

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

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION  
MEETING HELD ON WEDNESDAY, APRIL 21, 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](http://www.townofpalmbeach.com).

**I. CALL TO ORDER**

Chairman Silvin called the Zoom Webinar meeting to order at 9:29 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 | ABSENT (excused) |
| 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  
Laura Groves van Onna, 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 MARCH 17, 2021 MEETING**

Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the minutes of the March 17, 2021 meeting. Motion carried unanimously.

**V. APPROVAL OF THE AGENDA**

Mr. Bergman informed the Commission of the following deferral requests:

COA-022-2021, 720 S. Ocean Blvd to the May 19, 2021 meeting  
COA-023-2021, 100 Four Arts Plaza to the May 19, 2021 meeting  
Designation Hearing for 1250 N. Ocean Blvd to the November 17, 2021 meeting

And the withdrawal of the following project:

COA-028-2021, 323 Chilean Avenue

**Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the agenda as amended. Motion carried unanimously.**

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

Ms. Churney swore in all professionals before each presentation.

**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**

Ms. Patterson congratulated Danielle Moore and Ted Cooney on their new roles with the Town Council.

Ms. Coleman also congratulated Danielle Moore and Ted Cooney as well as Sue Patterson, who recently won the Everglades Club Ladies Golf Championship.

Anne Fairfax congratulated Beth Dowdle, who received accolades from the Garden Club for her work on native plants.

Mr. Silvin discussed an article in the newspaper regarding the property at 341 Peruvian Avenue. Mr. Silvin discussed the landmark hearings that would be heard in November 2021 and added all were opposed to the designation. He asked the Commissioners to reach out to the owners to discuss the benefits of landmarking. Mr. Silvin stated that the Town Council decided to keep the meetings virtual until the end of August. Mr. Silvin informed the Commission of a presentation by James Martin, Assistant Director of Planning, Zoning and Building, to the Town Council at their April 14, 2021 meeting and suggested that the members listen to the audio file.

**IX. PROJECT REVIEW**

**A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS**

1. Application for Certificate of Appropriateness #007-2021  
\*LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\*

Address: 264 & 270 S. County Road  
Owner/Applicant: Carriage House Properties Partners LLC  
Professional: Spina O'Rourke + Partners  
Project Description: Modify height of previously approved screen wall at 264 South County Road and new screen wall at 270 South County Road. ***\*\*Please note: This is a tax abatement project\*\****

A motion carried at the January meeting to defer the project to the February 17, 2021 meeting at the request of staff. A motion carried at the February meeting to defer the project to the March 17, 2021 meeting at the request of staff. A motion carried at the March meeting approve the following items: new lanterns, awnings, Portuguese tile, the original clock, the single door proposed with the transom changed to match the other transoms on the south façade with the double arches and the remainder of the project to be deferred to the April 21, 2021 meeting.

ZONING INFORMATION: Section 134-1109: A request for a special exception with site plan review modification approval to modify a previously approved Club's 264 South County Road property as follows: At 264 South County Road: Modify quantity and size of rooftop mechanical equipment; Modify height of mechanical equipment screen wall; Modify Landscape and Hardscape Design including Landscape Open Space. At 270 South County Road: Modify quantity and size of rooftop mechanical equipment; New mechanical equipment screen wall; Modify Landscape and Hardscape Design including Landscape Open Space; Modify to Front Door & Overhang Design; Modify Door/Window Operation on East Elevation for Emergency Egress; New Concealed Emergency Egress Gate On East Elevation; New Decorative Shutters on South Elevation; Modify quantity and location of windows on northwest corner of second floor. The following Variances are being requested: At 264 South County Road: 1) Section 134-1607(1): to allow (4) pieces of HVAC equipment at 51 inches in height in lieu of the 48" maximum allowed; 2) Section 134-1607(1): to allow the scrubber at 40 inches in height in lieu of the 36" maximum allowed. At 270 South County Road: Section 134-1607 (1): to allow (5) pieces of HVAC equipment at 57 inches in height in lieu of the 48" maximum allowed. 3) Section 134-1113(6): To allow a parapet wall on the south side of the second story to screen proposed new mechanical equipment with a side yard setback of 2.11 feet in lieu of the 11 foot minimum required.

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

Mr. Silvin inquired about the removal of four windows, two windows on 264 S. County Road and two windows on 270 S. County Road. Mr. Freijomel responded to Mr. Silvin's questions about the windows at 270 S. County Road. Mr. Freijomel stated he would need to return to the Commission with the history of the removal of the windows at 264. Mr. Freijomel also explained the staff approval received for the removal of a window at the front of 264 S. County Road.

Messrs. Spina and Freijomel thanked all of the Commissioners for meeting them on site to discuss some of the items that were discussed at the last meeting. Mr. Freijomel reviewed the items to be discussed since the last meeting. Mr. Freijomel presented the architectural modifications proposed for the project.

Ms. Patterson preferred option B for the parapet wall on 264. She was in favor of the changes on the 270 building and supported the tile choice.

Ms. Albarran liked the proportion of the rendering of option B. She was not in favor of the drawing of option B. She asked Mr. Freijomel which one was proposed. Mr. Freijomel explained that they measured the height of the existing molding and drawing B would best match the existing conditions. Ms. Albarran stated she would then prefer option A.

Ms. Coleman thought the perspectives were misleading. She thought the parapet wall was still a large amount of concrete. She suggested that the wall needed more detailing. She was in favor of the remainder of the project.

Ms. Damgard was not in favor of the drawing option B. She stated if that was the existing condition, she would prefer option A.

Ms. Fairfax thought the perspectives were misleading as well. She also thought a pattern on the wall may confuse the eye and thought it may blend in better with the building. She recommending breaking up the wall into three segments. She supported the remainder of the changes. Ms. Fairfax thought study 2 in the four options for the parapet wall had more interest. A discussion ensued on options for the parapet wall.

Ms. Metzger inquired if the equipment would be seen through the three proposed openings on the parapet wall. Ms. Fairfax commented on this question.

Mr. Freijomel asked if the process could continue to the Town Council level, while bringing an item back to the Commission.

Ms. Moran preferred option A, and thought the alternative option that broke up the wall may be too busy. She inquired if the door transom was changed that Mr. Segraves suggested at the last meeting. Mr. Freijomel responded.

Mr. Segraves liked study 2 in the options presented and was also in favor of lowering the parapet.

Mr. Silvin was in favor of some of the suggestions made for the parapet. He added that he could not support moving forward without a clear understanding of window changes on building 264.

Mr. Spina stated he would build exactly what was approved for the windows at building 264. A discussion ensued about this issue.

Mr. Silvin called for public comment.

Bradley Geist, 234 Phipps Plaza, expressed his concerns regarding the changes of 264 S. County Road.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Ms. Albarran thought the two windows in question at 264 S. County Road should remain.

Mr. Freijomel stated that he would replace the windows in question at 264 S. County road. Mr. Freijomel discussed the items that their SHPO consultant supported, specifically in terms of the parapet wall.

Ms. Albarran inquired if the change in the wall would change the variance requests. Maura Ziska, attorney for the owner, responded.

**Motion made by Ms. Albarran and seconded by Ms. Coleman that implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried 6-1, with Mr. Silvin opposed.**

**A second motion made by Ms. Albarran and seconded by Ms. Coleman to approve the project as presented with the conditions that the two windows on the southwest side on building 264 will remain and that the detail of the parapet wall will return to the May 19, 2021 meeting. Motion carried unanimously.**

2. Application for Certificate of Appropriateness #011-2021

**\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)\* -  
DONE 2/17/21**

Address: 220 Monterey Rd.

Owner/Applicant: Peter and Beverly Broberg

Professional: Allied Doors/H. Gilbert & Associates/Steven Bruh Architect

Project Description: Construct a 151 square foot one-story bathroom not visible from street. Construct a 28 square foot generator pad not visible from street.

Replace two single garage doors with one double garage door that does face street.

A motion carried at the February meeting to approve the addition and generator but to return to the March 17, 2021 meeting with an alternate garage door design.

A motion carried at the March meeting to defer the project to April 21, 2021 to restudy the garage door.

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

Mr. Broberg discussed the history of the garage doors on his home. He presented the proposed garage doors for his home.

Ms. Patterson stated she thought the owner made a good effort to replicate the existing garage doors.

Mr. Silvin inquired if a pilaster was applied to the door or if it was a painted column. Mr. Broberg stated it was a painted column.

Ms. Patterson inquired about the look of the finished door. Mr. Broberg responded and showed a photograph of the existing garage door.

Ms. Albarran inquired about the curvature of the garage door. Mr. Broberg responded.

Ms. Damgard thought the applicant did a good job in responding to the comments. She inquired about the number of panels on the proposed door. Mr. Broberg responded.

Ms. Fairfax thought the proposal was a fair solution. She asked for confirmation that the middle pillar section would be a wood material. Mr. Gilbert stated that the material would be a wood application. Ms. Fairfax stated she would prefer the two doors but would defer to the other Commissioners.

Ms. Metzger inquired about the functionality of the door as well as asked if the column had sections for its functionality. Mr. Gilbert responded. Ms. Metzger asked if the owner had a photograph of the proposed door. Mr. Broberg responded.

Ms. Patterson inquired about the dimensionality of the column proposed. Mr. Gilbert responded.

Ms. Moran inquired why the wood would need to be faux painted rather than stained. Messrs. Broberg and Gilbert responded and explained the reasons for the material to be used.

Ms. Coleman inquired about the space issues of the garage. Mr. Broberg responded.

Mr. Segraves thought the solution was acceptable.

Ms. Albarran suggested that Mr. Segraves be involved with the detailing of the project.

Mr. Silvin thought the existing awning detracted from the home.

Mr. Silvin called for public comment. There were no comments heard at this time.

Mr. Silvin called for staff comments. There were no staff comments heard at this time.

**Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project as presented with the condition that Mr. Segraves will be involved in the detailing of the project. Motion carried unanimously.**

3. Application for Certificate of Appropriateness #017-2021

Address: 800 S. County Road

Owner/Applicant: Ann DesRuisseaux

Professional: Jason Drobot/Brasseur and Drobot Architects

Project Description: Main House - Removal of existing exterior Master bedroom balcony and stair. Removal of existing non-original west stair tower. Removal of balcony on west elevation north of secondary bedroom. Removal of non-original second floor build-out on east side adjacent to main entrance. Reduction of 367 sq. ft. at garage. Reduction of 41 sq. ft. at width of dining room. Addition of 383 sq. ft. loggia with master bath and balcony above located west of the foyer. Various window and doors removed, added, resized and or relocated as shown on plans. Tennis Court and Pavilion - Tennis Court relocated 8 feet west of Tennis Pavilion. Loggia to be enclosed to create a suited guest bedroom. Various window and doors removed, added, resized and or relocated as shown on plans.

***\*\*Please note: This is a tax abatement project\*\****

Motions carried at the March meeting to approve the modifications to the guest house but to defer the changes to the main home to the April 21, 2021 meeting to allow professionals to return to the Commission with concise drawings for the proposed changes.

Call for disclosure of ex parte communication: Disclosure by Mr. Silvin.  
*Jacqueline Albarran declared a conflict of interest for the project and left the meeting. It was noted that Ms. Metzger would be voting in her absence.*

Mr. Portuondo presented the architectural modifications proposed for the main residence.

Aimee Sunny, Preservation Foundation of Palm Beach, stated they appreciated some of the features that the owner was preserving in the proposed changes. She reviewed many of the features that she felt were positive changes. She indicated that the owner mentioned she would continue to study the covered walkway at the entrance. She inquired about the blind arches on the south elevation. A discussion ensued about the arches on the south elevation. Ms. Sunny inquired about the installation of the nano wall on the bridge windows. Ms. DesRuisseaux responded.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments. Ms. Murphy also provided comments.

Ms. Patterson was in favor of the changes. She thought it would be nice if the walkway could be added back to the front entrance.

Ms. Coleman supported the changes but questioned the reduction of the tower element.

Ms. Damgard was appreciative of the collaboration that produced the proposed changes. She supported the changes.

Ms. Fairfax supported the changes.

Ms. Metzger was glad to see the changes moved toward the original design.

Mr. Segraves was happy to see the changes and was supportive. He stated he supported the change to the tower element.

Mr. Silvin thought the changes were an incredible example of teamwork. He was very pleased with the proposed changes.

**Motion made by Ms. Damgard and seconded by Ms. Coleman to approve the project as presented with the condition that changes to the arched walkway and the blind arches on the south elevation could be staff approved with coordination of the Chairman. Motion carried unanimously.**

**B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS**

**1. Application for Certificate of Appropriateness #019-2021**

Address: 350 Worth Ave.

Owner/Applicant: Everglades Club Inc. (Scott Lese, General Manager)

Professional: Jason Drobot/Brasseur & Drobot Architects, PA

Project Description: Removal and replacement of existing roof of the Main Club Tower Apartments, Unit E, Unit F, storage room adjacent to the Tower Apartments, and the Arcade shops. ***\*\*Please note: This is a tax abatement project\*\****

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran and Metzger.

Mr. Drobot presented the architectural changes to the existing, landmarked building.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments. Ms. Stillings also provided comments.

Mr. Silvin called for public comment. There were no comments heard at this time.

Many of the Commissioners were supportive of the proposed changes.

**Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project as presented. Motion carried unanimously.**

2. Application for Certificate of Appropriateness #020-2021

Address: 105 Banyan Rd.

Owner/Applicant: Barbara Dooley

Professional: Keith Williams/Nievera Williams Design

Project Description: Minimum reconfiguration of existing driveway area; add a driveway gate. Review associated landscape areas.

Call for disclosure of ex parte communication: None.

Mr. Williams presented the landscape and hardscape changes proposed for the existing, landmarked residence.

Mr. Silvin called for public comment. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Ms. Patterson agreed with Ms. Van Onna's comments and thought the gate should be changed to a warmer tone.

Ms. Albarran agreed and thought the gate should match the pedestrian gate.

Many of the Commissioners supported the proposed changes.

**Motion made by Mr. Segraves and seconded by Ms. Patterson to approve the project as presented with the condition that the new gate matches the color of the existing pedestrian gate shown. Motion carried unanimously.**

*Please note: A lunch break was taken at 12:20 p.m. The meeting resumed at 1:00 p.m.*

3. Application for Certificate of Appropriateness #022-2021

\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)\*

Address: 720 S. Ocean Blvd.

Owner/Applicant: MP Design and Architecture Inc.

Professional: MP Design & Architecture

Project Description: The name of the property is "El Solano" residence designed for Mr. Harold Vanderbilt and designed by Addison Mizner in 1919. The following changes are proposed: 300 SF addition at the main level (second floor) with a 2.6' setback in lieu of required 15'; 486 SF pool cabana addition with a 4.9' setback in lieu of required 15'.

**ZONING INFORMATION:** The applicant is requesting approval to renovate and construct additions to the north side of the landmarked residence known as "El Salono" to include a new 486 square foot pool cabana and a 1,159 square foot second and third story addition. The following variances are being requested: 134-843(8): a north side yard setback ranging from 2.6 feet to 5.9 feet for the 2nd and 3rd story addition in lieu of the 15 foot minimum required in the R-A Zoning District. 134-843(8): a north side yard setback of 4.9 feet for the pool cabana in lieu of the 15 foot minimum required in the R-A Zoning District. 134-843(10): a building height of

26.33 for the proposed 3rd story addition in lieu of the 25 foot maximum allowed in the R-A Zoning District.

***Please note: This item was deferred to the May 19, 2021 meeting at the Approval of the Agenda, Item V.***

4. Application for Certificate of Appropriateness #023-2021

Address: 100 Four Arts Plaza (Hulitar Garden)

Owner/Applicant: The Society of the Four Arts, Inc. (Dr. Philip B. Rylands)

Professional: Harvey E. Oyer, III, Esq.

Project Description: The Society of the Four Arts (“owner”) requests approval of a 6.3 foot tall sculpture known as Tree by Giampaolo Seguso, to be placed in the Hulitar Garden. Giampaolo was born into a family that has produced leading glassblowers on the island of Murano for 22 years. He pioneered a small series of sculptures made of a combination of iron and glass, of which one is entitled Tree, and has an inscribed poem in Italian on the glass pendulum within the Tree. The Owner has obtained Tree for display in the Hulitar Garden. It will be placed under a magnificent tree on Donnell Terrace on the north side of the Dixon Building and would embellish an otherwise unadorned space.

***Please note: This item was deferred to the May 19, 2021 meeting at the Approval of the Agenda, Item V.***

5. Application for Certificate of Appropriateness #024-2021

Address: 124 Via Bethesda

Owner/Applicant: 124 Via Bethesda LLC (Aerin Lauder)

Professional: Jeffrey Smith/Smith Architectural Group, Inc.

Project Description: Full replacement of existing exterior doors and windows with new impact-rated painted mahogany units that match existing with the following changes: Loggia: Change fixed glass arch-top units to fixed doors to match operable doors. All transoms to receive vertical frame. Dining Room and Library: Change windows to French doors with solid panel below to match existing units. Add shutters to Dining Room doors to match existing. Kitchen: Change two windows and door to three French door pairs with solid panels below to match existing units. Upper Gallery: Change fixed glass with hopper windows below to sliding units. West Gallery: Change single hung windows and solid door to casement windows and glass door with solid panel below to match existing. Staff Bath: Change glass block window to casement. Pool Cabana: Change sliding glass doors to French doors. Replace roof to match existing. Remove West chimney over Garage wing. At Pool Cabana change roof over baths to copper with pineapple finial. Remove faux stone veneer at Pool Cabana and replace with coral stone to match existing at Main Residence. Remove wood cladding at West Gallery façade and replace with coral stone to match existing. Minor landscape/hardscape revisions.

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

Mr. Smith presented the architectural changes proposed for the existing, landmarked residence.

Sean Allen, Nievera Williams Design, presented the hardscape and landscape changes proposed for the existing, landmarked residence.

Mr. Silvin called for public comment. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Mr. Smith responded to the comments provided by Ms. Van Onna.

Ms. Patterson was in favor of most of the changes. She agreed with Ms. Van Onna's assessment of the east elevation window to door change. She was in favor of the change to the beach cabana.

Ms. Albarran was in favor of all of the changes. She believed the changes would be an improvement to the home.

Ms. Coleman inquired why the muntins were not used in all of the windows. Mr. Smith responded and stated the only place they would not be used would be in the loggia. Ms. Coleman was supportive of the changes.

Ms. Damgard inquired about the window to door change on the west elevation. Mr. Smith responded. Ms. Damgard was supportive of the changes.

Ms. Fairfax inquired about the east elevation and lack of muntins on the windows. Mr. Smith explained the design and discussed the materials to be used. She inquired about the loss of the awning. Mr. Smith showed the areas of the house where they would remain. Ms. Fairfax supported the changes.

Ms. Metzger was in favor of the changes.

Ms. Damgard inquired if the east elevation changes could be changed to keep some of the existing character, such as keeping the keystones. Mr. Smith responded.

Ms. Moran stated she preferred the east elevation as existing. She inquired about the change in roof on the beach cabana. Mr. Smith responded.

Ms. Segraves thought the changes were nice. He supported the copper on the beach cabana.

Mr. Silvin inquired about the finial on the pool house and its proportions. Mr. Smith responded.

**Motion made by Ms. Coleman and seconded by Ms. Patterson to approve the project as presented. Motion carried unanimously.**

6. Application for Certificate of Appropriateness #028-2021

Address: 323 Chilean Ave.

Owner/Applicant: Richard C. True

Professional: Tod Elliot Sikkenga/Wadia Associates

Project Description: Demolish existing wood frame main house due to unstable structural conditions. Construct new main house to match all dimensions, details and materials for the previously approved design. New exterior walls to be reinforced concrete masonry. New structure, fenestration and roof material to meet all applicable structural codes. New main house to be in the location of the previously approved design. New first finished floor elevation to be 7' NAVD per the previously approved design. The detached guest house will remain in the existing location and will be renovated per the previously approved design.

*Please note: This item was withdrawn at the Approval of the Agenda, Item V.*

**C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS**

1. Application for Historically Significant Building H-001-2021

\*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)\*

Address: 201 and 221 Queens Lane

Owner/Applicant: Jon and Liza Mauck

Professional: Daniel Kahan/Smith and Moore Architects

Project Description: Request demolition of the existing (non-historic) house at 221 Queens Lane. Request renovation and minor additions to the existing Historically Significant Building. Request new detached guest house and pool house on the newly unified 201/221 Queens Lane property. Associated final landscape and hardscape as presented.

Motions carried at the February meeting to approve the demolition of the existing home at 221 Queens Lane, that implementation of the proposed variance will not cause negative architectural impact to the subject historically significant building and to approve the project as presented with the following items to return to the March 24, 2021 meeting: the relocation of the front door, the front French doors, shutters and the herb/vegetable garden. Motion carried at the March meeting to defer the project to the April 21, 2021 meeting at the request of the professional.

**ZONING INFORMATION:** The applicant owns two adjacent properties (201 & 221 Queens Ln) in the R-B Zoning District and is requesting to combine the properties to add a two story guest house on the new west parcel and a two story pool cabana on the north side of the existing house. Once combined, the resulting lot would have an area of 23,140 square feet and a depth in excess of 150 feet. Furthermore, the residence at 201 Queens Lane has been designated historically significant for purposes of this application. The following variances are being requested: 1) Section 134-893 (1)c.: To allow a new two story pool cabana to have a 10.16 foot rear yard setback in lieu of the 15 foot minimum setback required for lots with an area in excess of 20,000 square feet and a depth in excess of 150 feet. 2) Section 134-893(1)d.: To allow the new two story guest house to have a building height plane setback of 35 feet in lieu of the 47.5 foot minimum required for lots in excess of 20,000 square feet and a depth in excess of 150 feet. 3) Section 134-893 (6): To allow an angle of vision to be 130 degrees in lieu of the 120 degrees

maximum allowed. 4) Section 134-893 (1)c. To allow the front yard setback to remain at 24.83 feet in lieu of the 35 foot minimum required when combining parcels to result in a lot in excess of 20,000 square feet.

Call for disclosure of ex parte communication: None.

Mr. Kahan presented the architectural changes proposed for the existing landmarked residence as well as a new garage and guest home.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape changes proposed for the landmarked residence.

Mr. Silvin called for public comment. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Mr. Kahan responded to comments made by Ms. Van Onna.

Ms. Patterson agreed with Ms. Van Onna's suggestion of changing the existing front door to a single door so that it is differentiated from the newly, designed side doors.

Ms. Albarran was in favor of many of the changes. Ms. Albarran stated she could be more flexible with the front door suggestion since this was not a landmarked home. She was in favor of the remainder of the changes proposed.

Ms. Coleman inquired about the windows proposed on the pool cabana structure. Mr. Kahan responded.

Ms. Albarran recommended removing the extra muntin on the French doors on the east elevation. Mr. Kahan agreed with the change.

Ms. Damgard was happy to see the pool house reduction to a one story home. She agreed with Ms. Albarran and thought there should be some flexibility allowed with the door change.

Ms. Fairfax supported the proposed changes.

Ms. Metzger also liked the existing front door but understood the clients' wishes and was willing to compromise. Mr. Kahan discussed the clients' wishes for the space.

Mr. Segraves and Ms. Moran were in favor of the proposed changes.

Mr. Silvin thought a single panel glass door would be a better compromise for the existing front door. Mses. Patterson and Metzger agreed with Mr. Silvin.

Ms. Fairfax questioned the reference to the Secretary of Interior's Standards and thought they were guidelines. She added since this home was not a landmarked home, she thought the standards could be referenced. Ms. Van Onna discussed the importance of adhering to the Secretary of Interior's Standards with the Historically Significant Buildings.

A discussion ensued on the difference between a Historically Significant Building and a Landmarked residence as it relates to the requirements of the Secretary of Interior's Standards.

**Motion made by Ms. Coleman and seconded by Ms. Patterson to approve the project as presented with the caveat that the existing, front door is changed to a single panel glass door and would be staff approved by Ms. Van Onna and Chair Silvin. Motion carried 6-1, with Ms. Fairfax opposed.**

#### **D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS**

##### **1. Application for Historically Significant Building H-002-2021**

Address: 260 Nightingale Trail

Owner/Applicant: David Canepari

Professional: Keith Spina/Spina O'Rourke

Project Description: The renovation of the existing 3,274 sf one story residence to include new exterior building color, shutter color, roof material, doors & windows, garage door, replace existing siding and detailed trim work. The addition of 120 sf one story kitchen addition on the North (Front) Elevation. Associated landscape.

Call for disclosure of ex parte communication: None.

Nelo Freijomel, Spina O'Rourke, presented the architectural changes proposed to the existing residence.

Sean Allen, Nievera Williams Design, presented the landscape and hardscape changes proposed for the residence.

Mr. Canepari, owner, spoke about the importance of saving the home.

Ms. Damgard inquired if the trellis would remain at the front entrance. Mr. Freijomel responded.

Mr. Silvin called for public comment. There were no comments heard at this time.

Mr. Silvin called for staff comments. Ms. Van Onna provided staff comments.

Mr. Freijomel responded to the comments from Ms. Van Onna.

Ms. Patterson questioned the south elevation and the removal of the windows from that side of the home. Mr. Freijomel responded. Ms. Patterson was supportive of the remainder of the changes.

Ms. Albarran inquired if the windows on the east elevation had muntins. Mr. Freijomel stated he would like the Commission to consider allowing the muntins to be removed. Ms. Albarran stated she preferred the muntins. She also stated she had no problem approving the composite wood.

Ms. Coleman agreed with Ms. Albarran. She also questioned the blank wall on the south elevation.

Ms. Damgard thought the improvements were nice. She suggested adding the same window treatment on the south elevation to be able to keep the windows.

Ms. Fairfax expressed concern for the proposed slate roof and inquired Ms. Van Onna's opinion on the change. Ms. Van Onna replied.

Mr. Freijomel responded and explained the slate chosen for the roof material.

Ms. Metzger inquired about the material for the front door. Mr. Freijomel responded. Ms. Metzger stated she supported the muntins on the rear windows.

Ms. Murphy stated that the Seagull Cottage used hardy board material but it was not to set a precedent.

Ms. Moran thought the muntins in the rear of the home were important to keep.

Mr. Segraves thought the box window in the kitchen appeared too wide and was too close to the gable ends. He thought the louvers (vents) on the ends of the home should remain. He was in favor of using the cross pattern on the front door but questioned the cross pattern on the garage door.

Ms. Albarran agreed with the suggestion to reduce the box window in the kitchen. Mr. Freijomel also agreed with the suggestion.

Mr. Silvin stated he would side with Ms. Albarran on the composite material for the wood siding. Mr. Silvin stated he would support the slate roof. He recommended using a dummy vent on the north elevation.

**Motion made by Ms. Albarran and seconded by Ms. Patterson to approve the project as presented with the following conditions: the wide box window in the kitchen will be reduced by 12 inches, the vertical muntins in the rear windows will remain, and the all vents will be changed to the dummy vents. Motion carried 6-1, with Ms. Fairfax opposed.**

## **X. DESIGNATION HEARINGS**

Item 1: 1250 N. Ocean Blvd.

Owner: Marsha C. Beeson

*Please note: This item was deferred to the November 17, 2021 meeting at the Approval of the Agenda, Item V.*

**XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

1. Public

There were no public comments heard at this time.

2. Staff

Mr. Bergman stated he heard that the Town Council stated that the virtual meetings would continue for June and July. Ms. Moran stated that she also heard it would be August as well.

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

Mr. Bergman stated that Fernando Wong declared a continuing conflict for his project at 800 S. County Road at the March 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jacqueline Albarran declared a continuing conflict for her project at 271 El Vedado Road at the March 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jacqueline Albarran declared a continuing conflict for her project at 800 S. County Road at the March 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Patrick Segraves declared a continuing conflict for his project at 1820 S. Ocean Blvd. at the March 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Patrick Segraves declared a conflict for his project at 1095 N. Ocean Blvd. at the March 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy discuss upcoming process improvement within the Planning, Zoning and Building department.

3. Commission

The Commission discussed contacting the owners for the landmarked hearings to be heard in November of 2021. The Commissioners requested a list of talking points of

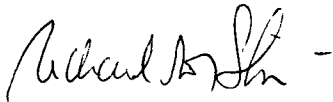
the benefits of owning a landmarked home. Town Attorney Randolph weighed in on this issue.

**XII. ADJOURNMENT**

**Motion made by Ms. Albarran and seconded by Ms. Coleman to adjourn the meeting at 3:30 p.m. Motion carried unanimously.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, May 19, 2021 at 9:30 a.m. via the Zoom platform.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Rene Silvin", followed by a horizontal line.

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<br><i>Albarran, Jacqueline</i> | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>Landmarks Preservation Commission</i>                                                                                                       |
| MAILING ADDRESS<br><i>324 Royal Palm Way #227</i>               | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br><input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY |
| CITY<br><i>Palm Beach</i>                                       | NAME OF POLITICAL SUBDIVISION:<br><i>Town of Palm Beach</i>                                                                                                                                                   |
| DATE ON WHICH VOTE OCCURRED<br><i>April 21, 2021</i>            | MY POSITION IS:<br><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 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 April 21, 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 \_\_\_\_\_, 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:

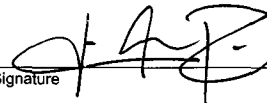
Continuing Conflict  
for CoA-017-2021  
800 S. County Rd.

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

4/21/21

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.