



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

WEDNESDAY, JUNE 25, 2014, 09:00 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.

Acting Chairman, Anne Vanneck, made an announcement that the meeting would begin at 9:05 a.m., allowing additional time for members to arrive.

CALL TO ORDER: (09:05:00 a.m.)

Vice Chairman and Acting Chairman, Anne Vanneck, called the meeting to order at 9:05 a.m.

II. ROLL CALL: (09:05:33 a.m.)

Robert J. Vila, Chairman	ABSENT (pending classification)
Ann L. Vanneck, Vice Chairman and Acting Chairman	PRESENT
Kenn Karakul, 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 (arrived at 9:10 a.m.)
Michael B. Small, Alternate Member	PRESENT

Let the record show that all alternate members served as voting members for this meeting. Let the record show that a court reporter, Jill M. Felicetti with Pleasanton, Greenhill, Meek & Marsaa was present today for B-049-2014, 205 Worth Avenue.

Staff Members Present: John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Paul Castro, Zoning Administrator (for part of the meeting), and Cynthia M. Delp, Secretary to the Architectural Commission. John C. Randolph, Town Attorney, was present for most of the morning session.

III. PLEDGE OF ALLEGIANCE: (09:05:49 a.m.)

IV. **APPROVAL OF THE MINUTES FROM THE MAY 28, 2014 MEETING: (09:06:08 a.m.)**

MOTION BY MR. KARAKUL FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

V. **APPROVAL OF THE AGENDA: (09:06:22 a.m.)**

Please note that the Town had received requests to remove two items from the agenda.

MOTION BY MR. KARAKUL FOR APPROVAL OF THE AGENDA, WITH THE REMOVAL OF ITEMS B-066-2014, 350 S. OCEAN BOULEVARD AND A-023-2014, 960 N. OCEAN BOULEVARD.

MOTION SECONDED BY MR. SMALL.

MOTION CARRIED UNANIMOUSLY.

VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (09:07:01 a.m.)**

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

VII. **OTHER BUSINESS: (09:07:03 a.m.)** None

VIII. **PROJECT REVIEW: (09:07:09 a.m.)**

A. **MAJOR PROJECTS-OLD BUSINESS: (09:07:13 a.m.)**

B - 009 - 2014 New Residence

Address: 167 Seagate Road

Applicant: Mads Thomsen

Architect: Mitchell O'Neill

Project Description: New single family home, landscape design, hardscape design (preliminary)

At the March meeting, the project was not heard and was deferred to the May meeting at the request of the applicant. At the May meeting, a motion carried to defer the architecture and the landscape for re-study taking into account the comments of this commission and the comments of the attorney for the applicant on the size of the hedge as well as the scale of the property and the rhythm of the facade and its windows.

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

ARCHITECTURAL PRESENTATION BY: Mitchell O'Neill

LANDSCAPE PRESENTATION BY: Robert Fleck, Paradelo & Fleck Landscape Design

ATTORNEY PRESENT: George Piñon, Attorney for the property owner

OTHERS WHO TESTIFIED: Mads Thomsen, property owner; Patricia Wilson, Joanne Paladino, Ann and Bill Metzger, Maura Ziska, Jeffery Smith, Robert Moore and Louis Mrachek.

Ex parte declarations included declarations of received e-mails. As such, Attorney Randolph asked whether the applicant is aware of said e-mails. Mr. Lindgren responded that he forwarded the bulk of the opposition e-mails to the property owner, but two came in yesterday which were not forwarded due to time constraints. Mr. Randolph asked the commission if they were willing

to base their decisions today, not upon ex parte communications, but upon the testimony heard today. Members answered affirmatively.

Attorney George Piñon, in his opening remarks, placed a diminished importance upon the letters received from the neighbors, and conversely, a marked importance on the opinions of the members of the Architectural Commission who were appointed to the commission because they had specialized knowledge making them capable of making such development related decisions. He maintained that ARCOM should not allow public opinion to do anything other than minimally influence decisions, if at all. Mr. Piñon stated that his client did his "due diligence" in meeting with Mr. Lindgren prior to purchasing the property. He learned that he could propose a modern home because other modern homes are scattered throughout the island. Mr. Piñon maintained that the goal of ARCOM is not to "preserve neighborhoods"; and, that the purpose of Section 18-146 is about change, about "communities created through a deliberate search for beauty". He noted that his client objects to neighbors telling him what he can build on his own land. Mr. Piñon asked ARCOM to protect his client's rights regarding his land. He alleged that complaints will always be more numerous than statements of support, and stated that public comments have no limiting constraints. Mr. Piñon noted that the record, as stated above, reflects that the applicant asked for a deferral, and that is not true. Sampling of other points made by Mr. Piñon: This is really not about the mass; it's about whether a modern structure fits; do not single out my client...there are other homes inserted where there are no other similar homes within 200 feet; when viewing the house, as proposed, from Seagate Road, there is almost no impact due to increased landscaping; and, most of the houses around 167 Seagate Road are two-story homes, and some are massive in scale.

Architect Mitchell O'Neill presented the revised plans; addressed comments made at the last meeting regarding energy conservation issues; provided additional detailing; and, presented revised landscaping for additional privacy. He continued by reading the various criteria listed in Section 18-205, and provided justification as to how the project aligns with those ARCOM criteria.

Commission comments: Thank you for reading the code...we have not been as strict as we should be; questioning the charm of the proposed structure; questioning the proportions of the proposed structure; mitered stone was shown as a detail...you do not miter stone...it is a bad detail; happy to see the details, but "you are digging yourself deeper"; to the attorney's point that opinions should not count, this is a democracy.

Attorney Randolph reminded ARCOM that this is a quasi-judicial hearing and ARCOM must apply the criteria of the code. While it is important to hear from the public, decisions are not to be based upon popular or public opinion. They are to be based upon the criteria and competent substantial evidence.

A commission member asked the architect what design changes were made to the building since last month, other than providing additional details. Mr. O'Neill responded that he had made no changes to the building itself.

A commission member asked the architect, in reference to the code criteria in Section 18-205 (a) (6) and (a) (7), which structures within 200 feet of 167 Seagate are similar to it. He was unable to list any.

Commission comments: You have not changed anything other than raising the hedge to try to hide this building; not appropriate for the neighborhood; trying to hide it behind a hedge is not making it any better.

Mr. Piñon asked some follow-up questions to Mr. O'Neill relative to whether he was asked by the Commission to change the home; relative to listings of other modern houses in the town, and relative to "rhythm of the windows" wording included in the motion made last month.

Landscape Architect Robert Fleck presented the revised landscape plan in accordance with the submitted plans. He stated that the landscaping will root the house and property into the existing neighborhood surroundings. The design concept is for a lush tropical garden. The plans have been revised to include a taller, 12 ft. high Clusia hedge along the entire perimeter. That hedge along with a staggered row of 15-18 ft. clear trunk Foxtail Palms and other Foxtails, 12-15 ft. clear trunk, that surround the entire property will provide an "instant and long term visual screen". There are a total of 31 Foxtail Palms and 142 Clusia proposed.

Commission comments: Issue with the part of the site where the gate is located; the concept of creating good Contemporary architecture and then allowing the landscape to help in the mystery of it would be successful; re-study that part of the landscape...there is no additional softening or enhancing at the garage; more is needed there to make it more comfortable as a piece of new architecture; hard surface against hard surface is not good in this context or neighborhood...so you may not be doing it justice to feel more comfortable; that will be the most visible section and it does not complement the property properly, and you may be missing the mystery that, from the beginning, may have made this less complicated; that entire corner is completely exposed; you're letting the wrong piece exposed; as presented, it will encourage more controversy than necessary; it is not looking at the most attractive part of the house, and that whole courtyard needs to be studied; make it more handsome, unusual and special; you are on the corner...you have given yourself a bigger problem because it is a huge opening into the view of that house and the least attractive.

Mr. Piñon asked some follow up questions to Mr. Fleck regarding the 6 ft. wall in the area of concern and the views associated with it.

Mads Thomsen, property owner, offered his comments. He mentioned that he looks forward to living in Palm Beach and being a good neighbor; that he had spoken with Mr. Lindgren prior to purchasing the property; that there are other modern homes on the island surrounded by different type homes; that he feels he has been discriminated against; that other homes in the area are not maintained well or have unsightly items in the public view; and, that he requests to build his home on his land and live in peace and enjoy the views.

Mr. Lindgren asked to read the e-mails into the record which encouraged some discussion. Mrs. Vanneck asked Mr. Piñon whether he wanted all of the e-mails read into the record. He did not. Mr. Randolph advised that any which were received, but not sent to the applicant or the members should be read aloud. Mr. Piñon registered his objection for the record. Mr. Piñon handed a letter of support from Mr. Huainigg to Mr. Lindgren for the record.

Mr. Lindgren stated that he had met with Mr. Thomsen primarily to discuss the demolition of the existing house on the lot, but did not recall discussing the style of the new house which was contemplated. Mrs. Vanneck asked Mr. Lindgren to recall the reason for the initial deferral of this

project. He responded that the project did not meet code in numerous ways, thus the deferral occurred.

Mr. Lindgren read the following pieces of correspondence into the record: (1) correspondence from Anne and Bill Metzger, 277 Esplanade Way, in opposition to the project; (2) correspondence from Jeff and Katy Amling, 161 Seagate Rd., in opposition to the project; (3) Letter from Dr. Josef Huainigg, 152 Dolphin Rd., in support of the project; and (4) Letter from Javier DeOlaso, 1496 North Lake Way, in support of the project.

PUBLIC COMMENTS:

Patricia Wilson, 300 Arabian Road, spoke in opposition to the project: Chose Palm Beach because of community and sense of place; values of grace, elegance, symmetry, rhythm of windows should be maintained; wants community standards to stay the same; and, requests that the project be denied.

Joanne Paladino, 148 Seagate Road, spoke in opposition to the project: Not opposed because it is modern architecture, but because it is inappropriate and too dissimilar to the neighborhood.

Anne and Bill Metzger, 277 Esplanade Way, spoke in opposition to the project: The design is too dissimilar to the neighborhood.

Maura Ziska, 1500 North Ocean Boulevard, spoke in opposition to the project: Inappropriate for this parcel and this neighborhood; too dissimilar; the other approved modern houses were in areas that could stand that type of architecture; the Chu modern house, a client of Ms. Ziska, had 21 letters of support in the record; cited an example of when a Mediterranean style house was denied in a neighborhood of Bermuda style homes; spoke with Mr. Piñon months ago suggesting that the client re-design the house because she anticipated a problem; and, it seems like the applicant does not want to work with the design of the neighborhood.

Jeffery Smith, owner of property at 119 Seagate Road, spoke in opposition to the project: Stated he was on ARCOM thirty years or so, and he has never seen so much opposition to a house...ever; the north end is a special place and it needs to be protected; the neighborhood is asking ARCOM to do its job and deny the project.

Mr. Randolph asked **Mr. Smith** to state his qualifications for the record, and he complied. Mr. Smith stated that there is not one structure within 200 feet of 167 Seagate that is compatible with this structure. "My opinion, as an architect, is that it does not meet the ordinance based on the letter I submitted last month about any properties within 200 feet of the property, per our code, and I was pretty detailed when I submitted my letter." "The only way that this house can be approved is to change the ordinance."

Robert L. Moore, 318 Bunker Ranch Road, West Palm Beach, spoke in opposition to the project on behalf of the neighbor to the east: Stated that he was the Director of Planning, Zoning and Building for the Town of Palm Beach for 25 years; there are no modern homes within 200 feet of 167 Seagate Road; explained the historical reason that this provision was placed in the code; with regard to the letter of support from Mr. De Olaso, ironically, the De Olaso house does not fit into the neighborhood either; your charge is to look at the substantial competent evidence, and look at the ordinance; in this case, it is very much too dissimilar; you have control over mass and how

that mass is put on that property; and, you are looking at a classic case of denial for too dissimilar within the 200 feet.

Louis Mrachek, Attorney, spoke in opposition to the project: Recommended that ARCOM do the right thing in this case, which is denial on the grounds of compatibility; there is no way that this project is not incompatible; it is excessively dissimilar; look at the photos on pages 24, 25, 26, 29 and 30 of the applicant's presentation for the homes within 200 feet...a first grader could pick out what is dissimilar; 1% or less of the homes in Palm Beach are in the modern style, so they get approved 1% of the time; of the list of modern homes presented by the applicant, 19 of them are more than 1 mile away from the site, and 14 are more than 2 miles away...there is not one home within 1000 feet of the site that is an International or modern style; the Chu residence is more than 1000 feet away; nobody who has to live around this site, within sight of the home, has supported it; all the neighbors are against it on the grounds of compatibility which is well defined by the code and could not be a clearer standard; compatible means existing together in harmony; there is no way that this structure is harmonious, and it certainly doesn't make it harmonious to hide the structure; this is the Architectural Review Commission...not the hedge review commission; this building clearly does not meet the standards...there is substantial competent evidence in the record that it doesn't...look at the photographs; and, do the right and obvious thing.

Mr. Mrachek clarified that he represents Katy and Jeff Amling, who are the immediate neighbors to the east.

EXECUTIVE SESSION:

Commission Comments: I am persuaded by the evidence presented that this project should be denied as presented because of Section 18-205, (a) (4)...the proposed building is not in harmony, (a) (6)...is excessively dissimilar to existing structures within 200 feet and within one block, (a) (7) ...is not appropriate in relationship to the established character of the neighborhood, and the project is disruptive to the harmony; this is a siting issue; this is not the proper location for this particular structure; we are directed to preserve, protect, and enhance the beauty, not in vacuum, but in context; this violates the harmony in context; support denial; it's not just the issue of the architectural style; there are other areas in which this building is not similar, or is excessively dissimilar to the area; other modern houses have been approved due to materials, arrangement of components of structure, the mass from the street; it's a disappointment that there are basically no changes to the architecture from what was presented last month; I don't understand why you did not come back to this meeting, when you were granted a deferral, which could have been a denial, without any new architecture; you've wrapped the building in a gigantic hedge, except for one area, which is also not the most attractive; willing to go along with the denial given no changes to the architecture; it fails to meet Section 18-205 (a) (1), (a) (5), (a) (6), and (a) (7) of the code; subjectively, I find this project to be not in good taste and poorly designed; good architecture has to fit into its surroundings and has to fit into the land in a good way; this project does not fit on the land or with its surroundings; I would deny it; the raising of the hedge and no change in architecture is not what we had in mind last month; diversity in our town is what makes it significant and special; lack of sensitivity to the particular site; a more substantial re-design would have been better; it does not meet the criteria; I would like to defend this project, but I cannot; the code actually says that we have been too lax; the building is to have a residential character, but this does not; I question whether this is high quality or not, with 3/4" stone, mitered corners...it's like commercial construction...issue with quality of aluminum windows; I would have to go along with everyone else; we do not base our judgments on hedges; and, in complete agreement that this building does not meet the too dissimilar and harmonious criteria.

**MOTION BY MR. GRUSS TO DENY THIS APPLICATION ON THE GROUNDS THAT IT FAILS TO MEET THE REQUIREMENTS IN SECTION 18-205 OF THE CODE, PARAGRAPH (A) (1), (A) (5), (A) (6) AND (A) (7).
MOTION AMENDED BY MR. GRUSS ADDING (A) (4).**

Mr. Randolph interjected, before any vote, that the applicant's attorney has informed Mr. Randolph that he believes that since ARCOM does not have two required architects on the board at this time, his client may be prejudiced as a result of the vote today. Mr. Piñon told Mr. Randolph that he intended to appeal on this basis, and request a de novo hearing. Mr. Randolph advised that he would prefer that the applicant not be able to raise this issue upon appeal. As such, he favored a deferral today until such time as ARCOM has the required two architects.

MOTION WITHDRAWN BY MR. GRUSS.

Mr. Small commented that such an objection should have been raised either before the hearing, or much earlier during the hearing, and not wait until a motion was on the floor for denial. Mr. Small opined that Mr. Piñon has waived it procedurally, and asked that the commission recognize that it is a waiver. He stated that it is grossly unfair to have to compel all these people to have to come back again to a similar hearing simply to defer this for that reason. Acting Chairman Vanneck noted that at last month's hearing, there was likewise not a full complement of architects, and no objection was raised at that time either.

Mr. Randolph advised that the persons who testified today from the public would not have to return as their testimony is already on the record. He added that he is trying to avoid a procedural argument that could be raised, but noted that he was disappointed, as well, that this was not raised by the attorney earlier. Chairman Vanneck suggested that the Commission follow Mr. Randolph's advice, and requested a motion for deferral.

MR. GRUSS STATED, ONCE AGAIN, THAT HE WAS WITHDRAWING HIS MOTION.

Mr. Ives noted that such an argument may apply to all other agenda items of today's business. Mr. Randolph acknowledged that this might be the case if anyone might wish to raise such an objection. Mr. Randolph asked Mr. Piñon to state, for the record, that he feels prejudiced in regard to this, as a result of going forward with a board which does not have the full complement of architects.

Mr. Piñon responded that he had mentioned this to Mr. Randolph, both yesterday and today, and stated that he had made it clear in his remarks today that this board requires specialized personnel. He stated that it is unfortunate that this board does not exist in the way contemplated by the legislative unit that organized it. "I don't believe that there is a cognizable board at this time that could render any decision, and to the extent that the previous time, I was not aware that the board did not have...I believe that no decision that's come out of any board that did not have the required members is actually made a decision."

MOTION BY MR. KARAKUL TO DEFER THE PROJECT FOR FURTHER RE-STUDY IN TERMS OF SCALE, AND COMPATIBILITY WITH THE NEIGHBORHOOD.

Mr. Randolph advised to defer to a time certain. Mrs. Vanneck advised to defer it until there is a full complement of architects on ARCOM. Mr. Randolph added that the full complement should be in place by the next meeting, July 23, 2014.

MOTION BY MR. KARAKUL TO CORRECT HIS MOTION TO STATE DEFERRED UNTIL THERE IS A FULL COMPLEMENT OF TWO ARCHITECTS ON THE COMMISSION.

Mr. Ives commented that he is not in favor of acquiescing to this argument.

MOTION WITHDRAWN BY MR. KARAKUL.

Mr. Gruss asked that his original motion be re-read:

**MOTION BY MR. GRUSS TO DENY THIS APPLICATION ON THE GROUNDS THAT IT FAILS TO MEET THE REQUIREMENTS IN SECTION 18-205 OF THE CODE, PARAGRAPH (A) (1), (A) (5), (A) (6) AND (A) (7), AND (A) (4).
MOTION SECONDED BY MR. SMALL.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that there was a short recess until 11:08 a.m. at which time the meeting re-convened.

Chairman Vanneck asked whether any other applicant objected to the fact that ARCOM does not have two architects on its roster. No one raised any objection.

Let the record show that Mr. Karakul had not yet returned to the meeting.

B - 022 - 2014 Demolition and New Construction

Address: 426 Australian Avenue

Applicant: 426 Australian Ave. LLC

Architect: Bridges, Marsh & Associates

Project Description: Demolish existing two-story residence/garage. Proposal to construct new two-story residence/garage with landscaping, hardscape and pool.

This project had been on the March agenda. At that meeting, Mr. Lindgren explained that the project was amended from that which was approved by Town Council. Since the applicant had to return to the Town Council for approval of the amended project, staff recommended deferral of the ARCOM project to the June 25, 2014 ARCOM meeting.

Call for disclosure of ex parte communication: Disclosure by Mr. Small

ARCHITECTURAL PRESENTATION BY: Mark Marsh, Bridges, Marsh & Associates
LANDSCAPE PRESENTATION BY: Dustin Mizell

Mr. Marsh provided the demolition report for this 1924 Bungalow style residence.

**MOTION BY MR. SAMMONS FOR APPROVAL OF THE DEMOLITION WITH THE
TYPICAL CAVEATS FOR SODDING AND IRRIGATING.
MOTION SECONDED BY MR. KNOWLES.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that Mr. Karakul had now returned to the meeting.

Mr. Marsh presented the new residence in accordance with the submitted plans and as described above, noting that this project complies with all setbacks. Design elements include: Side entry and portico; pool in rear; pedestrian entry on the east side; oversized single car garage on north side; Neo-Classical style; symmetrical; hipped roof with flat section; blended color barrel tile roof; two-tone grey color scheme; and, simple and elegant.

Commission comments: Re-study fenestration...lots of different widths...too much variety of window types; re-study proportion of windows; clean it up and unify it; details need more work, but a nice design; pleasing, just refine it; re-study garage door and surround...don't highlight it; mitigate the garage with greenery, perhaps espaliered vines.

Mr. Mizell continued with the landscape/hardscape in accordance with the submitted plans. He explained that all existing landscaping will be removed at the site during demolition. Design elements include: Organized front landscape, but very tropical and dense in rear; Chicago brick path; low retaining wall; pedestrian courtyard; and, four Heliocarpus in front.

Commission comments: Four Heliocarpus are too small; and, choose something other than conical trees in front.

**MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED WITH STUDYING
THE FENESTRATION RELATIONSHIPS AT THE TOPS OF THE WINDOWS, AND TO
ALSO INCLUDE THE ESPALIER, AND TO RETURN WITH THE FENESTRATION
DETAILS, AND TO STUDY THE FOUR TREES, AND CHANGE THE SHAPE. (OF
THE CONICAL ONES.)
MOTION SECONDED BY MR. IVES.
MOTION CARRIED UNANIMOUSLY.**

B - 027 - 2014 New Residence

Address: 266 Fairview Road

Applicant: William and Judith Cooley

Architect: Eugene Pandula, The Pandula Architects

Project Description: Construction of a new single family residence with landscape and hardscape approval requested. Two-story; Building Color - Beige; Roof - Tan Cement Tile; Trim - White

At the March meeting, the project was heard, and a motion carried to defer the project to the April meeting for further study. At the April meeting, the project was not heard and was deferred to the May meeting at the applicant's request. At the May meeting, a motion carried for approval, as presented, with the caveat that further detailing and landscaping is to return to the commission for approval.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, the Pandula Architects

Mr. Pandula presented revised plans pursuant to comments made at the last meeting. He explained that the landscaping would not be presented today, and requested deferral of that portion of the project.

Plan revisions include: Reduced square footage on second floor rear to add it to the ground floor; changes to mansard roof; some fenestration changes; new balcony in rear; maintain "H" shape; change wood fascia and soffit to run stucco cornice line; and, removal of proposed awning at front door.

MOTION BY MR. IVES FOR APPROVAL AS PRESENTED AND DEFER THE LANDSCAPE TO THE JULY MEETING.

MOTION SECONDED BY MR. SMALL.

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

B - 048 -2014 Demolition of Cabana and New Cabana

Address: 1331 N. Ocean Blvd.

Applicant: Ocean Terrace Beach Club Inc.

Architect: Thomas M. Kirchhoff, AIA, P.A.

Project Description: Demolition of existing one-story cabana. New one-story Bermuda style cabana with landscape and hardscape

At the May meeting, this project was not heard and was deferred to the June meeting at the request of the architect.

Call for disclosure of ex parte communication: Disclosures by Mrs. Vanneck, Mr. Ives and Mr. Small

ARCHITECTURAL PRESENTATION BY: Thomas Kirchhoff

LANDSCAPE PRESENTATION BY: Dale Posey, Roy and Posey

Mr. Kirchhoff provided the demolition report for the existing cabana built in 1958 and designed by Emily Obst. The current cabana is deteriorated, and the applicant would like a more functional building.

MOTION BY MR. IVES FOR APPROVAL OF THE DEMOLITION.

MOTION SECONDED BY MR. SMALL.

MOTION CARRIED UNANIMOUSLY.

Mr. Kirchhoff reported that variances for setback for the new cabana have already been obtained from the Town Council. Design elements include: Two enclosed spaces in front: bathroom and storage; two gable ends facing the road; east side is open to the air; green doors, awnings and shutters, white stucco; and, flat white tile roof.

Commission comments: Why have an exterior bathroom entrance; and, would like one of gates removed for child safety.

Mr. Posey presented the landscape/hardscape with design elements to include: Native and native friendly plant material; Green Island Ficus; espalier of Clusia on west wall; add several Coconuts; and other plant material as presented.

Commission comments: Issue with choice of Spanish Bayonet with respect to children. Mr. Posey stated that something else can be selected other than the Spanish Bayonet.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED 6-1, WITH MRS. VANNECK OPPOSED.

B - 049 - 2014 Storefront modifications

Address: 205 Worth Avenue

Applicant: LenDan LLC

Architect: Jerome Baumoehl, AIA, NCARB

Project Description: We propose to change the profile of the existing awning structures to relate architecturally to the existing building profile; change the color of the awning fabric and a new paint color scheme for the building. To uniform all the signage to a brass finish and to provide a tile finish on the existing round column at the southeast corner of the building.

This project was heard at the May meeting, at which time a motion carried to approve the project with the awnings as presented, and then come back with the base color change, and remove the main entry awning.

Call for disclosure of ex parte communications: Disclosure by several members

ARCHITECTURAL PRESENTATION BY: Jerome Baumoehl, Architect

ATTORNEY PRESENT: Paul Thibadeau, for the applicant

Mr. Baumoehl stated that sample colors were placed on the building, but he received little feedback. The applicant would like some protection from the elements at the main entry. As such, they propose an entry awning again in the same profile as the other proposed awnings.

Commission comments: Request that awnings do not cover the stone areas on the east facade; i.e., only cover the openings, not the granite between the openings.

MOTION BY MR. IVES FOR APPROVAL AS PRESENTED, THE COLOR SAMPLE ON SOUTH COUNTY ROAD, THE ORIGINAL COLOR – TEABERRY, WITH OPENING UP THE STONE AREAS AT THE WINDOWS.

MOTION SECONDED BY MR. GRUSS.

MOTION CARRIED 6-1, WITH MRS. VANNECK OPPOSED.

B - 058 -2014 New Garage/Guest House

Address: 1400 North Lake Way

Applicant: Sterling Kenan

Architect: SKA Architect + Planner/Patrick W. Segraves, A.I.A.

Project Description: New two-story garage and guest house to be approximately 2,600 square feet. Structure will consist of two car garage, living room, kitchenette and loggia on main floor and two bedrooms, two bathrooms and balcony on second floor. Materials and colors of new structure shall match existing house. Final landscape and hardscape will also be included.

At the May meeting, the project was not heard, and was deferred to the June meeting at the request of the architect.

Call for disclosure of ex parte communication: Disclosure by Mr. Small

ARCHITECTURAL PRESENTATION BY: Patrick Segraves, SKA Architect + Planner

Mr. Segraves presented the project in accordance with the submitted plans and as described above to nestle a new garage/guest house into existing large Ficus trees. Due to the density of the vegetation, the structure will not be able to be seen. He briefly reviewed the landscape changes associated with the project, i.e., relocate Seagrape to frame the house; add landscape screening from the large house next door; add Confederate Jasmine over garage door; and, other associated landscaping as presented.

Commission comments: It's like a box...there could have been so many more interesting ways to complement the house...do more architecturally, perhaps a variety of roof levels; cottage is out of scale with the house and doesn't relate in detail or style; agree that it is dissimilar; it doesn't look like a guest house to the main house; perhaps consider a one-story; make it a pavilion, not a big block.

MOTION BY MR. SAMMONS TO DEFER (TO JULY) FOR RE-STUDY.

MOTION SECONDED BY MR. GRUSS.

MOTION CARRIED UNANIMOUSLY.

B. MAJOR PROJECTS-NEW BUSINESS: (12:07:37 p.m.)

B - 064 - 2014 New Residence

Address: 2252 Ibis Isle Road West

Applicant: Andrew & Gail Marks

Architect: Gerard Beekman, Gramatan Corporation

Project Description: A project for a new single story, 5534 sq. ft. house on a waterfront property on Ibis Isle. The International style residence is in white stucco with tropical hardwood impact-rated doors and windows. A deep overhang at the loggia and bris-soleils at the West facing bedrooms will project from the harsh sun in warmer months. The building is centered on the site with the principal garden open to the water on the West. A secondary garden is off the Eastern bedroom. The house is organized around a central great room with an entry pavilion to the East and two bedroom wings to the North and South. Roof - Grey Kemper Membrane; Building Color - White; Shutters - Sliding Merbau Wood

Call for disclosure of ex parte communication: Disclosures by Mr. Karakul and Mr. Ives

ARCHITECTURAL PRESENTATION BY: Gerard Beekman, Gramatan Corporation

LANDSCAPE PRESENTATION BY: Dustin Mizell

Mr. Beekman presented the project in accordance with the submitted plans and described above for this simple modern design using only three materials. He began by discussing the other homes in the area of this site, and continued with examples of the International style throughout the world. Design elements for this project include: Separation of public and private spaces; maximize experience of the west garden and waterfront; thick masonry walls with perforations and depressions; maximized glass, but balance maintained with solid walls; all windows/doors pocket completely into the walls; fireplace and barbeque on the ends of the rear loggia; bris-soleils at bedroom windows; sliding shutters; and, motorized interior shades; equipment courtyard

for generator and HVAC; and, marginal dock. Mr. Beekman stated that this home "fits into the neighborhood unobtrusively and respectfully, and it is an elegant and understated composition in a style that has almost 100 years of history in town."

Commission comments: Commend the architect for a very simple, ingenious, respectful, almost charming modern house...massing and proportions are good...parti is excellent; only issue is with chimneys...look too much like pill boxes; this is an example that there are International or modern style projects that study the history of that style, not only worldwide, but in the Town of Palm Beach, and there is a way to do it successfully; and, very strong and attractive.

Mr. Mizell presented the landscape/hardscape in accordance with the submitted plans. He noted that three existing Sabal Palms at the site will be removed. Other than those trees, the lot is vacant. Design elements include: Integrate the landscaping into the house; two large Canary Island Date Palms at main entrance; white tabby shell concrete courtyard; living vertical wall systems at two locations; Podcarpus, Agaves, Coconuts, Horsetail Reed, large specimen tree in rear yard, and, other associated landscape material as presented. He noted that a pergola shown on the plans has been removed from the proposal.

Commission comments: Very complementary, simple and restrained; 75 watt lighting is too strong...LED would be better; looks a little awkward to have the Canary Date Palms outside of the hedge; this project is a very good fit for its location; and, a wonderful project.

MOTION BY MR. GRUSS FOR APPROVAL AS PRESENTED WITH THE USE OF LED LIGHTS IN GENERAL.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

B - 065 - 2014 New Golf Administration Building & New Generator Building

Address: 500 S. County Road

Applicant: Everglades Club, Inc. (Scott Lese, General Manager)

Architect: Jason P. Drobot, R.A.

Project Description: The project is a 2,631 square foot one story golf administration building for a break room, small equipment storage area, and offices to be located on the north side of the 17th hole green located on the southwest side of the existing golf course. The project is also for a 308 square foot accessory building to house a 400 kw generator on the Everglades property adjacent to Golfview Road on the east side of the golf club building. Roof-flat for administrative building and orange/brown barrel tile for accessory structure; Building Color - Green for administrative building and tan for accessory structure; Trim Color - Green for administrative building and tan for accessory structure

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

ARCHITECTURAL PRESENTATION BY: Jason Drobot, Brasseur and Drobot

Mr. Drobot presented the project in accordance with the submitted plans and as described in detail above. He began by provided some historical information relative to the Everglades Club. The administrative building will be commercial in nature and is located in the proximity of other commercial buildings at this site. Design elements include: Planters to soften the building in the front; rear is shrouded in a long row of Areca Palms; 12' overhang; and, plenty of fenestration for views and natural light. As for the generator enclosure, adjacent to Golfview Road, it will be a

block structure with stucco finish located behind hedges; will have a hipped barrel tile roof and brackets; and, will not be able to be seen from the road.

Commission comments: Issue with vent on the west elevation of generator building...should not be vented toward golfers.

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

Let the record show that the meeting recessed for lunch at 12:55 p.m. and was scheduled to reconvene at 1:55 p.m.

B - 066 - 2014 Addition

Address: 350 South Ocean Boulevard

Applicant: Three Fifty of Palm Beach Association Inc.

Architect: Rick Gonzalez, AIA

Project Description: Construction of a 200 sq. ft. recreation room addition to an existing pool equipment and toilet room accessory structure. The improvements require partial demolition of the existing toilet room structure as well as minimal landscape and hardscape modifications. The proposed work at the subject property is submitted for administrative site plan review and for public notification, it is being presented at ARCOM.

Please note that this project was removed from the agenda under "Approval of the Agenda".

B - 067 - 2014 Addition and New Cabana

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 102 Flagler Drive

Applicant: Kenneth and Janet Himmel

Architect: Thomas M. Kirchhoff

Project Description: New one-story cabana and small one-story addition to main house. Final landscape and hardscape.

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

ARCHITECTURAL PRESENTATION BY: Thomas M. Kirchhoff

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Kirchhoff reported that a variance is required for cubic content in relation to this project. The proposed addition to the main house is seen on the south elevation. He presented the project in accordance with the submitted plans and as described above. The new detached pool cabana on the north side, a Classical pavilion with lattice panels, will have a seating area, kitchen and bath.

Commission comments: The chimney on the cabana is bigger than the one on the main house; like the trellis.

Mr. Williams continued with the landscape/hardscape pursuant to the submitted plans. Design elements include: Dining terrace under canopy of citrus trees on one side and cabana on the other, connected to main house via limestone paving only; large expanse of open lawn area; both sides are densely planted; pool is existing, but terraces will be revised on east and west sides; new

limestone and brick courtyard; fountain on wall of house; south side of property...walkway created together with tall hedges and pleached trees and a gate; and, other landscape material as presented.

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

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

B - 069 - 2014 New Residence

Address: 300 Indian Road

Applicant: Mr. and Mrs. David Ferguson

Architect: Roger Janssen, Dailey Janssen Architects

Project Description: Construction of a new two-story residence with preliminary pool, landscape and hardscape. Roof-Red Flat Clay Tile; Building and Trim Color-White

Call for disclosure of ex parte communication: Disclosure by Mr. Small

ARCHITECTURAL PRESENTATION BY: Roger Janssen, Dailey Janssen Architects

LANDSCAPE PRESENTATION BY: Jorge Sanchez, SMI

Mr. Janssen presented the project in accordance with the submitted plans and as described above for the new residence. Design elements include: Main pedestrian formal entry off Indian and informal entry off North Lake Way; house designed in the Bermuda West Indies style; Bermuda inspired butterfly serving as a dining pavilion and joining the two wings of the house; studio above garage, accessed by exterior stairs; flat terra cotta tile roof to emulate wood shingle; white stucco; and, mahogany casement windows.

Commission comments: That one Bermuda element (the butterfly) sticks out like a sore thumb on this otherwise Craftsman inspired house; the casements are so large...lack scale and articulation; perhaps pull the dining pavilion off the main building; the pavilion is interesting; issue with roof cover over the front entry; Bermuda pavilion is not working with the main house; the pavilion also has plate glass windows in it...not only does it not match the house stylistically, then suddenly there is a jump in scale and now you are marrying a very traditional, iconic image, that goes only in one place on Earth, with this big piece of plate glass; there may be another way of doing this that is more in keeping with the house; the pavilion cannot be alien to the rest of the building; problem with getting water away from the house; problem with roof connection that connects the two wings on the front elevation...too high, heavy and massive; and, in general, well designed, except for the butterfly.

MOTION BY MR. KARAKUL TO DEFER (TO JULY) FOR RE-STUDY THE BUTTERY PAVILION, THE WINDOWS, AND THE BUTTERY WINDOWS.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

Mr. Sanchez presented just a preliminary landscape/hardscape plan. Mr. Lindgren stated that this will have to return to the commission as a major project. Acting Chairman Vanneck asked that the applicant consider salt tolerance in the plant selections.

B - 070 - 2014 Addition

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 542 N. County Road

Applicant: Mr. and Mrs. N. Peltz

Architect: Roger Janssen, Dailey Janssen Architects

Project Description: Proposed new construction of 5,035 sq. ft. second story addition over portion of existing one-story residence. New mansard roof to match proportion and style of existing residence.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Roger Janssen, Dailey Janssen Architects

ATTORNEY PRESENT: Maura Ziska for the applicant

OTHERS WHO TESTIFIED: Paul Castro, Zoning Administrator

Ms. Ziska discussed the variances requests for point of measurement and building height. Mr. Janssen presented the project in accordance with the submitted plans and as described above for a second story addition with mansard roof and dormers over the center portion of this home.

Commission comments: Make it an authentic mansard; the mansard that is there is well-proportioned, so if you're going to grant a variance, grant one that will allow them to proportion the roof correctly; and, issue with deeply projecting cornice at the attic story affecting the dormers.

Mr. Castro provided further explanation relative to the variances, and cautioned ARCOM against requesting further relief from the code than the applicant has already requested. Mr. Karakul and Mr. Sammons, however, responded that good architecture would merit the request.

Ms. Ziska stated that to request further relief, the variance request would have to be deferred.

MOTION BY MR. IVES TO DEFER (TO JULY) THE ROOF FOR FURTHER STUDY.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

B - 071 -2014 Addition

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 149 Root Trail

Applicant: Robb R. Maass and David R. Maass

Architect: Bridges Marsh & Associates

Project Description: New facade addition and cypress trellis with new landscaping

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

ARCHITECTURAL PRESENTATION BY: Mark Marsh, Bridges Marsh & Associates

ATTORNEY PRESENT: M. Timothy Hanlon for the applicant

Mr. Hanlon discussed the variances requested for front yard and side yard setbacks and for lot coverage. Mr. Marsh presented the project in accordance with the submitted plans and as described above for a minor addition to the front of the building and associated modifications. Design elements include: Stucco clapboard finish; adjust fenestration for better balance on the facade; cantilevered cypress trellis over the front door; and, Peachy-beige (ecru) color for the building with white trim.

Commission comments: Two blind windows are unsuccessful; blind windows are not attractive; eliminate the blind windows and landscape there instead; perhaps do a Confederate Jasmine in the shape of the two windows, instead of the blind windows; perhaps create balance with another small window instead, if the louvers are removed.

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

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED, BUT DELETING THE BLIND WINDOWS AND RE-STUDY FOR SOMETHING ELSE.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

Mr. Marsh continued with the landscaping as designed by Fernando Wong. Design elements include: Proper picket fence; modify Chicago brick walkway to make it more free-flowing; and, assorted plants and trees in front of the property, as presented.

Commission comments: Madagascar Olive tree is inappropriate...re-study; Bougainvillea is a poor choice on the front, but acceptable on the side...Confederate Jasmine would be better.

MOTION BY MR. SAMMONS FOR APPROVAL OF THE LANDSCAPE ARCHITECTURE AS PRESENTED, WITH CONFEDERATE JASMINE ON THE FRONT AND RE-SELECT SOMETHING FOR THE MADAGASCAR OLIVE.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

B - 073 - 2014 Site Improvements

Address: 44 Coconut Row

Applicant: Palm Beach Towers Condominium Association Inc.

Architect: Rick Gonzalez, AIA

Project Description: Limited site maintenance and improvements to upgrade paving, drainage, and improve site lighting at the parking lots and entrance including: bringing the parking lot and vehicular drop-off at the building entry up to accessibility standards; reduce the paved area and increase the landscape area by 2,757 sq. ft.; and, replacing the entry water feature and identification sign with a new water feature and sign.

Call for disclosure of ex parte communication: Disclosures by Mrs. Vanneck, Mr. Ives and Mr. Small

ARCHITECTURAL PRESENTATION BY: Rick Gonzalez

LANDSCAPE PRESENTATION BY: JoEllen Leisinger
ATTORNEY PRESENT: Frank Lynch
OTHERS WHO TESTIFIED: John Groskopf, Manager of Palm Beach Towers

Mr. Lynch introduced the project and the design team, describing the genesis of the project as the need to comply with ADA requirements in relation to the parking lot. After review, this led to a much larger scoped project, some of which required variances. The Town Council has already approved those variances related to the width of the parking and drive aisles and the signage.

Mr. Groskopf stated that the unit owners at the Towers overwhelmingly support this project. He described one part of the project related to the building lighting which will be replaced with LED lights with a bronze finish.

Mr. Gonzalez stated that the project has five parts: Replace the outdated existing sign and water feature; clean up the landscape island entry feature; make necessary modifications for ADA compliance; re-pave parking areas, including new storm system, and apply pavers to sidewalks; and, additional hedging on the north property line. In addition, new striping is proposed in the right-of-way, together with landscaping there and re-doing the aprons. Light poles will be reduced to 12 ft. and 15 ft. with a reduction in foot candles of light. Signage consists of a terrazzo slab, polished stainless steel lettering, a low fountain and LED lighting (not backlit). Two color tabby pavers will be installed.

Commission comments: Signage is too shiny...brushed lettering preferred; great job, but the white striping as you enter the property is unsightly.

Mr. Gonzalez responded that the striping was the Town Council's suggestion. Mr. Page confirmed that this project was reviewed by the Town Council on June 11, 2014 and was approved.

Jo Ellen Leisinger, from the Land Stewardship Company, presented the landscape in accordance with the submitted plans. She explained that the existing vegetation is very lush and all of that will be retained except the landscaping in the existing islands. One tree will be removed to allow for exfiltration. The proposal includes adding as much landscaping as possible into the parking lot. Podocarpus will be planted along the north boundary for additional screening. In the entry median, the landscape will be kept low and the canopies high, along with annuals for color.

MOTION BY MR. SAMMONS FOR APPROVAL AS PRESENTED WITH THE POLISHED STEEL CHANGED TO A LESS SHINY SUBSTANCE AND WITH NO BACK LIGHTING OF THE SIGNAGE.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

B - 074 - 2014 New storefront

Address: 237 Worth Avenue

Applicant: Herve Leger

Architect: Highland Associates Architects

Project Description: Interior renovation of existing retail store and implementation of new storefront

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

ARCHITECTURAL PRESENTATION BY: Christopher Love, BCBG Max Azria and Ian Tornquist, Highland Associates Architects

Mr. Love explained that a move to the 237 Worth Avenue location is scheduled for November. Mr. Tornquist presented the project in accordance with the submitted plans and as described above. Design elements for the new facade include: New awning in black with three small horizontal stripes on the valance; raised lettering building signage with white underneath; and, black facade with ample glazing.

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

B - 075 - 2014 Additions

Address: 120 Jungle Road

Applicant: Jungle Road LLC

Architect: MP Design & Architecture

Project Description: New one-story pool house addition. Second story addition of master bedroom over existing loggia. Other associated changes as presented. All finishes to match existing.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Michael Perry, MP Design & Architecture

Mr. Perry presented the project in accordance with the submitted plans and as described above. The new pool house will be added south of the new loggia which had been added in 2005/2006. Mr. Perry passed some additional elevations to the members. All details will match the existing architecture.

Commission comments: Well done...makes sense.

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

B - 076 - 2014 Landscape, Hardscape and Lighting

Address: 101 Indian Road

Applicant: 101 Indian Road LLC

Architect: John Lang, Lang Design Group

Project Description: Final landscape, hardscape and landscape lighting

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

LANDSCAPE PRESENTATION BY: John Lang, Lang Design Group

Mr. Lang presented the project in accordance with the submitted plans. He explained that the preliminary landscape/hardscape had been presented quite some time ago and had been approved. Since that time, the project has remained unchanged, with one exception, that being that the

driveway off East Inlet has been moved to the west to minimize impact to the street, and to facilitate the large Seagrape that is there. He noted that they plan to bury the power lines on the road, and will place two transformers on this property and manipulate the privacy wall to accommodate them. Review of the landscape plan revealed salt tolerant native vegetation. The driveway gate, somewhat opaque, will be 14 ft. wide in wrought aluminum.

Commission comments: Counter-intuitive to have the high spot in the middle of the gate due to weight issues; concern regarding long, plain wall on East Inlet without planting; suggest duplicating the Indian Road landscaping on East Inlet; suggest panels of espaliered Confederate Jasmine and interspace with something else; issue regarding Australian Pines...some have already been removed...recommend the same on the south side; the Australian Pines need to be maintained because they cannot be replaced; concerns with how the area of the Australian Pines will be handled; and, the gate needs to be re-designed.

MOTION BY MR. SAMMONS FOR APPROVAL OF ALL, EXCEPT FOR A DEFERRAL TO THE JULY MEETING OF THE NEW GATE DESIGN AND A RE-DESIGN OF THE LANDSCAPING ALONG THE NORTHERN WALL.

MOTION SECONDED BY MR. SMALL.

MOTION CARRIED UNANIMOUSLY.

C. MINOR PROJECTS - OLD BUSINESS:

A - 023 - 2014 Addition

Address: 960 N. Ocean Blvd.

Applicant: Mr. & Mrs. Alan Bleznak

Architect: MP Design & Architecture

Project Description: New extension to existing garage with new mansard roof. All finishes to match existing.

At the May meeting, the project was heard and was deferred to the June meeting.

Please note that this project was removed from the agenda under "Approval of the Agenda".

Let the record show that Mr. Gruss left the meeting at 4:10 p.m.

D. MINOR PROJECTS - NEW BUSINESS: (04:01:50 p.m.)

A - 031 - 2014 Landscape/Hardscape

Address: 264 Country Club Drive

Applicant: Bruce Malasky, Malasky Homes

Architect: Patrick W. Seagraves, SKA Architect + Planner

Project Description: Re-design of front yard to replace east portion of driveway motor court with garden/landscaped open space. This requires realignment of driveway into garage.

Call for disclosure of ex parte communication: No disclosures

LANDSCAPE PRESENTATION BY: Frank Meroney, Environment Design Group

Mr. Meroney presented the project in accordance with the submitted plans and as described above. He explained that this project had been approved last year by ARCOM and is under construction. The driveway, as designed, has proven difficult to maneuver due to tight turns and

due to the grading of the land there, which creates a ramp. As such, the proposal is to move the entrance for a "straight shot" in and out of the garage, and return a paved area to a front yard garden. The former driveway will be narrowed from 14 ft. in width to a 6 ft. wide pedestrian entrance. The landscaping, as proposed remains unchanged except for removal of one tree due to the driveway change.

Commission comments: We worked really hard to ensure that this garage was not visible from the street; we really don't want to see the garage; there are other ways to deal with the slope; if we can avoid seeing the garage, it would be good.

MOTION BY MR. SAMMONS TO KEEP THE EXISTING DESIGN, BUT ALLOW THEM TO DO THE ADDITIONAL LAWN.

More discussion continued, and several suggestions for alterations were provided to Mr. Meroney.

MOTION BY MR. KARAKUL TO DEFER TO JULY FOR RE-STUDY.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

A - 032 - 2014 Landscape/Hardscape

Address: 233 West Indies Drive

Applicant: Louisa & Neale Attenborough

Architect: Mario Nievera

Project Description: Final landscape and hardscape revisions that include a front elevation fountain and driveway improvements

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

LANDSCAPE PRESENTATION BY: Matt Jackman, Nievera Williams Design

Mr. Jackman presented the project in accordance with the submitted plans and as described above. Design elements include: Royals along the street; 6 ft. tall Clusia hedge underneath; other landscape material as presented; new driveway alignment; hardscape material is Mega Bergerac stone; silver travertine pavers; cast stone tiered fountain on center line with front door; and, two garden gates. Mr. Jackman was advised to limit the width of the driveway opening to a maximum of 12 ft.

MOTION BY MR. IVES FOR APPROVAL AS PRESENTED WITH THE CAVEAT THAT THE CURB CUT BE NO MORE THAN 12 FEET.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

A - 033 - 2014 Landscape/Hardscape

Address: 242 Jungle Road

Applicant: Prescott Low

Architect: Robert L. Bell

Project Description: Re-design of front yard driveway, fence, retaining wall and steps-columns. Also will include respective planting changes

Call for disclosure of ex parte communication: No disclosures

LANDSCAPE PRESENTATION BY: Frank Meroney, Environment Design Group

Mr. Meroney presented the project in accordance with the submitted plans and as described above. He noted that this landscape plan had been previously approved. Mr. Lindgren noted that he had previously staff approved only relocating the steps and the removal of a patio.

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

A - 035 - 2014 Vehicle Gates

Address: 1255 South Ocean Boulevard

Applicant: Thomas Peterffy

Architect: Daniel Kahan, Smith and Moore Architects, Inc.

Project Description: Modifications to existing vehicle gates at main (north) entry drive

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

ARCHITECTURAL PRESENTATION BY: Daniel Kahan, Smith and Moore Architects

Mr. Kahan presented the project in accordance with the submitted plans and as described above. Today's proposal to modify the gates would add decorative crests to the gates. The crests are important to the owner as they are family crests respecting his Hungarian heritage and family.

MOTION BY MR. IVES FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. SMALL.
MOTION CARRIED 5-1, WITH MR. SAMMONS OPPOSED.

Mr. Karakul asked Mr. Kahan to ensure that there are no views into the service area.

A - 036 - 2014 Renovation

Address: 225 Barton Avenue

Applicant: Kim Fennebresque

Architect: Stephen Roy Architect

Project Description: Renovation of an existing one-story side entry structure and replacement of a garage door

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Stephen Roy

Mr. Roy presented the project in accordance with the submitted plans and as described above for the new service door and new garage door, centered on the existing windows above.

Commission comments: The service door should have mullions; thank you for making the garage door smaller.

MOTION BY MR. SAMMONS FOR APPROVAL, BUT ADD MULLIONS TO THE SERVICE DOOR.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

A - 037 - 2014 Landscape Revisions

Address: 2266 Ibis Isle Road West

Applicant: Bruce W. and Tamara Watkins

Architect: Clemens Bruns Schaub

Project Description: During the construction of a tropical modern style lakefront home, it was determined that a few of the ARCOM approved perimeter plant species needed substitution or relocation due to overhead utility conflicts with Coconut Palms; roof eave conflicts with proposed Coconut Palms; too strong winds on site for the viability of the proposed Bamboo species, and privacy concerns using a Podocarpus hedge between the pool and a neighbor's bedroom window.

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Neil Sickterman, Clemens Bruns Schaub

Mr. Sickterman presented the project in accordance with the submitted plans and as described above. Since the overhead lines are too close to the Coconut canopies for safety, they have been moved back 10 feet to the west. Bamboo has proven to be inappropriate for this location due to high winds. As such, Podocarpus hedge is proposed instead at a height of 8 ft. At the pool courtyard, an 8 ft. Podocarpus hedge had been approved, but due to concerns about a neighbor's bedroom window, a multi-trunk palm hedge at 12 ft. in height is proposed for improved aesthetic and privacy benefits. Along the west waterfront, there were originally five Coconuts in a row. The two outermost Coconuts conflict with the site wall footing, so they will be moved 3 ft. toward the center. The three innermost Coconuts conflicted with the roof eave, so triple Alexander Palms at 18 ft. overall height are proposed. Along the west frontage, the originally approved Green Island Ficus at the seawall are proposed to be changed to Boxwood Beauty Natal Plum.

MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MR. SAMMONS.

MOTION CARRIED UNANIMOUSLY.

IX. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE): (04:42:43 p.m.) None

X. COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT: (04:52:46 p.m.)

Mr. Page commented that there are currently two vacant seats on ARCOM. Applications are being accepted for those seats until Thursday, July 3, 2014 at 5:00 p.m. Appointments are expected at the July 15, 2014 Town Council meeting.

Q XI. ADJOURNMENT:

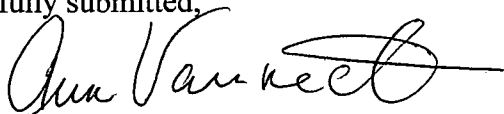
MOTION BY MR. SAMMONS TO ADJOURN THE MEETING AT 4:51 P.M.

MOTION SECONDED BY MR. IVES.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on Wednesday, July 23, 2014 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ann Vanneck", with a long horizontal flourish extending to the right.

Ann Vanneck, Acting Chairman and Vice Chairman
ARCHITECTURAL COMMISSION

cmd

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-109-2014

Address: 167 SEAGATE RD.

Applicant: MADS THOMPSON

Architect: MITCHELL O'NEILL

Project Description: NEW SINGLE FAMILY HOME, LANDSCAPE DESIGN.
LANDSCAPE DESIGN (PRELIMINARY)

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 JUNE 25, 2014

TOWN OF PALM BEACH



~~ACTING~~ Chairman, Architectural Commission

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