



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MAY 29, 2024

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

I. CALL TO ORDER

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

II. ROLL CALL

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT
Betsy Shiverick, Member	PRESENT
Kenn Karakul, Member	PRESENT
Elizabeth Connaughton, Member	PRESENT
Katherine "KT" Catlin	PRESENT
Claudia Visconti, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
David Phoenix, Alternate Member	PRESENT

Staff Members present were:

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

III. PLEDGE OF ALLEGIANCE

Chair Smith led the Pledge of Allegiance.

IV. APPROVAL OF MINUTES

Minutes of the Architectural Review Commission Meeting of April 24, 2024

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

V. APPROVAL OF THE AGENDA

Ms. Pardue asked the Commission to modify the agenda by hearing a request to defer ARC-24-006, 249 Seabreeze Avenue, prior to the consent agenda.

A motion was made by Ms. Visconti and seconded by Mr. Karakul to approve the agenda as amended. The motion was carried unanimously, 7-0.

- VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**
Ms. Churney administered the oath and continued to do so throughout the meeting, as necessary.

- VII. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**
No comments were heard at this time.

- VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3-MINUTE LIMIT, PLEASE)**
No one indicated a desire to speak at this time.

IX. **PROJECT REVIEW**

A. **CONSENT AGENDA**

1. **ARC-24-008 (ZON-24-047) 264 DUNBAR RD (COMBO)** The applicant, 264 Dunbar LLC (Lee Fensterstock, Manager), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool, with a variance to exceed to equipment screening wall height. Town Council shall review the application as it pertains to zoning relief/approval.
2. **ARC-24-062 244 FAIRVIEW RD.** The applicant, 244 FAIRVIEW ROAD TRUST (Lest Lipschutz, Representative), has filed an application requesting Architectural Commission review and approval for the construction of a new circular driveway.

Clerk's note: This item was pulled from consent and discussed under Items Pulled from the Consent Agenda.

3. **ARC-24-050 225 W INDIES DR.** The applicant, David J Canepari, has filed an application requesting Architectural Commission review and approval for a new driveway configuration with associated landscape.
4. **ARC-24-074 325 VIA LINDA** The applicant, Three Palm Trees LLC (Warren Kanders, Manager-Member), has filed an application requesting Architectural Commission review and approval for exterior modifications and site revisions to a previously approved new single-family residence and guest house.

Clerk's note: This item was pulled from consent and discussed under Items Pulled from the Consent Agenda.

5. **ARC-24-067 576 ISLAND DR.** The applicant, Mr. & Mrs. Creamer, has filed an application requesting Architectural Commission review and approval for sitewide landscape and hardscape improvements.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the consent agenda, as amended, which did not include ARC-24-062, 244 Fairview Road, and ARC-24-074, 325 Via Linda, in the approval. The motion was carried unanimously, 7-0.

B. DEMOLITIONS AND TIME EXTENSIONS

1. **ARC-22-201 132 N COUNTY RD. - EXTENSION OF TIME** The applicant, Palm Beach Orthodox Synagogue INC (Rabbi Moshe Scheiner), has filed an application requesting a One (1) year Extension of Time for a previously issued Architectural Commission approval for the demolition of an existing two-story commercial building, parking lot and related site improvements. (ORIGINALLY APPROVED AT THE SEPTEMBER 27, 2022, MEETING)

Ms. Pardue provided staff comments on the project.

Harvey Oyer, the attorney on behalf of the applicant, explained the reasons for the time extension request.

Several members disclosed ex-parte communications.

Ms. Connaughton supported the demolition but believed the building could be renovated.

Mr. Floersheimer explained that he had concerns about the traffic impacts if the Synagogue and the Paramount were to be renovated simultaneously.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the time extension as requested. The motion was carried unanimously, 7-0.

A. ITEMS PULLED FROM CONSENT AGENDA, IF NEEDED

2. **ARC-24-062 244 FAIRVIEW RD.** The applicant, 244 FAIRVIEW ROAD TRUST (Lest Lipschutz, Representative), has filed an application requesting Architectural Commission review and approval for the construction of anew circular driveway.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Ms. Shiverick asked if more shade trees could be added to the front yard around the circular driveway.

Todd MacLean, of Todd MacLean Architect, indicated that he could add more shade trees in the front of the property.

A motion was made by Ms. Shiverick and seconded by Mr. Karakul to approve the project with the addition of at least two shade trees to the front of the property. The motion was carried unanimously, 7-0.

4. **ARC-24-074 325 VIA LINDA** The applicant, Three Palm Trees LLC (Warren Kanders, Manager-Member), has filed an application requesting Architectural Commission review and approval for exterior modifications and

site revisions to a previously approved new single-family residence and guest house.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Ms. Shiverick asked for the professional to explain the changes to the fenestration.

Roger Janssen and Molly Mitchell of Dailey Janssen Architects reviewed the architectural plans and the changes to the fenestration.

Ms. Shiverick asked about the change to the elevator. Ms. Mitchell explained the change.

Ms. Visconti asked about the change to the gate on the Lake Trail. Ms. Mitchell showed the previously proposed and proposed gates. Ms. Visconti stated she liked the previously approved gate.

A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the project, as presented with the condition that the newly proposed Lake Trail pedestrian gate was not included in the new approval. The motion was carried, 6-1, with Mr. Sammons dissenting.

B. MAJOR PROJECTS - OLD BUSINESS

1. **ARC-24-037 146 AUSTRALIAN AVE.** The applicant, Elizabeth J Hubbell Rev Trust, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing residence, hardscape, and pool improvements with the installation of a generator.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Mark Marsh of Bridges, Marsh & Associates made the architectural presentation.

Mr. Sammons thought the changes were nicer. He recommended adding the intermediary mullion to the fanlight above the front door and flattening the clay tile on the roof structure over the front windows.

Mr. Floersheimer thought the plan was simplified, and he appreciated the changes.

Ms. Connaughton appreciated the change to the roof material and thought the changes were a big improvement. She suggested a pergola over the second-floor parapet.

Ms. Shiverick thanked the professional for the changes. She understood Ms. Connaughton's suggestion of a pergola; she recommended an awning over the second-floor windows. A short discussion ensued about the possibility of awning additions.

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

Mr. Sammons thought a shade tree on the west side of the front yard would be nice, and Mr. Mizell indicated he could incorporate one into the design.

Mr. Phoenix asked about the color of the front door. Mr. Marsh responded.

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

A motion was made by Mr. Sammons and seconded by Ms. Catlin to approve the project with the following conditions: an intermediary mullion shall be added to the fan window above the front door, a shade tree shall be added to the front yard on the west side, and the professional will study the additions of awnings above the second-story windows. The motion was carried unanimously, 7-0.

2. **ARC-24-031 (ZON-24-044) 1181 N LAKE WAY (COMBO)** The applicant, Sage Andrew G C III Trust (Gregg Sage, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new, two-story single-family residence with final hardscape, landscape and swimming pool on an existing nonconforming parcel. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Adam Davis with J. Graham Goldsmith Architects made the architectural presentation. Richard Rutledge with Innocenti & Webel made the landscape and hardscape presentation.

Mr. Sammons liked the landscape plans. He thought the plans had been cleaned up and were more appropriate. He suggested adding a vent to the roof or lowering the pitch of the roof. He thought the house was charming.

Ms. Visconti thanked the professionals for saving the tree on the site. She questioned the rhythm of the columns on the west elevation, to which Mr. Davis responded.

Mr. Floersheimer asked about the Banyan tree's root structure and how it would be protected. Mr. Rutledge thought that Banyan trees were resilient; he discussed a method he intended to use to protect the roots.

Ms. Catlin thought the changes had lost some curb appeal; the home was now more traditional. However, the Banyan tree saved some of the character.

Mr. Karakul agreed with the Commissioners. He thought the color of the roof material would be important to complement the home.

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

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

C. MAJOR PROJECTS - NEW BUSINESS

1. **ARC-23-044 (ZON-23-043) 1480 N OCEAN BLVD (COMBO)** The applicant, Jason Kalisman, has filed an application requesting Architectural Commission review and approval for modifications to an existing residence including a variance to exceed cubic content ratio (CCR). This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Daniel Kahan of Smith and Moore made the architectural presentation.

Josephine Kalisman, the owner, discussed the reasons for the proposed change to her home.

Mr. Sammons thought the change was appropriate.

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

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

A motion was made by Ms. Shiverick and seconded by Mr. Sammons that the implementation of the proposed variance will not cause a negative architectural impact to the subject property. The motion was carried unanimously, 7-0.

2. **ARC-23-155 160 SEAVIEW AVE.** The applicant, Coral Beach Corporation (Angela Feldman, President) & Seaview Holdings, Inc (David Feldman, Director), has filed an application requesting Architectural Commission review and approval for construction of a new, two-story guest wing and detached cabana structure with associated hardscape and landscape and swimming pool improvements.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Daniel Kahan of Smith and Moore made the architectural presentation. Cory Meyer of Nievera Williams Design made the landscape and hardscape presentation.

Mr. Floersheimer was in favor of the architecture. He asked if there was a unity of title for the two properties. Mr. Kahan responded. Mr. Floersheimer thought that even with the large lot, the proposed structure maximized the lot from setback to setback. He also asked about the difference in grades between the two properties and how it would be mitigated. Mr. Kahan responded and explained the design.

Ms. Connaughton thought the addition was nice to the main structure. She was happy that the house was sited and planned as proposed. She asked about the connection piece and the reason for the design. Mr. Kahan discussed how they studied the feature

and the reason for the proposed connection. Ms. Connaughton wondered if there was a method to thin out the connection piece.

Mr. Sammons thought the existing site wall was a nice feature and questioned why it was proposed to be removed. He did not believe the design was elegant; he commented that the rooms were oversized, and the design appeared chunky. He wondered if the addition would work better as a separate guest house.

Mr. Karakul thought the property was better used with the current design versus the last design. He thought the connection piece and driveway adjacent to the windows would be better disguised with landscaping.

Ms. Catlin agreed that the house felt linear and created a long, massive look on the street. She stated she preferred a separate guesthouse rather than one long home and questioned whether the design was appropriate for the neighborhood. She questioned the windows that overlooked the driveway. Mr. Kahan provided further explanation for the design.

Ms. Shiverick liked the design but wondered if the addition could be moved to the west. Mr. Kahan discussed the issue of separating the addition from the main home.

Ms. Connaughton wondered if much of the hallway space could be eliminated to reduce the size of the home.

Ms. Visconti asked about the reason for the spa's location and why it was not aligned with any feature in the home. At Ms. Visconti's request to align it with the living room door, Mr. Meyer stated he could move it slightly.

Mr. Smith asked if the cabana roof could be raised to a peak rather than a ridge line. Mr. Kahan stated he would study its shape.

When Ms. Visconti asked Mr. Kahan about the need to meet the angle of vision requirement if the addition was separated from the main house, Mr. Kahan explained the angle of vision requirement for the addition.

Mr. Floersheimer asked the professional if he had explored the possibility of having a single-story connection from the addition to the main home. Mr. Kahan responded.

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

A motion was made by Mr. Sammons and seconded by Ms. Connaughton to defer the project to the meeting on July 24, 2024. The motion was carried 6-1, with Mr. Karakul dissenting.

The Commissioners provided feedback to the professional for him to consider while restudying the project.

3. **ARC-24-063 1247 S OCEAN BLVD.** The applicant, Providencia Partners LLC (Tom Waller, Authorized Signatory), has filed an application requesting Architectural Commission review and approval for modifications to previously approved new single-family residential construction, including reconfiguration

of utility and security buildings, relocation of pool bath and BBQ pavilion, and modifications to the design and location of caretaker's cottage with associated hardscape and landscape adjustment.

Mr. Falco provided staff comments on the project.

Clerk's note: A short break was taken at 10:48 a.m. The meeting resumed at 11:04 a.m.

Messrs. Karakul and Floersheimer disclosed ex-parte communications. *Clerk's note: Mr. Sammons declared a conflict of interest for the project and left the dais during the discussion.*

Daniel Kahan of Smith and Moore made the architectural presentation.

Mr. Floersheimer wondered about the entrance of the home in relation to the owner's driveway. Mr. Kahan pointed out the space to the home.

Ms. Connaughton confirmed that the changes were only to the site plan. Mr. Kahan responded. Mr. Connaughton did not believe the use of black granite was not indicative of Palm Beach.

Mr. Karakul thought the changes were an improvement.

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

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

4. **ARC-24-035 (ZON-24-043) 620 N LAKE WAY (COMBO)** The applicant, Ocean Front Avenue 2, LLC, a VA limited liability company (Don & Donna Whitaker), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape landscape and swimming pool, with variances for building height and cubic content ratio. This is a combo application that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Roger Janssen of Dailey Janssen Architects made the architectural presentation. Tyler Nielsen of Nielsen Landscape Architecture made the landscape and hardscape presentation.

Mr. Sammons liked the direction of the design but wished it was truer to itself. He commented on some of the proportions in the design. He was in favor of the landscape plan.

Ms. Connaughton questioned the Prairie-style of the design. She wished it had more horizontal and Prairie-style elements. She wondered if it would fit into the neighborhood.

Ms. Visconti asked about the planting material proposed. Mr. Nielsen responded. She recommended adding more manicured landscape elements.

Ms. Catlin thought the home would fit into the neighborhood. She thought the direction of the design was good; she would like to see more horizontal elements. She liked the building materials and thought they were creative.

Mr. Floersheimer asked about the ceiling heights. Mr. Janssen responded. Mr. Floersheimer thought the windows looked tall in the design, especially on the east and west elevations adjacent to the two-story element.

Ms. Shiverick liked the design but agreed more horizontal elements on the street would be nice. She thought the home would look nice on the street. She questioned the stain chosen for the wood; she felt it was too light. Mr. Janssen agreed to darken the stain.

Mr. Karakul liked the project and thought it would be a positive addition to the neighborhood. He wondered if the roof over the master bedroom could be changed to a flat roof to add another horizontal element. He liked the choice of materials and the way the home was placed on the lot.

Mr. Phoenix liked the home very much. He agreed with Ms. Shiverick's comments. He wondered if the color of the windows could be changed to bronze rather than black.

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

A motion was made by Mr. Sammons and seconded by Ms. Shiverick to defer the project to the meeting on June 26, 2024. The motion was carried unanimously, 7-0.

5. **ARC-24-051 1330 N OCEAN BLVD.** The applicant, 1330 N Ocean Trust (James M. Crowley, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with final hardscape, landscape, swimming pool, and beach parcel improvements.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Greg Tankersley of McAlpine made the architectural presentation. Keith Williams of Nievera Williams Design made the landscape and hardscape presentation.

Mr. Sammons thought the home was enormous and oversized. He liked the front block on the home. He wondered why the professional did not take advantage of the whole lot; he thought there were missed opportunities. He thought the additions were bigger than the main home and questioned the amount of glass on the home. He thought the wings of the home should be less connected and more articulated. Mr. Tankersley responded.

Mr. Floersheimer questioned why the home did not use the slope of the land to cascade down with the natural grade. A short discussion ensued about the building on the grade of the land. Mr. Falco stated the CCCL requirements for the height and grade of the home. Mr. Floersheimer asked about the size of the proposed fenestration; he thought the smaller windows felt out of scale and incongruent. He liked the direction of the home.

Ms. Connaughton thought it was a nice home. She thought the CCCL requirement was unfortunate. She applauded the courtyard design. She thought the scale of the home could be reduced, especially on the wing. She recommended reducing the glazing a bit. She thought minor changes would improve the design.

Ms. Catlin thought the design was nice. She thought the home looked massive on the street and could be reduced. She did not believe it was necessary to have three curb cuts on the street.

Ms. Shiverick agreed that the house was too massive and needed to be reduced. She asked about the cabana east of the CCCL and if other elements could be moved toward that area. Mr. Tankersley responded.

Mr. Karakul thought the home was very handsome and mentioned the number of neighbors who supported the project. He wondered if the children's wing could be reduced in height, thinking it would add dimension to the neighborhood.

Mr. Smith asked to see the courtyard perspective; he recommended eliminating one of the second stories and moving the space to the children's wing.

Ms. Visconti agreed with Mr. Smith. She discussed a similar situation in the neighbor's home where she worked on the project.

Mr. Smith called for public comment.

Scott Goodwin, 201 Ocean Terrace and owner of the proposed home, discussed the reason for the design and spoke about the neighbor's support for the home.

Ms. Connaughton asked if the grade of the garage was being raised. Messrs. Tankersley and Williams responded. She liked Mr. Smith's suggestion of moving the mud room next to the garage.

A motion was made by Mr. Sammons and seconded by Mr. Karakul to defer the project to the meeting on June 26, 2024. The motion was carried unanimously, 7-0.

6. **ARC-24-061 (ZON-24-068) 171 EL PUEBLO WAY (COMBO)** The applicants, Kevin and Carolyn Ryan, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with final hardscape, landscape, and swimming pool with a special exception to develop the existing nonconforming lot. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Maura Ziska, the attorney on behalf of the applicant, provided an overview and explanation of the project. Stan Dixon of D. Stanley Dixon Architect made the architectural presentation. Don Skowron of BGS made the landscape and hardscape presentation.

Mr. Sammons thought the home respected the neighborhood and had a lovely design. He thought the upper portion of the chimney could be slimmed, and the cornice pulled in slightly. He recommended increasing the size of the scrollwork over the entryway.

Ms. Visconti thought the front door was charming. She asked about the material for the hardscape. Mr. Dixon responded.

Mr. Phoenix thought the plan was beautiful; he was in favor of all the details shown.

Ms. Connaughton thought the design was wonderful and charming. She agreed with Mr. Sammons's comments about the massing; she thought it could be simplified.

Mr. Floersheimer praised the design, and Ms. Shiverick supported the design.

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

Clerk's note: A lunch break was taken at 1:02 p.m. The meeting resumed at 2:07 p.m. At this time, the Chairman stated that the Commission would hear two projects out of order. The first to be heard was ARC-24-073, 400 Royal Palm Way, and the second was ARC-24-065, 137 E. Inlet Drive.

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-24-006 249 SEABREEZE AVE.** The applicant, Joseph & Elizabeth Berger, has filed an application requesting Architectural Commission review and approval for new vehicular and pedestrian gates and modifications to previously approved landscape and hardscape, including driveway reductions and change in perimeter site walls as well as modifications to the previously approved design of the front door and balcony railings.

Jamie Crowley, the applicant's attorney, explained the deferral request to the July 24, 2024, meeting.

Mr. Floersheimer asked for further clarification on the site issues, and Mr. Crowley responded to his questions.

A motion was made by Ms. Shiverick and seconded by Ms. Catlin to defer the project to the meeting on July 24, 2024. The motion was carried unanimously, 7-0.

2. **ARC-24-033 (ZON-24-039) 1464 N OCEAN BLVD (COMBO)** The applicant, Manuel & Evan Castelo, has filed an application requesting

Architectural Commission review and approval for modification to perimeter site walls and installation of artificial turf, requiring a variance for landscape open space. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

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

Ms. Visconti asked about the calculations for the variance request. Mr. Mizell responded and explained what could be installed without a variance.

Ms. Catlin appreciated that the professional investigated the entire issue and evaluated the best use of the property to allow the owner to have usable space.

Mr. Floersheimer thought there was a hardship demonstrated for the request.

Ms. Shiverick thanked the professional for changing out the artificial turf and provided her support for the variance request. She asked about the ground cover proposed next to the gravel, to which Mr. Mizell responded and discussed the material proposed.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the project as presented. The motion was carried 6-1, with Mr. Smith dissenting.

A motion was made by Ms. Catlin and seconded by Ms. Shiverick that the implementation of the proposed variance will not cause a negative architectural impact to the subject property. The motion was carried 6-1, with Mr. Smith dissenting.

E. MINOR PROJECTS - NEW BUSINESS

1. **ARC-24-049 745 N LAKE WAY** The applicant, PB C 2022 TRUST, has filed an application requesting Architectural Commission review and approval for a new entry portico, window and door modifications, and landscape and hardscape changes. *[This project has been withdrawn by the applicant.]*

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

2. **ARC-24-065 (ZON-24-063) 137 E INLET DR (COMBO)** The applicant, Ocean Inlet Revocable Trust, has filed an application requesting Architectural Commission review and approval for a driveway reconfiguration and installation of a vehicular gate requiring a variance. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Cory Meyer of Nievera Williams Design made a presentation on the new vehicular and pedestrian gates and the landscape and hardscape presentation.

Ms. Visconti asked that a significant Green Buttonwood tree be used for the replacement of the Seagrape tree, to which Mr. Meyer agreed. Ms. Visconti asked about the low walls with the higher gates proposed. Mr. Meyer stated that they were using Green Island Ficus to mitigate the views of the gates. Ms. Visconti asked if the Green Island Ficus could be raised adjacent to the gate, to which Mr. Meyer agreed.

Mr. Floersheimer thought that gates were not common in the area and did not believe that many people trespassed on the owner's property. Maura Ziska stated that her client next door received the same variance for a gate and explained the issues that were occurring with people trespassing on the property in the north end. Mr. Floersheimer thought the gate looked very institutional; he recommended a more transparent gate with pickets.

Ms. Catlin thought the gate complemented the home.

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

A motion was made by Ms. Shiverick and seconded by Ms. Catlin to approve the project as presented, with the condition that the Green Island Ficus grows to match or exceed the height of the gate.

Mr. Floersheimer asked about the space between the gate and the street. Mr. Meyer stated that it was nine feet. Mr. Floersheimer expressed his concern that it was not the required eighteen feet.

The motion was carried 5-2, with Messrs. Karakul and Smith dissenting.

A motion was made by Ms. Catlin and seconded by Ms. Shiverick that the implementation of the proposed variance will not cause a negative architectural impact to the subject property. The motion was carried 5-2, with Messrs. Karakul and Smith dissenting.

3. **ARC-24-066 233 MIRAFLORES DR.** The applicant, PB 130 Limited Partnership, has filed an application requesting Architectural Commission review and approval for a modified driveway entrance, garage reconfiguration, revised landscape and hardscape plan, and installation of a new pool deck.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Chris Simon of Nievera Williams Design made the landscape and hardscape presentation.

Ms. Connaughton expressed concern about the front-loading garage. She thought the proposed front hardscape was incongruent with the home. Mr. Simon responded.

Ms. Catlin discussed the overall reduction of landscape open space. She was not a fan of making the switch to a front-loaded garage but thought the proposal looked nice. She wondered if the professional could shrink the paved walkway to gain open space in front of the property. Mr. Simon stated he would look at that option.

Mr. Floersheimer understood the motivation to switch the garage's orientation. He did not believe the front-loaded garage should be an issue for the project. He thought the professional could gain landscaped open space. He wondered if the shade tree in the front yard could be moved closer to the street to provide shade.

Mr. Karakul suggested moving the landscape to mitigate the garage doors and to allow more landscape on the street. Mr. Simon stated that he worked on an alternate plan, as Mr. Karakul suggested. Mr. Simon placed the plan on the overhead projector.

Ms. Visconti asked about the material proposed for the hardscape. Mr. Simon discussed the materials. Ms. Visconti agreed with Ms. Catlin that the paved walkway could be reduced to gain more open space. She also asked about the planting in the front yard and provided suggestions for opening the design. Mr. Simon responded and discussed the reason for the design. Ms. Visconti suggested planting material into the right of way.

Mr. Karakul suggested reorienting the driveway so that the driveway backed out to the left of the home rather than to the right.

Mr. Sammons suggested putting more green material in the driveway, removing the proposed stairs, narrowing the curb cut, and adding a shade tree to the front of the property.

Ms. Shiverick suggested adding Jasmine or green material around the garage doors. Mr. Simon agreed to the suggestion.

A motion was made by Mr. Sammons and seconded by Ms. Shiverick to approve the project with the following conditions: the driveway curb cut will be flipped and mirrored on the opposite side, an additional shade tree shall be added to the front landscaping, the green material shall be elongated in the front of the building, additional green material shall be added to the paving at the front of the building to reduce the amount of hardscape, and the curb cut shall be at a maximum of 12 feet wide. The motion was carried unanimously, 7-0.

4. **ARC-24-073 (ZON-24-058) 400 ROYAL PALM WAY (COMBO)** The applicant, Citizens Bank (James Meany), has filed an application requesting Architectural Commission review and approval for new commercial signage, with variances required for the height, size and location of signs. This is a combo application that shall be reviewed by the Town Council as it pertains to zoning relief/approval. *[This zoning case file was referred to ARCOM by the Town Council at the May 15th meeting for review of the design of the signage.]*

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Nelo Freijomel of Spina O'Rourke made the architectural presentation. Maura Ziska, the applicant's attorney, provided an overview and explanation of the project.

Ms. Visconti asked about the color of the quoins on the building. Mr. Freijomel responded.

Mr. Floersheimer questioned the signage on the ATM since the screen showed the bank's name. He thought the signage was redundant. He stated there was an interior, lighted sign that also showed the bank's name. Ms. Ziska stated that all the banks in Town have signage on the ATM machines.

Ms. Catlin thought the signage and locations were acceptable. She asked if the small signage could be changed to bronze rather than black. Ms. Ziska stated that the black signage is a part of the Citizens' brand.

Ms. Shiverick was not in favor of the white color proposed for the bank. She thought the building's color should reflect the Town and not look so corporate. She wondered if the Citizens' logo would fit where the Corcoran logo existed. Ms. Ziska stated that the Corcoran logo would remain; she added that their signage dimensions needed to be included in their request, which is partly the reason for the variance request.

Ms. Connaughton agreed with Ms. Shiverick's comments about the current yellow color; she thought it was more appropriate than the proposed white and gray colors.

Mr. Phoenix asked about the proposed color change. Ms. Ziska stated that the building's owner requested it. James Meany with Citizens Bank discussed his collaboration with the building owner and their discussion of changing the paint color.

A motion was made by Ms. Shiverick and seconded by Mr. Sammons to approve the project as presented, with the condition that the building's color remain yellow. The motion was carried 6-1, with Mr. Smith dissenting.

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

5. **ARC-24-070 11 VIA VIZCAYA** The applicant, Jonathan Clay, has filed an application requesting Architectural Commission review and approval for front yard improvements, including modified and repaved driveway and modifications to entry water feature, entry garden, and hardscape.

Ms. Mittner provided staff comments on both projects, 11 and 12 Via Vizcaya.

Several members disclosed ex-parte communications.

Dustin Mizell of Environment Design Group made the landscape and hardscape presentation. Mr. Mizell stated that the plants proposed for the site were 100% native. He continued to present the landscape and hardscape plan for 12 Via Vizcaya, which was also 100% native. He showed the plans for a lower fence and gate. He stated that the gate and fence material was being changed from chain link to aluminum picket.

Mr. Floersheimer asked about a previous approval for a fence and planting materials and questioned the proposed planting material's ability to hide a fence. Mr. Mizell responded and stated that the owner was trying to avoid planting a hedge. Mr.

Floersheimer asked about the curb cut on 12 Via Vizcaya and wondered why a vehicular gate was proposed rather than a pedestrian gate. Mr. Mizell responded and discussed the main concerns of the owner, which were privacy and trespassing.

Mr. Sammons asked about the width of the proposed curb cut on the north property and the width of the gate on the south property. Mr. Mizell responded with the dimensions.

Mr. Karakul wondered about shifting the entrance of the gate to one side or the other for 12 Via Vizcaya. He thought that would be a more natural look. Mr. Mizell agreed to the suggestion.

Ms. Visconti wondered why the gate was necessary; she suggested removal panels for the fence rather than a gate. She thought plantings could sandwich the fencing and suggested providing a thicker buffer for the fence.

Mr. Smith suggested a pair of swinging gates rather than one vehicular gate. Mr. Mizell agreed to the suggestion.

Ms. Catlin supported the alternate materials instead of hedging materials. She thought the plantings should be lush to screen the fencing, and the gate should be reduced to 12 feet or two six-foot swinging panels.

Mr. Sammons asked to minimize the flare on the driveway at 11 Via Vizcaya.

A motion was made by Mr. Sammons and seconded by Mr. Karakul to approve the project as presented, with the condition of reducing the amount of driveway paving. The motion was carried unanimously, 7-0.

6. **ARC-24-071 12 VIA VIZCAYA** The applicant, County Down Trust (Jonathan Clay), has filed an application requesting Architectural Commission review and approval for new vehicle entry gate, columns and fence on a vacant parcel of land.

The details of this project were discussed under ARC-24-070, 11 Via Vizcaya.

Mr. Sammons made a motion, seconded by Mr. Karakul, to approve the project as presented, with the condition that a 12-foot swinging service gate be pushed to the south side of the lot and that the fence be screened with landscaping as much as possible. The motion was carried unanimously, 7-0.

7. **ARC-24-077 (ZON-24-048) 450 S COUNTY RD (204 WORTH AVE) (COMBO)** The applicant, Rosetta Bakery and FERRAGAMO USA INC. has filed an application requesting Architectural Commission review and approval for a minor change to the exterior façade of an existing one-story commercial building to relocate the front door and entry wall. *[This project was denied at the May 15, 2024, Town Council meeting. As a result, this project will not move forward or be heard by the Architectural Commission.]*

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

X. **UNSCHEDULED ITEMS**

Ms. Pardue discussed the Town's transition to the online system, EPL, which allowed digital project submittals. While she understood that the Commission was not in favor of digital mini sets, she reminded them that they did indicate they would be open to a reduced mini set submittal. She stated that she provided a sample of a reduced mini set for the Commission's review. She discussed how the staff would determine what to include in each set. She stated that the staff was investigating the possibility of placing iPads at each seat on the dais, where the plans would be accessible for the members to view.

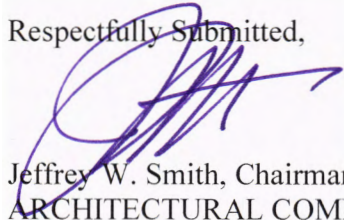
XI. **NEXT MEETING DATE:** Wednesday, June 26, 2024, at 9:00 a.m.

XII. **ADJOURNMENT**

A motion was made by Mr. Sammons and seconded by Mr. Karakul to adjourn the meeting at 3:50 p.m. The motion was carried unanimously, 7-0.

The next meeting will be held on Wednesday, June 26, 2024, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME Sammons, Richard		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Commission	
MAILING ADDRESS 455 Worth Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED May 29, 2024		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on May 29, 20 24:

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

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

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

ARC-24-063

1247 S. Ocean Blvd

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

5/29/24
Date Filed

[Signature]
Signature

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