

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON FRIDAY, DECEMBER 13, 2019

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.

I. **CALL TO ORDER**

Mr. Vila called the meeting to order at 9:00 a.m.

II. **ROLL CALL**

Robert J. Vila, Chairman	PRESENT
Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT
Nikita Zukov, Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT (left at 9:40 a.m.)

Staff Members present were:

Josh Martin, Director of Planning, Zoning and Building

Kelly Churney, Secretary to the Architectural Review Commission

III. **PLEDGE OF ALLEGIANCE**

Chair Vila led the Pledge of Allegiance.

IV. **APPROVAL OF THE MINUTES FROM THE NOVEMBER 22, 2019 MEETING**

Motion made by Mr. Small and seconded by Mr. Garrison to approve the minutes from the November 22, 2019 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**

Mr. Small requested the deferral the following projects: B-069-2019 977 S. Ocean Blvd to the January 29, 2020 meeting and B-074-2019 125 Worth Avenue to the February 26, 2020 meeting. He also requested to move B-077-2019 893 S. County Rd. to the front of the agenda.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the agenda as amended, with the deferral of B-069-2019 977 S. Ocean Blvd to the January 29, 2020 meeting, a deferral of project B-074-2019 to the February 26, 2020 meeting and to move B-077-2019 893 S. County Road to the first spot in the agenda. Motion carried unanimously.

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

Ms. Churney administered the oath at this time 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 ARCHITECTURAL COMMISSION MEMBERS**

Mr. Corey requested that the checklist is included on his mini-sets in the future.

IX. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

None

Clerk's note: This project was moved to this location in the agenda from New Business at the approval of the agenda, Item V.

B-077-2019 Tennis Court & Pavilion

Address: 893 South County Road

Applicant: Mr. Alex Chesterman

Professional: MP Design & Architecture

Project Description: New tennis court, tennis pavilion, landscape and hardscape.

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

Michael Perry, MP Design & Architecture, thanked the Commission for moving the project up in the agenda and stated that the zoning requests were approved at the December Town Council meeting. He presented the architectural plans for the proposed project.

Mr. Floersheimer inquired about the material for the tennis court. Mr. Perry replied.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape proposed for the project.

Mr. Vila inquired how the service vehicles would interact with the combined properties. Mr. Perry responded.

Mr. Corey inquired about the setback at the rear corner of the property. Mr. Perry explained the plan for the area. Mr. Corey expressed a concern for the small setback next to the neighbor. Mr. Corey inquired about the space between the house and the tennis court. A discussion ensued about the possibility of moving the tennis court to the east.

Ms. Catlin thought the plan was well thought out. She asked if the larger service vehicles would fit in the parking areas. Mr. Perry confirmed they would fit.

Mr. Corey asked if the professional would commit to moving the tennis court to the east. Mr. Perry stated he would study moving it 12 inches. Mr. Corey asked for the court to be moved five feet. Mr. Perry stated he was unable to move the court five feet to the east.

Motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. Motion carried 6-1, with Mr. Corey opposed.

B. MAJOR PROJECTS – OLD BUSINESS

B-070-2019 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - DONE
10/30/19

Address: 259 Worth Avenue

Applicant: Fro II 259 Worth Owner LLC

Professional: Keith Spina (Glidden Spina)

Project Description: Convert existing 2nd floor retail space to residential, and add 3rd floor residential unit to existing 2-story building.

At the October 30, 2019 meeting, the project was found to meet the Worth Avenue Design Guidelines, and was approved with the following items to return to the Commission at the November 22, 2019 meeting: a restudy of the pool area, the beautification of the north façade and a different option for the pergola on the third floor. At the November 22, 2019 ARCOM meeting, the Commission approved the applicant's request to defer the remaining items until the December 13, 2019 meeting.

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

Maura Ziska, attorney for the applicant, stated the variance request had been withdrawn at Town Council.

Mr. Spina presented the architectural modifications proposed for the new residential space, which included the spa, the pergola and the north elevation. He showed an alternate rendering on the overhead projector.

Dustin Mizell, Environment Design Group, discussed the landscaping proposed for the north elevation.

Mr. Vila inquired if Mr. Mizell considered Bougainvillea for the North Wall. Mr. Mizell responded.

Mr. Small thought the north elevation improvements were nice. Mr. Small stated he could not support the roof top development and discussed his reasons. He thought this would set his precedent for other buildings on the street.

Mr. Ives disagreed with Mr. Small and discussed the mixed use spaces that currently exist on Worth Avenue. Mr. Ives inquired about the fire pit design. Mr. Spina responded. Mr. Ives thought the project was good and overall beneficial to the area.

Mr. Garrison agreed with Mr. Ives. He inquired about the lawn material. Mr. Spina responded. Mr. Garrison thought the removal of the ceiling of the pergola was not necessary and thought this change proved the issues with the Town's Code.

Mr. Corey was in favor of the spa changes. He inquired how the Commission could approve landscaping on another owner's property. Mr. Spina responded. Mr. Corey inquired about the maintenance of the lawn on the roof. Mr. Spina responded. A discussion ensued about the changes with the pergola. Mr. Corey thought a mockup of the roof top space would be beneficial. Mr. Corey also suggested changing the pergola design to align more with the architecture of the building.

Ms. Shiverick thought it was disappointing the pergola feature could not have a roof or wood slats as it would make the sitting area more comfortable. She inquired if an espalier was possible on the north elevation. Mr. Mizell stated he could consider that as an option.

Ms. Catlin indicated that mixed use was a trend in the country. And while she is in favor with the trend, she thought the structures on the third floor were stiff and was too much development for the roof. She thought the north elevation was nice. She inquired about the maintenance of the third floor landscaping.

Mr. Martin stated the Commission's charge was to determine whether the changes met the Worth Avenue Guidelines.

Ms. Grace stated she did not receive the Worth Avenue Guidelines. Mr. Martin stated that the guidelines were sent out by John Lindgren. Ms. Grace asked to see the new structure from the street. She thought turning unused retail space to residential was a good idea. However, she thought the third floor should be more attractive and open. Mr. Spina showed the sightlines from Worth Avenue.

Mr. Zukov thought the professional did a wonderful job. He expressed concern about the open pergola. Mr. Spina responded and explained his intent. A discussion ensued about the open pergola.

Mr. Vila thought that the third floor would be mostly unseen. His only criticism was with the landscape plan and expressed concern with the ability to maintain the grass. Overall, he supported the project. Mr. Spina added that the third floor may change once the unit was purchased by an owner.

Mr. Corey inquired staff if the Commission could ask for a mockup. Mr. Martin stated he did not know of any Code provisions that prevented the Commission from asking for a mockup. Mr. Corey expressed concern for three of the Worth Avenue Guidelines that he believed were not being met in the current design.

Mr. Garrison thought an important part of the project was the improvement on the north elevation. Mr. Garrison was in favor of keeping the pergola rather than using umbrellas.

Mr. Ives thought to keep revisiting items in the plan that had been approved was unfair to the applicant. He also thought that a mock up would be an undue burden.

Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented.

Mr. Corey inquired about the utility pole. Mr. Spina stated the electric would be undergrounded.

Motion carried 4-3, with Ms. Grace and Messrs. Corey and Small.

Clerk's note: A break was taken at 10:10 a.m. The meeting resumed at 10:27 a.m.

B-052-2019 Demolition/New Construction

Address: 405 N. Lake Way

Applicant: Mary E. Curran

Professional: Anthony A. Harrington

Project Description: Proposal of a new two-story residence with pool, landscape and hardscape. Demolition of existing two-story residence.

A motion carried at the August meeting to approve the demolition with conditions. A second motion carried to defer the project for one month to September 25, 2019 so that the professional could address the comments made by the Commission. Because of the storm experienced in the area, the applicant was granted a deferral until the October 30, 2019 meeting to allow the applicant sufficient time to make the necessary revisions. At the October 30, 2019 meeting, the project was deferred to the November 22, 2019 meeting with direction to restudy all of the comments made by the Commissioners, specifically the roof, main entrance, the front door and the doors on the west elevation. At the November 22, 2019 meeting, the

project was deferred by the Commission at the request of the applicant until December 13, 2019.

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

Mr. Harrington presented the architectural modifications proposed for the new residence.

Adam Mills, Environment Design Group, reviewed the minor landscape changes.

Mr. Vila thought the changes were positive and thought the house had a nice feel.

Motion made by Ms. Grace and seconded by Mr. Corey to approve the project as presented. Motion carried 6-1, with Mr. Ives opposed.

B-062-2019 New Construction

Address: 133 Gulfstream Road

Applicant: ANERO LLC

Professional: Gregory Bonner, AIA/B1 Architect

Project Description: Construction of a new one-story 3,000 square-foot residence with pool, landscape and hardscape.

At the October 30, 2019 meeting, the project was deferred to the December 13, 2019 with direction to restudy the project per the comments made at the meeting.

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

Mr. Bonner presented the architectural modifications proposed for the new residence.

Carol Perez, AGT Land, presented the landscape and hardscape modifications for the new residence.

Mr. Ives thought the reconfiguration of the design was smart. However, he still did not find it compatible with the area. He expressed concern with the materials proposed, the flow and footprint of the design for the area.

Ms. Shiverick disagreed with Mr. Ives and thought there were other comparable homes in the area. She thought the home was unassuming and had a quaint residential feel. She added that she supported the movable teak panel. She was in favor of the design.

Ms. Grace was in favor of the changes made to the proposed home. However, she questioned whether the design style fit in to the area. She thought either the Mediterranean or Bermudian style could be more appropriate.

Mr. Garrison advocated for the appropriateness of the house on the street, especially since it was a small, one-story home.

Ms. Catlin was in favor of the home. She pointed out that while it was a different style in the middle of the block, she thought it was still a good fit.

Mr. Corey thought that the design of the home did not fit with the existing character of the street.

Mr. Vila agreed with Ms. Shiverick and thought the changes were successful. He stated he would support the project.

Mr. Ives thought some restudy would be beneficial.

Motion made by Mr. Garrison and seconded by Mr. Zukov to approve the project as presented. Motion carried 4-3, with Messrs. Corey, Ives and Ms. Grace opposed.

B-069-2019 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 977 South Ocean Boulevard

Applicant: 195 PHESTEN ASSOCIATES, LLC (RUSTY & ASHLEY HOLZER)

Professional: Studio SR Architecture

Project Description: Demolition of existing 1-story wood frame house, and construction of a contemporary 1 & 2-story residence.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two-story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning district (Section 134-840 & 134-893(c)). The following variances are also being requested:

1. Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35-foot minimum required in the R-A Zoning District.
2. Section 134-843(a)(5) and (9): A request for a variance to allow the proposed residence to have a rear setback of 9 feet in lieu of the 15 foot minimum required in the R-A Zoning District which includes the balconies which extend 3 feet from the building in lieu of the 2' foot maximum allowed.
3. Section 134-1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10-foot minimum required in the R-A Zoning District.
4. Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District.
5. Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District.

6. Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house.

At the October 30, 2019 ARCOM meeting the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members.

Clerk's note: The project was deferred to the January 29, 2020 meeting at the Approval of the Agenda, Item V.

C. MAJOR PROJECTS – NEW BUSINESS

B-073-2019 New Construction

Address: 525 North County Road

Applicant: Mr. & Mrs. Christopher Flowers

Professional: Jeffery Smith, Smith Architectural Group

Project Description: Construction of a new tow-story French style house with one-story guest wing, guesthouse and gatehouse. Final landscape, hardscape and drainage included.

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

Mr. Smith presented the architectural plans for the proposed new residence.

Mr. Vila inquired if there were any other French homes in the area. Mr. Smith responded.

Ms. Grace questioned the size of the home in relation to the size of the property. Mr. Smith responded.

Mr. Corey thought the detailing and materials were extraordinary. He questioned whether the home had a third story. Mr. Smith responded. Mr. Corey wondered if the ceiling heights were appropriate. Mr. Corey also suggested that the massing of the main home should be reduced on the sides to allow more light to get in to the middle of the home. Mr. Corey questioned whether the home should be moved west on the lot, to allow more room in front of the ocean.

Mr. Garrison thought the design was extremely well executed. He thought the home would be a great addition to the neighborhood.

Ms. Catlin thought the design was beautiful. After driving around the area, she stated her concerns were quashed. She thought the gatehouse could use some landscaping in the front to soften the entrance.

Mr. Ives thought the design had a flow, sense of arrival and was well thought out. Mr. Ives inquired about the gatehouse height.

Mr. Small thought the design was majestic. He questioned whether the gatehouse was overwhelming. Mr. Smith further explained the design and height of the gatehouse.

Mr. Vila was in favor of the design.

Jorge Sanchez, SMI Landscaping, presented the landscape and hardscape plans for the new residence. He showed alternate renderings on the overhead projector. Mr. Vila inquired about the pattern layout on the plans. Mr. Sanchez further explained the plans.

Mr. Corey inquired about landscape to soften the view to the neighbor. Mr. Sanchez responded. Mr. Corey questioned the lack of hierarchy in the two driveways. Mr. Corey inquired if the professional would choose a different species other than Ficus Nitida. Mr. Sanchez responded and stated he thought that Ficus Nitida was acceptable.

Ms. Catlin asked that there are some plantings added to soften the gatehouse. She asked the professional to return with a different option. Mr. Sanchez stated that the landscaping is in line with the architecture.

Ms. Shiverick was in favor of the landscaping plan. However, she understood Ms. Catlin's point about the landscaping in front of the gatehouse.

Ms. Grace agreed with Mr. Corey's point about the hierarchy of the buildings and suggested that the gatehouse should be reduced.

A discussion ensued about the possibility of adding landscaping in front of the guesthouse.

Motion made by Mr. Small and seconded by Mr. Zukov that the proposed project at 525 N. County Road has met the conditions listed in Sec. 18-205 of the Town's Code of Ordinances, and to approve the project as presented with the condition that the professional gives consideration to moving the gatehouse to the east.

A discussion ensued about the motion.

Mr. Small withdrew the motion.

Motion made by Mr. Garrison and seconded by Ms. Grace that the proposed project at 525 N. County Road has met the conditions listed in Sec. 18-205 of the Town's Code of Ordinances, and to approve the project as presented with the caveat that the Ficus Nitida is replaced with another material.

Mr. Garrison asked if the professional would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Smith agreed to the easement.

Motion carried 5-2, with Messrs. Ives and Corey opposed. 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.

B-074-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 125 Worth Avenue

Applicant: 125 Worth Partners LLC

Professional: Jose Luis Gonzalez Perotti

Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

ZONING INFORMATION: A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project:

1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded.
2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis.
3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code.
4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code.
5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot

coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building.

6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property.
7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable.
8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story.
9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

Clerk's note: The project was deferred to the February 26, 2020 meeting at the Approval of the Agenda, Item V.

B-075-2019 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 120 Algoma Road

Applicant: M. Weldon Rogers

Professional: Richard F. Sammons/Fairfax, Sammons and Partners

Project Description: Construction of a new two-story residence (6,399 total square feet that includes 5 bedrooms, 5.5 baths & a 192 square-foot pergola) in the Anglo-Caribbean style. Landscape & hardscape improvements included.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,207 square-foot new residence with a 192 square-foot pergola on an unplatted non-conforming lot of 15,273 square-feet in lieu of the minimum 20,000 square feet required in the R-A zoning district (Section 134-843(a) and (b)).

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

Mr. Sammons presented the architectural plans proposed for the new residence.

Mr. Vila inquired about the proposed roof. Mr. Sammons discussed the design and material to be used for the roof.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape plans for the new residence.

Mr. Ives thought that the design was good and was in support of the project.

Mr. Corey thought the design worked well for the area. He questioned the professional about the roof design. Mr. Sammons responded. Mr. Corey suggested exposing the beam on the front porch.

Ms. Grace inquired about the colors of the house. Mr. Sammons stated that the colors are the preference of the clients. Ms. Grace inquired if the grass would be natural grass. Mr. Jackman stated that the grass will be natural.

Mr. Garrison inquired about the fence during construction. Mr. Jackman stated it would be mesh. Mr. Garrison implored the professionals to be mindful of the neighbors and traffic during construction.

Mr. Small agreed with his fellow Commissioners and thought the home would enhance the beauty of the street.

Mr. Small asked if the professional would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Jackman agreed to the easement.

Mr. Vila stated he supported the project.

Motion made by Mr. Garrison and seconded by Mr. Ives that implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject property. Motion carried unanimously.

A second motion made by Mr. Small and seconded by Mr. Ives that the proposed project at 120 Algoma Road has met the conditions listed in Sec. 18-205 of the Town's Code of Ordinances, and to approve the project as presented. Motion carried unanimously. 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.

B-076-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 1305 North Ocean Way

Applicant: 1305 N Ocean Way LLC

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Approximately 700 square-foot master bedroom second-story addition and 200 square-foot first floor loggia. Some fenestration changes. Final landscape and hardscape to be included. All other associated changes.

ZONING INFORMATION: A request for variance approval to construct a 700 square-foot second floor addition on the northeast side of the existing house with a side yard setback of 13.58 feet in lieu of the 15 feet minimum required.

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

M. Timothy Hanlon, attorney for the applicant, explained the zoning request and advocated for a positive recommendation to the Town Council.

Mr. Segraves provided an overview and intent of the project.

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans proposed for the additions to the existing residence.

Ms. Grace thought the addition was successful.

Ms. Shiverick thought the roof on the addition looked heavy and thought a different solution was needed.

Mr. Ives agreed with Ms. Shiverick and thought other options should be considered.

Mr. Corey recommended a different roof system on the third level to save the current design.

Mr. Vila stated he could not support the roof as proposed.

Motion made by Mr. Corey and seconded by Mr. Small to defer the project for one month, to the January 29, 2020 meeting, for restudy. Motion carried 6-1, with Ms. Grace opposed.

D. MINOR PROJECTS – OLD BUSINESS

None

E. MINOR PROJECTS – NEW BUSINESS

A-031-2019 Signage

Address: 221-231 Royal Poinciana Way & 216 Sunset Avenue

Applicant: Flagler Holdings North Carolina, Inc.

Professional: RGE Associates/Breakers

Project Description: Plaza directional and wayfinding signage for Via Flagler at The Breakers, including building signage for building 3 restaurant.

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

Dave Renna with The Breakers, provided an overview of the project and introduced the designer for the project.

Rebecca Porter, RGE Associates, Inc., presented the proposed building signage.

Mr. Vila inquired about the lighting for one of the signs. Ms. Porter responded and explained the design.

Mr. Corey inquired about the color of the proposed lighting and recommended using a warmer color. Ms. Porter agreed. Mr. Corey inquired about the bracket

design and how they would be attached to the walls. Ms. Porter explained the design.

Ms. Catlin questioned the use of vinyl in the signage. Ms. Porter described some alternatives to the vinyl. She thought that the arched sign on building 6 detracted from the architectural arch. Ms. Catlin inquired if the lighting direction could be changed on the restaurant signage.

Mr. Garrison questioned if any thought had been given to lighting each letter on the restaurant signage. Ms. Porter responded.

Mr. Vila stated that so much detailing that had been given to the rest of the project, he questioned the proposed signage and materials. He stated he could not support any part of the proposal.

Ms. Grace inquired if wood and wrought iron could be used rather than the proposed. Ms. Porter responded.

Mr. Vila recommended using all natural projects for the signage.

Ms. Shiverick questioned the number of signs proposed with the same name.

Mr. Zukov thought the signage needed to be more imaginative.

Mr. Ives agreed with Ms. Shiverick and questioned the need for the number of signs that showed the same name.

Motion made by Mr. Ives and seconded by Mr. Small to defer the project for one month, to the January 29, 2020 meeting, for restudy. Motion carried unanimously.

Paul Leone, CEO of The Breakers, explained the need for the Via Flagler signage. He stated he would be happy to restudy the materials to be used in the signage.

A discussion ensued about the signage proposed with Mr. Leone and the Commissioners.

A-032-2019 Additions & Modifications

Address: 350 Seaspray Avenue

Applicant: 350 Seaspray Ave LLC

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Existing house renovation. Changing first floor roof entry and addition of rear balcony.

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

Mr. Segraves presented the modifications proposed for the existing residence. He presented materials to be used in the renovations.

Mr. Corey the changes were good. He recommended using square columns rather than the tapered columns.

Ms. Grace thought a wood shingle roof would be more in keeping than the terracotta roof proposed.

Ms. Shiverick inquired about the material of the columns proposed. Mr. Segraves responded.

Mr. Vila agreed with Ms. Grace's suggestion for the roof.

A discussion ensued regarding the roof material.

Motion made by Mr. Corey and seconded by Mr. Small to approve the project as presented with the caveat that columns on the lower porch are changed to a 12" square column and an 8" square column is used on the upper balcony. Motion carried unanimously.

Mr. Corey asked if the professional would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Segraves agreed to the easement.

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.

A-033-2019 Statue with Lighting

Address: 1960 South Ocean Boulevard

Applicant: 1960, LLC

Professional: Daniel Downey Architect

Project Description: To install a stature of a horse 8'-0" and 9'-0" long on the east lawn 35 feet behind the existing east property line.

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

Mr. Downey presented the proposed statue.

Mr. Vila asked about the consideration for the placement of the statue. Mr. Downey responded.

Mr. Ives stated he was not comfortable with the size of the statue and would not support the project.

Ms. Catlin thought that the view of the horse above the wall would be significant, especially with the lighting. Mr. Downey responded.

Ms. Shiverick thought the horse would appear too tall over the wall and suggested placing the statue in the rear of the yard.

Mr. Small asked if the professional would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Downey agreed to the easement.

Motion made by Mr. Corey and seconded by Mr. Small to defer the project for one month, to the January 29, 2020 meeting, to restudy the placement of the statue. Motion carried 6-1, with Mr. Ives opposed.

X. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

Mr. Sammons raised an issue with the mansard roof presented during an earlier project. Mr. Vila asked Mr. Martin to research the issue raised.

XI. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

Mr. Vila wished Mr. Lindgren for his many years of service with the Commission and wished him well in his new position.

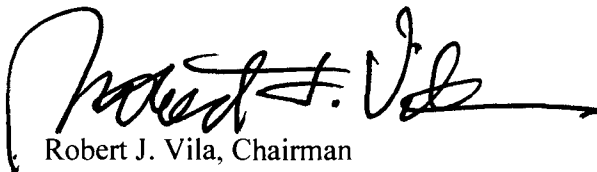
The Commission discussed the possibility of asking the professionals to construct mockups of their projects.

XII. **ADJOURNMENT**

Motion made by Mr Garrison and seconded by Mr. Small to adjourn the meeting at 1:18 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, January 29, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,



Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME Shiverick, Betsy	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission
MAILING ADDRESS P.O. Box 2589	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ TOWN OTHER LOCAL AGENCY
CITY Palm Beach	COUNTY Palm Beach
DATE ON WHICH VOTE OCCURRED December 13, 2019	NAME OF POLITICAL SUBDIVISION: Town Of Palm Beach
MY POSITION IS: ☐ ELECTIVE ☒ 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, Betsy Shiverick, hereby disclose that on December 13, 20 19 :

(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, Richard Sammons ;
- ☐ 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:

B-075-2019 New Construction

120 Algoma Road

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.

12/13/19
Date Filed

[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.