

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, AUGUST 25, 2021

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. Small called the meeting to order at 9:00 a.m. All members participated via Zoom Webinar due to the COVID-19 situation.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
John David Corey, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Jeffrey Smith, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Richard F. Sammons, Alternate Member	ABSENT (excused)

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James G. Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Sarah Pardue, Planner II
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. **RULES OF ORDER AND PROCEDURE**

Mr. Small thanked the Town Council for allowing the Commission to meet virtually. He thanked staff for their participation in setting up the virtual meeting. Mr. Small continued with procedural information and comments regarding the upcoming meeting.

V. **APPROVAL OF THE MINUTES FROM THE JULY 28, 2021 MEETING**

Motion made by Mr. Corey and seconded by Ms. Grace to approve the minutes from the July 28, 2021 meeting. Motion carried unanimously.

VI. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

Deferral of B-019-2021, 101 Nightingale Trail to the September 29, 2021 meeting

Deferral of B-034-2021, 905 N. Ocean Blvd to the October 27, 2021 meeting

Deferral of B-053-2021, 8 Windsor Ct. to the September 29, 2021 meeting

Deferral of B-058-2021, 1020 N. Lake Way to the September 29, 2021 meeting

Deferral of B-062-2021, 215 Via Tortuga to the September 29, 2021 meeting

Deferral of B-075-2021, 225 Wells Road to the September 29, 2021 meeting

Deferral of ARC-21-008, 214 Wells Road to the December 17, 2021 meeting

Deferral of ARC-21-020, 300 N. Lake Way to the November 19, 2021 meeting

Deferral of ARC-21-022, 870 S. Ocean Blvd to the September 29, 2021 meeting

Withdrawal of B-074-2021, 246 Eden Road

Withdrawal of A-020-2021, 150 Worth Avenue

Withdrawal of A-064-2021, 3140 S. Ocean Blvd.

Withdrawal of A-069-2021, 2285 Ibis Isle Rd. E.

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

VII. **PRESENTATION**

1. New Development Review Process – James Murphy

Mr. Murphy presented the new process improvement plan for the Planning, Zoning and Building Department, which staff hopes will create a more efficient standard operating procedure for development review projects. The new plan includes changes to project deadlines, legal advertisement and the method in which projects are reviewed before they are presented to the Commission. Mr. Murphy answered all questions asked by the Commissioners.

VIII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **ARC-21-027 Modifications**

Address: 222 Mockingbird Trail

Applicant: Steven Helms

Professional: General Garage Door Co., Inc.

Project Description: Replace a 16' x 7'6" garage door with Eden Coast Providence design in off white color.

This item was pulled from the consent agenda and was not included in the approval of the consent agenda.

Since the only item was pulled from the consent agenda, no motion was need.

B. DEMOLITIONS AND TIME EXTENSIONS

1. B-075-2021 Demolition

Address: 225 Wells Rd.

Applicant: M2B Properties LLC (Mary Frances Garrett)

Professional: Gregory Palmer/Harrison Design

Project Description: Demolition of the existing one-story residence, pool and all existing hardscape.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

2. ARC-21-006 Demolition

Address: 164 Seaspray Avenue

Applicant: Hayati Banastey

Professional: SKA Architect + Planner

Project Description: Demolition

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

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

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans for the proposed demolition.

Mr. Small confirmed that the home was not on a list to be landmarked. The professional provided confirmation.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Catlin inquired about the wall to be used as screening during demolition. She did not believe a six-foot high wall was sufficient, especially in the rear yard. She requested screening above the wall to add height. Mr. Segraves stated he could install the 10-foot fence, prior to the demolition, if it was the will of the Commission. Mr. Small thanked Mr. Segraves for the suggestion.

Ms. Grace thought it was important to retain the historic aspect of the neighborhood. She stated the home to the west was raised during new construction and is now a narrow home. She cautioned that the owners should know the constraints of the lot prior to building a new home. She expected to see a very attractive replacement home, even with the constraints of the lot.

Mr. Corey expressed concern for what the lot would look like after the demolition. He expressed further concern that there was not a full landscape plan to show the lot after demolition.

Mr. Floersheimer also expressed similar concerns as Ms. Grace. He thought the replacement home should be modest and not overwhelm the neighbors.

Mr. Corey asked the applicant to respond to his concerns regarding the lack of the landscape plan.

Mr. Mizell stated that all of the ficus would remain. He also stated that he would add a Clusia hedge along the west property line. Mr. Corey stated that if the proposed landscape plan were presented, he would not have had inquired about the plan.

Mr. Segraves stated that the new submittal process took a bit more time, but assured the Commission that a new house would be proposed for the site.

Ms. Grace thought Mr. Corey had a good point. She did not believe there should be a deficiency in the plans and they should be complete.

Ms. Shiverick questioned if the home could be considered as a Historic Significant Building. Mr. Segraves stated the owners considered all options; he added many changes had been made to the existing home over the years.

Mr. Murphy commented on the application and stated he considered the proposed demolition and landscape plan relatively complete.

Ms. Catlin also felt that the landscape package was complete, given the remaining ficus hedges and the required sod. She understood the owners' wishes for the new home but cautioned them to take heed to Ms. Grace's statements when returning with a new home.

Mr. Corey stated he understood the plans but still thought a complete landscape plan should be included with the proposal. He added he could not support the project at this time.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the September 29, 2021 meeting, to allow the professionals to return with a complete landscape plan for the demolition. Motion carried 6-1, with Mr. Ives opposed.

C. MAJOR PROJECTS – OLD BUSINESS

1. B-019-2021 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 101 Nightingale Trail

Applicant: 04TST101 Nightingale LLC (Brian Libman, Manager)

Professional: Brooks & Falotico Associates, LLP

Project Description: Exterior alterations and interior renovations to two-story single family residence; revised fenestration on all elevations; reframe portions of existing roof to accommodate new fenestration height and replace existing roof tiles; renovate entry portico, frame for second floor roof deck, and face with coquina; new Dutch gables at courtyard elevations; renovate pool terrace and incorporate new retaining walls; remove existing driveway and install new hardscape and landscape.

ZONING INFORMATION: Section 134-893(13): The applicant is proposing to construct a 70 square foot one story bathroom addition and two Dutch gables that will be added to the courtyard elevations of the pool cabana and kitchen which will increase the cubic content ratio ("CCR") to 5.24 in lieu of the 5.01 existing CCR and the 3.9 maximum CCR allowed in the R-B Zoning District.

A motion carried at the March meeting to defer the project to the April 28, 2021 meeting to address the comments of the Commissioners, which included the identity and character of the home, the front entry, the fenestration, the shutters, the balconies and glass railings. A motion carried at the April meeting to defer the project for one month, to the May 26, 2021 meeting, to restudy the gables, fenestration and in accordance with the comments of the Commission. A motion carried at the May meeting to defer the project to the June 23, 2021 meeting at the request of the professionals. A motion carried at the June meeting to defer the project to the July 28, 2021 meeting at the request of the professionals. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

2. B-024-2021 Demolition/New Construction

Address: 240 Mockingbird Trail

Applicant: Lee Fensterstock

Professional: MP Design & Architecture, Inc.

Project Description: Demolition of existing one story structure. New construction of two story single family house in island style, approximately 5400 s.f. Final landscape and hardscape included.

A motion carried at the March meeting to approve the demolition. A second motion carried at the March meeting to defer the project to the April 28, 2021 meeting to address the comments of the Commissioners, which included adding some identity to the home, the fenestration, a restudy of the landscaping and pedestrian gate, and to return with a north, east, west and south cross section of the landscaping. A motion carried at the April meeting to defer the project to the May 26, 2021 meeting to restudy the size of the bay windows on the front elevation, to change the roof pitch to 5/12, to remove 12 inches in the second floor, to change the laundry room to a single window, and the French doors over the front entrance will be changed as previously proposed. A motion carried at the May meeting to defer the project to the June 23, 2021 meeting for a restudy of the home design. A motion carried at the June meeting to defer the project to the July 28, 2021 meeting at the request of the professional. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Perry agreed to the easement.

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

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

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Grace was in favor of the changes, particularly the squared off bay windows and cypress details. However, she thought the bay windows were too large and questioned the front entry feature. She thought the home be a bit smaller.

Ms. Catlin was in favor of the changes, particularly the cypress and the wood shingle roof. She thought the home was charming and had warmth. She thought the two palms in the front entrance should disappear so that the home was more visible. Mr. Nievera agreed to this suggestion.

Mr. Kirchhoff did not believe the front entry fit and thought the center bay should be wider than the two adjacent bays. He also thought the front entry was too tall.

Mr. Perry showed the detailed sheet where the roof over the front entry was lowered. Mr. Kirchhoff thought the entry feature would look nice a little lower. Mr. Kirchhoff did not prefer the shed roofs over the bay windows. He also questioned the picture window for the bedroom on the street side of the home.

Mr. Smith stated he thought the neighborhood photographs should be included in the drawings. Mr. Perry inquired if the photographs were included in the mini-sets. Mr. Smith stated the mini-sets were very confusing.

Ms. Shiverick felt the shed roofs were clunky on the front of the home. She also agreed that the bay windows were a bit too big. She recommended changing the bay windows to a more traditional bay. She agreed that the entry feature was too tall. She expressed concern with the white and blue paint combination and added that many homes were requesting the same paint combination.

Mr. Ives agreed with comments made by Mr. Kirchhoff. He thought the design was too symmetrical. He thought breaking the symmetry could give the home some energy and flow. He added the house felt a bit cold.

Mr. Corey thought the changes were much more charming and felt the colors were warm and soft. He suggested changing the symmetry on the bay windows. He questioned the use of the shed roofs over the bay windows. He suggested cleaning up the drawings, particularly in respect to the chimneys on the plans. Mr. Corey requested the professionals include cross sections of the site in any future submittals.

Mr. Kirchhoff agreed with Ms. Shiverick's comment on the paint colors.

Ms. Grace followed up on Mr. Smith's comments and thought the mini-set plans were a bit confusing.

Mr. Small agreed with his fellow Commissioners.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project for one month, to the September 29, 2021 meeting, to address the comments from the Commissioners, particularly relating to the bay windows, the shed roof, the front entry and the symmetry of the front elevation. Motion carried unanimously, 7-0.

3. B-034-2021 Additions/Modifications

Address: 905 N. Ocean Blvd.

Applicant: 905 N. Ocean LLC (Maura Ziska)

Professional: LaBerge and Menard

Project Description: Guest house addition and new landscape/hardscape.

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting for restudy, particularly how the home fits onto the lot. A motion carried at the May meeting to defer the project to the June 23, 2021 meeting at the request of the professional. A motion carried at the June meeting to defer the project to the July 28, 2021 meeting at the request of the professional. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was deferred to the October 27, 2021 meeting at the Approval of the Agenda, Item VI.

4. B-039-2021 Demolition/New Construction

Address: 200 Bahama Lane

Applicant: 200 Bahama Lane, LLC (Maura Ziska)

Professional: SKA Architect + Planner

Project Description: Demolition of existing one story house. New construction of two story classical style house, approx. 5,856 sq. ft. Final landscape and hardscape included.

A motion carried at the May meeting to approve the demolition of the existing home as requested. A second motion carried to defer the project for two months to the July 28, 2021 meeting for an entire restudy. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

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

Maura Ziska, attorney for the owners, spoke to the neighbors across the street who offered their support for the design.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape proposed for the new residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace was in favor of the style of the home proposed. She questioned whether the height of the home could be reduced, considering the heights of the neighboring

homes. She questioned if the landscaping proposed was too formal. She did not prefer the front wall and railing as she felt it was inconsistent with the street.

Ms. Shiverick thought the house was stately on a nice lot and complimented the owners for offering to take care of the garden next door. She thought the house worked for the area. She liked the fence along the low area. She questioned the material for the fence and wondered if it was wood. Mr. Williams stated they would prefer to use wood. She liked the open fence and thought the landscaping was stunning. She questioned the white paint color and suggested using a green color.

Mr. Floersheimer agreed with Ms. Shiverick's comments. He also questioned if some height could be removed from the home. He was in favor of the landscape plan and was in favor of the railings. Mr. Floersheimer inquired about the landscaping next to the country club. Mr. Williams further explained the design.

Mr. Segraves discussed the proposed height of the home.

Mr. Kirchhoff thought this home was a nice improvement. Mr. Kirchhoff was not concerned about the height of the home but he did make a recommendation for the shed roof. He also thought the doors on the second floor, rear elevation should be changed to windows with a center door. Mr. Kirchhoff questioned the arch design on the front elevation. Mr. Segraves explained the details of the design. There was a short discussion about the details of the roof and details. Mr. Kirchhoff stated he liked the project but thought some refinement was needed.

Mr. Corey agreed completely with Mr. Kirchhoff. Mr. Corey thought some color could be added to bring warmth to the home. Mr. Corey was happy that the applicant was working with the Town on the garden next door. Mr. Corey was not happy with the guest house location; he thought it could be better and perhaps designed with more whimsy or perhaps as a folly. He suggested using some Seagrape trees on the front of the property.

Ms. Catlin was in favor of the home and thought it fit into the neighborhood. She agreed with Mr. Corey's assessment of the guest house. Ms. Catlin inquired about the zoning aspects. Maura Ziska, attorney for the applicant, explained the zoning needed for this project.

Mr. Smith thought the proposal was a vast improvement. He agreed with Mr. Corey that the guest home could be treated as a folly. He also agreed with Ms. Shiverick and Mr. Corey that a color would be nice, rather than the white paint proposed.

Mr. Smith shared the comments of Ms. Shiverick and Messrs. Corey and Kirchhoff.

Ms. Shiverick thanked the applicant for improving their renderings.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month, to the September 29, 2021 meeting, to address the comments from the Commissioners, particularly relating to the details outlined by Mr. Kirchhoff, the roofline of the porch, the guest house, the addition of Sea grapes on the front elevation and a possible new color for the shutters and body of the home. Motion carried unanimously, 7-0.

Mr. Segraves stated that the guest house was designed as a folly and explained the reasons for its design.

Please note: A short break was taken at 11:05 a.m. The meeting resumed at 11:15 a.m.

5. B-042-2021 New Construction

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

Address: 1080 S. Ocean Blvd.

Applicant: Todd Glaser

Professional: LaBerge & Menard Inc.

Project Description: New two story home with pool cabana. House will have clay barrel tile roof, smooth stucco painted Manchester tan.

ZONING INFORMATION: Section 134-843(b): Request for Site Plan Review to allow the construction of a 9,485 square foot two-story, single family residence on a non-conforming platted lot that is 17,567 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District.

A motion carried at the May meeting to defer the project to the June 23, 2021 meeting to restudy in accordance with the comments of the Commissioners, including the fenestration, balconies, chimneys, corner entry, rear loggia and orientation of garage doors. A motion carried at the June meeting to defer the project to the July 28, 2021 meeting, specifically to consider the comments of the Commissioners on the following items: the tower corner, the second floor doors on the tower, the colors, reinstate the small window on the west side, the pool, the terrace steps and garage doors. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting, specifically to consider the comments of the Commissioners on the following items: the garage doors, addition of shutters on the west elevation, addition of more palms on the east, removal of the pergola, rustication on south elevation.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Menard agreed to the easement.

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

Christopher Cawley, Christopher Cawley Landscape Architecture, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Floersheimer thought the project was good. He inquired about an additional window that was missing on one of the elevations and questioned if it was proposed. Mr. Menard stated they would like to propose the additional window.

Ms. Grace was in favor of the changes. She recommended adding more species in the landscape plan. She also recommended adding more Bougainvillea on the east side. Mr. Cawley agreed to add more Bougainvillea.

Ms. Catlin thought the changes were nicely executed.

Ms. Shiverick appreciated all of the changes. She questioned the color of the windows. Mr. Menard stated the window colors had not changed.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff that the project at 1080 S. Ocean Blvd. has met the criteria for approval listed in Sec. 18-205 of the Town's Code of Ordinances and to approve the project as presented. Motion carried 6-1, with Mr. Ives opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

6. B-048-2021 New Construction

Address: 224 S. Ocean Blvd.

Applicant: Armen Manoogian

Professional: Jose A. Gonzalez/Gonzalez Architects

Project Description: Proposed work includes the construction of a new 836 square foot, one story detached, four car garage and driveway. Also, the siding and all trim of the existing adjacent guest house will be repainted to match the main house.

A motion carried at the May meeting to defer the project to the June 23, 2021 meeting in accordance with the comments from the Commissioners, with a specific request to bring a view of the colonnade from the south. A motion carried at the June meeting to defer the project to July 28, 2021 meeting to consider an alternative design for the garage. A motion carried at the July meeting to approve the project

as presented with the following conditions: the east and west garage bays will be stepped back from the north façade, the windows on the second floor, north façade will remain in the existing size, the palms between the home and garage will be staggered along the grasscrete, the colonnade will be restudied and considered as a pergola structure with the element returning to the Commission for approval at the August 25, 2021 meeting.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Gonzalez agreed to the easement.

Mr. Gonzales presented architectural modifications as well as the landscape and hardscape modifications proposed for the guest house and carriage house design.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace preferred the colonnade without the coquina stone. She liked the hedge at the same height as the hedge around the home.

Mr. Floersheimer preferred the coquina stone but could go either way on the colonnade design. He also thought the hedge should be the same height as the hedge on the home.

Ms. Catlin liked the coquina but felt it was clunky. She would side with the architect's proposal. She also agreed that the hedge should be lowered to match the home.

Ms. Shiverick agreed with Ms. Catlin. She liked the coquina but thought the columns could be paired down.

Mr. Corey thought the architect did a great job with the carriage house. He was not in favor of either proposal for the colonnade. He thought the colonnade should be completely removed.

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

Motion made by Ms. Shiverick and seconded by Mr. Smith to approve the project as presented with the following conditions: the coquina on the columns is lowered by 1/3 of the height and the coquina on the columns are less tapered. Motion carried 6-1, with Mr. Corey opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant

shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

7. B-050-2021 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 334 Chilean Ave.

Applicant: GW Purucker JV Contract Purchaser (Maura Ziska)

Professional: MP Design & Architecture, Inc.

Project Description: A new two-story house, two-car garage with new pool, landscape, hardscape on a vacant lot.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting to consider the comments of the Commissioners which included the study of changing the orientation of the house, adding more native landscaping, the fenestration and possibly changing the design style to Mediterranean Revival. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

ZONING INFORMATION: Section 134-948: A request for a variance to construct a new 5,270 square foot, two story residence, on a non-conforming lot with a lot area of 9,384 sq. ft. in lieu of the 10,000 sq. ft. minimum required in the R-C Zoning District.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Perry agreed to the easement.

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

Daniel Sugg, Sugg Design Studio, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Corey thought the design has come so far and would add value to the area. He stated he would remove the pergola in the rear but he added it could not be seen from the street.

Mr. Kirchhoff questioned the mixture of window styles. He recommended changing all of the windows to casement windows.

Mr. Floersheimer was impressed with the changes and thought the project looked great.

Ms. Catlin thought the professional did a good job working with a non-conforming lot. She was in favor of the changes.

Mr. Corey questioned changing all of the windows to casement windows. He was in favor of the windows as proposed. Mr. Perry discussed how he could make the change and keep the same dimensions.

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

Motion made by Ms. Shiverick and seconded by Mr. Corey to approve the project as presented. Motion carried 5-2, with Messrs. Smith and Kirchhoff opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

8. B-053-2021 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
- Done 6/23/21

Address: 8 Windsor Ct.

Applicant: Mr. & Mrs. Jonathan Sack (Maura Ziska)

Professional: MP Design & Architecture, Inc.

Project Description: Existing breezeway modifications to replace existing awning with new cooper roof. Existing pool cabana modifications to replace existing roof and awning with new copper roof. Existing open porch modifications to replace exiting trellis with new copper roof.

A motion carried at the June meeting that implementation of the proposed variances will not cause negative architectural impact to the subject property. A second motion carried to approve the project as presented with the removal of the rear trellis and to return to the July 28, 2021 meeting with an alternate design of a roof over the two doors on the north elevation. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

9. B-058-2021 Demolition/New Construction

Address: 1020 N. Lake Way

Applicant: Mr. & Mrs. Kanders, Contract Purchaser (Maura Ziska)

Professional: MP Design & Architecture, Inc.

Project Description: Demolition of existing residence, including hardscape, landscape. Existing pool to remain. New two-story residence, new hardscape, new landscape, existing pool to be modified.

A motion carried at the June meeting to approve the demolition of the existing home as requested. A second motion deferred the hearing of the new construction to the July 28, 2021 meeting. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

10. B-060-2021 New Construction

Address: 1480 N. Lake Way

Applicant: Southpaw Trust (Jennifer Stallone)

Professional: Tom Benedict/The Benedict Bullock Group PA

Project Description: Provide exterior modifications to existing residence including replacing metal windows and doors changing frame color from white to bronze, enlarging entry door, replacing loggia shutters with glass doors and providing bi-fold doors to enclose and air condition this room, add new windows to match existing window in master bedroom, adjust existing beam and remove two existing center columns on living room loggia, replace existing west library window with glass door/window assembly, expand cabana eastward 14' and add trellis, and provide modifications to existing vehicle gates at front entrances with associated landscape and hardscape improvements.

A motion carried at the July meeting to defer the project for one month, to the August 25, 2021 meeting, to restudy the windows, gates, columns, and loggia and to return with a rendering of any doors and windows to be used.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Benedict agreed to the easement.

M. Timothy Hanlon, attorney for the applicant, provided an overview of the project and a summation of the changes that had been made since the last presentation.

Mr. Benedict presented the architectural modifications proposed for the existing home.

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

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Catlin liked all of the changes and appreciated the need for privacy. She did not feel it was necessary for the professional to indicate whether the pergola would be open or closed.

Mr. Smith objected to the removal of the columns on the rear living room loggia. Mr. Benedict stated the columns would remain.

Ms. Shiverick was in favor of the changes to the gates. Ms. Shiverick stated that the changes to the windows and doors was acceptable. She cautioned using a limestone in a large quantity around the pool.

Ms. Grace liked the changes but preferred the existing gates. She also preferred the white trim for the doors and windows versus the bronze proposed.

Mr. Small supported the changes proposed.

Motion made by Mr. Corey and seconded by Mr. Smith to approve the project as presented with the condition that the two columns on the rear, ground floor loggia will remain. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Please note: The Commission took a lunch break at 12:23 p.m. The meeting resumed at 1:00 p.m. Mr. Kirchhoff returned at 1:02 p.m. Mr. Ives returned at 1:16 p.m. Ms. Catlin voted in the absence of Mr. Ives.

11. B-061-2021 Demolition/New Construction

Address: 584 Island Dr.

Applicant: 584 Island, LLC (Carl M. Sabatello, Manager)

Professional: Roger Janssen/Dailey Janssen Architects

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

A motion carried at the June meeting to approve the demolition of the existing home as requested. A second motion carried to defer the project to the July 28, 2021 meeting to address the comments of the commissioners. A motion carried at the July meeting to approve the project as presented with the following conditions: the gable on the one-story element, east side is removed, the roof over the garage is change to a pitch roof and to eliminate the vehicular gate, with the changes returning for approval at the August 25, 2021 meeting.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Mayfield agreed to the easement.

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

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Catlin thought the changes were acceptable; however, she thought the changes to the roof made the home become a little more ordinary.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

12. B-062-2021 Additions/Modifications

Address: 215 Via Tortuga

Applicant: 215 Via Tortuga, LLC (Whitney Crane)

Professional: Tod E. Sikkenga/Wadia Associates

Project Description: Renovations and small addition to existing house (141 sf).

New enclosed pool pavilion (409 sf) Three new skylights. Maintain and paint existing roof tile. Modify existing swimming pool, landscape, and hardscape. New generator and outdoor mechanical and pool equipment. Replace existing windows and doors, and new openings with impact resistant units. Miscellaneous improvements to exterior elevations.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting to address the comments of the commissioners. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

13. B-064-2021 Modifications

Address: 402 Primavera Ave.

Applicant: Thomas and Lillian O'Malley (Manuel Angles)

Professional: Manuel Angles/Angles Design Architecture

Project Description: To increase green areas and provide additional privacy, we are proposing the following: removal all existing parking paving in front of the residence and replace with sod, new plantings, and stepping-stones (to match existing). Provide a new continuous hedge along Primavera Avenue. Add a vehicular and a pedestrian gate at existing motor court to conceal garage doors and one pedestrian gate in front of main residence entry. All finishes to match existing.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting to address the comments of the commissioners. A motion carried at the July meeting to defer the project for one month, to the August 25, 2021 meeting, to revise the gates as requested by the Commission.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Angles agreed to the easement.

Mr. Angles presented the modifications to the gates proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Corey inquired about location of the pedestrian gate. Mr. Angles responded. Mr. Corey inquired about the location of the vehicular gate. Mr. Angles responded.

Motion made by Mr. Corey and seconded by Ms. Catlin to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

14. B-068-2021 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW

Address: 267 Dunbar Road

Applicant: Michael S. Arlein, Trustee of the 267 Dunbar Road Trust (Maura Ziska)

Professional: SKA Architect + Planner

Project Description: New Construction of one and two story Mediterranean style house approximately 7,550 sq. ft. Final landscape and hardscape included.

A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

ZONING INFORMATION: Section 134-893(c): Site Plan Review to allow the construction of a new two story 7,552 square foot single family residence on a non-conforming platted lot which is 98.5 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

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

Daniel Clavijo, SKA Architect + Planner, presented the design for the doors and windows for the new residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications for the new residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Kirchhoff thanked the architect for making the changes. He was in favor of the house but did not prefer the second banding proposed.

Mr. Floersheimer liked the home but indicated the significant increase in the size of the home compared to the previous home. He thought home was very long. He agreed with Mr. Kirchhoff and did not prefer the second banding. Mr. Floersheimer inquired about the slope of the property and how it would affect the neighbor to the east. Mr. Williams responded. Mr. Floersheimer pointed out the difference in size between the proposed home and the home next door.

Ms. Shiverick thought the home was a bit heavy in the front of the home. She thought the front door was foreboding and recommended a wrought iron door with glass to allow light flow. She suggested adding mullions in the windows over the front door. She was not in favor of the mahogany for the trim and thought it added a heaviness to the home. She recommended a painted trim and thought it would lighten up the home. She recommended adding lanterns next to the front door, possibly gas lanterns. She suggested using a different color for the body of the home.

Mr. Corey expressed concern about the height of the proposed home compared to the existing street. Mr. Corey requested a cross section of the site. He supported

the front door. He wondered if the home was too tall and questioned the double-story glass on the rear of the home. He thought changes could be made to make the home more charming.

Ms. Grace questioned if a different stone material around the front door could be used to make it more distinctive. She agreed with Ms. Shiverick's comments that a painted trim would be preferred. She also liked the idea of a wrought iron door and lanterns next to the front door. She thought the home needed to be reduced overall to fit into the neighborhood.

Ms. Catlin thought the house was fine; however, she was upset that the charming home that existed was being replaced with a more ordinary home. She also questioned the size of the home proposed.

Mr. Small thought the proposed home was in harmony and character with the neighborhood. He was pleased to see that the home was in a Mediterranean style. He did not believe the additional banding was necessary. He was in favor of Ms. Shiverick's suggestion of gas lanterns.

Mr. Segraves discussed the height and size of the home. Mr. Segraves thought the suggestion for gas lanterns was a good suggestion.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project for one month, to the September 29, 2021 meeting, in accordance with the comments from the Commissioners. Motion carried 6-1, with Mr. Small opposed.

15. B-074-2021 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 246 Eden Rd.

Applicant: The Beach House Trust (Maura Ziska)

Professional: Keith Williams/Nievera Williams Design

Project Description: Proposed generator and enclosure. Associated landscape and hardscape changes.

A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

ZONING INFORMATION: 1) Section 134-893(b)(5): A request for a variance to allow a 38 KW generator to be placed in the front yard setback (on Adam Road) with a setback of 8.3 feet in lieu of the 25 foot minimum required in a front yard setback. 2) Section 134-1637: A request for a variance to allow a six foot wall and landscaping (for the generator) in lieu of the 30 inches maximum height allowed within the intersection sight triangle area.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

16. B-079-2021 Modifications

Address: 315 Coconut Row

Applicant: Melissa Schorr

Professional: Christopher G. Doriot

Project Description: Install (2) 4'h HR-10 white aluminum roll gates with access control operators; (1) 18' wide and (1) 14' wide at each end of circular driveway for security.

A motion carried at the July meeting to defer the project to the August 25, 2021 meeting due to an issue with the notice.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Leja agreed to the easement.

Richard Leja, ACI Consultants, presented the architectural plans proposed for the existing residence.

Mr. Small inquired about the proposed color of the gates. Mr. Leja responded.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Castro asked for confirmation that the gates would be 18 feet from the setback. Mr. Leja provided confirmation.

Ms. Grace did not feel that gates were an improvement to the home or a good precedent for the area.

Mr. Corey agreed with Ms. Grace's comment and added he could not support the project. He thought the gates were too wide. He did not support the material, the proposal and the landscape plan. He did not believe the gates were compatible for the neighborhood.

Mr. Floersheimer agreed with the previous comments. He questioned where the call box would be located.

Mr. Kirchhoff agreed with the previous comments. He thought there was a lack of details in the proposal. He added he could not support the request.

Ms. Catlin questioned the design of the gates.

Mr. Smith did not understand the security issue and need for gates. He did not understand why the gates were different sizes.

Mr. Small agreed with the previous comments and did not believe these gates were compatible in the area.

Mr. Murphy indicated that the proposed did not comply with zoning, due to the screening of supplemental parking.

Motion made by Ms. Grace and seconded by Ms. Shiverick to deny the project at 315 Cocoanut Row as presented, based on Section 18-205 (a), criteria 6 (c) and 8. Motion carried 6-1, with Mr. Ives opposed.

D. MAJOR PROJECTS – NEW BUSINESS

1. ARC-21-001 Modifications

Address: 179 East Inlet Drive

Applicant: Lisa Hedley & Walter Wick

Professional: Roger Janssen/ Dailey Janssen Architects

Project Description: Replacement of existing single hung windows with new impacts windows to match existing. Replacement of existing cement roof tile with new white cement roof tile. Removing of unsound entry portico.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Urquhart agreed to the easement.

Lauren Urquhart, Dailey Janssen Architects, presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Castro stated his concerns with the dormer windows above the garage. Ms. Urquhart stated the windows were existing.

Ms. Shiverick inquired if the professional has more photographs of 173 East Inlet. Ms. Urquhart responded. Ms. Shiverick inquired if the professional would consider double hung windows. She also inquired about the removal of the unsound portico. Ms. Urquhart explained the design.

Ms. Grace thought that since the changes were in kind, she supported the request.

Mr. Floersheimer thought it would be nice to add a touch of color to the body of the home. Otherwise, he supported the changes.

Ms. Catlin thought that much of the character of the home was being removed.

Mr. Small thought the changes would enhance the home. He did not believe the home was remotely similar to the home at 173 Inlet Drive.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried 6-1, with Ms. Shiverick opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

2. ARC-21-005 New Construction

Address: 210 Palmo Way

Applicant: Bruce Percelay

Professional: Roger Janssen / Dailey Janssen

Project Description: Construction of a new 2 story residence. New landscape, hardscape and pool.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Patrick Mayfield, Dailey Janssen Architects, presented the architectural plans proposed for the new residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Grace stated she thought this project had been denied several months ago and questioned why it had returned to the Commission. Mr. Mayfield responded. Ms. Grace thought this home was more attractive than the previous home proposed. However, she thought the home was still a bit massive.

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

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Kirchhoff generally liked the classic Monterey project. However, he did not prefer the front entry and the porch above the front entry. Mr. Kirchhoff thought a classic Monterey style porch with a single door on the second floor could be more

appropriate. He questioned the window style as proposed and suggested a six over six window. He also was not in favor of the travertine driveway proposed.

Ms. Grace also was not in favor of the travertine driveway proposed as well. She agreed with Mr. Kirchhoff's comments that the west elevation was too large.

Mr. Smith agreed with Mr. Kirchhoff's comments. Mr. Smith thought the window on the west gable was off center and need to be cleaned up.

Ms. Catlin was in favor of the style proposed. However, she wished the house was pushed back on the lot so that it did not loom over the street. She wondered if the home should be reduced.

Mr. Floersheimer agreed with the other Commissioners. He indicated that the home was twice as big as the previous home. He discussed the size of the home on the lot. He also suggested open railings for the balcony on the front of the home.

Ms. Shiverick thought the home could be reduced, especially on the west elevation. Ms. Shiverick agreed that the travertine driveway was not appropriate. She questioned the color choice of the home. She made a suggestion for the first floor bedrooms on the east side of the home.

Mr. Floersheimer inquired about the three fake garage bays on the east elevation. Mr. Janssen responded.

Mr. Janssen discussed the reason the garage was placed in the rear.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project for one month, to the September 29, 2021 meeting, in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

3. ARC-21-008 Demolition/New Construction

Address: 214 Wells Road

Applicant: E. Burke Ross Jr. Trust

Professional: Peter Papadopoulos/Smith and Moore Architects, Inc.

Project Description: Demolition of existing one-story residence, including pool, hardscape elements and landscape. Construction of a new two-story residence and new detached one-story, two-car garage. New pool. Final landscape and hardscape.

Please note: This project was deferred to the December 17, 2021 meeting at the Approval of the Agenda, Item VI.

4. ARC-21-015 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 146 Seaspray Ave.

Applicant: Michael Fries and Michelle Malone

Professional: SKA Architect + Planner

Project Description: Section 134-893(9): Request a variance for a 128 square foot, one story cabana/office addition to the rear accessory building that will result in a 5.6 foot rear yard setback in lieu of the 10 foot minimum required in the R-B Zoning District. Section 134-416(d): Request to expand a non-conforming two story accessory building.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans for the proposed for the addition to the garage and guest home.

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

Maura Ziska, attorney for the owner, explained the area being disputed by the neighbor at 151 Seaview Avenue.

Mr. Small called for public comments.

John Eubanks, attorney representing John Firestone at 151 Seaview Avenue, stated his client's objections to the proposed project.

Mr. Small called for staff comment. Mr. Castro provided staff comments, particularly related to the landscape in the front of the home. Mr. MacLean responded and explained the design.

Ms. Shiverick inquired if it was possible to build the addition on the north portion of the garage. Mr. Clavijo responded and indicated why the proposed had minimum impact to the site. Ms. Shiverick thought the addition was tasteful. She liked the addition of the fence as well.

Ms. Catlin thought it was disturbing to receive the back and forth emails from the neighbor, in relation to an issue that did not relate to the Commission. She supported the addition.

Mr. Floersheimer did not believe the addition would have a negative impact to the architecture.

Ms. Grace inquired about the square footage of the main home. Mr. Clavijo responded. Ms. Grace questioned about alternative designs for the addition. Mr.

Clavijo responded. Ms. Grace inquired about the front fence proposed. Mr. MacLean responded.

Mr. Corey expressed concern for the lack of plans and renderings for the addition and thought the item should return next month.

Ms. Shiverick inquired if the second floor above the garage could be changed to an office.

Michelle Malone Fries, owners, discussed the need for the office and the reason for her request.

Motion made by Mr. Corey to approve the landscape plan for the front of the property and to defer the remainder of the project for one month, to the September 29, 2021 meeting. Motion failed for lack of a second.

Motion made by Ms. Shiverick and seconded by Mr. Ives that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried 4-3, with Messrs. Corey, Smith and Ms. Grace opposed.

A second motion made by Mr. Ives and seconded by Ms. Shiverick to approve the project as presented. Motion carried 4-3, with Messrs. Corey, Smith and Ms. Grace opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

5. ARC-21-017 Demolition/New Construction

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

Address: 223 Monterey Road

Applicant: 239 Monterey Road, LLC (Louis Capano, Jr., Manager)

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: The lot is non-conforming in area: 9,000 square feet in lieu of the 10,000 square feet required in the R-B Zoning District; and in width: 90 feet in width in lieu of the 100 foot minimum required in the R-B Zoning District. 1.

Request to demo the existing one-story residence, accessory structure, pool, driveway and miscellaneous site walls, piers and fences. 2. Request to construct a new single family residence on a non-conforming lot (overall size and width) meeting all applicable Town codes. 3. Request to construct a new two-story single family residence consisting of 3,902 gross square feet on a non-conforming lot, driveway, pool/spa, hardscape and landscape, including an emergency generator and civil, storm water and grading.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Molly Mitchell, Dailey Janssen Architects, presented the architectural plans proposed for the demolition of the existing home.

Carol Perez, AGT Land Landscape Architecture, presented the landscape and hardscape plans proposed for the demolition of the existing home.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Corey inquired about a landscape plan that showed the site, post demolition. Ms. Perez responded. Mr. Corey inquired about the landscape proposed for the north east property line. Ms. Perez responded. Mr. Corey expressed concern for the condition of the lot between demolition and new construction.

Ms. Catlin agreed with Mr. Corey and thought the lot should be sodded and irrigated if new construction was delayed.

A discussion ensued about the lot and the requirements between demolition and new construction.

Motion made by Mr. Corey and seconded by Mr. Smith to approve the demolition as presented for 223 Monterey Road with the condition to sod and irrigate the property within 30 days, to fill in any holes in the landscape and to adhere to the Town's screening requirements. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Molly Mitchell, Dailey Janssen Architects, presented the architectural plans for the newly proposed residence.

Carol Perez, AGT Land Landscape Architecture, presented the landscape and hardscape plans proposed for the site after the new construction.

Mr. Small called for public comments.

Peter Broberg, 220 Monterey Road, stated that he lived directly across the street from the project and had been looking at a construction site for almost three years.

He also indicated that he had not seen the plans prior to the project. Mr. Murphy addressed the comments made by Mr. Broberg. Mr. Broberg expressed concern for the construction trucks that would be utilizing the street. He requested the Commission to not allow the construction trucks the ability to park on the street.

Mr. Small called for staff comment. There were no comments heard at this time.

Ms. Grace liked the home and she thought it had an island feel. She liked the mix of stucco and wood. She questioned the wood door and thought it should be painted. She suggested using wood railings rather than the welcoming arms at the front entrance.

Ms. Shiverick thought the siting and massing of the home was nice. She questioned the proposed blue trim color. She suggested adding shutters on the windows. She questioned the windows proposed and suggested using four over four windows. She suggested reducing the windows from three to two next to the front door. She thought the rear glazing should be reduced as well.

Ms. Catlin liked the home and the colors. She was in favor of the front door. She thought the home was simple with just enough detail. She thought the home fit very well on the street. She requested that the professional move the home back one foot to provide relief to the street.

Mr. Floersheimer agreed with Ms. Shiverick's comments. He thought that while the home was bigger than the existing, he did not believe the massing was significant. He liked Ms. Catlin's suggestion to move the home back by one foot.

Mr. Kirchhoff agreed with Ms. Shiverick's comments. He made a suggestion to pull the windows forward on the front elevation. He questioned the door over the front door and thought it should be changed to a window.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project for one month, to the September 29, 2021 meeting, in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

6. ARC-21-019 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 266 Orange Grove Rd.

Applicant: Jeanne H. Olofson, Trustee of the Jeanne H. Olofson Revocable Trust dated October 19, 1992

Professional: Keith Spina/Spina O'Rourke + Partners

Project Description: Section 134-2179: Request to allow a 224 square foot existing garage on a one story residence to be converted to living space by creating a guest bedroom, which would require a variance to not provide a one-car garage on a lot that is 75 feet in width.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Freijomel agreed to the easement.

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural and landscape modifications proposed to the existing home.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Grace thought the project was attractive. She liked that the view would now be of a room rather than a garage.

Mr. Floersheimer supported the project but expressed concern that the owner would eventually need a space to store their car. Maura Ziska, attorney for the owner, responded.

Ms. Catlin agreed it would look better from the street but was concerned that there would be no area for car storage. She thought it was cute but thought the change did not serve the neighborhood.

Mr. Smith agreed with Mr. Floersheimer and was not in favor of the cars sitting in the driveway. He stated he could not support the request.

Mr. Small thought the change enhanced the home and added he was not concerned about the lack of garage.

Motion made by Ms. Grace and seconded by Mr. Corey that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried 6-1, with Mr. Smith opposed.

Motion made by Ms. Shiverick and seconded by Ms. Grace to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

7. ARC-21-020 Additions/Modifications

Address: 300 N. Lake Way

Applicant: David and Constance Littman

Professional: Jeffrey Smith/Smith Architectural Group

Project Description: Section 134-893(13): Request for a variance to add 1,452 square foot, one story addition, onto an existing one story guest house that will result in a cubic content ratio (“CCR”) of 4.72 in lieu of the 4.49 existing and the 4.5 maximum allowed in the R-B zoning district for a lot that is 65,500 feet in area.

Please note: This project was deferred to the November 19, 2021 meeting at the Approval of the Agenda, Item VI.

8. ARC-21-022 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH VARIANCE(S)

Address: 870 S. Ocean Blvd.

Applicant: 870 S. Ocean, LLC (Todd Glaser, Manager)

Professional: MP Design & Architecture

Project Description: Section 134-840: Request for a special exception with site plan review to allow construction of a 210 square foot beach pergola and 83 square foot cabana bathroom/storage in the R-A/B-A Zoning District. Section 134-1474(a): Request for a variance to construct a 210 square foot beach pergola and 83 square foot cabana bathroom/storage that is on a lot with frontage of 101.53 feet in lieu of the 125 feet required for lot width in the B-A Zoning District for beach area property adjacent to R-A Zoning District. As part of the proposed project, this proposal meets the Town of Palm Beach ocean vista requirements.

Please note: This project was deferred to the September 29, 2021 meeting at the Approval of the Agenda, Item VI.

9. ARC-21-031 New Construction

Address: 433 Antigua Ln.

Applicant: Malcolm McCluskey

Professional: Patrick Ryan O’Connell Architect, LLC

Project Description: Proposed construction of a new two-story, single family residential structure, including a new pool, hardscape and landscape.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. O’Connell agreed to the easement.

Mr. O’Connell presented the architectural plans proposed for the new residence.

Don Skowron, Landscape Architect, presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Corey thought the house worked well. He thought the professional maximized the use of the lot. He liked the landscape plan. He suggested the front door needed more character.

Ms. Shiverick agreed with Mr. Corey on the front door. She thought a restudy was needed for the front door. She suggested not using paint in the decorative vents. She thought the circular windows were over used, particularly under the triple hung windows. She questioned if the triple hung windows were too long. She thought the front entry should have a finial to match the other two finials. She thought the front entrance should possibly be a tad higher. She asked about the driveway material. Mr. Skowron responded.

Ms. Grace liked the way the home was sited and the way it was broken into two wings. She thought the two story portion was a bit awkward. She was not a fan of the round windows; she suggested traditional or oval windows. She agreed that the entrance could be a bit taller. She agreed that the vented areas should not be painted.

Ms. Catlin liked the home and design. She agreed that the front door could be restudied. She liked the pop of color in the vented areas.

Mr. Floersheimer thought the house was nicely sited. He agreed with the comments on the front door and the triple hung windows. He initially had trouble with the roof plans but understood after seeing the renderings.

Mr. Kirchhoff thought the master bedroom should have the same overhang on the roof as the other sections. He agreed with the comments on the round windows. He questioned the roof design on the two story element.

Mr. Small agreed with many of the Commissioners comments. He thought the project was intriguing.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the September 29, 2021 meeting, in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

E. MINOR PROJECTS – OLD BUSINESS

1. A-020-2021 Modifications
Address: 150 Worth Ave.
Applicant: Wilson 150 Worth LLC (Yvonne Jones)
Professional: Michael Dumala

Project Description: Add 14 new impact windows on south side of building at second floor level. *****Please note: Requires Special Exception with Site Plan Review*****

A motion carried at the February meeting to defer the project to the March 24, 2021 meeting to allow the applicant to provide notice to the surrounding properties. A motion carried at the March meeting to defer the project to the April 28, 2021 meeting to provide notice to the neighbors. A motion carried at the April meeting to defer the project to the June 23, 2021 meeting to file a zoning application. A motion carried at the June meeting to defer the project to the July meeting at the request of the professional. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting to allow the applicant to address a zoning issue.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

2. A-064-2021 Additions/Modifications

Address: 3140 S. Ocean Blvd.

Applicant: Carlton Place Condominium (Sharon Moye, Property Manager)

Professional: Don Skowron

Project Description: Proposed addition of a +/- 900 sq. ft. tensioned sun sail over the west upper terrace previously approved. Reconsideration of synthetic turf cut outs in terrace paving.

A motion made at the June meeting to defer the project to the July 28, 2021 meeting to allow the applicant to find an alternative to the synthetic turf and shade sails. A motion carried at the July meeting to defer the project to the August 25, 2021 meeting at the request of the professionals.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

3. A-069-2021 Modifications

Address: 2285 Ibis Isle Rd. E.

Applicant: 2285 Ibis LLC (Eric Yeghian, Managing Member)

Professional: James Philip Drago

Project Description: Remodel front street side elevation, other elevations cannot be seen from street. Add doors and windows to other elevations.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting to allow the applicant to give a full presentation. A motion carried at the July meeting to defer the project for one month, to the August 25, 2021 meeting, returning with a simplification of materials, the existing and proposed elevations on one sheet (above/below) and renderings.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

F. ITEMS PULLED FROM CONSENT AGENDA

1. ARC-21-027 Modifications

Address: 222 Mockingbird Trail

Applicant: Steven Helms

Professional: General Garage Door Co., Inc.

Project Description: Replace a 16' x 7'6" garage door with Eden Coast Providence design in off white color.

Please note: The professional was not present to make the presentation to the Commissioners.

Motion made by Mr. Corey and seconded by Mr. Smith to defer the project for one month, to the September 29, 2021 meeting, since the professional was not online to make the presentation. Motion carried unanimously, 7-0.

G. MINOR PROJECTS – NEW BUSINESS

1. A-093-2021 Landscape/Hardscape

Address: 280 El Pueblo Way

Applicant: Danielle Ganek

Professional: Dustin Mizell/Environment Design Group

Project Description: Revisions to previously approved landscaping.

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

Mr. Mizell presented the proposed landscape and hardscape modifications to the previously approved plans.

Mr. Small stated that the color of the home was a bright pink. He indicated that he did not remember approving that color for the home.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Shiverick discussed her recollection of the approval of the color pink. She believes it was painted incorrectly.

Mr. Small indicated that staff would research the color of the paint approved for the project.

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

2. ARC-21-003 Modifications

Address: 280 Sandpiper Drive

Applicant: Hasenhuttl Kurt Trust

Professional: Rafael Angel Gonzalez Mendoza

Project Description: Addition of Solar PV System mounted out of public view and a re-roof of existing saxon tile.

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

Jackson McInerney, Go Solar Power, presented the architectural plans for the proposed solar panels.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace inquired if the neighbors received notice. Mr. McInerney stated he did send a notice. Ms. Grace believed that the neighbors may be able to see the solar panels. Mr. McInerney responded. Ms. Grace asked how many two story homes were in the area. Mr. McInerney responded.

Mr. Floersheimer inquired about the location of the inverters. Mr. McInerney responded they would be located on the roof, under the panels.

Mr. Shiverick inquired if 280 Sandpiper Drive was a single-story home. Mr. McInerney confirmed it was a one story. Ms. Shiverick inquired about the size of the panels. Mr. McInerney responded.

Motion made by Mr. Corey and seconded by Mr. Smith to approve the project as presented. Motion carried 5-2, with Mses. Grace and Shiverick opposed.

3. ARC-21-009 Modifications

Address: 135 Seminole Ave.

Applicant: Michael Aram

Professional: Architectural Consultants Inc.

Project Description: Replace all existing windows in the Main Residence and Guest House/ Garage with aluminum clad impact windows with minor modifications including the deletion of some windows and resizing of others.

Add precast quoins, columns and trim at the front, rear and side elevations of the Main Residence to replace and supplement the existing stucco trim. Add decorative wood outlookers to the underside of the roof overhang. Replace the garage door. Add a fountain on the Garage/ Guest House. Add an exterior sliding glass door to the Garage/ Guest House. Modify the existing rear yard pool deck and landscaping. Add Bahama shutters to specific windows at the Garage/ Guest House.

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

Richard Leja, ACI Consultants, presented the architectural changes proposed to the existing home.

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

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Shiverick was happy to see the change to the windows. She questioned the change to the portico. Mr. Leja stated the portico only projected 10 inches from the home.

Michael Aram, owner, stated that the existing home felt very flat and wide. He explained that the home did have an overhang at one time. He explained the request for the portico.

Mr. Smith liked the changes in the windows. He did not like the stone additions; he felt the stone made the home feel heavy. He agreed with Ms. Shiverick that the home looked nice as it existed.

Mr. Floersheimer questioned the door on the north elevation, ground floor between the two windows; he stated it felt too narrow. He inquired about the lawn in the rear of the home, around the pool. Mr. West responded and explained the design. Mr. Floersheimer inquired if the owner would consider changing the lower patio to lawn. Mr. West responded.

Ms. Grace liked the changes in the windows and the new garage door. She preferred the existing front door over the proposed.

Mr. Kirchhoff liked the window changes. He did not like the front door change, especially with the railing above the pediment. He was not in favor of the half round pieces above the French doors. He thought it was a bit heavy. He recommended a restudy of the south elevation.

Mr. Corey liked the changes to the windows but agreed with Mr. Smith's comments on the addition of the stone. Mr. Corey offered some suggestions to embellish the home. Mr. Corey liked the existing home. He made some suggestions to replace the dormer windows. He also suggested increasing the size of the cornice over the front door. He was not in favor of the additions of the quoins. Mr. Corey did not believe synthetic turf was appropriate. He thought the two date palms in the rear of the home were a bit bombastic.

Mr. Small was not in favor of the front door and entry change.

Mr. Aram inquired if he could order the new windows.

Motion made by Ms. Shiverick and seconded by Mr. Corey to approve the windows proposed for the project but to defer the rest of the project for one month, to the September 29, 2021 meeting, in accordance with the comments from the Commissioners. Motion carried unanimously, 7-0.

H. CLARIFICATION HEARING

1. 1045 S. Ocean Blvd. - Staff and neighbor concerns with proposed plantings in north easement by applicant and approval of same by Town of Palm Beach

Mr. Bergman stated that the issue had been resolved and there was no need for the hearing. Mr. Bergman stated the item could be canceled.

IX. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

None.

2. Staff

Mr. Bergman stated that Thomas Kirchhoff declared a conflict for his project at 304 Garden Road at the July 28, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Bergman stated that Jeffrey Smith declared a continuing conflict for his project at 114 Seaspray Avenue at the July 28, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

Ms. Catlin inquired if a project could get a CO prior to the finalization of the landscape planting. Ms. Catlin pointed out a scenario on Country Club Road. Mr. Bergman stated he would need to look into the issue and get back to the Commission.

Mr. Kirchhoff inquired about the new process changes in the department and to what point the professional could continue making modifications to the plans. Mr. Kirchhoff stated it seemed like a long lead time for the plans being submitted to the department. Mr. Murphy responded.

Ms. Grace inquired about the staff written notice to the neighbors and how it would be handled if the project changes in scope. Mr. Murphy responded. Ms. Catlin requested that a copy of the presentation on the new procedures be sent to the Commissioners.

X. ADJOURNMENT

Motion made by Mr. Smith and seconded by Mr. Kirchhoff to adjourn the meeting at 6:13 p.m. on Wednesday, August 25, 2021. Motion carried unanimously.

The next meeting will be held on Wednesday, September 29, 2021 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Small". The signature is written in black ink and is positioned above the printed name.

Michael B. Small, 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: B-079-2021 Modifications

Address: 315 Coconut Row

Applicant: Melissa Schorr

Architect: Richard Leja / ACI Consultants

Project Description: Install 2 4 foot height #2-10 white aluminum roll gates with access control operators; (1) 18' wide and (1) 14' wide at each end of circular driveway for security.

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.

— (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

public or private way (except alleys).

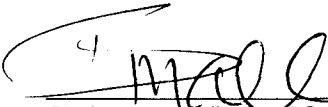
- ✓ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- (9) The project's location and design does not adequately protect unique site characteristics such 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 8/25/21

TOWN OF PALM BEACH


Chairman, Architectural Commission