

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, OCTOBER 30, 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**

Chair 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

Staff Members present were:

John Lindgren, Planning Manager

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 SEPTEMBER 25, 2019 MEETING**

Motion made by Mr. Small and seconded by Mr. Ives to approve the minutes from the September 25, 2019 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**

Mr. Small requested the withdrawal of the following project: B-057-2019, 224 S. Ocean Blvd.

Motion made by Mr. Small and seconded by Mr. Garrison to approve the agenda as amended. 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. Garrison requested to add the word opaque in the motions regarding demolition screening. Mr. Lindgren agreed to the suggestion and stated that the word opaque could be added.

Mr. Garrison thought there should be a mechanism to alert neighbors when someone removes a hedge buffer between two residences. Mr. Lindgren stated that changes are in the works with regards to landscape buffers between ORS and the Town Council.

Mr. Corey suggested that the landscape plant list should be in a larger font so that Commissioners do not need a magnifying glass to read the plans. Mr. Lindgren stated he would add the increased font to the check list.

Mr. Corey inquired about the landscape plan for 1485 Via Manana and stated the Ficus Nitida was on the plan as Florida friendly, when it is not a Florida friendly plant.

Julie Araskog, 1490 Via Manana, expressed concern about planting Ficus Nitida and the chemicals needed to maintain the hedge due to the white fly.

Mr. Lindgren stated he could speak to the architect for the project and ask if he would change the planting material.

IX. **PROJECT REVIEW**

A. DEMOLITIONS AND TIME EXTENSIONS

B-072-2019 Demolition

Address: 893 South County Road

Applicant: Mr. Alex Chesterman

Professional: MP Design & Architecture

Project Description: Demolition of existing two-story residence, pool and hardscape.

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

Michael Perry, MP Design & Architecture, addressed the concerns raised in the letter from the neighbor. He presented the demolition report for the home and presented the plans for the proposed demolition.

Mr. Floersheimer asked about the ownership and inquired if the owner would obtain a unity of title for the properties. Mr. Perry state that the owner would be seeking unity of title. Mr. Floersheimer expressed concern for the existing driveway on South County.

Sean Allen, Nievera Williams Design, presented the landscape and hardscape plans for the proposed demolition.

Mr. Corey inquired if a hedge would be continued at the rear of the property. Mr. Perry explained intent of the future landscaping for the property.

Mr. Small asked if the owner 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. Perry agreed to the easement.

Motion made by Mr. Corey and seconded by Mr. Garrison that the proposed demolition of 893 South County Road has met the conditions listed in Sec. 18-206 of the Town's Code of Ordinances, and to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. 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. MAJOR PROJECTS – OLD BUSINESS

B-050-2019 Demolition/New Construction

Address: 233 Arabian Road

Applicant: 233 Arabian LLC

Professional: Harold Smith/Smith and Moore Architects

Project Description: Demolition of an existing one-story residence and pool.

Construction of a two-story residence and pool. Final hardscape and landscape.

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 to allow the professional to address concerns of the Commission. At the September 25, 2019 ARCOM, meeting the project was deferred to October 30, 2019 to restudy the driveway entrance.

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

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

Mr. Garrison thought the offset driveway was a good change. Mr. Small agreed with Mr. Garrison.

Ms. Shiverick was in favor of the new house color.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications proposed for the new residence.

Mr. Corey inquired about the native landscape plan. Mr. West responded.

Mr. Small asked if the owner 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 made by Mr. Corey and seconded by Mr. Garrison that the proposed project at 223 Arabian 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 any landscape changes would need to be approved by the Commission. 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-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.

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

Mr. Harrington introduced Mortimer Curran, who represented the Curran family.

Mortimer Curran thanked the Commission for their input and stated they had worked to meet all of the Commissioners comments and requests.

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

Adam Mills, Environment Design Group, presented the landscape and hardscape modifications proposed for the new residence.

Mr. Vila asked about the proposed Gumbo Limbo tree and questioned if another species would be better. Mr. Mills responded.

Mr. Ives thought the entrance feature was too narrow and had become insignificant. He questioned whether the stairwell was driving the design of the entrance. He suggested a restudy of the feature.

Ms. Grace thought the changes were all an improvement. She suggested reducing the windows over the stairwell and restudying the columns at the entrance.

Mr. Corey questioned whether the proposed home fit the site as he thought the house was too wide. He questioned the fenestration on both facades, especially the west elevation since it faced the water. He thought the west façade was disjointed and suggested that the roof was too heavy for the home. Finally, he commented that the entrance was too narrow and questioned the bay window on the east fenestration.

Mr. Garrison disagreed with the other commissioners and thought the flat elevation did not show the home's potential. He thought a 3-D model would be beneficial to allow others to see the character of the home. He thought the bay window was too large but stated he would support the home.

Ms. Catlin was in favor of many of the changes. She thought the front door as well as the element over the garage were too narrow. She thought the fenestration on the west elevation could be cleaned up but was overall in favor of the home.

Ms. Shiverick was in favor of the changes but agreed the entrance was too narrow. She agreed with Ms. Grace in her suggestion to reduce the number of windows over the stair entrance. She also agreed with Mr. Corey that the roof was too heavy. She was in favor of the landscaping changes.

Mr. Vila thought the design was good since it was a multi-generational home. He recommended changing the front door to something more in line with the Bermudian style. He thought a reduction in the windows over the staircase was a good idea. He thought there was a lack of harmony in the fenestration on the west elevation. Mr. Vila thought a restudy of the roof was necessary.

Mr. Vila called for public comments.

Gene Pandula, architect and representing Ms. Hammond, who is the next door neighbor. He expressed concern for the proposed roof and its massing. He presented photos of some of the neighboring homes and their roofs.

Mr. Corey asked to see one of the photos shown by Mr. Pandula and asked his opinion about the project's projected garage design. Mr. Pandula responded.

Mr. Garrison was in favor of the sketch of the roof shown by Mr. Pandula. Ms. Grace agreed with Mr. Garrison.

Mr. Harrington addressed some of the comments made by the Commissioners.

Mr. Curran advocated for the proposed roof design as he believed it was in line with the architectural style proposed. Mr. Curran stated that he had reached out to Ms. Hammond to meet and discuss the architectural plans but added that she had been unwilling.

Mr. Pandula responded to the comments made by Mr. Curran.

Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project to the November 22, 2019 meeting with a direction to restudy study all of the comments made by the Commissioners, specifically the roof, main entrance, the front door and the doors on the west elevation. Motion carried unanimously.

B-057-2019 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

- done on August 28, 2019

Address: 224 S. Ocean Blvd.

Applicant: Armen Manoogian

Professional: Jose A. Gonzalez, Gonzalez Architects

Project Description: Proposed work includes the construction of a new 440 sq. ft., one story detached, two car garage and driveway.

At the August 28, 2019 meeting, the Commission made a recommendation to Town Council that implementation of the proposed variance will cause negative architectural impact to the subject property. A second motion carried to defer the project for one month to the September 25, 2019 meeting so that the professional could restudy the design of the garage. 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. *The applicant has now requested that this application be withdrawn.*

Please note: This item was withdrawn the approval of the agenda, Item V.

B-063-2019 New Construction

Address: 220 Brazilian Avenue

Applicant: PBROC Limited Partnership
Professional: Patrick Ryan O'Connell Architect, LLC
Project Description: Proposed construction of a new two-story, two-family residential structure, including new pools, hardscape and landscape.

At the September 25, 2019 ARCOM, meeting the project was deferred for one month to October 30, 2019 for restudy.

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

Mr. O'Connell presented the architectural modifications proposed for the new, multifamily residence.

Mr. Vila called for public comments.

Robert Andrew Roddy, 223 S. County Rd., expressed concern for the any landscaping that would have a deep root system on the property line that would invade the underground utilities as well as landscaping that would drop material on his property.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the new multi-family residence.

Mr. Roddy stated he would like to see more details of the plans. Mr. Vila thought the professional addressed Mr. Roddy's concerns in the plans he presented.

Mr. Ives thought that many of the changes addressed the comments from the Commission. However, he expressed concern of the "box"-like feel of the design. He made a suggestion to flip one of the units from back to front.

Ms. Grace was in favor of the changes but thought that the changes were not significant enough in the reduction of the mass.

Mr. Corey thought the changes were good and that the professional listened to the Commission. Mr. Corey inquired about the roof change. Mr. O'Connell responded. Mr. Corey asked if the chimneys could be reduced in the height. Mr. O'Connell stated he would make the reduction. Mr. Corey thought the mechanical equipment in the rear of the property would be ideal. He was in favor of the landscape and hardscape changes however he questioned the proposed driveway and pedestrian gates.

Ms. Shiverick questioned the number of lights on the home, specifically on the second floor. She recommended reducing the number of lanterns.

Mr. Garrison asked about the shared roof and how that would function with two different owners. Mr. O'Connell responded. Mr. Garrison inquired about the

color proposed for the body of the residences. Mr. O'Connell responded. Mr. Garrison also questioned the proposed roof material.

Mr. Floersheimer questioned the massing of the residence on the lot.

Ms. Catlin thought the changes were successful. She asked the professional if he intended to address the chimney heights and the placement of the mechanical equipment. Mr. O'Connell responded. She added that she did not have a problem that the townhomes were mirror images of each other.

Mr. Vila was in favor of the different design. He thought a visual separation of the units would be nice. He suggested using color in the body of the residence.

Mr. Roddy expressed concern for the proposed generator on the east side. He recommended using a Tesla solar wall.

Mr. Small expressed concern with the size and massing of the building. He thought the gates were acceptable. He also recommended changing the color of the body of the residences.

Mr. O'Connell showed a comparison of the setbacks of neighboring properties on the overhead projector.

Mr. Corey inquired if the Coconut Palms would be restored in the right of way. Mr. Mizell confirmed they would be replaced.

Motion made by Ms. Grace and seconded by Mr. Corey to defer the project for one month, to the November 22, 2019 meeting, for a restudy in accordance with the comments of the Commissioners, specifically the comments relating to the mass of the structure. Motion carried unanimously.

Please note: A short break was taken at 10:50 a.m. The meeting resumed at 11:06 a.m.

B-064-2019 Additions/Modifications

Address: 201 Via Linda

Applicant: Tom Roush

Professional: Stephen Roy (Architect)

Project Description: Lot unification - Renovation and addition to an existing 2-story residence to include new landscape, hardscape and pool.

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.

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

Mr. Roy presented the architectural addition and renovations proposed for the existing residence. Mr. Roy presented additional architectural drawings on the overhead projector.

Mr. Corey was in favor of the proposal. He inquired about the increase in the height of the addition compared to the existing home. Mr. Roy responded. He inquired about the change in the loggia. Mr. Roy further explained his design and presented the floor plan and elevation on the overhead projector.

Ms. Shiverick was in favor of the changes and thought they added charm. She asked about the Bahamian shutters. Mr. Roy responded. Ms. Shiverick was in favor of the project.

Ms. Grace was in favor of the changes and thought it was a good project.

Mr. Floersheimer asked about the roof heights proposed. Mr. Roy responded. Mr. Floersheimer inquired about the roof plan.

Mr. Vila asked about the windows and doors proposed. Mr. Roy responded and explained his material choice.

Mr. Floersheimer inquired about the chimney design. Mr. Roy stated the chimney was an existing chimney and would not be changed. Mr. Floersheimer asked about the picture window on the north façade. Mr. Roy responded.

Mr. Small asked if the owner 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. Roy agreed to the easement.

Che Wei Kuo, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Vila inquired about the type of grass proposed. Mr. Kuo responded.

Mr. Corey inquired about the width of the piers proposed. He thought the piers were too wide and the finials should be removed. He thought the pedestrian gate was too narrow but the piers were too wide and heavy and not needed. Mr. Corey was in favor of the materials proposed but recommended using a different material to replace the Ficus Nitida proposed.

Ms. Grace stated that many of the neighboring homes did not have a vehicular gate and questioned the proposed gate. Mr. Kuo responded. Mr. Vila agreed with Ms. Grace and thought the addition of a vehicular gate may be a bad precedence to set.

Ms. Catlin thought the gate was not necessary for privacy in the area and thought the gate would detracted from the home.

Mr. Vila suggested looking at the location of the garage in relationship to the kitchen. Mr. Roy responded.

Motion made by Ms. Grace and seconded by Mr. Corey that the proposed project at 201 Via Linda 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 vehicular gate is removed and the Ficus Nitida is replaced with another material. 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-067-2019 Additions/Modifications

Address: 560 Island Drive

Applicant: James Reyes & Jennifer Blair

Professional: MP Design & Architecture

Project Description: Improvements to existing two-story residence.

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.

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

Michael Perry, MP Design & Architecture, presented the architectural modifications to the existing two-story residence. Mr. Perry presented material samples to the Commission.

Mr. Vila inquired about the window and door replacements. Mr. Perry responded.

Ms. Grace thought the changes were a large improvement to the existing home.

Ms. Shiverick liked the changes and inquired if the owners would consider a pastel color in place of the proposed white. Mr. Perry responded. A short discussion ensued about the color of the home.

Motion made by Ms. Grace and seconded by Mr. Garrison that the proposed project at 560 Island Drive 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 color be changed to a creamier version of the color. Motion carried unanimously.

C. MAJOR PROJECTS – NEW BUSINESS

B-062-2019 New Construction

Address: 133 Gulfstream Road

Applicant: ANERO LLC

Professional: Jeffrey Silberstein – Silberstein Architecture

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

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

Mr. Silberstein provided a brief overview of the proposed home. He showed a rendering of the front elevation of the proposed home and concluded his presentation.

Mr. Ives thought the proposed design was too dissimilar for the surrounding area. He thought the use of materials would be important moving forward.

Ms. Catlin thought it did not fit in the surrounding area. She thought the two front loading garages were unattractive. She thought the design bordered on looking too commercial.

Mr. Small thought the proposal was not in harmony with the neighborhood.

Ms. Shiverick thought the home deserved a chance. She thought there were two homes within 200 feet that were comparable to the proposed home. She agreed that different materials could be used but thought the design was authentic.

Ms. Grace thought a continuity of style in this area was important and added that she did not believe the home did not fit within the area.

Mr. Floersheimer agreed with many of the comments but commended the professional for designing a modest scaled home. He thought the home needed to be softened to fit in the area.

Mr. Corey thought the area was special and the proposed home did not fit in the area.

Mr. Garrison agreed with the Commissioners but thought Ms. Shiverick had a good point. With that said, he thought this home needed some restudy.

Mr. Vila agreed with Mr. Garrison. Mr. Vila expressed concern with the two garage doors that faced the street.

Mr. Vila called for public comments.

Carlos Arrendondo, 146 Gulfstream Rd., advocated for his the proposed home on behalf of his daughter, who is the owner.

M. Timothy Hanlon, on behalf of the owner of 115 Gulfstream Rd., expressed concerns for the proposed home.

Mr. Arrendondo identified the garages on Gulfstream Road that faced the street.

Motion made by Mr. Grace and seconded by Mr. Corey to defer the project in accordance with the comments from the Commissioners.

Mr. Vila thought there was an opportunity for the design with a restudy.

Motion carried unanimously. After the motion, it was determined that the project would be deferred for two months, to the December 13, 2019 meeting.

B-068-2019 Demolition/New Construction

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

Address: 218 Debra Lane

Applicant: Andrew and Milla Russo

Professional: LaBerge & Menard

Project Description: Demolition of existing structure, landscape and hardscape.

Construction of a new two-story, 3,539 square-foot under air residence, pool, landscape and hardscape.

ZONING INFORMATION: A request for Site Plan Review to build a 3,539 square-foot 2-story home, hardscape and swimming pool on an existing 10,393 square-foot platted lot with a depth of 90 feet in lieu of 100-foot minimum required (Section 134-893(b)(2)). The following variances are also being requested for the swimming pool: a) Request for a front yard setback of twenty feet, four inches (20.33') in lieu of the twenty-five foot (25') minimum front yard setback required by code (Section 134-1757), and b) Request to allow the proposed swimming pool in a required street side yard with a continuous hedge of three feet (3.0') in height in lieu of six feet (6.0') minimum required (Section 134-1757).

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

Frank Lynch, attorney for the owner, argued that the neighborhood and street were in transition. He provided an overview of the home and presented the demolition report. He requested approval of the proposed demolition.

Mr. Small asked if the owner 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. Lynch agreed to the easement.

Mr. Corey inquired if the chicane in the road could be removed if the owner was willing to work with the Town in undergrounding. Mr. Lindgren stated he would notify Steven Stern about the owner's willingness.

Motion made by Mr. Ives and seconded by Mr. Zukov that the proposed demolition of 218 Debra Lane has met the conditions listed in Sec. 18-206 of the Town's Code of Ordinances, and to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. 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.

Daniel Menard, LaBerge and Menard, presented the architectural plans proposed for the new residence.

Todd MacLean, Todd MacLean Outdoors, explained the variance needed for the pool design. Mr. Lynch explained the hardship for the variance request.

Ms. Grace thought the mass of the home, compared to the existing home, exacerbated the variance request.

Mr. Lynch explained the project and zoning request to the Commission and advocated for a positive recommendation to the Town Council.

Mr. Corey inquired about the amount of pool that was located in the setback. Mr. Lynch responded. Mr. Corey recommended reducing the pool.

Mr. Ives thought that the size of the pool did not have an effect on the architecture and thought the pool design was acceptable. Mr. Vila agreed.

Mr. Menard showed a video of the proposed home.

Mr. Ives thought the design overall was very befitting of the area. He thought the proposed design was a nod to the previous styles that were in the area. Mr. Ives thought the design was modest and respectful.

Ms. Catlin agreed with Mr. Ives. She thought it was a creative use on a challenging lot. She thought the height was respectful in its design. She thought the design would set the bar for other homes in the area.

Mr. Floersheimer agreed with Ms. Catlin and was in favor of the design.

Ms. Grace thought the home stood out as a much larger home than the surrounding homes. She expressed concern for the design.

Mr. MacLean presented the landscape and hardscape plans proposed for the new home.

Mr. Corey was in favor of the landscape plan.

Mr. Garrison clarified the variance requests.

Motion made by Mr. Garrison and seconded by Mr. Zukov that implementation of the proposed site plan review and variances will not cause negative architectural impact to the subject property. Motion carried 5-2, with Ms. Grace and Mr. Corey opposed.

Mr. Vila spoke in favor of the proposed home.

Mr. Vila called for public comments.

Milla Russo, owner, thanked the Commission for their comments and spoke about the intent of the design of their proposed home.

John Dotterer, 1470 N. Ocean Blvd., expressed concern that the proposed home was incongruent to all of the homes in the area. He also expressed concern for the increase of the mass and the proposed floor area ratio of the home.

Messrs. Vila and Garrison expressed objections for the arguments made by Mr. Dotterer.

Ms. Catlin stated that none of the owners, at the time, accepted the underground equipment and therefore, a chicane was installed. She thought it was unfair to place the burden on a new owner.

Ron Kolins, represented owners of 1464 Laurie Lane, expressed concerns for the proposed home.

Mr. Lynch responded to the concerns expressed by Mr. Kolins.

Motion made by Mr. Ives and seconded by Mr. Zukov that the proposed project at 218 Debra Lane 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 4-3, with Messrs. Small, Corey and Ms. Grace opposed.

B-070-2019 Additions/Modifications

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

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.

ZONING INFORMATION: A request for Special Exception with Site Plan Review in order to construct a third story as a special allowance based on the Worth Avenue Design Guidelines. This project qualifies for the special allowances as set forth in the Worth Avenue Design Guidelines. The proposed third story consists of a roof top deck with an enclosed 2,390 square feet of living space, which includes a 720 square foot pergola. The following variance is being requested: Section 134-1165 - proposed maximum story coverage of 33% for the enclosed living area on the third floor roof deck in lieu of the 25% maximum allowed for a third story using the Worth Avenue Design Guidelines.

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

Mr. Lindgren reviewed the zoning requests and clarified an error had been made with the variance for the third floor roof deck. He referenced the Worth Avenue Design Guidelines when explaining the zoning requests.

Mr. Vila clarified the request for the second floor.

Mr. Small stated that he had a concern for the view of the third floor from the street.

Mr. Floersheimer questioned the address for the property. Mr. Spina stated that after a discussion with town staff, everyone agreed the stated address would be the applicable address for the application.

Mr. Spina presented the architectural modifications proposed for the commercial building.

Mr. Zukov expressed concern for the use of the space.

Ms. Grace expressed concern for the view of the third story from the street as well as from other buildings. Her concern also was for the change in Worth Avenue.

Mr. Corey stated he was in support of the project. He inquired about the pergola proposed for the third floor. Mr. Spina responded. He recommended using a different material for the pergola.

Mr. Ives agreed with Mr. Corey. He thought it was positive for mixed use. He expressed a small concern for the proposed pool in relation to the design guidelines and questioned if it should be changed to a water feature. Mr. Spina responded.

Mr. Floersheimer was in favor of the proposed mixed use but questioned whether the third floor would set an uncomfortable precedence. Mr. Spina responded. A short discussion ensued about the third floor proposed.

Mr. Floersheimer inquired about the parking for the space. Mr. Spina responded.

Ms. Shiverick was in favor of the project.

Ms. Catlin was in favor of the project and was in favor of the proposed mixed use space.

Mr. Small thought the project was good but did have a concern for the pergola and the pool.

Mr. Garrison inquired about the roof of the second floor and whether it would be raised. Mr. Spina responded. He was in favor of the project but expressed concern for the proposed pool.

Mr. Spina presented a rendering of the proposed third floor on the overhead projector.

Mr. Vila thought the north façade should be included in the beautification of the building. Mr. Spina agreed. Mr. Vila made a few suggestions for the north façade.

Motion made by Mr. Corey and Mr. Small that the proposed project at 259 Worth Avenue 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 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.

Mr. Vila called for public comments.

Jane Holzer, the owner of the building to the east, stated she was in favor of the project and thought it was a terrific addition to the Town.

Motion carried 6-1, with Ms. Grace opposed.

Motion made by Mr. Garrison and seconded by Mr. Small that the project meets the Worth Avenue Design Guidelines. Motion carried 5-2, with Mr. 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.

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

Maura Ziska, attorney for the owner, reviewed the overall project and the discussed the constraints in designing the new home. She explained the zoning request to the Commission and advocated for a positive recommendation to the Town Council.

Ashley Holzer, owner, spoke about the intent for the property and advocate for the proposed home.

Rafael Rodriguez, Studio SR Architecture, presented the proposed demolition of the existing property.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape demolition plan proposed for the existing site.

Mr. Vila inquired about the proposed construction screening plan.

Raphael Saladrigas, Studio SR Architecture, presented the construction screening plan.

Mr. Garrison requested that an opaque screening would be used. Mr. Vila wanted to make sure that the screening would prevent the sand from blowing across the lot during demolition. Mr. Williams confirmed he would use a dense, opaque material that would contain the sand.

Mr. Ives asked if the owner 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. Saladrigas agreed to the easement.

Motion made by Mr. Ives and seconded by Mr. Zukov that the proposed demolition of 977 S. Ocean Blvd. has met the conditions listed in Sec. 18-206 of the Town's Code of Ordinances, and to approve the demolition as presented with the following caveats: sod and irrigate the property within 30 days, all elements on the property are to be maintained prior to demolition, an opaque screening fence will be added to the entire perimeter during demolition and the items remaining after demolition to be maintained until new construction commences. 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.

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

Mr. Williams presented the landscape and hardscape plans proposed for the new residence. Mr. Williams put an additional rendering on the overhead projector.

Mr. Garrison expressed concern for a path to get to the front door from the driveway as well as backing out of the driveway. Otherwise, he stated it was a well-designed home. Mr. Williams responded. Mr. Garrison thought these two items needed restudied.

Ms. Shiverick asked about the spiral staircase and what it would access. Mr. Saladrigas responded.

Ms. Catlin thought the professionals did a good job keeping the home low and working within the constraints of the lot. She also was in favor of the landscape plan and the lines of the proposed home.

Mr. Corey was in favor of the landscape plan. Mr. Corey questioned the Georgian style home as a beach house. He thought the house was too large and the height was driving the variances. Mr. Saladrigas responded. Mr. Corey concluded that a smaller beach house would be a better product and better for the area.

Mr. Vila thought the house was well design but thought it needed to have more of a beach feel in terms of the materials. He expressed a concern for the landscaping due to the wind in the location. He also questioned the roof pitch. Mr. Vila provided a few suggestions to Mr. Williams.

Mr. Floersheimer thought the plan for house was excessive and could be reduced. He also thought the house should be shown in comparison next to the adjacent beach cabana.

Mr. Vila called for public comments.

John Eubanks, attorney representing William Koch, presented objections to the new residence proposed.

Mr. Saladrigas presented rebuttal to the objections raised by Mr. Eubanks.

Frank Lynch, attorney representing 1020 South Ocean LLC., presented objections to the new residence proposed.

Mr. Small stated he was conflicted due to the physical constraints of the shallow lot. He thought the house look massive due to the lot size. He added that by granting the variances, it would make the situation worse.

Mr. Saladrigas stated that the redevelopment of the houses on the street would eventually face the same issue. He asked the Commissioners what they felt about the future development.

Mr. Vila thought a video may visually help the Commissioners.

Motion made by Mr. Corey and seconded by Mr. Small to defer the project to the December 13, 2019 meeting for a restudy in accordance with the comments from the Commissioners. Motion carried unanimously.

D. MINOR PROJECTS – OLD BUSINESS

None

E. MINOR PROJECTS – NEW BUSINESS

None

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

There were no comments heard at this time.

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

Mr. Lindgren reviewed the number of upcoming projects in November.

Mr. Lindgren also asked the Commission to make a motion that all of the approvals during the meeting were in accordance to either Sec. 18-205 or Sec. 18-206, whichever was applicable.

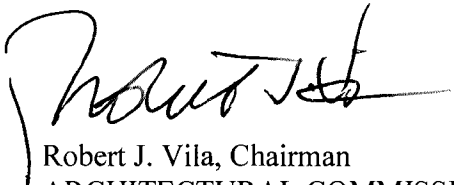
Motion made by Mr. Ives and seconded by Mr. Garrison that all of the approvals made during the meeting were in accordance to Section 18- 205 and/or Section 18-206. Motion carried unanimously.

XII. ADJOURNMENT

Motion made by Mr. Ives and seconded by Mr. Garrison to adjourn the meeting at 3:29 p.m. Motion carried unanimously.

The next meeting will be held on Friday, November 22, 2019 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert J. Vila", with a stylized flourish at the end.

Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION

kmc