



MINUTES
ARCHITECTURAL COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BACH

WEDNESDAY, AUGUST 22, 2012, 9:00 a.m.

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 or may obtain an audio recording of the meeting by contacting Cindy Delp, Secretary to the Architectural Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER: (8:59:51 a.m.)

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

II. ROLL CALL: (8:59:51 a.m.)

Robert J. Vila, Chairman	PRESENT
Nikita Zukov, Vice Chairman	PRESENT
Kenn Karakul, Member	PRESENT
Ann L. Vanneck, Member	PRESENT
Henry Homes III, Member	PRESENT
Richard Sammons, Member	PRESENT
Peter I. C. Knowles II, Member	PRESENT
Martin D. Gruss, Alternate Member	PRESENT
Alexander C. Ives, Alternate Member	PRESENT
Dr. Martin Phillips, Alternate Member	PRESENT

Staff members present: John S. Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, and Cynthia M. Delp, Secretary to the Architectural Commission. (Attorney John C. Randolph was absent.)

III. PLEDGE OF ALLEGIANCE:

IV. APPROVAL OF THE MINUTES FROM THE JULY 25, 2012 MEETING: (9:00:25 a.m.)

MOTION BY MR. HOMES FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. SAMMONS.
MOTION CARRIED UNANIMOUSLY.

V. APPROVAL OF THE AGENDA :

Mr. Vila mentioned that there is a request for deferral of Item B-072-2012 to the October meeting.

MOTION BY MRS. VANNECK TO DEFER B-072-2012 TO THE OCTOBER AGENDA.

MOTION SECONDED BY MR. HOMES.

MOTION CARRIED UNANIMOUSLY.

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

Mrs. Delp administered the oath at this time and throughout the meeting as necessary.

VII. OTHER BUSINESS:

VIII. PROJECT REVIEW:

A. MAJOR PROJECTS-OLD BUSINESS (9:04:35 a.m.)

B - 047 - 2012 Revisions to previous approval

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 160 Royal Palm Way

Applicant: 160 Royal Palm LLC (Glenn F. Straub, Manager)

Architect: Rafael A. Rodriguez

Project Description: The subject condominium hotel is currently under renovation pursuant to Town Council in May 2007. The site building has been modified from the original plan which requires approval from ARCOM. The following is a list of proposed changes to the approved plan: 1. Elimination of 2 pool structures and relocation of a pool structure 2. Elimination of mansard roof on the east elevation and addition of mansard roof on north elevation and east guest awning elevation 3. Redesign of landscaping, cabanas and pool terrace area 4. Addition of interior floor above lobby to total 1,486 of which 500 square feet is dining area 5. Addition of parapet to connect east and west stair towers 6. Addition of roof deck lounge on existing roof top of hotel 7. Addition of elevators to be shown on roof plans of function room where previously not shown 8. Elevators #2 and #5 up to roof deck 9. Third floor unit #3 exterior wall shown where previously not shown 10. Entrance stair balustrade changed to cast stone 11. Elevator penthouse #7 now shown where previously not shown 12. Front door design has been redesigned 13. Water table and rustication has been removed 14. New cast stone balustrade at function room parapet wall 15. New pergola at south dining terrace 16. New revised west elevation at function room 17. Exterior balconies extended 3'-6" beyond face of building on North, West courtyard and South courtyard elevations. Variances requested for height and overall height, parking spaces, and to allow construction to be phased

Revised Project Description: The subject condominium hotel is currently under renovation pursuant to the approval of the Town Council in May 2007. The site plan has been modified from the original plan which requires approval from the Town Council and ARCOM. The following is a list of the proposed changes to the approved plan: Elimination of two pool structures and relocation of a pool structure which includes service bar. Relocation of pool restrooms to inside of Function Room Elimination of the mansard roof on the east elevation and keep the existing mansard on the east guest wing elevation in lieu of the parapet that was previously shown on the plans and approved. Relocation of pool equipment and storage to under pool service building. Approval of landscaping, cabanas and pool terrace for the entire site. Addition of plunge pools to the pool terrace area. Addition of interior floor above lobby to total 1,486 square feet of which 500 square feet is dining area (#7 not under ARCOM jurisdiction) Addition of parapet to connect east stair tower to existing approved parapet. Addition of elevator to be shown on roof plan of Function Room roof where previously not shown. Replace solid parapet on Function Room with balustrade railing. Increase height of doors in main lobby overlooking pool deck by 3 feet. Add a

breezeway from the main lobby to Function Room. Add a 7 foot tall hedge with a 42 inch rail on south side of proposed swimming pool to run length of pool deck area. Add pergola on south elevation and extend balconies on north, south and east elevations. Addition of service corridors and expansion of kitchen and laundry room which totals approximately 3,625 square feet. (#15 not under ARCOM jurisdiction) Shift location of approved Function Room 25 feet to the east and add back the 4 of the 6 parking spaces that are lost. The size of the spa facility is decreased from 7,325 square feet to 5,948 square feet which eliminates the need for 2 parking spaces that were lost. Net effect is zero loss of parking spaces. Replace solid concrete railing on stairway on south side of west wing fire escape with precast balustrade railing.

At the June meeting, there was a motion to defer and see each one of these individual requests come in with the approved plans, pictures of existing conditions, and requested changes with supporting information. At the July meeting, there were a series of motions for approval and/or deferral to the August meeting. Deferred items include: The front elevation (porte cochere) which is to be re-designed with piers or double columns and then brought back to ARCOM; the Landscape plan is to return to ARCOM after obtaining final site plan approval from the Town Council; and, detailing of the breezeway from the main lobby to the Function Room to return to ARCOM.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Tara Lordi, Owner's Representative and Rafael A. Rodriguez, Architect,

LANDSCAPE PRESENTATION BY: Daryl McCann, Gregory Lombardi Design

ATTORNEY PRESENT: Maura Ziska, Attorney for the Applicant

OTHERS WHO TESTIFIED: M. Timothy Hanlon, Attorney for the property owner at 141 Brazilian Avenue, Nicholas Laudano, Contractor, and Vivian Doris, neighbor

Mr. Lindgren read an e-mail dated August 21, 2012 from Vivian Doris into the record.

Mr. Page updated the commission relative to the Town Council's August 15, 2012 action relative to this project which focused on the landscaping on the south perimeter of this property. The Town Council wants that landscaping to be very, very dense, in fact, impenetrable.

Ms. Lordi, Mr. McCann, Rafael Rodriguez, and Nicholas Laudano presented the revised architectural and landscape project in accordance with the submitted plans, and as described above. It was noted that the Town Council has approved moving the Function Room twenty-five (25) feet to the east, and has required that a 14 ft. wall (between the towel service building and the Function Room) be erected as a further buffer between the properties.

Commission members commented that the landscape buffer, as presented today, is insufficient...it is not impenetrable enough...and does not meet the intent of the Town Council's action. The number of shorter Traveler Palms was viewed as insufficient. It was recommended that the number of those shorter palms be doubled and that Confederate Jasmine be planted on the new wall.

Attorney M. Timothy Hanlon, representing Mr. and Mrs. DeVries at 141 Brazilian Avenue, asked ARCOM to protect all of the abutting neighbors, not just one neighbor. The neighbors are concerned with privacy; want as much and as tall buffering as possible on the south and the east property lines; and, want maintenance of the landscaping guaranteed for perpetuity. He also

requested that the matter be brought back at a later date, with the neighbors having been provided the updated plans in advance of the meeting.

There was discussion relative to taking an aggressive approach to grow the existing plant material on the east property line. Mr. McCann assured the commission that it was possible to achieve a 16 ft. – 18 ft. hedge with a proper fertigation system.

ARCOM agreed with the rendered opinion of the Landmarks Preservation Commission that the erroneously planted Medjool Palms in front of the property be replaced with Coconut Palms.

Vivian Doris, 155 Brazilian Avenue, addressed the commission relative to her concerns regarding this project, i.e., unfulfilled promises, concerns regarding the grassy area created by moving the Function Room, general privacy concerns, and noise concerns.

MOTION BY MRS. VANNECK TO APPROVE, AS PRESENTED, THE SOUTHERN WALL EXPOSURE BOUNDARY LINE WITH THE ADDITION OF DOUBLING UP THE NUMBER OF 14 FT. TRAVELER PALMS THAT ARE FROM THE FUNCTION ROOM EAST, ADDING CONFEDERATE JASMINE OF A MINIMUM HEIGHT OF 12 FT. TO THAT WALL, AND THAT IMMEDIATELY, THE EASTERN HEDGE PERIMETER BE TREATED, FERTILIZED, AT LEAST ONCE A WEEK, AND BE ALLOWED TO GROW TO A HEIGHT OF 16-18 FEET, AND THAT ALL THESE TRAVELER PALMS ARE UNDER PERPETUAL MAINTENANCE, AND THE WHOLE PROPERTY SHOULD BE UNDER PERPETUAL MAINTENANCE, AND THAT IT IS OUR RECOMMENDATION THAT THE MEDJOOL PALMS BE REPLACED WITH COCONUTS.

MOTION SECONDED BY MR. HOMES.

MOTION CARRIED UNANIMOUSLY.

Front Porte Cochere

Ms. Lordi presented revised round columns as were approved in 2007. ARCOM took exception with the columns as proposed. At the last meeting, ARCOM had suggested piers rather than round columns, and that is still ARCOM's request...to change the round columns to 4 square piers.

MOTION BY MR. ZUKOV TO MAKE THESE FOUR COLUMNS SQUARE PIERS, AND THAT THE PIERS ARE TO ALIGN WITH THE WALL ABOVE, AND THE APPLICANT IS TO RETURN NEXT MONTH WITH A DRAWING OF THE PIERS (EFFECTIVELY A DEFERRAL).

MOTION SECONDED BY MR. HOMES.

MOTION CARRIED UNANIMOUSLY.

South Stairs on West Wing

Ms. Lordi stated that concrete solid walls had been approved, but the applicant would prefer dark copper aluminum railings instead to match balcony railings.

MOTION BY MR. ZUKOV TO REMAIN WITH THE ORIGINAL DESIGN OF THE EXITS, I.E., TO NOT REPLACE THE CEMENT WITH ALUMINUM.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

Noise from A/C equipment

Mr. Vila recommended that the applicant install a steel mesh sound attenuation system at the a/c equipment as a further measure to appease the neighbors.

**MOTION BY MRS. VANNECK FOR APPROVAL TO INSTALL SUCH A SYSTEM.
MOTION DIED FOR LACK OF A SECOND.**

The applicant was asked to bring this aspect of the project back next month as well.

Let the record show that there was a short recess from 10:12 a.m. to 10:23 a.m.

B - 058 -2012 New Residence

Address: 229 Ridgeview Drive

Applicant: Dr. and Mrs. Maurice & Deborah Belkin

Architect: Dailey Janssen Architects, Roger Janssen

Project Description: Proposed CBS construction of new two-story residence with 3,992 air-conditioned square feet with pool, landscape, hardscape and site lighting. Roof: Dark grey flat cement tile roof; Building Color: Off White; Trim Color: White

At the July meeting, there was a motion for approval of the house subject to changes to the limestone, along with a deferral of the landscape to the August meeting, emphasizing protection of the adjacent property.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Roger Janssen, Dailey Janssen Architects

LANDSCAPE PRESENTATION BY: Chuck Yannette, Parker-Yannette Design Group

OTHERS WHO TESTIFIED: Paul Rampell, Neighbor, David Thomas, Neighbor, Vincent Castillo, Electrical Contractor

Mr. Janssen presented revised plans to address comments made at the last meeting relative to the generator and landscaping. Mr. Janssen presented several location options for the generator, and Mr. Yannette presented additional landscape screening between the two properties. Paul Rampell, 237 Ridgeview Drive, objected to the proposed placement of the generator in any of the proposed locations. The Rampells request that the generator be placed in the rear northwest corner of the subject property, a location which is not acceptable to the applicant. Neighbors, David and Connie Thomas, supported the generator placement requested by the Rampells. Vincent Castillo testified to the feasibility and cost of moving the generator to the rear of the property. It was noted that the proposed generator is a 30kw generator encased in a soundproof enclosure. After lengthy discussion, the commission asked Mr. Rampell for his preference, i.e., the generator in the southwest corner (front) of the property or at the northwest corner of the building, at the blank wall at the family room. Mr. Rampell left the placement to the discretion of the commission.

**MOTION BY MR. ZUKOV TO MOVE THE GENERATOR FURTHER TO THE SOUTH
AS CLOSE TO THE GARDEN WALL AS YOU CAN PRACTICALLY MAKE IT.
MOTION SECONDED BY MRS. VANNECK.
IT WAS NOTED THAT THE LANDSCAPING IS TO BE 15 FEET TALL ON THE
PROPERTY LINE (WEST).
MOTION CARRIED UNANIMOUSLY.**

B. MAJOR PROJECTS-NEW BUSINESS (10:35:44 a.m.)

B - 064 - 2012 Gates

Address: 200 Jungle Road

Applicant: Carl Hewitt

Architect: Mario Nievera, Nievera Williams Design

Project Description: Proposed entry gate and service gate

Call for disclosure of ex parte communication: Disclosures by Mr. Zukov and Mrs. Vanneck

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Williams stated that the Town Council has approved a special exception for the main entry gate which is on axis with the front door. The gate will be aluminum; made to look like wrought iron; 8 ft. tall at its highest point; and, is a motorized double swinging leaf gate. The proposed service gate is also a double swing gate at a height of 5 ft. 10 in.

Under commission comments, concern was expressed regarding the end posts and the gates being "too fussy".

MOTION BY MR. HOMES FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED 6-1, WITH MR. VILA OPPOSED.

B - 065 - 2012 Landscape/Hardscape

Address: 331 Australian Avenue

Applicant: Henry Mendler and Suzanne Lawton

Architect: Daryl McCann, Gregory Lombardi Design

Project Description: Improvement to front steps and front landscaping. Replace east stone pavement with natural stone. Minor modification to existing parking court.

Call for disclosure of ex parte communication: Disclosure by Mrs. Vanneck

LANDSCAPE PRESENTATION BY: Daryl McCann, Gregory Lombardi Design

Mr. McCann presented the landscape/hardscape improvements pursuant to the submitted plans and as described above. Design elements include: wider steps with shallow risers, more ornate railing, cast stone paving, associated landscape changes, and creation of more of a courtyard entry.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED, WITH THE DESIRE TO STRENGTHEN THE DETAILING. (NOT REQUIRED TO RETURN WITH REVISIONS).

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B - 066 - 2012 New Residence

Address: 1017 N. Lake Way (note: change of address requested for 342 Garden Road)

Applicant: 1017 North Lake Way, LLC

Architect: Dailey Janssen Architects, Roger P. Janssen

Project Description: Proposed CBS construction of new 2-story residence with 5,405 air conditioned square feet with pool, landscape, hardscape and site lighting. Roof: Red flat cement tiles; Building and Trim Color: White

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Roger P. Janssen, Dailey Janssen Architects

LANDSCAPE PRESENTATION BY: Don Skowron

Mr. Lindgren noted, for the record, that demolition of the existing residence was omitted from the project description: As such, the application can be heard, but must be deferred to the next meeting for re-noticing to include the demolition.

Mr. Janssen presented the project in accordance with the submitted plans and as described above for this new residence with an L-shaped footprint, and detached pool cabana building. The home will have a stucco exterior with cast stone surrounds at mahogany-colored aluminum clad wood windows and the recessed front door. Mr. Skowron presented the landscape/hardscape to include: front motor court with two driveway openings; tabby driveway in the rear of property to garage; relocation of several existing Royal Palms; new 13 ft. x 15 ft. pool surrounded by a cast stone deck; and, basically a very simple landscape plan

Under commission comments, concerns expressed regarding: the need for more or moved columns under the west elevation long span; problem with the cast stone flares on either side of the front door; concern with removal of the beautiful Mango tree; landscaping is off as to height and scale; and, suggestion to add more Coconut Palms to soften.

MOTION BY MR. HOMES FOR DEFERRAL TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

B - 067 - 2012 New Residence

Address: 1840 S. Ocean Boulevard

Applicant: Guy Rabideau as Trustee of the 1840 South Ocean Land Trust U/A/D May 21, 2012

Architect: Dailey Janssen Architects

Project Description: New two-story oceanfront island Classical style home with a covered pool and detached pool house. Roof: Grey Hanson Victorian Concrete Tile; Building and Trim Color: Off-White

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Roger Janssen, Dailey Janssen Architects

LANDSCAPE PRESENTATION BY: A. Grant Thornbrough & Associates

Let the record show that a model of the proposed new home was brought to the meeting.

Mr. Janssen presented the project in accordance with the submitted plans and as described above for this grand home. It is primarily a two story home, with one story elements, having a cast stone central mass and stucco wings. Carol Perez presented the landscape/hardscape plans including: layered hedging in front of the wall along South Ocean Boulevard; a variety of palm trees as well as other plant material; large open lawn in the rear, and, change to vehicular gates to meet Town code.

Under commission comments, the applicant was asked to “beef up” the salt tolerance of the plant choices. Mr. Lindgren noted that this is preliminary landscape review only.

Further commission comments: too many openings....restudy the fenestration, especially on the west side; second story columns underscaled at two-story portico; too much cast stone; issue with segmented stone pieces at windows; this is a “mc mansion” from every possible description and it is the type of architecture that we are to protect the Town against; this is a re-design; scale is inappropriate; too much glass on the west elevation; if large amounts of glass are desired, it should be designed in the Contemporary style with Classical elements; no hierarchy on the north side and lower the roof line there; re-study massing of the north wing; looking for order and simplification with a strong concern for materials.

MOTION BY MRS. VANNECK TO DEFER TO THE TUESDAY, SEPT. 25TH MEETING FOR FURTHER STUDY.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B - 068 - 2012 Addition

Address: 415 Seaspray Avenue

Applicant: Seaspray Associates

Architect: Jacqueline Albarran, Architect P.A.

Project Description: Addition of a one story family room extension, barbeque area, and pergola.

New windows, doors and all detailing to match existing.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Jacqueline Albarran, Architect P.A.

Mrs. Albarran presented the project in accordance with the submitted plans and as described above. She called attention to several fenestration changes and noted that new windows and doors will be mahogany impact rated windows/doors.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. HOMES AND MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B - 069 - 2012 New Clubhouse for Par 3 Golf Course

Address: 2345 South Ocean Boulevard

Applicant: Town of Palm Beach

Architect: Smith & Moore Architects, Inc.

Project Description: Proposed construction of new 3,982 sq. ft. CBS clubhouse for Palm Beach Par 3 Golf course and final landscape plan. Roof: Standing Seam Metal; Building Color: Linen; Trim Color: White; Shutter Color: Hunter Green. Variance requested for point of measurement of 14.98 feet NGVD in lieu of 7.5 feet NGVD required. Also, the applicant proposed as a second stage of construction in the future to convert the existing pro shop building into a golf cart storage facility using the same architectural themes and colors.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Peter Papadopoulos and Jon Moore, Smith and Moore Architects, Inc.

LANDSCAPE PRESENTATION BY: Steve Parker, Parker-Yannette Design Group

ATTORNEY PRESENT: M. Timothy Hanlon, Attorney for the applicant

OTHERS WHO TESTIFIED: Jay Boodheshwar, Recreation Director, Town of Palm Beach

Mr. Hanlon discussed the variance request for point of measurement. Mr. Lindgren reminded the members that this is a “combo” project and as such, ARCOM will need to make a recommendation to the Town Council relative to the requested variance. Jon Moore, Architect, began the presentation pursuant to the submitted plans and as described above. He noted that the proposed structure is modeled after the Lake Worth Bath House, (1898 photo of that structure presented). The intent was to create a design in the Florida vernacular; a small building; a simple structure; and a building with a residential feel. Mr. Moore reviewed the site planning and the floor plans, and then Peter Papadopoulos followed with review of the elevations and detailing. Mr. Parker discussed the landscape and hardscape elements of the project.

Under commission comments, it was suggested to expand the green area around the building, and to perhaps add some benches. A concern was raised relative to potential damage to the structure due to errant golf balls. Jay Boodheshwar responded that the landscape plan attempts to address this concern by placing a cluster of trees to shield the building.

Mr. Zukov suggested an alternate design for the second floor cantilevered balcony. The architects were prepared with an alternate drawing which was projected on screen. The alternate design increases the cantilevered balcony by one bay on either side, and that would be symmetrical around the building. Most members were in favor of this change, and the project, as a whole, was received very favorably.

MOTION BY MR. ZUKOV FOR APPROVAL PER THE ALTERNATE DESIGN AS PRESENTED, AND APPROVAL OF ADDITIONAL GREEN SURROUNDING THE BUILDING, AND A REQUEST FOR SIMPLIFIED DETAILS.

MOTION SECONDED BY MRS. VANNECK

MOTION BY MR. ZUKOV THAT IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

**AT THIS TIME, THE FIRST MOTION WAS RE-STATED, AND SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

B - 070 - 2012 Landscape

Address: 440 Royal Palm Way

Applicant: Marni Propp

Architect: Jeff Blakely, L.A.

Project Description: Installation of property line screen planting (25 ft. Fishtail Palms) to replace hedge removed for building repairs.

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Jeff Blakely, Landscape Architect

ATTORNEY FOR THE APPLICANT: Maura Ziska

ATTORNEY FOR THE ABUTTING NEIGHBORS: Ray Royce

OTHERS WHO TESTIFIED: Robert L. Moore, former Director of PZ&B, and Art Kelly, President of the Brazils HOA

Ms. Ziska provided a brief history relative to these hedges, which began as 6 ft. hedges and then grew to 25 ft. The hedges were recently removed to facilitate building repairs. The Town is requiring that the 25 ft. height be restored, but the applicant does not want to install Ficus hedge due to the ongoing White Fly problem; thus, the request for Fishtail Palms at 25 feet in height. Mr. Blakely provided the landscape presentation complete with a rendering of the property line screening with Fishtail Palms.

Attorney Ray Royce, representing the Brazil's HOA, stated that this issue has been before the Code Enforcement Board two times, and daily fines are in place. He stated that the hedge was taken down in May of 2012, and it has been very disturbing to his clients. Mr. Royce distributed a "Spec" sheet from the Brazils HOA related to the planting of the Fishtail Palms. It had been given to Mr. Blakely who agreed with its terms. Mr. Royce asked that these specs be included in any motion for approval so future owners are aware of the requirements. Mr. Royce went further, then, to request that a Declaration of Restriction be recorded in the public records of Palm Beach County together with Mr. Blakely's plans for the benefit of all future owners. Ms. Ziska objected to placing such a cloud on the title of 440 Royal Palm Way. Robert Moore spoke in favor of placing the deed restriction.

After discussion, Mr. Vila stated that ARCOM's position is that ARCOM can make a recommendation that the landscape be maintained for perpetuity, but ARCOM does not wish to cloud the title. It was recommended that the Fishtail Palms be maintained at least twice per year to deal with the seed pods. Mr. Blakely did not feel that such a maintenance schedule would be a problem. ARCOM stressed the importance of maintaining a buffer of at least 25 ft. to separate commercial property from residential property.

Art Kelly, President of the Brazils HOA, stated that this has been very contentious. None of the 8 owners in the HOA trusts the applicant to protect the property rights and privacy of the neighbors. Mr. Kelly called the applicant a "repeat offender" and advocated for the recorded Declaration of Restriction.

MOTION BY MR. ZUKOV FOR APPROVAL OF THE LANDSCAPING AS PRESENTED; AND THAT IT BE MAINTAINED TWICE PER YEAR BY THE PROPERTY OWNER FOR SEED REMOVAL; THAT IT BE ALLOWED TO GROW TO 27 FEET; AND, THAT IT BE PROPERLY IRRIGATED AND FERTILIZED TO MAINTAIN ITS GOOD CONDITION.

**MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

B - 071 - 2012 Pavilion and Loggia

Address: 202 Indian Road

Applicant: Jerry and Barbara Pearlman

Architect: The Pandula Architects, Inc.

Project Description: One story pool pavilion and loggia: The new pavilion at 202 Indian Road will be located at the west side of the property, coordinating with a new swimming pool currently under construction. The pavilion will be a one story building with gable roof forms at the central portion of the structure flanked by flat roofed areas to each side. The pavilion will be finished with float finish walls and running trim; finishes to match the main residence.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects, Inc.

LANDSCAPE PRESENTATION BY: Don Skowron

Mr. Pandula testified that the project had received variance approval last week for side yard setback. The new pool pavilion, with vinyl or aluminum lattice detailing, will have 1200 sq. ft., 800 sq. ft. under air. He presented the project in accordance with the submitted plans and as described above. Mr. Skowron continued with a simple landscape plan.

Under commission comments: Questioning the large amount of paving; questions opening the view of this building to the street; questioning difference in pilasters and questioning the proposed roof pitch; and concern regarding column differences.

**MOTION BY MR. ZUKOV FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. HOMES.
MOTION CARRIED 6-1, WITH MRS. VANNECK OPPOSED.**

B - 072 - 2012 Park Garden

Address: 224,226,234 Seminole Avenue

Applicant: Temple Emanu-EL of Palm Beach Inc.

Architect: Cotleur & Hearing, Inc.

Project Description: Passive park garden that includes a walking path with benches and a pergola

Call for disclosure of ex parte communication

As stated earlier in these minutes, this project was deferred to the October 2012 meeting.

C. MINOR PROJECTS - OLD BUSINESS (1:09:48 a.m.)

A - 031 - 2012 Modifications to previous approval

Address: 135 Root Trail

Applicant: Root Ocean Property LLC, John Cerreta, Managing Director

Architect: James C. Paine Jr.

Project Description: West building only, change exterior wall finish from HardiBoard lap siding (recently approved by ARCOM) to smooth stucco; change roof material from wood shakes to fiberglass shingles

At the July meeting, there was a motion to defer the color, but approved the textured stucco; a motion to reject the roof change; and, a motion to approve the textured stucco and a standing seam roof, and to come back in August with the colors.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: James C. Paine Jr.

Mr. Paine presented a color board with four color options, and a preference for color sample #1, "Vast Desert".

**MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED FOR COLOR #1.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED 6-1, WITH MRS. VANNECK OPPOSED.**

D. MINOR PROJECTS - NEW BUSINESS (1:14:46 a.m.)

A - 032 - 2012 New Covered Loggia & Fenestration Changes

Address: 141 Brazilian Avenue

Applicant: Gayle/Timothy DeVries

Architect: Bridges, Marsh & Associates

Project Description: Demolish existing lounge and roof deck; replace with new covered loggia; minor fenestration modifications on south, east and north elevations to main house

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Mark Marsh, Bridges, Marsh & Associates

Mr. Marsh presented the project in accordance with the submitted plans and as described above. Mr. Marsh explained that the non-conforming existing lounge/roof deck is too narrow, but the new proposed loggia will conform to the required setback.

**MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

A - 033 - 2012 Door and Door Surround

Address: 208 Garden Road

Applicant: Geoffrey S. Belsher

Architect: Ralph Cantin, AIA

Project Description: Replace existing cast stone surround and front door with new surround and front door; white house with grey shutters

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Ralph Cantin, AIA

Mr. Cantin presented the project in accordance with the submitted plans and as described above. He explained that the house color is being changed from yellow to white. In addition to the above, a stamped aluminum railing in the rear will be changed to white aluminum.

**MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. ZUKOV.**

Under commission comments, Mr. Sammons mentioned several corrections to the details of the entablature which should be implemented. Mr. Cantin agreed.

**MOTION AMENDED BY MR. KARAKUL TO INCLUDE MR. SAMMONS
COMMENTS.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

A - 034 - 2012 Awnings and Patio Wall Changes

Address: 375 South County Road

Applicant: BT Palm Beach

Architect: ACI, Architectural Consultants, Inc.

Project Description: Change of awnings shape and color and addition of decorative metal to existing stucco patio walls and new cap on patio walls

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Olfat Ayad Jallad, ID & Design
ATTORNEY PRESENT: Maura Ziska for the Applicant

Ms. Jallad presented the project in accordance with the submitted plans and as described above to exteriorly update an existing restaurant space. She presented warm brown awnings, sidewalk planters, and decorative wall treatments.

Under commission comments, there were concerns regarding the choice of brown awnings due to sun exposure; mixing awning colors and styles on the same building; and, that the design is "too South Beach" for Palm Beach.

**MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED 5-2, WITH MESSRS. VILA AND ZUKOV OPPOSED.**

A - 035 - 2012 Water Feature

Address: 355 Hibiscus Avenue

Applicant: Maura Ziska for 355 Hibiscus LLC

Architect: Anthony Minichetti

Project Description: Proposed installation of a garden ornament water feature at pool side on rear yard of property

Call for disclosure of ex parte communication: None declared

ARCHITECTURAL PRESENTATION BY: Anthony Minichetti

Mr. Lindgren explained that this water feature actually faces Australian Avenue and it exceeds six (6) feet in height, all of which warranted ARCOM's review. The water feature is dimensioned 4 ft. wide x 8 ft. 2 in. tall and has a stone veneer, and will be embedded partially into the Ficus hedge.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

A - 036 - 2012 Modifications

Address: 1105 North Lake Way

Applicant: Mark Odeen

Architect: James C. Paine Jr.

Project Description: Change existing arches at street side entries (North Lake Way and Monterey Road) from arched to rectangular; raise front door 4"

Call for disclosure of ex parte communication: Disclosure by Mrs. Vanneck

ARCHITECTURAL PRESENTATION BY: James C. Paine Jr., Architect

Mr. Paine presented the project in accordance with the submitted plans and as described above. The arches would change from parabolic arches to rectangular arches.

MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

IX. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE) (1:44:25 a.m.)

Bill and Anne Metzger addressed the commission to provide information only, not to seek commission comment, relative to 445 Antigua Lane. Mr. Metzger stated that 25 ft. Fishtail Palms have been planted on the property line between the Metzger property and 445 Antigua Lane, when ARCOM approved much shorter vegetation for that location...only 6-7 ft. in height. This is affecting the Metzger's historic specimen tree. The Metzgers have consulted with a certified arborist, who is writing a report on the matter. The Metzgers want the Fishtails removed as soon as possible, and want any substitute plantings reviewed by the commission.

X. COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT: (1:46:36 a.m.)

Mr. Page reminded that the September meeting will be held on **TUESDAY, SEPTEMBER 25TH**.

XI. ADJOURNMENT: (1:46:52 a.m.)

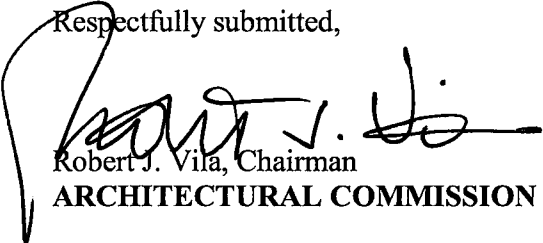
MOTION BY MR. HOMES TO ADJOURN THE MEETING AT 2:02 P.M.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on TUESDAY, SEPTEMBER 25, 2012 AT 9:00 A.M. IN THE TOWN COUNCIL CHAMBERS, 2ND FLOOR, TOWN HALL, 360 SOUTH COUNTY ROAD, PALM BEACH, FLORIDA.

Respectfully submitted,



Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION

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