



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, AUGUST 28, 2024

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting once it has concluded may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. **CALL TO ORDER**

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

II. **ROLL CALL**

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	ABSENT (Unexcused)
Betsy Shiverick, Member	PRESENT
Kenn Karakul, Member	PRESENT (left the meeting at 1:18 p.m.)
Elizabeth Connaughton, Member	PRESENT
Katherine "KT" Catlin	PRESENT
Claudia Visconti, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT (left the meeting at 4:16 p.m.)
David Phoenix, Alternate Member	PRESENT
Maisie Grace, Alternate Member	PRESENT

Staff Members present were:

Friederike Mittner, Design and Preservation Manager
Sarah Pardue, Design & Preservation Planner
Bradley Falco, Design & Preservation Planner
Kelly Churney, Acting Town Clerk
Assistant Town Attorney Lainey Fransisco

III. **PLEDGE OF ALLEGIANCE**

Chair Smith led the Pledge of Allegiance.

IV. **APPROVAL OF MINUTES**

A. Minutes of the Architectural Review Commission Meeting of July 24, 2024

A motion was made by Mr. Floersheimer and seconded by Ms. Shiverick to approve the minutes of the July 24, 2024, meeting as presented. The motion was carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Ms. Pardue indicated the following amendments to the agenda: The project ARC-24-0034 336 Australian Avenue W. had been withdrawn from the agenda as they had reached an agreement with their neighbor. She added that an administrative application would be required for the changes before the project moved to the Town Council.

A motion was made by Mr. Floersheimer and seconded by Mr. Karakul to approve the amended agenda. The motion was 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. Floersheimer wondered if the agenda packet the Commissioners received before the meeting could be separated into smaller segments. He stated that the packet he received was overwhelming and took a long time to load on his computer.

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

No one indicated a desire to speak at this time.

IX. **DISCUSSION ITEMS**

1. Presentation by Jones Foster Regarding Meeting Procedure

Assistant Lainey Francisco presented several topics to the Commissioners, which included quasi-judicial proceedings, Florida's Sunshine Law, and Public Records. She answered questions from the Commissioners as needed.

X. **CONSENT AGENDA**

1. **ARC-24-0056 255 PLANTATION RD.** The applicant, Patricia Rigsby (General Contractor), has filed an application requesting Architectural Commission review and approval for exterior alterations to replace existing columns, remove decorative element in pediment, remove decorative metal door, remove transom, and replace front door with single pane glass all at residence's front entry.

Ms. Catlin requested that the item be pulled from the Consent Agenda.

A. ITEMS PULLED FROM CONSENT AGENDA, IF NEEDED

1. **ARC-24-0056 255 PLANTATION RD.** The applicant, Patricia Rigsby (General Contractor), has filed an application requesting Architectural Commission review and approval for exterior alterations to replace

existing columns, remove decorative element in pediment, remove decorative metal door, remove transom, and replace front door with single pane glass all at residence's front entry.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

General Contractor Patricia Rigsby made the architectural presentation.

Ms. Catlin expressed concern for the changes, thinking they were too contemporary for the street and altered the home significantly. She thought the loss of the pediment and the change to the single columns did not enhance the home. Ms. Rigsby responded. Ms. Catlin stated that she could not support the changes.

Ms. Connaughton asked about the changes to the door and the pediment. Ms. Rigsby responded. Ms. Connaughton stated that she could not support the changes.

Mr. Floersheimer agreed with his fellow Commissioners. He added that he did not favor PVC shutters and questioned the lighting as proposed. He thought the front door was too plain for Palm Beach. Ms. Rigsby thought the homeowner would be open to the Commissioner's comments.

Ms. Shiverick agreed with her fellow Commissioners. She thought the character was being removed from the home. She questioned the change to the pediment and added that it was not as pleasing as the original design.

Ms. Grace agreed and thought the removed items took away the home's character.

Mr. Smith objected to the LED strip lights on the steps because he thought they looked too commercial. He agreed with the other commissioners' comments.

A motion was made by Ms. Connaughton and seconded by Ms. Shiverick to deny the project based on Code's Section 18-205 (a) 1. The motion was carried 5-2, with Ms. Catlin and Mr. Floersheimer dissenting.

XI. PROJECT REVIEW

A. MAJOR PROJECTS-OLDBUSINESS

1. **ARC-24-0023 (ZON-24-0010) 515 NORTH LAKE WAY (COMBO)** The applicant, JORDAN GRETCHEN S TRUST (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for the construction of a new one-story single-family residence with final hardscape and landscape, a special exception to develop the existing nonconforming lot, and one variance 1)

to exceed the permitted angle of vision. This is a combination project that shall be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Zack Busman of Dailey Janssen Architects made the architectural presentation.

Ms. Grace wondered if the professional brought pictures of the adjacent property.

Dustin Mizell of Environment Design Group showed the Commissioners a plan for the adjacent property and presented the landscape and hardscape.

Ms. Grace asked about the colors for the home. Mr. Busman responded.

Mr. Floersheimer liked the changes to the entrances. He thought the roof plan looked complicated.

Ms. Shiverick questioned the amount of fenestration on the east and west sides. She also recommended changing the windows from black to a softer color. She asked about the embellished frieze. Mr. Busman responded and explained the reason for the design.

Ms. Catlin thought the changes were good and liked the new garden created by relocating a door. She thought the roof lines added to the home's charm. She agreed that the window color could be lightened.

Ms. Grace stated that Ms. Shiverick raised the fenestration issues at the previous meeting.

Ms. Connaughton also thought the roof line helped with the character. She thought the roof seemed a bit tall, which appeared less elegant than it could be. She questioned the scale of the home and felt the front entry seemed a little clumsy. She agreed that the window color could be lightened.

Ms. Visconti thought the frieze was still an issue. She agreed that the black windows and gates were too modern. She asked about the hardscape proposed, which Mr. Mizell addressed.

Mr. Phoenix thought the color was drab and already seemed dated. He was not a fan of the black-and-white awnings. He questioned the proposed lighting and added that he could not support the project.

Mr. Smith thought the home was uninspiring and did not believe it contributed to Palm Beach.

Ms. Grace requested that images of the adjacent home be included in the next presentation if the project was deferred.

Ms. Visconti thought trying to match a neighboring home was hurting the design.

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

A motion was made by Ms. Shiverick and seconded by Mr. Floersheimer to defer the project to the meeting on October 23, 2024, with a restudy of the following items: the height of the home, frieze, colors of the gate and windows, and the sconces. The motion was carried unanimously, 7-0.

2. **ARC-24-0011 (ZON-24-0006) 1741 S OCEAN BLVD (COMBO)** The applicant, Maura Ziska (attorney), in conjunction with SKA Architect + Planner, has filed an application requesting Architectural Commission review and approval for partial second-floor demolition, construction of an expanded second floor on a single-family residence including variances from setbacks, open space requirements, and lot coverage. Additional components of the request include a new covered terrace area, interior renovation, and replacement of the swimming pool with a smaller version. This is a combination project that shall be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications. *Please note: Ms. Visconti declared a conflict of interest and left the dais.*

Jacqueline Albarran of SKA Architect + Planner introduced the owner, Lynne Wheat.

Owner Lynne Wheat introduced herself and discussed her intentions with the new home.

Ms. Albarran made the architectural presentation. Jorge Sanchez of SMI Landscape Architecture made the landscape and hardscape presentation.

Mr. Karakul liked the addition and thought it was sensitively designed. He questioned the front door, the arch, and the windows above the front door. Ms. Albarran stated the arch could remain. Mr. Karakul thought the existing arch was not attractive.

Mr. Phoenix thought the changes were beautiful and enhanced the neighborhood. He supported the pergola and thought the changes were attractive.

Ms. Connaughton thought the addition was attractive. She liked the existing muntin pattern on the existing fenestration; she wished the pattern could continue throughout the entire fenestration. She requested an increase in the column sizes on the rear of the home to align with the entablature. She also asked that the circle windows by the front door on the front elevation be slightly lifted. She questioned how the addition was recessed from the main home. Ms. Albarran explained her design.

Ms. Shiverick thought the proposed design looked better than the existing home. She agreed with Ms. Connaughton on the rear column sizes and thought they could be increased. She appreciated the increase of green in the landscaping.

Mr. Floersheimer agreed with the other commissioners. If shutters were added, he thought they should cover the windows. He asked a question about the variance request. Ms. Albarran responded.

Attorney Maura Ziska explained the variance requests.

Ms. Grace thought the changes fit into the neighborhood well and were attractive.

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

Ms. Albarran stated she would add a muntin to the fenestration.

A motion was made by Mr. Floersheimer and seconded by Ms. Catlin to approve the project as presented with the following conditions: the rear center columns will be increased in size, the front circular windows shall be slightly raised, no shutters shall be added to the rear second-floor fenestration, and an additional muntin shall be added to the first-floor windows with the changes administratively approved by the staff, in coordination with the chair. The motion was carried unanimously, 7-0.

A motion was made by Mr. Floersheimer and seconded by Ms. Catlin that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried unanimously, 7-0.

3. **ARC-23-155 160 SEAVIEW AVE.** The applicant, Coral Beach Corporation (Angela Feldman, President) & Seaview Holdings, Inc (David Feldman, Director), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story guest wing and detached

cabana structure with associated hardscape and landscape and swimming pool improvements. *This item has been deferred to the September 25, 2024, meeting.*

Clerk's note: This item was deferred to the meeting on September 25, 2024, at Item V. Approval of the Agenda.

B. MAJOR PROJECTS-NEWBUSINESS

1. **ARC-24-0025 2273 IBIS ISLE RD.** The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story single-family residence with final hardscape, landscape, and swimming pool.

Mr. Falco provided staff comments on the project.

Mr. Floersheimer and Ms. Grace disclosed ex-parte communications.

Gregory Bonner of B1 Architect made the architectural presentation.

Mr. Floersheimer was in favor of the changes. He thought the stark colors were appropriate. He asked if the flat roof had roof drains and recommended increasing the roof pitch for drainage.

Mr. Phoenix asked to see the diamond pattern on the front door. Mr. Bonner showed an elevation. He questioned the muntin patterns on the fenestration and thought they were inconsistent. He questioned the lack of lighting and the covered dining pavilion. He recommended a bigger window in the master bedroom.

Ms. Catlin agreed with Mr. Phoenix and recommended that all trucks traverse over the Lake Worth Bridge rather than the Southern Bridge.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation.

Ms. Grace favored the signature trees and wondered if shade trees could be added near the street. Mr. Mizell responded. Ms. Grace thought the proposed design was quite heavy and questioned if it belonged in Palm Beach.

Mr. Karakul liked the home and thought the scale was fine. He liked the mix of the muntins in the fenestration on the home. He supported the project.

Ms. Shiverick liked the home and did not believe the design was too heavy. She thought it was appropriate for the neighborhood. She also supported the color of the fenestration. She liked the proposal of the Italian Cypress trees and thought they complimented the architecture.

Ms. Connaughton thought the front door surround seemed heavy; she wondered about the inspiration. Mr. Bonner responded. She agreed with Mr. Phoenix's comments on the muntin patterns. She questioned the roof plan for the second floor and the alignment of the front and back sections of the home. Mr. Bonner responded and explained the reason for the design. She also questioned the amount of glazing on the rear of the home. She wished a detail could be provided of the front door.

Ms. Visconti also requested to see a detail on the grill on the front door. She suggested covering the garage element on the west elevation with Confederate Jasmine. She also discussed the Italian Cypress and suggested alternate material if they were unsuccessful.

Mr. Karakul questioned the stone piers at the front entrance, wondering if they were necessary, especially for the neighborhood.

Mr. Phoenix wondered if the connection between the home and the garage could be stepped back with some added sconces. He suggested adding an awning over the second-floor windows to add charm. He wondered if a solid front door would be more appropriate. Mr. Bonner responded.

Ms. Connaughton suggested aligning the second floor with the rear loggia.

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

A motion was made by Mr. Floersheimer and seconded by Mr. Karakul to approve the project as presented with the following conditions: a roof drain shall be added, the pitch of the flat roof shall be increased, the stone piers at the front of the entrance shall be removed, the one story garage shall be stepped back from the two-story massing, the shade tree shall be moved westward on the site, muntins shall be added to windows on the east and west elevation on the second floor, the north elevation shall be aligned to match the right side of the second floor, and staff shall administratively approve the lighting and front door changes in coordination with the chair. The motion was carried 5-2, with Mses. Connaughton and Catlin dissenting.

Clerk's note: A short break was taken at 10:44 a.m. The meeting resumed at 11:01 a.m.

2. **ARC-24-0027 (ZON-24-0034) 203 S LAKE TRL (COMBO)**
The applicants, Darlene & Gerald Jordan, have filed an application requesting Architectural Commission review and approval for a new two-story single-family residence with one-story pool house and padel court, with final hardscape, landscape and swimming pool improvements; with (2) special exceptions required as it pertains to the proposed padel court and the location of a vehicular gate. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Randy Correll of RAMSA made the architectural presentation. Mario Nievera of Nievera Williams Design made the landscape and hardscape presentation.

Ms. Catlin thought the home presented as massive. She did not support the tower, service entrance, and Padel court. She did not believe the Padel court respected the neighborhood. She thought the home appeared as a large white box.

Ms. Visconti acknowledged the opposition of the entry next to Seabreeze Avenue. She thought a nice drive and motor court could be added to fit the program of the home. She thought the two wings added to the massiveness of the home. She was not supportive of the sports court. She thought the elements needed to be restudied.

Ms. Connaughton agreed with the comments of the other Commissioners. She thought the home was too tall, too big and too massive. She thought some of the details seemed clunky. She asked about the FEMA changes coming in December, to which Mr. Falco responded. She thought the home was out of place since it was adjacent to the sea streets. She stated that she could not support the project.

Mr. Phoenix could not support the tower element, Padel court, and the three curb cuts. He thought the home needed to be reduced in size.

Ms. Grace thought three entrances were excessive for the neighborhood. She also questioned the scale of the home. She suggested possibly breaking the home into separate elements and relocating the generator.

Mr. Smith did not have a problem with the size of the home; he thought it was like the existing home. He did not support the proposed tower and the style of the home. He thought the pool pavilions were too repetitive. He thought the drawings lacked charm. He suggested addressing the opposition from the homeowners on Seabreeze Avenue. He thought the Padel court and the generator location were not neighborly.

Ms. Shiverick asked if the pool pavilion was to remain. Mr. Nievera responded.

Ms. Grace was not in favor of the sports court, especially for the neighbors and pedestrians who walk the Lake Trail. Mr. Correll responded.

Mr. Karakul agreed with the Commissioners comments. He did not support the scale and mainly the tower element. He suggested studying the possibility of separating the main house and the pool pavilion elements.

Mr. Smith called for public comment.

Anne Pepper, 333 Seaspray Avenue, objected to the three curb cuts, the Padel court, and the generator's location. She thanked the Commissioners for their comments.

George Snelling, 439 Seaspray Avenue, objected to the location of the Padel court, especially since it was 10 feet from his home.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to defer the project to the meeting on October 23, 2024, for restudy. The motion was carried unanimously, 7-0.

3. **ARC-24-0048 1520 N OCEAN WAY** The applicant, Jennifer Beqaj, has filed an application requesting Architectural Commission review and approval for a second-story addition to an existing single-story residence with hardscape and landscape modifications at the main entry.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Patrick Segraves of SKA Architects + Planner made the architectural, landscape, and hardscape presentation.

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

Mr. Karakul thought the home looked nice and balanced. Mr. Floersheimer agreed.

Ms. Connaughton wondered about the windows and the centering them above the front door. Mr. Segraves stated that they would be centered but might not appear so in the renderings.

Mr. Phoenix asked about the design of the columns, to which Mr. Segraves responded. Mr. Phoenix also asked about exterior lighting, to which Mr. Segraves stated that none were proposed.

Ms. Shiverick thought the second story was a bit boxy; She suggested a Monterey railing or eave. She felt the rear fenestration could be evened out; she questioned the two smaller windows. She recommended the addition of landscaping.

Ms. Grace thought the renovation looked nice. She suggested reducing the windows on the front elevation on the second floor. Mr. Segraves responded. She liked the project and was in favor of the minimal lighting.

Ms. Connaughton agreed with Ms. Grace's and Shiverick's comments about the second floor. She suggested reducing the banding on the second floor by 4 inches and keeping the divided light of the windows the same as the existing ones.

A motion was made by Mr. Karakul and seconded by Ms. Catlin to approve the project as presented. The motion was carried 4-3, with Ms. Connaughton, Visconti, and Shiverick dissenting.

4. **ARC-24-0049 (ZON-24-0027) 2 S COUNTY RD (COMBO)** The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for the installation of padel sports courts with related improvements at the Breakers Tennis Center, requiring special exception, site plan review, and variances for deficient tennis court enclosure height and to exceed maximum light pole height permitted. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Jamie Crowley, the applicant's attorney, presented for the proposed Padel courts.

Mr. Smith wanted assurance that the views from the roads would be shielded by landscaping.

Ms. Catlin expressed her concern about landscape screening as the site was so visible. She wondered if landscaping could be added that would be tall enough to screen the existing structures.

Ms. Shiverick asked about the strip lighting around the court. Mr. Crowley stated that the hours of operation would be the same as the tennis facility. Ms. Shiverick asked about the shade sail for the Padel court, to which Mr. Crowley stated there were no shade sails for the court and confirmed that no strip lighting would be added to the Padel court.

Ms. Connaughton asked about the lighting proposed for the court. She expressed concern for light pollution and wondered if there was more appropriate lighting for the Padel courts.

Catalina Facundo of EDSA discussed the lighting proposed for the Padel court. Ms. Connaughton thought straight lighting would be preferred but expressed further concern about light pollution. Ms. Facundo responded.

Ms. Visconti expressed concern about the Sable palm and its slow growth rate. She asked about the height of the installation of the palms. Ms. Facundo

responded. Ms. Visconti asked about the construction screening requirement and what is existing on site. Mr. Falco responded and stated that Code Enforcement reviews the construction screening. Ms. Visconti asked about the landscape screening and height proposed. Mr. Crowley and Ms. Facundo responded. A discussion ensued about the proposed landscaping.

Mr. Smith asked about the color of the shade structures, to which Mr. Crowley responded that it was white.

Mr. Phoenix thought the area looked like a prison yard with lights. Mr. Crowley said the facility would be beautiful, and the fencing was approved. Mr. Phoenix recommended growing vines on the fencing.

Ms. Grace did not believe the palms were appropriate for screening. She wondered if a hedge could be tall enough to screen the items. Mr. Crowley responded and stated that The Breakers committed to screening the structures.

Ms. Catlin stated that Royal Poinciana Way and County Road should be screened from the structures; she added that Mr. Leone agreed to the condition. She had a hard time approving a proposal when the current landscaping plan was unclear.

Ms. Pardue read the previous approvals for the current project.

Mr. Floersheimer thought the Commissioners were not being fair since The Breakers had always been a great resident of the Town. He felt the points about the palm trees were valid; he wondered if a buttonwood hedge would be a good substitution. He expressed concern about the lighting and wondered if the brightness could be reduced. He asked that the lighting fixtures be shielded. He asked about the glass for the courts and wondered if it was impact and hurricane-proof. Mr. Crowley stated the items would have to meet specific requirements to receive a building permit.

Ms. Visconti suggested moving the path away from the court so that a green wall could enclose the court. Mr. Crowley agreed to that suggestion.

Ms. Grace asked about installing the landscaping for both the tennis and Padel courts. She wanted to ensure the landscaping was installed as soon as possible. Mr. Crowley stated that the goal was to complete it by December 2024.

Ms. Shiverick confirmed that the Town Council approved the Padel courts, to which Ms. Crowley responded. Ms. Shiverick restated that the courts would be screened, and the lighting would be fixed as suggested.

Mr. Smith thought the lighting should be consistent with the tennis court.

Ms. Connaughton also thought a tall hedge could screen the courts and lighting. Mr. Crowley responded.

Ms. Visconti confirmed that the 8 feet of Clusia plantings were to screen the road. Ms. Facundo discussed the hedge proposed for the Padel court and stated it could be raised. Ms. Visconti recommended using a 12-foot hedge and having the scallop around the lighting.

Mark Reed of The Breakers stated that they would make changes to screen the property as needed. He offered suggestions on how the site could be screened.

Ms. Grace asked about the trimming of the hedges. Mr. Reed responded and further discussed the lighting.

Mr. Floersheimer stated that landscaping should not be placed against the court and discussed why this was not advisable.

A motion was made by Mr. Floersheimer and seconded by Mr. Karakul to approve the project as presented. The motion was carried 5-2, with Mses. Catlin and Visconti dissenting.

5. **ARC-24-0052 (ZON-24-0033) 130 SEASPRAY AVE (COMBO)** The applicant, Kirchoff and Associates on behalf of Victor and Julia Tolkan, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with final hardscape landscape and swimming pool, requiring Special Exception with Site Plan Review approval to develop a nonconforming parcel with a variance required to reduce the number of required enclosed garage parking spaces. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Tom Kirchhoff of Kirchhoff Associates made the architectural presentation. Mario Nievera of Nievera Williams Design made the landscape and hardscape presentation.

Ms. Connaughton thought the house was cute. She thought the house would fit in nicely with the neighborhood. She preferred the fenestration proportions in the hand drawing and the two divided lights above the garage. She thought the brackets above the garage could be lightened up. She suggested a design element to tie the elements together. She recommended looking at the glazing on the rear elevation. She suggested changes to the stair element and a cedar shake roof.

Ms. Visconti thought the home was charming. She recommended using Cypress wood for the front door and Coral for the hardscape. Mr. Kirchhoff agreed with the suggestion for the front door.

Ms. Shiverick thought the house was fun. She was glad to hear the front door would be changed. She liked Ms. Visconti about the transition from the Coral to the hardscape. She recommended using the Coral on the driveway. She wondered if shutters should be added to the window above the garage. Mr. Kirchhoff responded. Ms. Shiverick liked the suggestion for the cedar shake roof.

Mr. Phoenix liked the project and the garage that was proposed. He thought it would be a great addition to the neighborhood.

Ms. Grace thought the project was nice. She thought the two elements seemed tall and wondered if they should be slightly lowered. She thought the Coral was a bit too formal for Seaspray. She liked the proposal of the wood door.

Ms. Visconti liked the wood door and thought the Coral was appropriate for the street. She suggested different sconces for the façade.

Mr. Nievera stated that the hardscape would be Coral.

Mr. Karakul thought the home was a great addition to the neighborhood.

Ms. Catlin thought the house was nice, and she liked the Cypress detailing. However, she thought the Coral element needed to be pulled in and recommended rough Coral.

Mr. Smith called for public comment.

Ann Jackson, 135 Seaview Avenue, expressed concern about the home's height and her lack of privacy.

Katie Pressly, 133 Seaspray Avenue, commended the professionals and the home's design. However, she expressed concern for the Coral portion of the house and recommended softening the design.

Steven Greenwald, 128 Seaspray Avenue, spoke about a new landscaping condition that the owner agreed to and asked for the condition to be placed into the record. He passed out a plan to the Commissioners that included the change.

Anne Pepper, 333 Seaspray Avenue, thought the coral's massing seemed large and stiff. She suggested allowing vines to grow onto it or that a railing be added.

Ms. Connaughton recommended adding white joints with the Coral, making the section more casual. Mr. Kirchhoff agreed to add Bougainvillea to the section.

A motion was made by Ms. Visconti and seconded by Mr. Karakaul to approve the project as presented, with the condition that the Green Buttonwood adjacent to the garage at 128 Seaspray Avenue shall be maintained at 10 feet in height. The motion was carried 6-1, with Ms. Connaughton dissenting.

A motion was made by Ms. Visconti and seconded by Ms. Connaughton that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried unanimously, 7-0.

C. MINOR PROJECTS - OLD BUSINESS

1. **ARC-24-0034 (ZON-24-0020) 336 AUSTRALIAN AVE W (COMBO) - VARIANCES** The applicant, Sharon Handler Loeb, has filed an application requesting Architectural Commission review and approval for site-wide landscape and hardscape modifications, installation of a generator and the relocation of pool equipment requiring variances. Town Council shall review the application as it pertains to zoning relief/approval.

Clerk's note: This item was removed from the agenda at Item V. Approval of the Agenda.

Clerk's note: A lunch break was taken at 1:18 p.m. The meeting resumed at 2:20 p.m. Mr. Floersheimer returned at 2:29 p.m. Mr. Karakul did not return.

2. **ARC-24-0022 (ZON-24-0014) 1246 N LAKE WAY (COMBO)- VARIANCES** The applicant, Myron, and Michelle Miller, has filed an application requesting Architectural Commission review and approval to enclose an existing covered patio with a variance to exceed the allowable Cubic Content Ratio. Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Mses. Catlin, Grace, and Mr. Phoenix disclosed ex-parte communications.

John Reed, of John Sherman Reed Architect, made the architectural presentation.

Mr. Phoenix thanked Mr. Reed for the changes to the shutters.

Ms. Visconti asked if the door's material would be wood or composite. Mr. Reed stated it would be composite. If changes were being made, Ms. Visconti recommended reducing the flying buttress.

Ms. Shiverick asked about the removal of the arches. Mr. Reed replied. Ms. Shiverick thought the arches looked nicer. A conversation ensued about the arches.

Ms. Connaughton thought much of the charm was being removed from the home. She also stated she did not support the variances. She recommended adding some landscape to the front of the home.

Ms. Grace liked the changes since the last presentation. She also preferred the arches and was not in favor of infilling the space. Mr. Reed discussed the reasons for the requests.

Ms. Visconti provided a suggestion as a compromise for the arches. She also recommended eliminating the scoring.

Ms. Catlin thought the proposed changes to the front elevation were reducing the charm and curb appeal. She wondered if the columns with the arches could be thinner.

A discussion of the design for the arches and columns ensued.

Ms. Connaughton asked if the roof had been approved. Mr. Reed stated that it had been approved. Ms. Connaughton wondered if the house was wood framed. Mr. Reed noted that the arches were wood framed. Ms. Connaughton thought the arches with the keystones were significantly more charming than the proposed.

Ms. Visconti asked about the shutters on the windows above the front door; she thought they were too thin.

Mr. Phoenix thought the drawings lacked detail. He was in favor of the arches.

Ms. Visconti suggested removing the shutters from the window over the front door and changing the sconces.

Ms. Pardue provided an update on previous approvals for the residence.

Ms. Grace thought the arches looked good throughout the home.

A conversation ensued.

A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the project with the conditions that the arches be reinstated in the proposal, the shutters over the front door window be removed, the sconces shall be changed, and the changes shall be administratively approved by the staff in coordination with the Chair. The motion was carried 6-1, with Ms. Connaughton dissenting.

Ms. Churney asked for public comment. No one indicated a desire to speak.

A discussion ensued about the variance for CCR. Mr. Falco clarified the CCR requirements for the property.

A motion was made by Ms. Connaughton that the implementation of the proposed variances will cause a negative architectural impact on the subject property. The motion failed for lack of a second.

A motion was made by Mr. Floersheimer and seconded by Ms. Shiverick that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried 5-2, with Ms. Connaughton and Mr. Smith dissenting.

3. **ARC-24-0032 (ZON-24-0028) 272 VIA MARILA (COMBO)** The applicant, Melissa Wight, has filed an application requesting Architectural Commission review and approval for a new vehicular gate, which requires one (1) variance to reduce the minimum driveway area in front of the vehicular gate. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation.

Melissa Wight, the owner, discussed the security need for the gate.

Ms. Grace noted that there were no gates in the area. She thought it would set a precedent, and gates made things less safe. She also thought the gate was not aesthetically pleasing.

Mr. Floersheimer asked about the color of the gate. Mr. Mizell responded. Mr. Floersheimer was empathetic but did not believe the gate was a solution. He also did not think it set a good precedent. He was not in favor of the gate.

Ms. Shiverick asked about the proposed curb cut width. Mr. Mizell responded. Ms. Shiverick wondered if an installed gate would prevent someone from walking through the landscaping. Mr. Mizell discussed the peace of mind it would provide the homeowner.

Ms. Visconti wondered if the apron could be straight to push the gate back on the property. Mr. Mizell discussed the site and possibilities with her. She did not believe the gate was attractive and wondered if it could be redesigned. Mr. Mizell stated he could bring back a more decorative gate.

Ms. Catlin was empathetic to the homeowner. She thought more landscaping would add more privacy, but she was not convinced that the gate was the solution for safety.

Ms. Grace thought maintaining the look of the north end was necessary for Palm Beach.

Ms. Connaughton said she usually would not support a gate but would consider it in this location. She thought angling the gate might provide a more direct view into the yard.

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

A motion was made by Ms. Catlin and seconded by Ms. Visconti to defer the project to the September 25, 2024, meeting. The motion was carried 5-2, with Ms. Shiverick and Mr. Floorsheimer dissenting.

4. **ARC-24-0001 640 ISLAND DR.** The applicant, 640 FLORIDA LAND TRUST BALLERANO HAMES A JR TR, has filed an application requesting Architectural Commission review and approval for modifications to an existing vehicular and pedestrian gate design. *This item has been deferred to the September 25, 2024, meeting.*

Clerk's note: This item was deferred to the meeting on September 25, 2024, at Item V. Approval of the Agenda.

D. MINOR PROJECTS - NEW BUSINESS

1. **ARC-24-0015 (ZON-24-0008) 253 SEMINOLE AVE (COMBO)** The applicant, Thomas Dagostino, has filed an application requesting Architectural Commission review and approval for an expanded pool deck and new awning shade structure, requiring variances related to landscape open space and lot coverage. The Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation.

Mr. Floorsheimer did not object to the awning. He questioned the additional need for the hardscape and reduction of the yard. Mr. Mizell stated he would remove the extra hardscape.

Ms. Visconti was not in favor of expanding the hardscape. She asked that the post for the awning be restudied and recommended something more decorative.

Ms. Connaughton agreed with Ms. Visconti about the post for the awning.

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

A motion was made by Mr. Floersheimer and seconded by Ms. Visconti to approve the awning portion of the project with a revised post to be administratively approved by the staff in coordination with the chair, and no additional hardscape to be approved. The motion was carried unanimously, 7-0.

A motion was made by Mr. Floersheimer and seconded by Ms. Shiverick that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried 5-2, with Ms. Connaughton and Mr. Smith dissenting.

2. **ARC-24-0030 (ZON-24-0015) 410 SEABREEZE AVE (COMBO)** The applicant, Deborah Glass, has filed an application requesting ARCOM review and approval for a second-floor addition to an existing two-story residence requiring setback and Cubic Content Ratio (CCR) variances. The Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Greg Poirier with Watermark Contractors, Inc. made the architectural presentation.

Ms. Catlin did not believe the changes enhanced the front elevation. She also struggled with the variance to increase the CCR. She thought the home would be one of the largest on the street.

Ms. Shiverick agreed with Ms. Catlin. She thought the addition detracted from the home's beauty and did not believe there was a hardship for the home.

Ms. Grace agreed with the other Commissioners. She thought the infill addition made the home less attractive.

Ms. Connaughton did not believe the addition would be useful. She agreed with the other members' comments.

Mr. Phoenix did not believe the closet would be useful to the homeowner and added that he could not support the project.

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

A motion was made by Ms. Shiverick and seconded by Ms. Connaughton to deny the project based on Code's Section 18-205 (a) 1. The motion was carried unanimously, 7-0.

3. **ARC-24-0051 250 SANDPIPER DR.** The applicant, Judith Guest (Environment Design Group), has filed an application requesting Architectural Commission review and approval for modification to a previously approved site wall and installation of a new generator.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation.

Mr. Floersheimer asked about the location of the chain-link fence posts. Mr. Mizell responded. Mr. Floersheimer asked about the two BBQ areas.

Ms. Grace supported the project.

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

A motion was made by Ms. Shiverick and seconded by Mr. Floersheimer to approve the project as presented. The motion was carried unanimously, 7-0.

4. **ARC-24-0029 (ZON-24-0023) 242 PARK AVE (COMBO)** The applicant, Rhonda Nasser, has filed an application requesting Architectural Commission review and approval for modifications to the first-floor fenestration and the addition of a swimming pool, requiring variances for pool setback, pool equipment setbacks, and pool equipment screening. The Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Daniel Clavijo, the applicant's architect, made the architectural presentation.

Ms. Connaughton asked to see the front elevation of the home. Mr. Clavijo responded. She was not supportive of the front fenestration changes. She did not have an opinion on the pool. She thought the bamboo was out of place.

Ms. Visconti asked if the front hedge could be trimmed lower by 3 feet. She also asked about the location of the previous pool equipment. There was a

discussion of a previous temporary pool. She asked about the proposed location for the pool equipment. Mr. Clavijo responded.

Mr. Floersheimer asked about the change to the front door change and the hardscape. Mr. Clavijo responded. Mr. Floersheimer was not in favor of the hardscape and acknowledged it was hard to determine the architecture with the unkept landscape in the front. He could not support the project as presented.

Ms. Shiverick did not support the variances or the change to the front door. Mr. Clavijo responded.

Mr. Phoenix could not support the variances and was not in favor of the change to the front door.

Ms. Visconti asked about the metal deck and wondered if the pool could be relocated or changed in shape to make it work. Mr. Clavijo responded.

The owner, Rhonda Nasser, discussed the reason for the design changes requested. She stated that she would change the hardscape if the Commission thought it appropriate.

Mr. Smith thought that everyone deserved a swimming pool in Palm Beach. However, he understood some of the concerns of his fellow Commissioners.

Ms. Catlin provided a suggestion to change the doors on the front, ones that would not be used as a main entrance. She recommended using something other than a wood fence. She also suggested using an enclosure that would reduce the noise from the pool equipment.

Mr. Smith recommended relocating the French doors on the side of the pool.

Ms. Visconti asked if a wall could be installed rather than a fence. Mr. Clavijo responded. A discussion ensued. Ms. Visconti was not in favor of the fountain on the pool.

Mr. Floersheimer asked about the metal deck in the rear of the home. Mr. Clavijo responded. Mr. Floersheimer wondered why the two front doors were not changed into one front door. Mr. Floersheimer wondered if the fences could be changed to be consistent. Ms. Nasser responded. Mr. Floersheimer recommended looking at the relocation of the pool or the equipment to eliminate one of the variances.

Clerk's note: Mr. Floersheimer left the meeting at 4:16 p.m.

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

A motion was made by Ms. Visconti and seconded by Mr. Phoenix to defer the project to the September 25, 2024, meeting for restudy of several items. The motion was carried unanimously, 7-0.

5. **ARC-24-0033 (ZON-24-0021) 1356 N OCEAN BLVD (COMBO)** The applicants, Gary & Kelly Pohrer, have filed an application requesting Architectural Commission review and approval for hardscape and landscaping improvements including the addition of a pergola requiring a variance. The application shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation.

Gary Pohrer, the owner, discussed the reasons for requesting a pergola.

Mr. Smith asked about the walkway off Seagate Road. Mr. Pohrer responded. Mr. Smith did not believe that the entrance would work and thought a landscaping opportunity was being missed.

Ms. Grace thought the changes were attractive and positive for the home.

Ms. Catlin agreed with Mr. Smith about the walkway. She wondered if the greenspace could be increased to remove the variance needed.

Ms. Visconti understood the concept but agreed that the walkway should be removed. She recommended adding vines to the pergola.

Ms. Shiverick agreed with the recommendation of the vines on the pergola.

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

A motion was made by Ms. Catlin and seconded by Mr. Phoenix to approve the project as presented, with the condition that vines shall be added to the pergola and that the proposed landscape be reduced so that the landscape open space requirement is met. The motion was carried unanimously, 7-0.

A motion was made by Ms. Visconti and seconded by Mr. Phoenix that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried unanimously, 7-0.

6. **ARC-24-0050 130 CLARENDON AVE.** The applicant, Mr. & Mrs. Harry Slatkin (MP Design & Architecture), has filed an application requesting Architectural Commission review and approval for the enclosure of an existing pool pavilion to construct a two-story accessory structure.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Travis Lorraine, representing the homeowners, read a letter from them that outlined the need for the request.

Michael Perry of MP Design and Architecture made the architectural presentation.

Ms. Connaughton asked about the height of the proposed pavilion. Mr. Perry responded. She thought the pavilion felt tall, and she questioned the segmented dormers. She also thought the tower ends were too tall as well. Mr. Perry explained the design. She thought the design needed to be dialed back.

Mr. Phoenix asked about the color of the windows. Mr. Perry responded and stated that they would match the main home. Mr. Phoenix asked about the exterior lighting. Mr. Perry said there was no lighting proposed, but he could return with that element. Mr. Phoenix thought the body was subservient to the towers.

Ms. Shiverick thought if the windows were brought down, they would be an improvement.

Ms. Grace asked to see photographs of the main home, which Mr. Perry had and showed to the Commission. She commented that the existing pool home seemed out of scale and added the proposal seemed a bit large on the property. She recommended reducing the scale of the pavilion.

Mr. Smith questioned the pavilion's dormers and towers. He stated that there were many things in the design that he could not support.

Ms. Visconti thought the design could be fun; she recommended coming back with more than a folly.

Ms. Connaughton thought the design could work with a few changes.

A motion was made by Ms. Catlin and seconded by Ms. Shiverick to defer the project to the September 25, 2024, meeting for a restudy. The motion was carried unanimously, 7-0.

7. **ARC-24-0054 154 ATLANTIC AVE.** The applicant, 154 Atlantic Ave., LLC (Environment Design Group), has filed an application requesting Architectural Commission review and approval for site-wide landscape and hardscape modifications and exterior modifications to an existing single-family residence.

Ms. Pardue provided staff comments on the project.

Mses. Catlin and Grace members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation and showed material samples.

Ms. Visconti was not in favor of the sconces. She recommended a color for the front door and changing the round louvered element to white.

Ms. Connaughton thought the changes were nice. However, she questioned the design of the front door, which she thought did not look like the Bermuda style proposed.

Ms. Grace was not in favor of the sconces by the balcony.

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

A motion was made by Ms. Visconti and seconded by Ms. Grace to approve the project with the following conditions: the sconces shall be removed at the balcony on the second floor, the white circular louvered vent shall be painted white, the front door shall revert back to the original style but in a lime-washed pecky cypress color, the sconces on the rear shall be changed, the overhead lighting at the front door shall be removed with all changes to be administratively approved by the staff in coordination with the chair. The motion was carried unanimously, 7-0.

XII. **UNSCHEDULED ITEMS**

There were no other items discussed at this time.

XIII. **NEXT MEETING DATE:** Wednesday, September 25, 2024, at 9:00 a.m.

XIV. **ADJOURNMENT**

A motion was made by Ms. Connaughton and seconded by Mr. Phoenix to adjourn the meeting at 5:03 p.m. The motion was carried unanimously, 7-0.

The next meeting will be held on Wednesday, September 25, 2024, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'JWS', with a long horizontal stroke extending to the right.

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 outlined in Article III. ARCHITECTURAL REVIEW, Section 18-205 (a) criteria for a building permit.

Application Number: ARC-24-0056

Address: 255 Plantation Road

Applicant: Patricia Rigby (General Contractor)

Architect: N/A

Project Description: Exterior alterations to replace existing columns, remove decorative pediment elements, transom, metal door and replace front door w/ single pane glass.

The Architectural Review Commission has denied the above request 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 less 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, roofline, and height of other design elements.

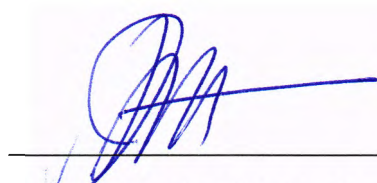
- _____ 6. The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
- 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.
- _____ 7. The proposed addition or accessory structure is not subservient in style and massing to the principal or main structure.
- _____ 8. 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 public or private ways (except alleys).
- _____ 9. 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.
- _____ 10. The project's location and design do 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 ten (10) days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The Architectural Review Commission issued the above denial at their meeting on August 28, 2024

Town of Palm Beach



Chair, Architectural Review Commission

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 outlined in Article III. ARCHITECTURAL REVIEW, Section 18-205 (a) criteria for a building permit.

Application Number: ARC-24-0030
Address: 410 Seabreeze Ave
Applicant: Deborah Glass
Architect: Greg Poyer, Watermark Construction
Project Description: Second floor addition to an existing two-story residence requiring variances for setback and CAR

The Architectural Review Commission has denied the above request 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 less 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, roofline, and height of other design elements.

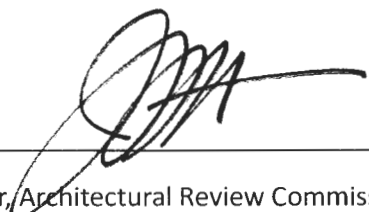
- _____ 6. The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
- 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.
- _____ 7. The proposed addition or accessory structure is not subservient in style and massing to the principal or main structure.
- _____ 8. 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 public or private ways (except alleys).
- _____ 9. 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.
- _____ 10. The project's location and design do 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 ten (10) days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The Architectural Review Commission issued the above denial at their meeting on 8/28/24.

Town of Palm Beach



Chair, Architectural Review Commission

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

LAST NAME—FIRST NAME—MIDDLE NAME Visconti, Claudia		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS 310 Valette Way		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY West Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 28, 2024		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Claudia Visconti, hereby disclose that on August 28, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, SMI Landscape Architecture ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

ARC-24-0011

1741 S. Ocean Blvd. (COMBO)

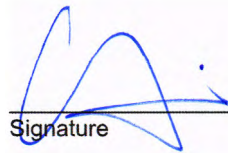
Continuing Conflict

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

08/28/2024

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.