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
DATE ON WHICH VOTE OCCURRED <i>August 18, 2021</i>		MY POSITION IS: ☐ ELECTIVE ☒ 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) under Sec. 183.356 or 183.357, 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Fernando Wong, hereby disclose that on August 18, 2021:

(a) A measure came or will come before my agency which (check one or more)

☐ 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 David W. Levinson, by whom I am retained; or

☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

Continuing Conflict

H-004-2021

235 Dunker Rd.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

9/19/21

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Wong, Fernando</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Landmark's Preservation Commission</i>	
MAILING ADDRESS <i>201 Seaview Ave. #2</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY	☐ COUNTY ☒ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>August 18, 2021</i>		NAME OF POLITICAL SUBDIVISION <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTEE	

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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).

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Fernando Wong, hereby disclose that on August 18, 2021:

(a) A measure came or will come before my agency which (check one or more)

- ☐ 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 Aun DesRuisseaux, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

COA - 034 - 2021
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Continuing Conflict

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Date Filed

8/18/21

Signature

[Signature]

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