MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BEACH, FL

WEDNESDAY, APRIL 17, 2013, 9:30 a.m.

Please be advised that in keeping with a recent 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 or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER: (9:31:45 a.m.)

Chairman Cooney called the meeting to order at 9:31 a.m.

II. ROLL CALL: (9:31:50 a.m.)

Edward Austin Cooney, Chairman	PRESENT
William P. Feldkamp, Vice Chairman	PRESENT
Dudley L. Moore, Jr., Member	PRESENT
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Elizabeth S. Murphy, Member	PRESENT
Penelope D. Townsend, Member	PRESENT
Elizabeth "Libby" Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT
Patrick Killian, Alternate Member	PRESENT

Staff Members Present: John S. Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Janet Murphy and Emily Stillings, Staff Historic Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. Town Attorney, John C. Randolph, was absent.

III. APPROVAL OF THE MINUTES OF THE MARCH 20, 2013 MEETING:(9:32:12 a.m.)

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

IV. **APPROVAL OF THE AGENDA: (9:32:23 a.m.)**

Chairman Cooney stated that the Designation Hearing would be heard prior to the Certificates of Appropriateness.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA AS REVISED. THERE WAS NO AUDIBLE SECOND, BUT WHEN THE QUESTION WAS CALLED, MOTION CARRIED UNANIMOUSLY.

V. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (9:32:50 a.m.)**

Mrs. Delp administered that oath to all those who wished to testify.

VI. **COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:33:06 a.m.)**

Mr. Strawbridge offered some comments regarding an article in today's New York Times.

Ms. Townsend reported that she had received a call from a former resident of 130 El Brillo Way who was delighted to learn that the house had been landmarked. Mr. Cooney took this opportunity to report further that both 130 El Brillo Way and 1047 South Ocean Boulevard were landmarked by the Town Council at their last meeting.

IX. **DESIGNATION HEARINGS:(9:34:43 a.m.)**

Item 1: 320 El Vedado Road
Owner: Jessie M. and Rand V. Araskog

Janet Murphy, Staff Historic Preservation Consultant, testified that after further study of this property it became clear that this property does not meet the criteria for designation as a landmark of the Town of Palm Beach, largely as a result of the renovation, demolition, additions and alterations done in 1998 and 1999. As such, the consultants revised the Designation Report to recommend against designation. The commission discussed the matter in response to the new information provided. Let the record show that the property owners had previously submitted a letter objecting to the designation of the property.

Mrs. Delp verified that proof of publication and proper legal service with regard to this hearing were achieved.

MOTION BY MR. FELDKAMP THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. FELDKAMP THAT THE PROPERTY AT 320 EL VEDADO ROAD NOT BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH FOR THE REASON THAT RENOVATIONS IN 1998 AND 1999 REMOVED MUCH OF ITS ORIGINAL ARCHITECTURAL QUALITIES.
MOTION SECONDED BY MR. MOORE.

Mr. Cooney commented that changes to a property do not necessarily disqualify a property for designation, and noted that no precedent was set here.

MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS: (9:47:40 a.m.)

A. Application for Certificate of Appropriateness #016 - 2013
Reconstruction/Exterior Demolition/Landscape/Hardscape/New Garage/Guest Suite
Owner/Applicant: The Palmerial Revocable Trust, Maura Ziska as Trustee
Address: 801 S. County Road
Architect: Michael J. Johnson, Architect
Original Project Description: Request approval for reconstruction, exterior demolition, landscape/hardscape, and new garage/guest suite to replace existing which is further described as: Existing garage and carport to be demolished; new two-story structure (garage at lower level and guest suite at upper level) to be built north of La Selva; and, final landscape plan. Other associated changes as presented. ***Please note that this is a tax abatement project.***

Revised Project Description: Request approval for exterior demolition, new accessory structure, landscape and hardscape which is further described as: Existing garage and carport to be demolished; new one story 1430 sq. ft. garage (3 cars/1 golf car) with service powder room and arched breezeway to be built north of La Selva-CBS construction/white stucco finish, barrel tile roof, coquina details, metal gates and grates, hurricane impact windows and doors, pecky cypress finish at garage doors. Final landscape plan. Other associated changes as presented.

This project was deferred from the March meeting to the April meeting at the request of the applicant.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Daniel Menard, LaBerge & Menard
LANDSCAPE PRESENTATION BY: Don Skowron
ATTORNEY PRESENT: Ron Kolins, for the property owner

Mr. Kolins offered some introductory comments, and noted that the applicant requests deferral of the landscape/hardscape to the next meeting. Mr. Menard presented the project in accordance with the submitted plans and as described in the revised project description above. He explained that after further study of the project, the plans were re-designed moving the new garage structure further away from the house so it will not compete with the house, and aligned it in an east/west fashion. The new structure will serve as a gateway to the main house with details mimicking the main house. Though the landscape was not presented today, it was noted that a 12 ft. tall Clusia hedge separates this property from the adjacent neighbor. Hardscape issues such as the staircases will be handled next month during discussion of the landscape/hardscape.

Under commission comments: The arches on the elevations do not match the colored renderings. (Mr. Menard recognized the error and stated, for the record, that it is their intention to present the project as per the colored renderings.) Comments continued: The large arch needs more "meat" on the sides (Mr. Menard agreed.); differentiate between the large arch and the arches at the garage door; perhaps reduce the height of the large arch; a smaller curb cut would be better; this is such a better solution than the previous design; when you come back with the

landscape/hardscape, details are needed for the steps, etc.; nice balance of utilitarian and decorative; great improvement...hope the neighbor is happy; may want to reduce the width of the arch rather than add on to it; make modifications to the trash area so it is more hidden from the neighbor; and (after the motion), perhaps, attach the trash area to the wall..

MOTION BY MRS. ALBARRAN FOR APPROVAL WITH THE PROVISO THAT YOU COME BACK NEXT MONTH WHERE YOU RE-STUDY THE FRONT SORT-OF TOWER ENTRY TO EITHER NARROW THE OPENING OR TO BEEF UP, WHICH WOULD MEAN YOU WOULD HAVE TO ENLARGE THE TOWER; MAYBE YOU COULD MEET WITH US IN THE MEANTIME SO THAT WE COULD MAYBE DIRECT YOU; AND THEN COME BACK WITH THE LANDSCAPING AND THE TRASH ENCLOSURE AND THE STAIRCASE AND EVERYTHING ELSE; AND THE ELYPTICAL ARCHES IN THE GARAGES WOULD BE MORE LIKE THE COLORED RENDERING.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #010 - 2013
Revisions to previously approved application
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE
Owner/Applicant: Jeffrey and Frances Fisher
Address: 252 El Bravo Way
Architect: Clemens Bruns Schaub/Architect & Associates, P.A.
Project Description: Request approval for revisions to previously approved application which is further described as: 1. Fenestration at south wall facing auto court to be revised utilizing existing openings and aligning windows with those at second floor, making them closer to original Volk design. 2. Garage extension eastwards, variance request to City of Palm Beach predicated on approval from Landmarks Preservation Commission. Other associated changes as presented.
Please note that this is a tax abatement project.

At the March meeting, the LPC made a recommendation relative to the variance.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Jaime Moscoso, Clemens Bruns Schaub

It was noted that the Town Council had approved the variance for the project. There have been no changes to the project since it was reviewed by ARCOM last month, prior to variance approval. Mr. Moscoso provided a brief review of the elevations.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE DESIGN OF 252 EL BRAVO WAY AS PRESENTED.
MOTION SECONDED BY MRS. ALBARRAN AND MR. MOORE SIMULTANEOUSLY.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #013 - 2013
Restoration and Rehabilitation
LPC TO MAKE RECOMMENDATION RELATIVE TO THE VARIANCE
Owner/Applicant: Michael Formica and Robert Hiemstra, Jr.
Address: 218 Phipps Plaza
Architect: Smith Architectural Group
Project Description: Request approval for restoration and rehabilitation which is further described as: The existing 322 square foot wood frame gallery building will be relocated nearer to the property line and converted into a single car parking garage. The brick hardscape in the rear yard will be reduced in area and a new single lap pool will be added between the house and the garage. New windows, doors and roof are proposed for the residence, with all other modifications being internal renovations. Other associated changes as presented.

At the March meeting, the LPC made a recommendation relative to the variance.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith and Bill Boyle, Smith Architectural Group
LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design
OTHERS WHO TESTIFIED: Josephine Baird, 222 Phipps Plaza

Mr. Boyle began by stating, for the record, that the applicant has withdrawn the tax abatement request. He noted that the Town Council granted the variance (to move the pavilion building closer to the property line) which was reviewed last month by the LPC. Mr. Boyle reviewed a list of changes which were incorporated into the plans since last month's review, and discussed the architectural history relative to this property. The current proposal will return the house to the via concept architecturally, which is a key component to the design. Materials: Building Color-Edgecomb Grey; Windows-Frosted Jade; Metal Work-Green Tea Leaf; and, Roof-Green Barrel tile for main house, and Shake Roof for the pavilion.

Commission comments for the project were very favorable. Mr. Boyle took this opportunity to ask for the LPC's support to ask for exemption from the requirement for double pane glass. By the comments heard, it was clear that the commission supports a need for the exemption. Mr. Page indicated that he would speak to the Building Official relative to this matter, and perhaps have him come to the next meeting to address the issue. There was discussion and a difference of opinion as to whether to save the steps rather than adopt the plan for the proposed planter boxes.

Keith Williams presented the landscape/hardscape in accordance with the submitted plans. He explained that he has implemented the LPC's suggestion last month to reduce the amount of hardscape in the rear. There is a small bubbler fountain nestled in the southwest corner garden. The largest change to the landscape/hardscape plan involves the meandering front walkway which now has a different path. Samples of stone and brick were presented.

Josephine Baird noted her support of the architectural changes presented and asked some questions relative to the landscape/hardscape.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE DRAWINGS FOR 218 PHIPPS PLAZA AS PRESENTED.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #014 - 2013
Reconstruction and interior/exterior demolition
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE
Owner/Applicant: PBI Limited Partnership, Alan and Patricia Menkes
Address: 153 Clarke Avenue
Architect: Michael J. Johnson
Project Description: Request approval for interior and exterior demolition and reconstruction which is further described as: Demolition of existing two story garage and apartment structure; construction of new garage and apartment structure identical in size, appearance and location to existing; Landmarks approved changes to be incorporated into new structure. Other associated changes as presented

At the March meeting, the LPC made a recommendation relative to the variance.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Michael Johnson, Architect

Mr. Johnson stated that the Town Council had approved the variance for reconstruction of the garage and apartment structure in the same location. He gave a brief overview of the project listing a crumbling foundation, termite damage and rot conditions which, in concert, have led to the demise of the existing structure. Mr. Cooney added that though the LPC does not encourage reconstruction, in this case there is so much deterioration that it is warranted.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. TOWNSEND.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #017 - 2013
New Accessory Structure, Landscape/Hardscape/Gates
Owner/Applicant: Nick Valenti
Address: 116 Seabreeze Avenue
Architect: Smith and Moore Architects
Project Description: Request approval for new accessory structure, landscape/hardscape and new gates which is further described as: New white aluminum automatic vehicle gates at existing drive. New white aluminum pedestrian gate at existing walkway. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Daniel Kahan, Smith and Moore Architects

Mr. Kahan presented the project in accordance with the submitted plans and as described above. He noted that driveway gates are being requested for the safety of the owner's grandchildren on a busy street. The white (powder coated white finish) louvered aluminum driveway gates, with openings between the louvers, will be placed at the northwest corner of the property, while the pedestrian gate will be set in 3 feet from the property line.

Commission comments: Driveway gates are not common in the neighborhood; driveway gates are unnecessary; find a landscape solution; if implemented, the driveway gates should be moved back to the northwest corner of the house; adjust the hedge and gate height; and, swing the pedestrian gate in the other direction.

MOTION BY MR. STRAWBRIDGE FOR DEFERRAL (TO THE MAY MEETING).
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

Let the record show that there was a short recess from 11:26 a.m. to 11:40 a.m. Ms. Fairfax left the meeting at the beginning of discussion of the next project.

F. Application for Certificate of Appropriateness #018 - 2013
Landscape/Hardscape
Owner/Applicant: Craig P. Omtvedt
Address: 79 Middle Road
Architect: Nievera Williams Design
Project Description: Request approval for landscape/hardscape which is further described as: New proposed hardscape and landscape designs. Other associated changes as presented. ***Please note that this is a tax abatement project.***

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design
OTHERS WHO TESTIFIED: Jeffery W. Smith, Architect

Mr. Williams presented the project to re-create the gardens and hardscape in accordance with the submitted plans and as described above. Some project elements include: Retain several existing palms and re-work them into the landscaping; main entrance off Middle Road; forecourt in salvaged red brick with coral border; service drive in salvaged brick; numerous courtyards; Moorish style fountain in large expanse of grass in central courtyard; and, new pool just beyond that grass (pool previously approved, but now has new design and layout, 24'x15').

Under commission comments, Ms. Marshall supported the perimeter plans, but was vehemently opposed to the central courtyard design with the "two room" design, and offered her comments in that regard. Others noted their support of the design as shown. Some other comments: the proportion of sizes is off; do a better integration of solids and greens.

Mr. Smith reminded the members that the pool had been previously approved at that size. He stated his support of the design as presented.

MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. MURPHY.

SUBSTITUTE MOTION BY MR. STRAWBRIDGE FOR APPROVAL OF THE PROJECT AS IT STANDS ON THE OUTSIDE, BUT ASK THE ARCHITECT TO COME BACK WITH A DIFFERENT LOOK FOR THE INTERIOR COURTYARD. SUBSTITUTE MOTION DIED FOR LACK OF A SECOND.

ORIGINAL MOTION CARRIED 6-1, WITH MR. STRAWBRIDGE OPPOSED.

G. Application for Certificate of Appropriateness #019 - 2013
Rehabilitation
Owner/Applicant: 700 North Lake Way, LLC
Address: 700 North Lake Way
Architect: Smith Architectural Group
Project Description: Request approval for rehabilitation which is further described as: Remove existing second story balcony with brackets and railing on west facade to allow for proposed new awning. Remove existing entry portico at east facade. Remove door/sidelights and (2) oval windows and replace with (2) new casement windows and shutter. Other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith and Bill Boyle, Smith Architectural Group

Mr. Smith presented the project in accordance with the submitted plans and as described above, and provided an architectural history related to the development of the house and grounds. He explained that this project represents this owner's continuing desire to remove two original features of the house, the balcony (because it is not functional and an awning is desired instead) and entry portico with door (because it is not functional and is confusing to those visiting the property). He stressed the excellent care that these owners have taken of this house and the grounds, and that the owners truly want these two original architectural features removed.

Under commission comments, it was evident that the commission members were divided in their opinions relative this project. It was noted that this is the third time the owners are making this request to the LPC.

MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #019-2013 AS PRESENTED, AND REQUIRE THE ARCHITECTS TO PROVIDE PHOTGRAPHIC EVIDENCE OF THE ORIGINAL ENTRANCE FOR THE FILE.
MOTION SECONDED BY MS. MURPHY AND THEN AGAIN BY MR. MOORE.
MOTION CARRIED 6-1, WITH MR. COONEY OPPOSED.

H. Application for Certificate of Appropriateness #020 - 2013
Restoration and Rehabilitation
Owner/Applicant: Bishop Gerald Barbarito, Diocese of Palm Beach
Address: 142 N. County Road
Architect: Smith Architectural Group
Project Description: Request approval for restoration and rehabilitation which is further described as: Remove cast stone from east facade and replace with cast stone to match existing; remove and replace cast stone columns at north tower; waterproof and patch stucco as required; remove existing sign and replace with new sign in same location. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith, Smith Architectural Group

Mr. Smith presented this project in accordance with the submitted plans and as described above. The project has become necessary to address water leaking into the building and to address spalling in the concrete of the tower columns. In addition to the above, the spindles in the transoms of the entry doors will be replaced by bronze spindles for maintenance considerations. The church would also like to replace their identification sign with a bronze case which will open to allow for changing panels of information.

Mr. Lindgren stated that the original sign is slightly larger than the proposed, but both sized signs are non-conforming to code. As long as the original sign was permitted, the size of the sign may have to be reduced or a variance will be required. Mr. Smith indicated they will seek a variance if that becomes necessary.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED WITH THE PROVISO THAT THE SIGN IS TO ALL TO CODE, AND IF NOT, OF COURSE, IT WILL COME BACK, (OR GO TO THE TOWN COUNCIL FOR VARIANCE.)
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

I. Application for Certificate of Appropriateness #021 - 2013
Reconstruction
Owner/Applicant: Breakers Palm Beach
Address: 1 S. County Road
Architect: Peacock and Lewis Architects
Project Description: Request approval for reconstruction which is further described as: Replacing a structure similar to what was existing in the past in this location. This is a glass vestibule that will be constructed in between the Circle Dining Room and the HMF Restaurant. It will help with sound transmission and will be constructed of steel, wood, and glass components. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Steve Pollio, Peacock and Lewis Architects

Mr. Cooney clarified that while this is an interior change, the Breakers is the recipient of several ongoing tax abatements. As such, the LPC retains jurisdiction over the interior changes as well. Mr. Pollio presented this project in accordance with the submitted plans and as described above to construct a small interior transparent vestibule to address a need for sound control between the Circle Dining Room and the HMF Restaurant.

MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESSS #021-2013 AS PRESENTED.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

J. Application for Certificate of Appropriateness #023 - 2013
Landscape/Hardscape
Owner/Applicant: Myron Miller
Address: 134 El Vedado Road
Architect: Nievera Williams Design
Project Description: Request approval for landscape/hardscape which is further described as: Proposed new tennis court, re-alignment of driveway and new planting. Other associated changes as presented

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Williams presented the project in accordance with the submitted plans and as described above to re-align the existing gravel driveway to accommodate a new tennis court. The tennis court will be screened from the street by a 10 ft. Clusia hedge together with other proposed plantings as presented. Confederate Jasmine will be planted on the 10 ft. tall black chain-link fence which will surround the tennis court. Commission members recommended that the driveway apron be surfaced in cast stone rather than concrete.

Mr. Lindgren noted that the height of the tennis court fence is not shown on the plans, but must be of sufficient height to meet code, at least 10 ft., but not more than 12 ft. and entirely covered in landscaping.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED WITH THE PROVISO THAT THE CHAINLINK FENCE IS THE 10 FEET HEIGHT THAT YOU MENTIONED IN YOUR RECENT SUBMITTAL AND THE DRIVEWAY APRON, TO PLEASE TRY TO MAKE IT IN CAST STONE AND NOT CONCRETE.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

Since the applicant was not present for COA-024-2013 when the item was called, but had been present earlier, Chairman Cooney elected to move on to Other Business.

III. OTHER BUSINESS: (12:57:38 a.m.)

A. Discussion Item: "Zoning Regulations: Replacement of Non-conforming accessory structures." John Page, Director of Planning, Zoning & Building]

Mr. Page stated that last month, during review of one of the projects, it was suggested that perhaps some sort of code amendment might be in order to address replacement of non-conforming accessory structures. Paul Castro, Zoning Administrator, testified that staff does not advise changing the code to allow for non-conforming structures to be completely re-built on the same footprint because neighbors may be adversely affected. The goal of the code is to eliminate those non-conformities over time, rather than perpetuate them. He admitted that re-building may be appropriate in certain situations, but approvals such as these, which would require a variance, should be reviewed on a case by case basis by the Town Council.

VII. PUBLIC HEARINGS: (continued)

K. Application for Certificate of Appropriateness #024 - 2013
Miscellaneous Changes
Owner/Applicant: Peter and Laurie Grauer
Address: 201 El Bravo Way
Architect: Thomas M. Kirchhoff, AIA, PA
Project Description: Request approval for miscellaneous changes as outlined: Changes to the Grauer Residence (Exterior Elevations): South Elevation: 1. Lantern added to west side of front door for symmetry; 2. Shutter design changed from louvered to board and batten (typical); 3. Garden gate design modified (typical); 4. New stucco finish on chimney (over painted brick) with existing portions of brick to remain exposed. This was required for waterproofing.; 5. Exterior paint scheme colors modified (walls, beige to white; windows, dark green to light green); *6. Elevations revised to reflect changes to site walls and gates to match landscape/hardscape drawings by Nievera Williams Design. West Elevation: 1. Window added in new Powder Room for symmetry. Interior stair reworked to meet code. Window in powder room under stair; 2. Masonic shield removed (not on original Volk drawing.) North Elevation ? Main House: 1. Faux-stone water table on Living Room/Loggia deleted (not on original Volk drawing) East Elevation: 1. Barrel vaults added between beams of cantilever; 2. Proposed shutters omitted from Master Bedroom wing; 3. Roof line of sleeping porch raised (as-built condition). This was a structural requirement as defined in item #5; 4. Plaster pilasters and sill of Sleeping Porch changed to cast stone; 5. Enlarged wood lintel above cast stone columns of Sleeping Porch due to #3 above; *6. Proposed gate outside Family Room remain in location prior to work to conform to landscape/hardscape drawings; 7. Existing garage doors replaced (to meet current wind load) with "Carriage-style" design; *8. Site walls revised to conform to landscape/hardscape drawings; *9. Outdoor shower and privacy walls added to conform to landscape/hardscape drawings. North ? Staff area: 1. Proposed window in storage room omitted; 2. Proposed window in Bunk Room omitted. *Approval of landscape/hardscape revisions were obtained by Nievera Williams Design.

MOTION BY MS. MURPHY FOR DEFERRAL TO THE MAY MEETING. (since Mr. Kirchhoff had not yet arrived.)
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

After Item X., the architect had arrived, which spurred the following motion:

MOTION BY MRS. ALBARRAN TO HEAR THE PROJECT AND RECONSIDER THE DEFERRAL OF THE PROJECT.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

Call for disclosure of ex parte communication: There was no call for ex parte communication

ARCHITECTURAL PRESENTATION BY: Thomas M. Kirchhoff

Let the record show that Mr. Strawbridge left the meeting at some point during this discussion.

Mr. Kirchhoff explained that the house is complete and is seeking a Certificate of Occupancy. Several changes, as listed above, had been made in the field without LPC approval. Mr. Lindgren did not feel comfortable to staff approve the changes as had been requested. Mr. Kirchhoff reviewed each of the changes for the benefit of the commission.

Mr. Moore went on record chiding the architect for attempting to seek staff approval on so many changes, and for making the changes prior to any LPC approval. Chairman Cooney was concerned about the idea of the changes being done, and then brought to the LPC after the fact. Members questioned why the changes were not caught by inspectors in the course of regular inspection activities. The changes were discovered by the inspectors at the point of the final inspections. Mr. Lindgren noted, however, that staff cannot guarantee that changes will not be made in the field without prior approval, but staff does the best they can to try to "catch" these during construction inspections.

Under commission comments: Issue with the size of the shutters on the French doors; the motif for the wood gate does not fit the house...terrible; the spindles are too elaborate; and, for after the fact approvals...it must be clear that we are not setting any precedent, and not invite anyone to follow course.

MOTION BY MR. FELDKAMP TO APPROVE CERTIFICATE OF APPROPRIATENESS #024-2013 AS PRESENTED.
MOTION DIED FOR LACK OF A SECOND.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED, EXCEPT FOR COMING BACK WITH A NEW DESIGN OF THE GATES, THE 3 GATES.
MOTION SECONDED BY MS. MARSHALL.
MOTION AMENDED BY MRS. ALBARRAN FOR APPROVAL WITH THE DESIGN CHANGE OF THE GATE, TO REPLACE THE SPINDLES WITH A SOLID PANEL.
MOTION SECONDED BY MS. MARSHALL.
MOTION CARRIED 6-1, WITH MR. COONEY OPPOSED.

X. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (1:07:47 a.m.)

Mr. Page provided some updates for the commissioners:

1) Regarding the number of allowed conflicts of interest for members: The matter was discussed by the ORS Committee, and that sub-committee recommended that the number of conflicts be increased to 5, i.e., when 5 conflicts are reached for any one member, automatic removal from the commission would result.
2) The two designations from last month, recommended by the LPC for designation, were approved by the Town Council.
3) Zoning changes are now being considered for Royal Poinciana Way. If these changes are adopted, all future development projects under the proposed PUD-5, would be required to go to the Landmarks Preservation Commission for review and recommendation prior to review by the Town Council.

XI. ADJOURNMENT: (1:38:27 a.m.)

MOTION BY MR. FELDKAMP TO ADJOURN THE MEETING AT 1:51 P.M.
MOTION SECONDED BY MRS. ALBARRAN.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on MONDAY, MAY 13, 2013 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,

Edward Austin Cooney

Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

cmd