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

## MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, SEPTEMBER 27, 2023

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

II. **ROLL CALL**

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| Jeffrey W. Smith, Chairman | PRESENT |
| Richard F. Sammons, Vice Chairman | ABSENT (Unexcused) |
| John David Corey, Member | PRESENT |
| Betsy Shiverick, Member | PRESENT |
| Thomas Kirchhoff, Member | PRESENT (Arrived at 9:02 a.m.) |
| Kenn Karakul, Member | PRESENT (Arrived at 9:05 a.m.) |
| Elizabeth Connaughton, Member | PRESENT (Arrived at 9:02 a.m.) |
| Dan Floersheimer, Alternate Member | ABSENT (Unexcused) |
| Joshua L. Martin, Alternate Member | PRESENT |
| Katherine "KT" Catlin, Alternate Member | PRESENT |

Staff Members present were:
Friederike Mittner, Design and Preservation Manager
Sarah Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Acting Town Clerk

III. **PLEDGE OF ALLEGIANCE**

Chairman Smith led the Pledge of Allegiance.

IV. **APPROVAL OF MINUTES**

**Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the minutes of the August 23, 2023, meeting as presented. Motion carried unanimously, 7-0.**

V. **APPROVAL OF THE AGENDA**

**Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the agenda as presented. Motion carried unanimously, 7-0.**

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

Ms. Churney administered the oath and continued to do so throughout the meeting as necessary.

VII. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**

Mr. Corey commented positively on the construction screenings in the Town and thought they looked much better in general. He hoped the Town had a rigorous standard for the construction screening.

Ms. Catlin thought the construction screening on the corner of Fairview and N. County Road was insufficient. She commented how the screening in Town either looked good or disgraceful. She noticed more company logos on the screening and construction companies' names on larger signage. Finally, she warned residents always to check to see if a permit is needed for work.

Wayne Bergman, Director of the Planning, Zoning and Building Department, introduced a new staff member in the Planning, Zoning and Building Department, Friederike Mittner. Mr. Bergman provided Ms. Mittner's resume to the Commission and stated he was pleased that Ms. Mittner has joined his team as the Design and Preservation Manager.

James Murphy, Assistant Director of Planning, Zoning and Building, discussed the Code language, which outlined the process for elected project deferrals. He indicated that the staff would begin immediately enforcing the requirements outlined in the Code.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3-MINUTE LIMIT, PLEASE)**

There were no comments heard at this time.

IX. **PROJECT REVIEW**

X. **CONSENT AGENDA**

1. **ARC-23-116 150 WORTH AVE—THE ESPLANADE**. The applicant, Wilson 150 Worth LLC, has filed an application requesting Architectural Commission review and approval for the after-the-fact permanent removal of the existing second floor wood trellis along the Worth Avenue approved arcade of the Esplanade.
2. **ARC-23-118 143 SEMINOLE AVE**. The applicant, Lisa Pevaroff, has filed an application requesting Architectural Commission review and approval for the removal and reconfiguration of the driveway with associated landscape and hardscape.
3. **ARC-23-122 (ZON-23-093) 241 JUNGLE RD (COMBO)**. The applicant, 241 Jungle Rd Trust, has filed an application requesting Architectural Commission review and approval for the installation of a new generator and site screening walls and gate including a variance to exceed the maximum screening wall height. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

***Clerk's Note: This item was pulled from the consent agenda under Item V., Approval of the Agenda, and was subsequently heard under Projects Pulled from Consent Agenda***

4. **ARC-23-124 111 REEF RD**. The applicants, Steve Rabin and Johnathon Winslow, have filed an application requesting Architectural Commission review and approval for the construction of an enclosed addition and a covered loggia, exterior modifications including roof and window replacement, and sitewide landscape and hardscape improvements including the construction of a pool and new site walls.

5. **ARC-23-127 231 BRADLEY PL**. The applicant, Bradley Palm LLC. (Rep. Tim Hanlon), has filed an application requesting Architectural Commission review and approval for the installation of a new generator and masonry screening walls at the northeast corner of the commercial property.

**Motion made by Ms. Shiverick and seconded by Mr. Karakul to approve the consent agenda as amended, with the removal of ARC-23-122, 241 Jungle Road. Motion carried unanimously, 7-0.**

**Projects Pulled from Consent**

1. **ARC-23-122 (ZON-23-093) 241 JUNGLE RD (COMBO)**. The applicant, 241 Jungle Rd Trust, has filed an application requesting Architectural Commission review and approval for the installation of a new generator and site screening walls and gate including a variance to exceed the maximum screening wall height. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Corey asked about the item on the consent agenda when it needed a variance. Mr. Murphy responded. He indicated his concerns about the generator proposed for the corner of the property in the setbacks.

Daniel Kahan, Smith and Moore Architects, presented the plans for the proposed generator placement at the existing residence.

Mr. Corey favored the design and aesthetics but recommended the professional obtain a letter of support from the neighbor.

Call for disclosure of ex parte communication: Disclosure by Messrs. Karakul and Kirchhoff.

Mr. Kirchhoff suggested replacing the gate with a wall. Mr. Kahan stated that most of the gate could be changed to a wall with a single gate.

**Motion made by Mr. Corey to approve the project with a 4-foot-wide gate and the remainder of the gate converted to a block wall.**

Mr. Karakul, the former property owner, thought the gate was more appropriate in the location than a block wall. Mr. Corey suggested adding landscaping in front of the wall. Mr. Kahan agreed to add additional plantings in front of the wall.

**Motion amended by Mr. Corey and seconded by Ms. Shiverick to approve the project with a 4-foot-wide gate, and the remainder of the gate converted to a block wall with additional plantings in front of the wall portion to soften the space. Motion carried 5-2, with Messrs. Karakul and Martin dissenting.**

**Motion made by Mr. Corey and seconded by Mr. Kirchhoff that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

A. **MAJOR PROJECTS-OLD BUSINESS**

1. **ARC-23-057 (ZON-23-049) 2 S COUNTY RD** The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for the renovation and expansion of the existing tennis area, including replacements of 10 existing courts, addition of 2 courts, addition of pickleball courts, shade structures, decorative fencing, new service path, stretching area and landscape improvements; requiring town council review of special exception, site plan review, and variances. This is a combination project that shall also be reviewed by Town Council as it relates to zoning relief/approval.

   Ms. Pardue provided staff comments on the project.

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

   Jamie Crowley, attorney for the applicant, explained the requested variances and advocated for a positive recommendation to the Town Council.

   Paul Leone, CEO of The Breakers, presented the modifications for the proposed tennis area restoration.

   Ms. Shiverick inquired about the shape of the shade structures; she was concerned about the structure's look. She also asked about the change of the lattice in the fencing. Mr. Leone discussed his intent to have the best-looking fencing where possible. Ms. Shiverick further asked about the proposed lighting height and confirmed it was the existing height of the current lighting. She also asked for further shade trees along the east of the property. Mr. Crowley discussed the intent to stay with native planting material and outlined the proposed trees.

   Alex Gilmurray, CFO of The Breakers, explained the proposed fencing and why the mesh was used around the courts. Mr. Gilmurray discussed the types of structures considered for the tennis courts.

   Mr. Corey was in favor of the landscape screening material. He liked the proposed fencing around the courts; however, he was concerned about the

material since it was plastic. He also expressed concern about increasing the number of shade structures and indicated he could not support them. Mr. Corey thought the lighting height was fine; however, he did not find them attractive.

Ms. Connaughton was concerned about the shape of the shade structure but thought the white color of the structures was preferable.

Mr. Smith liked the fence material; he thought wood material would require too much maintenance. He liked the white color for the structures. He did not believe the courts would be seen from the street. He supported the application.

Mr. Kirchhoff agreed with Mr. Smith's comments.

Ms. Catlin thought the structures looked a bit agricultural. She supported the white color for the structures. She imagined the shade structures would look more like a pergola. She worried that the structures would be very visible and thought they should be more of an extension of the existing structures.

Mr. Leone disagreed and thought the site would not be seen from the street.

Mr. Martin supported the project. He commented on the tennis courts at the Town's Recreation center and thought the proposal was more attractive.

Ms. Shiverick wondered if a different awning company and shape would be worth exploring. She thought the lighting was industry standard and supported the lighting. Messrs. Leone and Gilmurray discussed the companies and shapes that were considered.

**Motion made by Mr. Martin and seconded by Mr. Karakul to approve the project as presented. Motion carried 5-2, with Mr. Corey and Ms. Shiverick dissenting.**

**Motion made by Mr. Martin and seconded by Mr. Karakul that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

2. **ARC-23-063 (ZON-23-059) 1265 N LAKE WAY** 1265 N Lake Way LLC (Maura Ziska, Manager), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape and landscape and a nonconforming lot. The application shall be reviewed by the Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Daniel Menard, LaBerge & Menard, presented the architectural modifications proposed for the new residence.

Mr. Smith called for public comment. No one indicated a desire to speak.

Ms. Catlin liked the changes made to the architecture. She requested that the truck logistics plan enter the site via N. County Road. She talked about how the trucks using N. Lake Way was unsafe.

Todd MacLean, Todd MacLean Outdoors, stated that he had changed the logistics plan to use N. County Road.

Ms. Shiverick thought the changes were nice. She questioned the color proposed for the body of the home; she thought the color was a bit muddy. She thought a tone with a pink cast would be nice. Mr. Menard asked Ms. Shiverick to provide a recommendation as he was open to the change. Ms. Shiverick also recommended a different choice of lanterns on the Lake Trail.

Mr. Karakul thought the home was well done and custom in feeling. He thought the professional listened to the comments from the Commission.

Mr. Corey asked about the trees on the Lake Trail. Mr. MacLean responded. Mr. Corey thought the material on the Lake Trail would be nice, and the home's roofline has improved.

Ms. Connaughton complimented the design. She thought the masonry plinths below the wood piers on the rear two-story loggia felt slightly heavy; she asked if they could be modified. She also agreed with Ms. Shiverick on the Lake Trail lanterns and the body color of the home.

A short discussion ensued about the masonry below the columns on the second-story loggia. Mr. Menard recommended pinching the columns in to lighten up the masonry below.

**Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the project as presented, with the condition that the columns on the second-floor rear loggia shall be adjusted to lighten the masonry below. Motion carried 6-1, with Mr. Martin dissenting.**

3. **ARC-23-066 1421 N LAKE WAY** Reef Road LLC, has filed an application requesting Architectural Commission review and approval construction of a new two-story residence with associated landscape and hardscape.

Ms. Pardue provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

Steve West, Parker Yanette Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment. No one indicated a desire to speak.

Ms. Catlin liked all the changes. She thought the proposed home was beautiful.

Mr. Corey thanked the landscape architect; he thought the landscaping material on the front was much better. He thought the home worked well on the lot, especially since it was on a corner lot. He stated he supported the project.

Mr. Kirchhoff thought the design had come a long way. He supported the project.

Ms. Connaughton also thought the home was nice on the street. She wondered if the professional considered a nine-over-nine light pattern for the windows on the first floor. She preferred the previous front door.

Ms. Shiverick thought the changes were great. She suggested that the charm of the home could be enhanced by a different color pattern, other than white and blue. Mr. Janssen stated he would study the colors with the owner.

Mr. Smith thought the design was good. He questioned the light pattern for the sliders on the west elevation.

Mr. Kirchhoff agreed with Mr. Smith's comment on the sliders, and he preferred the six-over-nine light pattern for the windows. He preferred the front door surround and colors as presented.

**Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project as presented, with the condition that the light pattern for the sliders is reverted to the previously proposed design, as well as for the owner to study the colors for the home and the light pattern for the first story windows. Motion carried unanimously, 7-0.**

Bruce Parslay, owner, thanked the Commissioners for their time and their input to help produce a better home for his family.

4. **ARC-23-099 274 MONTEREY RD** Morton Pierce, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with sitewide landscape and hardscape improvements.

Mr. Hodges provided staff comments on the project.

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

Michael Perry, MP Design & Architecture, presented the architectural modifications proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment.

David Kelso, 255 Monterey Road, presented his objections to the proposed home.

Leigh Dunston, 282 Monterey Road, asked the landscape architect about the survivability of the Queen Crepe Myrtle tree if it is to be moved. Mr. Mizell answered his questions. Mr. Dunston thought there was willful negligence on behalf of the professionals. He requested a deferral or denial of the project.

Mr. Kirchhoff asked if the survey outlined the trees in question. Mr. Perry stated the trees were not identified as historic on his survey and that the team was unaware of the historic nature of the trees until September 6, when the Public Works department notified him. Mr. Kirchhoff thought the home should be deferred to allow modifications to the site plan.

Mr. Smith stated he could not approve of any plan that shows the relocation of either of the specimen trees.

Mr. Corey stated he could not see a reduction in the current design. He thought the home was too wide and would stand out on the street. He thought the home should be denied. He thought the home should be broken into two pieces.

Ms. Shiverick agreed with Mr. Corey and thought the home could be sited in the southeast corner with an L shape, so the specimen trees were honored. She supported a denial of the home.

**Motion made by Mr. Corey and seconded by Ms. Shiverick to deny the home, based on Section 18-205 (a) (8). Motion carried unanimously, 7-0.**

5. **ARC-23-088 (ZON-23-086) 292 ORANGE GROVE RD** Stephen and Kerri Meyers, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with sitewide landscape and hardscape improvements, requiring (1) variance for Cubic Content Ratio (CCR). The Town Council shall review the application as it pertains to the zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

Dustin Mizell, Environment Design Group, stated there were no updates to the landscape and hardscape.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Karakul thought the home was well done and fit the area. He liked the orientation of the home. He liked the landscaping as proposed.

Ms. Catlin liked the home. She preferred the loggia without additional columns, so it felt more open. She asked that the truck logistics be changed to North County Road rather than North Lake Way.

Mr. Corey thought the design fit the area, especially on the corner lot. He liked the proposed color palette. He wondered if the parapet wing railings should be removed; he thought a lighter railing would lighten the home. Mr. Janssen responded.

Mr. Kirchhoff thought the home looked too massive on Orange Grove. He recommended sliding the garage to the rear by five feet. He thought the second-floor windows looked too small.

A discussion ensued about the front yard if the garage was moved to the rear of the lot.

Ms. Connaughton agreed with Mr. Kirchhoff. She wondered if the service areas, including the garage, could be tightened up. She agreed with the comment to shift the garage back to the rear of the lot.

Ms. Shiverick thought the house was nice but needed to be thinned. She thought the presence on Orange Grove would be large.

Ms. Connaughton was confused by the parapet walls. Mr. Karakul disagreed and thought the look made the home feel more customized.

**Motion made by Mr. Kirchhoff to defer the home to the October 25, 2023, meeting to reassess the garage design and parapet walls.**

A discussion ensued about directions to provide to the professional.

**Motion seconded by Ms. Shiverick. Motion carried unanimously, 7-0.**

6. **ARC-23-064 (ZON-23-054) 1473 N OCEAN BLVD** William C. Powers & Marianne Elaine Elmasri, have filed an application requesting Architectural Commission review and approval for renovations and additions to an existing one-story residence, requiring setback variances. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue explained to the Commission that considering the new deferral procedures, the professional would explain the request for deferral in person.

Patrick Segraves, SKA Architect + Planner, stated that he was requesting a one-month deferral as he was trying to work on concerns expressed by some of the neighbors.

**Motion made by Mr. Karakul and seconded by Mr. Martin to defer the project to the October 25, 2023, meeting. Motion carried unanimously, 7-0.**

7. **ARC-23-090 (ZON-23-068) 206 CARIBBEAN RD** Walter Wick, has filed an application requesting Architectural Commission review and approval for construction of a new two-story residence with landscape, hardscape and pool on a nonconforming parcel. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment.

Alison Reed, 1520 N. Ocean Blvd., asked for an additional wall height and shutters on the top three windows that would overlook her master bedroom and bathroom. She also inquired about the mechanical equipment moved adjacent to her property.

Lisa Wick, owner of the property, stated that she had worked with Mr. Janssen to address all the comments received from the neighbors.

Mr. Corey asked about the landscape options. Mr. Mizell stated that the driveway had been altered, and option A was being proposed.

Mr. Martin thought the previous plan had a more elegant look on the street.

Ms. Shiverick had an issue with the entry to the home. She thought more importance was given to the parking and driveway. She questioned with the tripartite window on the front of the home. She also questioned the appeal of the front façade. Mr. Janssen responded.

Mr. Kirchhoff was not in favor of the home. He questioned the front façade of the home and how the lot was maxed out. He questioned the proposed massing.

Ms. Connaughton thought the previous entry was more charming and engaging. She suggested lowering the roof in the previous entry. She thought the garage mass was dominating the entry in the current design.

Mr. Corey wondered why the two-story element on the current proposal was very thin. He also questioned the large amount of paving proposed. He liked the courtyard design of the previous proposal. He recommended increasing the front massing and thinning out the one-story portion of the home in the rear.

Ms. Catlin thought the new design was short on character. She thought the lot called for a cottage-style home.

Mr. Karakul suggested trying to split the garage or move it to the rear of the home. He thought the front façade needed some work.

Mr. Smith thought the design was the best due to the lot size and the comments from the neighbors. He was not in favor of the lights over the garage door and thought the landscaping plan was weak.

**Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project to the November 20, 2023, meeting to allow the professional to consider the comments from the Commissioners. Motion carried 6-1, with Mr. Smith dissenting.**

8. **ARC-23-092 (ZON-23-070) 217 BAHAMA LN** James and Sarah McCann, have filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence and associated landscape and hardscape on a lot substandard in lot depth in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new residence.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment.

James Freney, 214 Bahama Lane, expressed concerns about the proposed new home. He indicated his reasons for his opposition to the proposed design.

Robin Weeks, 210 Jamaica Lane, expressed concerns about the proposed new home.

Mr. Karakul thought the previous design was superior to the proposed design. He thought the design was awkward. He thought it was fatter, less charming, and less interesting than the previous design.

Mr. Kirchhoff thought the design had improved with the reduction of width. He suggested lowering a portion of the roof that connected the main house and the garage. He thought the increase in the roof over the front entry was unsuccessful. He also suggested reducing the roof pitch of the cricket between the two main roofs. He was not in favor of the north façade and thought it needed more character.

Mr. Corey thought the home was too big and lacked character. He thought the wing of the home with the chimney was interesting but then thought the garage design was lacking. He thought the details of the home could be improved. He thought the neighborhood analysis clearly showed how big the home would appear.

Ms. Shiverick thought the design was still too large. She liked some of the features in the previous design, like the pergola on the south elevation. She questioned the prominence of the chimney. She liked the dormers over the garage in the previous design. She also thought the windows on the second floor seemed too small. She was in favor of the Seagrape trees at the entrance. She was not in favor of the lights over the garage doors.

Ms. Connaughton agreed with many of the Commissioners. She liked some of the elements of the previous design and some of the new design. She was in favor of the pergola in the previous design. She thought the home was fat in the plan and thought some areas could be simplified and tightened up.

Mr. Corey thought the home was too big for a north end, mid-block home. Mr. Janssen stated that there were other two-story homes on the street.

Mr. Martin thought removing the massing in the current design helped the design. He thought the professional needed some clear direction.

Mr. Smith did not believe the design went in the right direction from the previous month. He thought the façade needed work. He was not in favor of the mass over the front entry.

Mr. Karakul pointed out the bulk in the design.

Mr. Kirchhoff suggested losing the second-floor space over the garage.

Ms. Shiverick suggested looking for inspiration in the design of 217 Mockingbird Trail.

**Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project to the November 20, 2023, meeting to allow the professional to consider the comments from the Commissioners. Motion carried unanimously, 7-0.**

9. **ARC-23-107 (ZON-23-077) 162 E INLET DR** David and Jill Shulman, have filed an application requesting Architectural Commission review and approval for the construction of enclosed additions and a rear awning requiring a variance to exceed maximum allowed Cubic Content Ratio (CCR), fenestration modifications, and rear yard landscape and hardscape modifications, including the construction of a new pool. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Karakul and Ms. Connaughton.

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

Patrick Segraves, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

Don Skowron, BGS Landscape Architecture & Engineering, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Corey found the addition to be not in keeping with the house, especially since the home was at the top of the allowable CCR. He stated he could not support the addition. He thought the front door, fenestration, and landscaping were okay. Mr. Segraves stated that the owners never used the balcony and hoped the change would look like an enclosed sleeping porch.

Ms. Catlin thought the rear of the home was not connected to the front of the home.

Mr. Kirchhoff was not in favor of the balcony addition. He recommended a flat roof with a parapet on top of the addition. He thought the pergola should be lower than the roof eve.

Ms. Shiverick favored the existing arched windows and did not believe the proposed non-mullioned windows were appropriate. She also was not in favor of the proposed height of the pergola. She thought the arched doors on the front elevation should be renovated to become a front door.

Ms. Connaughton agreed with Ms. Shiverick's assessment of the arched doors. She thought the stone on the balcony was a bit heavy; she recommended changing the material to a wood product. Mr. Segraves described the issue with all the doors on the rear elevation. Ms. Connaughton thought the loss of the arched doors was a loss in the home's character.

Mr. Martin thought the redesign was not nearly as charming as the existing home. He questioned the pergolas as proposed.

Mr. Corey agreed and thought the changes were going in the wrong direction. He wondered if a denial was appropriate.

**Motion made by Mr. Kirchhoff and seconded by Mr. Corey to defer the project to the November 20, 2023, meeting to allow the professional to consider the comments from the Commissioners. Motion carried unanimously, 7-0.**

10. **ARC-23-074 (ZON-23-061) 100 WORTH AVE (COMBO)** The applicant, The Winthrop House, has filed an application requesting Architectural Commission review and approval for an exterior renovation to an existing seven-story residential building including the installation of new storefronts at the ground level, new stucco, repairs and paint finishes to all elevations, the removal of exterior brick finish materials along all façades, the installation of new metal balconies guardrails along all balconies, removal and replacement of balustrade parapet at rooftop, sitework including new surface material, removal of existing drive aisle and parking lanes, new landscaping, modifications to the existing porte-cochere, and new pedestrian gates and a new vehicular gate; and including a variance for the removal of on-site parking. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

    ***Clerk's note: This item was deferred to the October 25, 2023, meeting at Item V., Approval of the Agenda.***

11. **ARC-23-033 1440 S OCEAN BLVD**. The applicant, 1440 South Ocean Trust (Ronald Kochman, Trustee), has filed an application requesting Architectural Commission review and approval for a new 2-story residence over 10,000 square feet and accompanying hardscape, landscape, pool, site walls and gates.

    ***Clerk's note: This item was deferred to the October 25, 2023, meeting at Item V., Approval of the Agenda.***

12. **ARC-22-241 (ZON-23-002) 624 ISLAND DR (COMBO)**. The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new rooftop clerestory projection enclosing an existing open-air interior courtyard to an existing two-story residence including variances from building height, lot coverage and Cubic Content Ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

    ***Clerk's note: This item was deferred to the October 25, 2023, meeting at Item V., Approval of the Agenda.***

*Clerk's note: A lunch break was taken at 12:50 p.m. The meeting resumed at 2:00 p.m. Mr. Martin returned at 2:04 p.m.*

## B. MAJOR PROJECTS-NEWBUSINESS

1. **ARC-23-120 (ZON-23-088) 1600 S OCEAN BLVD (COMBO).** The applicant, PB Pavilion Trust (Michael Vineberg, Robert G. Simses and Peter Flanagan, Trustees), has filed an application requesting Architectural Commission review and approval for one-story additions to an previously approved two-story residence, including an addition in the required side (north) yard setback, raising the roof parapet height in the required side (north) yard setback, and an addition in the required side (south) yard setback. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

   Ms. Pardue provided staff comments on the project.

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

   Harold Smith, Smith and Moore Architecture, Inc., presented the architectural plans proposed for the addition to the existing residence.

   JP Molyneux, Molyneux Interiors & Decoration, commented on the proposed architecture.

   Mr. Smith called for public comment. No one indicated a desire to speak.

   Mr. Corey was confused about the presentation; he asked to see what had been approved in the plan. Mr. H. Smith discussed the new items in the proposed plans. Mr. Corey asked about the variances for the new items.

   Maura Ziska, attorney for the applicant, explained the requested variances and advocated for a positive recommendation to the Town Council.

   Mr. Corey asked about the new location for the cooling tower. Mr. H. Smith showed the Commission the new location. Mr. Corey wondered if the variances could be reduced if the garage was moved to the south. Mr. H. Smith explained why that was not possible. Mr. Corey thought the entire plan was overdone.

   Mr. Kirchhoff recommended raising the band on the addition. He was glad that the cooling tower was being moved. Mr. Kirchhoff also recommended adding balustrades to allow the terrace to be used. Mr. H. Smith stated he could make that change.

   Ms. Shiverick agreed that the variance requests were minor. She thought the changes were fine but warned that the home should not return for any more changes. She wondered what the previous space for the cooling tower would become. Mr. H. Smith responded. Ms. Shiverick liked the entry and garage space as proposed. Ms. Shiverick asked about the material to be used for the folly that would house the cooling tower. Messrs. H. Smith and Molyneux outlined the folly.

   Mr. Smith stated he was shocked to see the variance requests on the large lot. He was not in favor of the parapet or the pergolas. He thought the plan was

aggressive. He wondered if the professional considered moving the tennis court towards the lake. He stated he could not support the request.

Mr. Kirchhoff wondered if the kitchen variance could be eliminated. Mr. H. Smith responded.

Mr. Corey agreed with Mr. Smith and wondered why variances were needed on such a large site.

Ms. Pardue stated that the cooling tower would need to be approved separately since it was not included in the original application.

**Motion made by Mr. Kirchhoff to approve the project as presented with the change in the banding around the front entrance and the addition of the balustrade around the upper terrace. Motion failed for lack of a second.**

**Motion made by Mr. Kirchhoff and seconded by Mr. Corey to defer the project to the November 20, 2023, meeting to allow the professional to consider the comments from the Commissioners. Motion carried unanimously, 7-0.**

*Clerk's note: Mr. Karakul returned at 2:45 p.m.*

2. **ARC-23-117 (ZON-23-091) 341 PERUVIAN AVE (COMBO).** The applicant, Villa Giardino Land Trust (Jeff and Elizabeth Louis), has filed an application requesting Architectural Commission review and approval for the construction of a new fabric tent and package receptacle requiring a front setback variance, and the construction of a new masonry screening wall for the installation of a new generator and air conditioning equipment, requiring a wall height variance. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Jaime Torres Cruz, Fairfax & Sammons, presented the architectural modifications proposed for the existing residence.

Mr. Smith called for public comment. No one indicated a desire to speak.

Ms. Shiverick thought the carport element, as proposed, was charming. She fully supported the project. She also thought there was an existing hardship, so she supported the variance request. She requested that the red tent color would match the barrel tile.

Mr. Martin thought the design was creative and a gift to the street.

**Motion made by Mr. Martin and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0.**

**Motion made by Ms. Shiverick and seconded by Mr. Martin that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

3. **ARC-23-121 (ZON-23-094) 428 SEABREEZE AVE (COMBO)**. The applicants, Dr. Chauncey Crandall and Deborah Crandall, have filed an application requesting Architectural Commission review and approval for the design of a new two-story single-family residence and sitewide landscape and hardscape improvements, requiring a Special Exception and Site Plan Review for the redevelopment of a non-conforming lot and variances to reduce setback requirements and to not provide garage parking. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

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

Patrick Segraves, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Corey thought the project was interesting. He asked if the height of the floors would be increased. Mr. Segraves responded and discussed how the heights would be increased. Mr. Corey asked about the material for the windows and doors. Mr. Segraves responded. Mr. Corey expressed concern about replacing the thin French doors on the second floor.

Ms. Shiverick wondered if it would be more cost-effective to renovate the existing home. She was in favor of the new landscape plan. Mr. Segraves discussed why the home was being reconstructed and the interior changes that would occur in the new plan.

Mr. Kirchhoff asked about the material to be used on the sleeping porch. Mr. Segraves discussed the material to be used.

Ms. Connaughton asked about the steps on the front that were being proposed. Mr. Segraves described the proposed steps. Ms. Connaughton thought the steps should be straight, squared off, and of brick material.

Ms. Catlin liked the plans for the home; however, she pointed out the lack of storage in the plan.

Mr. Martin thought the existing entry should be reconstructed. He was not in favor of the curvature in the proposed stairs. Mr. Segraves agreed.

Mr. Smith called for public comment. No one indicated a desire to speak.

**Motion made by Mr. Karakul and seconded by Mr. Martin to approve the project as presented, with the condition that the front steps shall be squared and of brick material. Motion carried unanimously, 7-0.**

**Motion made by Mr. Karakul and seconded by Mr. Corey that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

## C. MINOR PROJECTS - OLD BUSINESS

1. **ARC-23-084 286 ORANGE GROVE RD**. The applicant, Harry M. & Deirdre Harnett Shaw, has filed an application requesting Architectural Commission review and approval for a first-floor expansion of an existing two-story residence, redesign of front door, all new impact rated exterior doors and windows, minor hardscape reconfiguration, pool reconfiguration.

   Ms. Pardue provided staff comments on the project.

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

   Yiannis Varnava, Varnava Design Studio, presented the newly proposed front door for the existing residence.

   **Motion made by Mr. Karakul and seconded by Mr. Kirchhoff to approve the project as presented. Motion carried unanimously, 7-0.**

2. **ARC-23-103 308 ARABIAN RD** Conan and Brooke Laughlin, have filed an application requesting Architectural Commission review and approval for landscape and site modifications, including replacement of the existing driveway and the construction of a new spa and covered loggia with an outdoor fireplace in the rear yard.

   Mr. Hodges provided staff comments on the project.

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

   Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

   Caroline Forrest, MHK Architecture, reviewed the changes to the accessory structures in the rear of the yard.

Mr. Corey asked about access to the loggia from the cabana. Ms. Forrest responded. Mr. Corey thought the loggia looked heavy and not elegant; he thought the element needed some whimsy.

Mr. Kirchhoff suggested making the loggia a bit thinner and thinning the columns. Ms. Forrest stated she matched the columns on the current residence. Mr. Kirchhoff recommended making the columns more of the size on the second-floor balcony.

Ms. Shiverick thought the decorative wall inside the loggia needed something decorative. Ms. Forrest agreed. Ms. Shiverick recommended lowering the roof to appear lower than the cabana.

Mr. Smith wondered about adding a tent with curtains between the two buildings. He thought it would be very whimsical.

Mr. Martin suggested a lean-to rather than a loggia. A discussion ensued about the possible solutions.

Mr. Kirchhoff suggested lowering the roof and adding a beam and a cedar ceiling.

Ms. Connaughton thought the project was fine. She suggested adding a smaller column in the middle of the loggia.

Ms. Catlin was bothered by the two peaked roofs; she suggested a flat roof that mimicked a trellis.

Mr. Corey suggested an open wood pergola rather than the proposed pitch roof.

**Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project to the October 25, 2023, meeting.**

Ms. Forrest asked if the landscaping could be approved so that work could continue.

Ms. Shiverick asked about the driveway replacement. Mr. Meyer responded.

**Motion amended by Ms. Shiverick and seconded by Mr. Corey to approve the landscape and hardscape portion of the project and to defer the loggia portion of the project to the October 25, 2023, meeting. Motion carried unanimously, 7-0.**

*Clerk's note: Mr. Karakul left the meeting at 3:29 p.m.*

3. **ARC-23-110 (ZON-23-079) 2773 S OCEAN BLVD** Carlyle House Condominium, has filed an application requesting Architectural Commission review and approval for demolition and redesign of the existing north and south parking areas with new hardscape, installation of two new pedestrian entrance canopies, new exterior proposed stair, gate

and wall improvements, and modifications to existing modifications address identification monument signage in the public r-o-w swale, including variances from lot coverage, landscape open space and monument signage requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

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

Don Skowron, BGS Landscape Architecture & Engineering, presented the plans for the proposed entrance canopies.

Mr. Corey asked about the columns for the awning. Mr. Skowron explained the material of the columns and how they would be sitting on the pavement. Mr. Corey asked about the awning and how it would look and drain water. Mr. Skowron responded. Mr. Corey thought the proposal was a vast improvement on the previous proposal.

Ms. Connaughton asked to see the rendering of the proposed with the whole building. Mr. Skowron stated he did not have that image. Ms. Connaughton asked about the location of the front doors compared to the awning. Mr. Skowron responded. Ms. Connaughton stated she would have preferred to have seen something made of concrete and more in the mid-century design style. Mr. Skowron discussed the budget limitations for the project.

**Motion made by Mr. Kirchhoff and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0.**

4. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO)**. The applicant, LR PALM HOUSE, LLC., has filed an application requesting Architectural Commission review and approval for modifications to previously approved improvements at the site, including the relocation of mechanical equipment to the roof, the construction of new site walls, parapet alterations, and pool deck lighting, requiring a variance for rooftop air conditioning equipment height and requiring Site Plan Review. This is a combination project that shall also be reviewed by Town Council as it relates to the zoning relief/approval.

   ***Clerk's note: This item was deferred to the October 25, 2023, meeting at Item V., Approval of the Agenda.***

## D. MINOR PROJECTS-NEWBUSINESS

1. **ARC-23-114 354 CHILEAN AVE, VILLA A.** The applicants, Samuel and Leslie Dashiell, have filed an application requesting Architectural Commission review and approval for the installation of a new pedestrian gate visible from a right-of-way.

   Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Corey and Mses. Catlin and Connaughton.

Samuel Dashiell, the owner, presented the photographs of the pedestrian gate proposed for the existing residence.

Mr. Smith called for public comment.

Lynn Splawn, 354 Chilean Ave, discussed the items that existed that had not been approved. She indicated that the gate had not been approved by the board of the condominium.

Mr. Smith stated that to obtain a permit, board approval would be necessary. He asked that the Commissioners focus on the architecture of the gate.

Mr. Corey asked to see the previously existing gate. Staff showed the previous gate. Mr. Corey was in favor of the previous gate. He recommended creating a gate like the balcony railings with a panel for privacy. He thought the proposed gate was not in keeping with the architecture and questioned the height of the door above the pilasters. He stated he could not support the current proposal.

Mr. Dashiell stated he would replace the gate if that were the Commissioners' request.

Mr. Kirchhoff also thought the gate was too tall with the existing piers. He asked the applicant to return with something more in keeping with the building.

**Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to defer the project to the October 25, 2023, meeting to return with a gate more in keeping with the building. Motion carried unanimously, 7-0.**

Mr. Dashiell asked the Commission for further direction. The Commissioners provided further comments.

2. **ARC-23-119 266 FAIRVIEW RD**. The applicant, Linda Fennell, has filed an application requesting Architectural Commission review and approval for landscape modifications and a driveway reconfiguration.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Corey and Mses. Catlin and Connaughton.

Todd MacLean, Todd MacLean Outdoors, presented the landscape and hardscape modifications proposed for the site.

Ms. Shiverick asked about the removal of the west Bottlebrush tree; she thought something with a canopy was needed to replace the tree. Mr. MacLean responded by discussing the tight space and the reason for the change.

Mr. Corey understood the concern with the existing driveway. Mr. Corey thought the tree removed was a beautiful specimen. Mr. Corey asked if the Bottlebrush tree on the east would grow. He also asked about matching the material in the driveway. Mr. MacLean responded.

Ms. Catlin supported the reconfiguration. She wondered if a car could be parked in the space on the side of the driveway. Mr. MacLean responded.

**Motion made by Mr. Corey and seconded by Mr. Martin to approve the project as presented. Motion carried unanimously, 7-0.**

3. **ARC-23-125 700 S COUNTY RD**. The applicant, Paul Kozloff, has filed an application requesting Architectural Commission review and approval for the installation of a new "S" tile roof.

Mr. Hodges provided staff comments on the project.

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

Roy Rodriguez, an employee of the Kozloffs, presented the roofing material replacement for the existing roof. Mr. Rodriguez showed the Commission samples of the existing and proposed materials.

Ms. Shiverick asked if Mr. Rodriquez had searched for the existing roof material for the replacement and wondered if the owner would replace the roof material with barrel tile. Mr. Rodriguez discussed the budget issues.

Martin Klein, attorney for the Kozloffs, stated they would comply with the Commission's request. However, since the proposal was an in-kind replacement, they thought they would search for similar material. Mr. Klein stated he understood that barrel tile was preferred.

Mr. Kirchhoff did not believe the s-tile material was appropriate for the estate section.

Ms. Catlin understood that the s-tile material was not an inferior project. However, she also understood there was a style preference for architecture. Since the existing home was approved with the s-tile, she believed the in-kind material request was appropriate.

Mr. Corey thought the proposed image of the s-tile material looked like plastic. However, the samples looked a bit different. He wondered if the sample was made in a multi-toned color. Mr. Rodriquez showed a photograph of the multi-colored s-tile. Mr. Corey supported the s-tile in a dual shade.

Mr. Kirchhoff thought the sample of the s-tile looked too big.

Ms. Shiverick thought regular barrel tile material would improve the look of the home, especially since the home was in the estate section.

**Motion made by Mr. Martin and seconded by Mr. Corey to defer the project to the October 25, 2023, meeting to study different tile roofing materials.**

A discussion ensued about the motion. Mr. Hodges indicated that the project could be approved by staff, in coordination with the Chair, if they proposed barrel tile.

**Motion carried 5-2, with Ms. Catlin and Mr. Smith dissenting.**

4. **ARC-23-129 220 ONONDAGA AVE** . The applicant, Peter E Sayer, has filed an application requesting Architectural Commission review and approval for sitewide landscape and hardscape modifications.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by Mr. Corey and Mses. Catlin and Shiverick.

Andres Paradelo, Paradelo Burgess Design Studio, presented the landscape and hardscape modifications proposed for the site.

Mr. Corey asked about the replacement material. Mr. Paradelo responded.

Mr. Smith called for public comment.

Peter Sayer, the owner, discussed the reason for the change in fencing material. He indicated that he believed the pool contractor obtained the required permit when he installed the fence.

Susan Gary, 229 Onondaga Avenue, discussed how she was an affected neighbor and could barely see the fence from the front of the property. She added her support for the Sayers in allowing them to keep the installed fence.

Bill and Anne Metzger, 277 Esplanade Way, inquired about the landscape plan at the southwest corner of the property. Mr. Paradelo discussed the plans to remove the existing Bird of Paradise. Ms. Metzger asked for the specimen to be cleaned up. Mr. Metzger asked if landscaping would be installed to shield their view of the long fence. Mr. Paradelo responded and discussed the potential of installing landscaping at the back of the site.

Mr. Corey wondered if notice was given to the neighbors, to which Mr. Hodges provided confirmation. Mr. Corey stated he was concerned since many residents were not in town. Mr. Corey was not in favor of the PVC fencing material, especially without any mitigation for the neighbors. He questioned the Gumbo Limbo trees proposed.

Ms. Catlin wondered if the fencing could be pulled in to allow landscaping material to be added for screening.

Ms. Shiverick asked about the proposed driveway material. Mr. Paradelo showed the Commission material samples. Ms. Shiverick asked about the hardscape in the rear yard. Mr. Paradelo stated the material was travertine.

Mr. Kirchhoff wondered why a beige-colored travertine was not used in the driveway. He was not in favor of pulling the fencing in to place landscaping on the exterior due to maintenance issues. He stated he was willing to accept the fence as installed.

Mr. Smith stated that the neighbors also accepted the fencing material as installed.

Mr. Corey was concerned that there could be some additional neighbors that did not support the project.

Mr. Kirchhoff asked about where each neighbor lived in relation to the site. Mr. Paradelo responded.

Ms. Shiverick wondered if the driveway could be approved with a lighter material to match the hardscape in the rear of the home. Mr. Paradelo stated the hesitation with the lighter material was future tire marks. Ms. Shiverick wondered if a one-month deferral for the fence would be appropriate to allow all neighbors to comment. Mr. Smith reminded the Commission that the owner was being fined daily.

Mr. Metzger stated that the neighbor to the south expressed concern to him about her lack of privacy with the removal of the hedge.

Ms. Pardue confirmed the project was noticed by the applicant.

Mr. Sayer stated the neighbor to the south stated she would have been in attendance to support the project had she not been traveling.

**Motion made by Mr. Corey to defer the project to the October 25, 2023, meeting to allow the professional to return with material samples for the front driveway, as well as the Town to suspend any fines being placed on the property while the Commission is addressing the issue.**

Ms. Pardue stated she could make the request but could not confirm the fines would be suspended. Mr. Paradelo stated that they had asked Code Enforcement to hold the fines; however, they said they would not stop the fines until the project had been resolved.

A discussion ensued about whether Code Enforcement would stop the fines. Town Attorney Randolph weighed on the request to abate the fines.

Ms. Catlin thought the Town should work with the residents in this instance.

Mr. Corey thought the Commission should look at the architecture as a whole

when making their decision. He did not believe the Commission should be pressured into deciding due to the ongoing fines.

**Motion amended by Mr. Corey to defer the project to the October 25, 2023, meeting to allow the professional to return with material samples for the front driveway and different options for the fencing material.**

Ms. Connaughton wondered if the shape of the driveway could also be studied.

**Motion seconded by Ms. Shiverick. Motion carried 5-2, with Mr. Kirchhoff and Ms. Catlin dissenting.**

## XI. UNSCHEDULED ITEMS

**A. Public**
There were no comments heard at this time.

**B. Staff**
There were no comments heard at this time.

**C. Commission**
There were no comments heard at this time.

## XII. NEXT MEETING DATE – Wednesday, October 25, 2023

## XIII. ADJOURNMENT

**Motion made by Mr. Martin and seconded by Ms. Catlin to adjourn the meeting at 5:03 p.m. Motion carried unanimously, 7-0.**

The next meeting will be held on Wednesday, October 25, 2023, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

acting chair

Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

# CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

**Application Number and Title:** ARC-23-099, 274 Monterey Road

**Address:** 274 Monterey Road
**Applicant:** Morton Pierce
**Architect:** MP Design + Architecture.
**Project Description:** New two story single family residence

The above request has been denied by the Architectural Review Commission for the following reasons:

___ (1) The plan for the proposed building or structure is not in conformity with good taste and design and in general does not contribute to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.

___ (2) The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment more desirable.

___ (3) The proposed building or structure is, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

___ (4) The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the Comprehensive Plan.

___ (5) The proposed building or structure is excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following

features of exterior design and appearance:

a. Apparently visibly identical front or side elevations;

b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or

c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.

___ (6) The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

a. Height of building or height of roof.

b. Other significant design features including, but not limited to, materials or quality of architectural design.

c. Architectural compatibility.

d. Arrangement of the components of the structure.

e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.

f. Diversity of design that is complimentary with size and massing of adjacent properties.

g. Design features that will avoid the appearance of mass through improper proportions.

h. Design elements that protect the privacy of neighboring property.

X (7) The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any

* Correction - this is #8 in TOPB code. form is out-of-date and will be corrected. KMC

public or private way (except alleys).

___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

___ (9) The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on September 27, 2023

TOWN OF PALM BEACH

Chairman, Architectural Commission

DENIALcriteriaFORM