TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MAY 26, 2021

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

I. **CALL TO ORDER**

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

II. **ROLL CALL**

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

Staff Members present were:
Wayne Bergman, Director of Planning, Zoning and Building
James G. Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Laura Groves van Onna, Historic Preservation Planner
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

III. **PLEDGE OF ALLEGIANCE**

Chairman Small led the Pledge of Allegiance.

IV. **RULES OF ORDER AND PROCEDURE**

Mr. Small thanked the Town Council for allowing the Commission to meet virtually. He thanked staff for their participation in setting up the virtual meeting. Mr. Small stated that the Town Council has notified the Commission that they would be in person for the meetings beginning in June. Mr. Small indicated that all members are encouraged to attend in person if possible. He welcomed Richard Sammons as the new alternate member. He congratulated Fairfax and Sammons on the highly successful seminar, along with the Institute of Classical Architecture and Art.

Mr. Small continued with a brief set of procedures for the meeting.

Mr. Bergman introduced Sarah Pardue, a new Planner in the department.

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

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the minutes from the April 28, 2021 meeting. Motion carried unanimously.

VI. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

Withdrawal of B-013-2021, 216 Tradewind Dr.
Deferral of B-019-2021, 101 Nightingale Trail to the June 23, 2021 meeting
Deferral of B-034-2021, 905 N. Ocean Blvd. to the June 23, 2021 meeting
Deferral of A-035-2021, 190 N. County Road to the June 23, 2021 meeting

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the agenda as amended. Motion carried unanimously.

VII. **PROJECT REVIEW**

A. CONSENT AGENDA OF MINOR PROJECTS

1. A-055-2021 Modifications
   Address: 142 Peruvian Ave., P102
   Applicant: Robert & Susan Taylor
   Professional: Sam Malo & Percy Nunez
   Project Description: Removal of two non-street facing doors to be replaced with nano wall of windows/doors.

2. A-057-2021 Modifications
   Address: 232 Tradewind Dr.
   Applicant: 232 Tradewind Rev Trust (Paul Krasker, Trustee)
   Professional: Caroline Forrest/MHK Architecture & Planning
   Project Description: Minor modifications to existing two story home to include new front door, new garage door, new house color, new shutter color, new doors at east and west elevations not seen from the street.

3. A-058-2021 Modifications
   Address: 261 Nightingale Trail
   Applicant: 261 Nightingale, LLC
   Professional: Harold Smith/Smith and Moore Architects, Inc.
   Project Description: changes to previous ARCOM Approval; change cottage style windows to 6/6 doublehung; add detail to stair pickets; add cabana bath door on east elevation; add shutters on north elevation; add grill on north elevation; add outdoor shower; modify pool; miscellaneous hardscape/landscape changes.

4. A-037-2021 Modifications
   Address: 1214 N. Ocean Blvd.
   Applicant: John & Diane Sculley
   Professional: Dustin Mizell/Environment Design Group
   Project Description: Modification of the existing driveway by reducing curb cuts from two to one, removal of synthetic turf and change of paving material. New Pergola structure (not visible from the street). Associated landscape and hardscape modifications.

   A motion carried at the April meeting to defer the project to the May 26, 2021 meeting at the request of the professional.

5. A-043-2021 Landscape/Hardscape
   Address: 150 El Vedado Rd.
   Applicant: 150 El Vedado Rd LLC (Tom DelBosco, VP)
   Professional: John Lang/Lang Design Group
   Project Description: Renovations to existing hardscape, landscape and landscape lighting. Reduce hardscape coverage. Replace existing mixed exotic/ficus hedge on S. County. Add low fountain and spa. Refinish existing painted driveway with white tabby field.

   A motion carried at the April meeting to defer the project to the May 26, 2021 meeting to restudy the turf joints at the motor court and the pool deck, as well as provide elevations for all four sides of the property.

6. A-038-2021 Landscape/Hardscape
   Address: 1191 N. Lake Way
   Applicant: John Copeland and Gianna Biondi
   Professional: Keith Williams/Nievera Williams Design
   Project Description: Hardscape and landscape improvements for a current renovation project.

   Motion made by Ms. Grace and seconded by Mr. Smith to approve the consent agenda as presented. Motion carried unanimously.

B. ITEMS PULLED FROM CONSENT AGENDA

All items were approved on consent.

C. DEMOLITIONS AND TIME EXTENSIONS

1. B-044-2021 Demolition
   Address: 228 Via Las Brisas
   Applicant: 228 Via Las Brisas, LLC (Dan E. Swanson, Manager)
   Professional: SKA Architect + Planner
   Project Description: Demolition of all existing structures. Landscape demolition included.

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

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

   Pat Segraves, SKA Architect + Planner, presented the proposed demolition plans for the project.

   Mr. Small called for public comment.

   Jamie Crowley, representing at the owners west of property, stated his client's biggest concern was to keep the perimeter landscaping during the demolition. He also wondered if there would be a screen put in place to protect the neighbors from the dirt and the dust. Mr. Segraves stated he would abide by the rules to protect the neighbors from dirt and dust.

   Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

   Mr. Corey thought the perimeter landscaping looked good.

   Ms. Shiverick inquired about the condition of the home. Mr. Segraves responded. Ms. Shiverick inquired about the building to replace this home. Mr. Segraves stated he was unaware of the plans at this time.

   Mr. Floersheimer inquired about the relocation of the Royal palms, and added upon his site visit, he saw that they had been cut down. Mr. Segraves stated he was unaware of what happened to the Royal palms.

   Mr. Sammons was not in favor to demolish homes to have empty lots for speculation.

   Mr. Small agreed with Mr. Sammons and thought the house was an attractive home.

   Motion made by Mr. Corey and seconded by Mr. Kirchhoff that the proposed demolition of 228 Via Las Brisas has met the conditions listed in Sec. 18-206

of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

2. B-038-2021 Demolition
Address: 1440 S. Ocean Blvd.
Applicant: 1440 South Ocean Trust (Ronald Kochman, Trustee)
Professional: Dustin Mizell/Environment Design Group
Project Description: Demolition of existing pool house and pool

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

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

Dustin Mizell, Environment Design Group, presented the proposed demolition plans for the pool and the pool house.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Shiverick supported the demolition request but thought the Volk design of the pool house was very charming.

Mr. Smith thought the professional should photograph the gate to the pool house so that the Town and the Preservation Foundation could have documentation.

Mr. Sammons stated he was sorry to see the loss of the pool house. Mr. Small agreed.

Motion made by Mr. Corey and seconded by Ms. Shiverick that the proposed demolition of 1440 S. Ocean Blvd. has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition that photographs will be taken of the gate and provided to the Town and the Preservation Foundation of Palm Beach for documentation, and to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

D. MAJOR PROJECTS – OLD BUSINESS

Please note: The following four projects are new business but were moved to accommodate scheduling issues

1. B-040-2021 Demolition/New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 212 Nightingale Trail and 217 La Puerta Way
Applicant: Mr. & Mrs. William Ingram
Professional: MP Design and Architecture, Inc.
Project Description: Demolition of existing one-story residence at 217 La Puerta Way. A new, one-story guest house with new pool, landscape and hardscape. Existing two-story residence at 212 Nightingale Trail to remain undisturbed.

ZONING INFORMATION: The applicant owns 212 Nightingale Trail and is under contract to purchase 217 La Puerta in order to combine the two properties to construct a new one-story guest house with a new pool on the La Puerta parcel. The residence at 212 Nightingale will remain as is. Once combined, the lot would have an area of 25,162 square feet and a depth of 251.5 feet and thus the development of the lot is subject to the front and rear yard setbacks in the R-AA District. The following variance is being requested: Section 134-893(7): To allow a new one-story guest house to have a 25 foot street rear yard setback in lieu of the 35 foot minimum required in the R-B Zoning District for lots over 20,000 square feet.

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

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

Maura Ziska, attorney for the purchaser for 217 La Puerta Way, introduced the project and provided an overview of the plans for the two lots. She discussed the zoning relief needed for the guest house to be built and advocated for a positive recommendation to the Town Council.

Michael Perry, MP Design and Architecture, Inc., presented the demolition plans proposed for the one-story residence at 217 La Puerta Way.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape demolition plans proposed for the one-story residence at 217 La Puerta Way.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Motion made by Mr. Corey and seconded by Ms. Shiverick that the proposed demolition of 217 La Puerta Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion

carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Perry presented the architectural plans for the newly proposed guest house.

Mr. Nievera presented the landscape and hardscape plans for the new guest home.

Ms. Ziska indicated the neighbors that supported the project.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought the design worked well for the neighborhood. Mr. Corey inquired about the front setbacks of the proposed home versus the neighboring homes. Mr. Perry explained the setback proposed. Mr. Corey indicated that Green Island Ficus is not a native plant, as indicated on the plans. He inquired about the introduction of the four Canary Island Date Palms. Mr. Nievera explained the reason for the proposed palms. Mr. Corey thought the palms on the street side were out of scale and thought the palms should be moved to the interior of the lot.

Mr. Ives was in favor of the front setback variance.

Ms. Grace thought the house was charming and would be a nice addition. She agreed with Mr. Corey on the Date Palms. Ms. Grace also inquired the approval of the unity of title. Ms. Van Onna responded. Ms. Ziska stated that the current owner agreed to file the application to the Commission.

Ms. Shiverick was in favor of the proposed home. She suggested borrowing the design of the shutters from the main home. She was in favor of the palms on the street and thought they would look stately.

Mr. Kirchhoff thought the plan was very nice.

Mr. Floersheimer thought the one story home would work well in the neighborhood. Mr. Floersheimer inquired about the topiaries. Mr. Nievera responded.

Mr. Sammons thought the front portico needed to be restudied. Mr. Sammons thought the windows were too skinny. He also thought the detailing on the loggia needed to be restudied.

Mr. Small thought the house was attractive and would enhance the beauty of the neighborhood. He questioned the front door but stated he would support the project.

Motion made by Ms. Shiverick and seconded by Mr. Smith that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously.

A second motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented with the caveat that the professional restudy the proportions of the front portico, rear portico and front door and to return to the June 23, 2021 meeting. Motion carried 6-1, with Mr. Kirchhoff opposed.

2. B-041-2021 Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 236 Via Las Brisas
Applicant: Esther Carmilani
Professional: MP Design & Architecture
Project Description: A request to enclose two pergola structures with a permanent roof that are currently covered with canvas awnings. One structure is a 137 sq. ft pergola and the other is a 441 sq. ft. pergola.

ZONING INFORMATION: A request to enclose an existing 441 square foot pergola and an existing 137 square foot loggia with permanent roof structures that would require the following variances: 1) Section 134-893(13): A cubic content ratio of 4.48 in lieu of the 4.0 existing and the 3.89 maximum allowed in the R-B Zoning District. 2) Section 134-893(11): A lot coverage of 28.6% in lieu of the 25.7% existing and the 25% maximum allowed in the R-B Zoning District for lots over 20,000 square feet.

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

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

Michael Perry, MP Design & Architecture, presented the architectural plans for the two pergola structures.

Maura Ziska, attorney for the owner, discussed the zoning relief needed for the guest house to be built and advocated for a positive recommendation to the Town Council.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Mr. Corey inquired about the increase of CCR and what caused the increase. Mr. Perry and Ms. Ziska responded. Mr. Corey thought the Town should take a look at this issue. Mr. Corey supported the project.

Mr. Ives thought the variance requests were fine and he supported the project.

Ms. Grace was fine with the smaller pergola but did not support the larger pergola change.

Ms. Shiverick clarified the scope of the project. Mr. Perry responded. Ms. Shiverick supported the project.

Mr. Smith objected to the roof tile material. Mr. Perry stated that the roof tile was approved for the home a month ago.

Mr. Kirchhoff supported the project.

Mr. Floersheimer inquired about the existing condition of the pergola. Mr. Perry responded. Mr. Floersheimer supported the project but expressed concern of a future owner wanting to enclose the structure.

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

Motion made by Mr. Corey and seconded by Mr. Small that the proposed project at 236 Via Las Brisas has met the criteria for approval listed in Sec. 18-205 of the Town's code of ordinances and to approve the project as presented. Motion carried 4-3, with Mses. Grace, Shiverick and Mr. Smith opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

3. B-047-2021 New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW WITH VARIANCE(S)
Address: 870 S. Ocean Blvd.
Applicant: 870 South Ocean Blvd, LLC (Todd Glaser, Manager)
Professional: MP Design & Architecture
Project Description: Proposed new 435 SF one story beach cabana, new pool, new landscape and hardscape.

ZONING INFORMATION: Section 134-840: Request for a Special Exception with Site Plan Review to allow construction of a 435 square foot beach cabana (20' x 25') with a 250 square foot pool and a new seawall in the R-A/B-A Zoning District.

Section 134-1474(a): Request for a variance to construct a 435 square foot beach cabana that is on a lot with frontage of 101.53 feet in lieu of the 125 feet required for lot width in the B-A Zoning District for beach area property adjacent to R-A Zoning District.
Section 134-1701 and 62-37: Request for a variance to construct a new 100.5' seawall three feet east of the existing seawall which is east of the Town of Palm Beach bulkhead line 6'2" at the south end and 6'0" at the north end, in lieu of the seawall being placed directly on the bulkhead line. The proposed new seawall will align with the recently-constructed seawall at 880 South Ocean Boulevard.

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

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

Maura Ziska, attorney for the owner, discussed the zoning relief needed for the beach cabana to be built and advocated for a positive recommendation to the Town Council.

Michael Perry, MP Design & Architecture, presented the architectural plans for the new beach cabana.

Christopher Cawley, Christopher Cawley Landscape Architecture, presented the landscape and hardscape plans for the new beach cabana.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Mr. Corey thought the design and siting of the cabana was fine. He also supported the ground covering. Mr. Corey stated he would have liked to have seen a cross section from east to west and stated he could not support the project until he sees that section.

Mr. Ives supported the project.

Ms. Grace suggested changing the site walls so they did not appear as a straight line. She preferred a jagged line of wall. Ms. Grace inquired about the different fenestration proposed. She questioned the need for the number of lanterns proposed for the exterior. She suggested using smaller lanterns.

Ms. Shiverick thought the cabana looked institutional and wondered what was going on with the main home. Mr. Perry responded about the plans for the main home. Ms. Shiverick inquired about the eave detail on the cabana. Mr. Perry stated he would be matching the eave detail of the main home. She agreed with Ms. Grace and preferred the mullions and thought there was too many lanterns.

Mr. Smith inquired about the stone scoring on the cabana. Mr. Perry responded. Mr. Smith inquired about the stone material. Mr. Perry showed the stone material on the main home. He agreed that the divided lights were better and also agreed about the number of lanterns.

Mr. Kirchhoff thought more information was needed to evaluate the project, particularly a survey and wall section. He was not in favor of the eave. He questioned the use of stone on the building. He suggested changes to the fenestration. He agreed about the number of sconces proposed.

Mr. Floersheimer agreed with Mses. Grace and Shiverick about the number of lanterns as well as Mr. Kirchhoff on the window. Mr. Floersheimer thought by moving the wall to the east, more land was trying to be gained. Mr. Floersheimer also thought the floor of the cabana could be lowered by 2-3 feet. Mr. Floersheimer questioned the design of the cabana.

Mr. Sammons inquired about the variance for the project. Mr. Perry and Ms. Ziska responded. Mr. Sammons did not believe there was enough room to build the cabana. Mr. Sammons also questioned the design and details of the cabana. He stated he could not support the project.

Mr. Castro provided staff comments.

Mr. Small inquired about the proposed height of the cabana. Mr. Perry responded. Mr. Small inquired about the width of the proposed cabana. Mr. Perry responded. Mr. Small inquired about the proposed wall in front of the cabana. Mr. Perry responded. Mr. Small stated he shared the concern of Mr. Sammons and thought the water vista needed to be protected.

Motion made by Ms. Grace and seconded by Mr. Corey that implementation of the proposed variances will cause negative architectural impacts to the subject property. Motion carried 6-1, with Mr. Ives opposed.

A second motion made by Ms. Grace and seconded by Ms. Shiverick to deny the project at 870 S. Ocean Blvd as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (8) and a (10). Motion carried 6-1, with Mr. Ives opposed.

4. A-048-2021 Landscape/Hardscape
   Address: 920 N. Lake Way
   Applicant: Jeffrey and Nicola Marcus
   Professional: Mario Nievera/Nievera Williams Design
   Project Description: Landscape design updates.

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

Mr. Nievera presented the landscape and hardscape plans proposed for the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Mr. Corey inquired about the shade trees that were requested. Mr. Nievera responded. He thought the Royal Palms seemed a bit out of scale and recommended Coconut Palms.

Mr. Ives supported the project.

Please note: Mr. Kirchhoff stepped away during this project. It was noted that Mr. Floersheimer voted in his absence.

Motion made by Mr. Floersheimer and seconded by Ms. Grace to approve the project as presented. Motion carried unanimously.

Please note: The Commission took a break at 11:10 a.m. The meeting resumed at 11:20 a.m.

5. B-073-2020 Demolition/New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 1015 S. Ocean Blvd.
Applicant: 1015 South Ocean Boulevard LLC (Maura Ziska)
Professional: Harold Smith/Smith and Moore Architects
Project Description: New two-story residence with pool, hardscape and landscape.

A motion carried at the December meeting to defer the project to the January 27, 2021 at staff's request.

ZONING INFORMATION: 1) Section 134-840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two-story residence on a non-conforming lot that is 97. 97 feet In depth in lieu of the 150 foot minimum required In the R-A Zoning District.
2) Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R-A Zoning District.
3) Section 134-843(a)(9): A request for a variance to allow the proposed residence to have a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R-A Zoning District.
4) Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R-A Zoning District. 5) Section 134-843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two-story element) in lieu of the minimum 35 foot (one story element) to 47.6 foot (two-story element) required by Code in the R-A Zoning District.

A motion carried at the January meeting to defer the project to the February 24, 2021 meeting for a restudy of the project in accordance with the comments of the

Commissioners. A motion carried at the February meeting to defer the project to the March 24, 2021 meeting at the request of the professional. A motion carried at the March meeting to defer the project to the April 28, 2021 meeting to address the comments of the Commissioners, which included comments regarding the requested variances, the massing on the south end and the beach cabana. A motion carried at the April meeting to defer the project to the May 26, 2021 meeting to restudy the massing, the east fenestration, the beach loggia and the requested variances.

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

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

Mr. H. Smith presented the changes made to the design since the last meeting. He presented the architectural plans proposed for the new home.

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

Maura Ziska, attorney for the owner, explained the new zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small called for public comment.

Frank Lynch, attorney for the neighbors at 1020 S. Ocean Blvd., expressed concern for the larger home to be built than the previous home.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought the zoning information was not clear and should be made clear at the beginning of the meeting. Mr. Corey tried to clarify the current variance requests. Ms. Ziska responded. Mr. Corey thought the changes by the professional at each meeting were small and minor tweaks to the home. He did not believe the house worked well with the established character, he thought the home was too close to the road, questioned the design for the area, questioned the fenestration and added that he could not support the project.

Mr. Ives thought the design was static but thought the professional has made an honest effort. He thought the Commission should be professional and fair to the applicant. He believed the Commission should move the project.

Ms. Grace thought the Commission has been very clear to the applicant. She also stated she spoke to the professional about providing a deed restriction to protect the beach vista. She was in favor of the open loggia design, and was in favor of

the way the broke up the mass on the north end of the home. She felt that the east side, guest portion looked like a large block and wondered if the mass could be broken.

Ms. Shiverick thought that the owner and architect have made changes at the direction of the Commission. She still felt the design was too similar for the area.

Mr. Smith thought that the changes made have not been enough and could not support the project.

Mr. Kirchhoff was in favor of the previous design and stated he was ready to approve the project at the last meeting. He was not in favor of the loggia. He thought the project should be moved.

Mr. Floersheimer stated he always in favor of the type of architecture but did believe it was too large for the lot. Mr. Floersheimer inquired about the length of the home that needed a variance. Mr. H. Smith responded.

Mr. Sammons thought the home should have been denied on the first application. He did not believe the home was charming. He thought the home was massive and hideous.

Mr. Small thought the Commission have been honest, patient and cooperative with the review of the project. He did not believe the changes have met the concerns of the Commissioners. Mr. Small thought the home should be changed to be less massive and much smaller. He stated he could not support the project.

Mr. Corey thought the Commission has been clear in their direction.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of the proposed variances will cause negative architectural impacts to the subject property. Motion carried 6-1, with Mr. Ives opposed.

A second motion made by Mr. Corey and seconded by Mr. Kirchhoff to deny the project at 1015 S. Ocean Blvd. as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (1) and (8). Motion carried 5-2, with Mr. Ives and Ms. Grace opposed.

6. B-013-2021 Demolition/New Construction
   Address: 216 Tradewind Dr.
   Applicant: DGLPB, LLC (Richard True, Managing Member)
   Professional: Kevin Asbacher/Asbacher Architecture
   Project Description: Demolish an existing two-story residence and construct a new two-story Island Colonial residence and swimming pool with final landscape and hardscape.

A motion carried at the February meeting to approve the demolition of the existing home. A second motion carried to defer the project to the March 24, 2021 meeting in accordance with the comments of the Commissioners, which related to the massing of the proposed home and the number of curb cuts proposed. A motion carried at the March meeting to defer the project to the April 28, 2021 meeting to address the comments of the Commissioners, which included comments regarding the massing of the home, the study of splitting some of the guest rooms into a guest house, the fenestration and the balconies on the front façade.

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

7. B-019-2021 Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 101 Nightingale Trail
Applicant: 04TST101 Nightingale LLC (Brian Libman, Manager)
Professional: Brooks & Falotico Associates, LLP
Project Description: Exterior alterations and interior renovations to two-story single family residence; revised fenestration on all elevations; reframe portions of existing roof to accommodate new fenestration height and replace existing roof tiles; renovate entry portico, frame for second floor roof deck, and face with coquina; new Dutch gables at courtyard elevations; renovate pool terrace and incorporate new retaining walls; remove existing driveway and install new hardscape and landscape.

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

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

Please note: This project was deferred to the June 23, 2021 meeting at the Approval of the Agenda, Item VI.

8. B-024-2021 Demolition/New Construction
Address: 240 Mockingbird Trail
Applicant: Lee Fensterstock
Professional: Patrick Segraves/SKA Architect + Planner

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

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

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

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

Lee Fensterstock, managing member of ownership group, discussed the changes that had been made to meet the comments of the Commissioners. He further explained why he believed the project should be approved.

Pat Segraves, SKA Architect + Planner, presented the architectural modifications made to the proposed home since the last meeting.

Chris Simon, Nievera Williams Design, stated that there had been no changes to the landscape and hardscape since the last meeting.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought that the design had been changed in accordance with the comments from the Commissioners. He thought some tweaks could still be made but added he would support the project.

Mr. Ives thought the house was fine but thought it lacked individuality and uniqueness.

Ms. Grace questioned the front balcony and door design and thought maybe a single window would look better. She agreed with Mr. Ives that the house was very common. She suggested using the garage to add some distinctive character.

Ms. Shiverick agreed with the other Commissioners and thought the home lacked some charm. She preferred the previous railing on the front of the home. She thought the garage needed some restudy.

Mr. Kirchhoff thought the front entry proportions were incorrect and the home needed some folly. He added that he could not support the project.

Mr. Sammons agreed with Mr. Kirchhoff and thought the portico needed a restudy. He thought the flat roof was indicative of a sign that the house is too big. He thought the house lacked some uniqueness.

Mr. Small agreed with the other Commissioners. He recommended a complete restudy or a denial.

Mr. Segraves explained the changes that he made at the direction of the Commission.

Mr. Fensterstock thought the home was not similar to the homes on the street.

Mr. Corey thought that the Commission had given clear direction on their concerns.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project for one month, to the June 23, 2021 meeting for a restudy of the home design. Motion carried 6-1, with Ms. Shiverick opposed.

Please note: The Commission took a lunch break at 12:30 p.m. The meeting resumed at 1:00 p.m. Ms. Grace returned at 1:03 p.m.

<u>B-028-2021 Additions/Modifications</u>
Address: 214 Dunbar Rd.
Applicant: 214 Dunbar, LLC (William Georgas, Member)
Professional: SKA Architect + Planner
Project Description: Renovation and addition to existing one story house and cabana in Regency style. Addition of 925 sq. ft. Final landscape and hardscape included.

A motion carried at the April meeting to approve the project as presented with a restudy of the proportions of the portico, which would return to the May 26, 2021 meeting.

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

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

Pat Segraves, SKA Architect + Planner, presented the architectural modifications for the pediment and column details.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought the proportions were studied and worked well. He questioned the lack of proportions for the entablature.

Ms. Grace was in favor of the project.

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

9. B-030-2021 Demolition/New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REIVEW WITH VARIANCE(S)
Address: 267 Dunbar Rd.
Applicant: Michael S. Arlein, Trustee of the 267 Dunbar Road Trust
Professional: SKA Architect + Planner
Project Description: Demolition of existing two-story house. New construction of one and two story contemporary house, approx. 7500 sq. ft. Final landscape and hardscape included.

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting because of an erroneous demolition report and to allow the professional to return with a proper construction screening plan in accordance with the Code. A second motion carried to deny the new construction plan.

ZONING INFORMATION: Section 134-893(c): Site Plan Review to allow the construction of a new one and two story 7,500 square foot single family residence on a non-conforming platted lot which is 98.5 feet in width in lieu of the 100 foot minimum width required in the R-B Zoning District. Section 134-893(5): A variance request to allow the construction of a new one and two story 7,500 square foot single family residence with a street side yard setback of 25 feet in lieu of the 30 foot minimum required in the R-B Zoning District.

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

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

Pat Segraves, SKA Architect + Planner, presented the architectural plans proposed for the demolition of the existing home.

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

Keith Williams, Nievera Williams Design, presented the landscape and hardscape plans proposed for the demolition of the existing home.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired what the applicant preferred between option 1 and option 2. Mr. Williams responded that he would prefer option 2. Mr. Corey stated he would prefer option 1.

Mr. Ives and Ms. Grace thought the plan was fine and deferred to the applicant to which option they preferred.

Mr. Small confirmed with staff that this house was not under consideration for landmark status.

Motion made by Ms. Shiverick and seconded by Ms. Grace that the proposed demolition of 267 Dunbar Road has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

10. B-031-2021 Demolition/New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REIVEW WITH VARIANCE(S)
Address: 130 Algoma Rd.
Applicant: 130 Algoma, LLC (Lee Fensterstock)
Professional: SKA Architect + Planner
Project Description: Demolition of existing one story house while preserving existing garage and finish floor. New construction of two story classical house, approx. 6,448 sq. ft. Final landscape and hardscape.

A motion carried at the April meeting to defer the demolition for one month, to the May 26, 2021 meeting, to allow the Commissioners to receive a proper demolition report and landscape demolition plan. A second motion carried at the April

meeting to defer the entire project, including the new construction, to the May 26, 2021 meeting.

ZONING INFORMATION: Section 134-229: Section 134-329 and Section 134-843(b): Special Exception with Site Plan Review to allow the construction of a new two story 6,448.55 square foot residence while preserving the existing one story nonconforming garage on a lot with an area of 15,708 square feet in lieu of the 20,000 square foot minimum required; a lot depth of 142.33 feet in lieu of the 150 foot minimum required; and a lot width of 111.89 in lieu of the 125 foot minimum required; all in the R-A Zoning District. The following variances are being requested: 1) Section 134-843(8): to allow the existing east side yard setback to remain at 8.75 feet in lieu of the 15 foot minimum required to keep the existing non-conforming garage. 2) Section 134-843(7): to allow a building height plane setback to be 46.1 feet in lieu of the 48.33 foot minimum setback required.

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

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

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans proposed for the demolition of the existing home.

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

Chris Simon, Nievera Williams Design, presented the landscape and hardscape plans proposed for the demolition of the existing home.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Motion made by Mr. Corey and seconded by Ms. Grace that the proposed demolition of 130 Algoma Road has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Maura Ziska, attorney for the owner, explained the current zoning relief needed with the current application. She advocated for a positive recommendation to the Town Council.

Mr. Clavijo presented the architectural plans proposed for the new residence.

Mr. Simon presented the landscape and hardscape plans proposed for the new residence.

Lee Fensterstock, owner, addressed some of the concerns outlined by neighbor Sandy Rogers.

Mr. Small called for public comment.

Jason Mankoff, attorney representing 142 Via Palma, thanked the owner for eliminating the previous variance requested.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought the house sat well on the lot. He thought the style was fine but thought it lacked some charm and character. He suggested maybe adding some character in the landscaping as well. He asked for clarity on the front door material.

Mr. Segraves stated that the glass door design would return to the Commission.

Mr. Corey also suggested lowering the height on the second floor.

Mr. Ives agreed with Mr. Corey and thought the home needed more charm and identity. He thought the landscaping plan needed some character as well.

Ms. Grace thought the neighboring homes had charm, while the proposed was cold, lacked charm and identity. She also agreed that the second floor could be reduced.

Ms. Shiverick did not find the design to have any interest, charm, or pizazz. She thought the home was a cookie cutter home. She recommended a complete and total redesign.

Mr. Kirchhoff agreed that the house could use some charm. He questioned the balcony railing design, the banding above the garage doors, and the banding detail around the home.

Mr. Floersheimer thought the topography of the land could have been used to come up with a different design of the garage. He thought the height of the home could be reduced. He noticed the muntin pattern on the three doors on the south elevation could be restudied. Mr. Clavijo responded. Mr. Floersheimer inquired about a concrete wall on the western side of the property to prevent or catch runoff. Mr. Clavijo responded.

Mr. Castro provided staff comments. A discussion ensued about the point of measurement for the building height plane.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month, to the June 23, 2021 meeting, for a restudy in accordance with the comments from Mr. Castro and the Commissioners, to include style, floor height and garage orientation. Motion carried unanimously.

A short discussion ensued about the motion and the redesign going forward.

Please note: Mr. Sammons returned to the meeting at 2:03 p.m.

11. B-032-2021 Additions/Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 273 Tangier Ave.
Applicant: Gretchen Jordan
Professional: Bridges, Marsh & Associates, Inc.
Project Description: Proposal of a one room second floor addition in place of an existing upper terrace and changes to existing fenestration.

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting for a restudy, the addition and front door in particular.

ZONING INFORMATION: The Applicant is proposing to enclose a 432 square foot balcony on the second floor in the rear of the residence in order to create an office. This will require the following variance to be requested: Section 134-893(13): a cubic content ratio of 4.1 in lieu of 3.9 existing and the 3.93 maximum allowed in the R-B Zoning District.

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

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

Mark Marsh, Bridges, Marsh & Associates, Inc., presented the architectural modifications proposed for the existing residence.

Maura Ziska, attorney for the owner, discussed the zoning request needed and advocated for a positive recommendation to the Town Council.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Grace preferred the existing front door rather than the proposed front door. She expressed concern for the proposed garage doors and thought they stood out. She also expressed

Ms. Shiverick preferred the window layouts proposed. She was in favor of the project and supported the CCR variance.

Mr. Kirchhoff questioned the fenestration as well as the garage door design. He stated he would support the project.

Mr. Floersheimer agreed with Mr. Kirchhoff.

Mr. Small also agreed with Mr. Kirchhoff on the proposed garage doors.

Mr. Corey suggested using a standard five panel, horizontal garage door.

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

A second motion made by Mr. Corey and seconded by Mr. Kirchhoff that the proposed project at 273 Tangier Avenue has met the criteria for approval listed in Sec. 18-205 of the Town's code of ordinances and to approve the project as presented with the condition that a horizontal five panel garage door is to be used. Motion carried 6-1, with Ms. Grace opposed. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

At this time, the next project was moved to this position in the agenda at the request of the Chairman.

12. B-043-2021 Additions/Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW WITH VARIANCE(S)
Address: 160 Chilean Ave.
Applicant: Lisa Paolozzi
Professional: M. Mark Marsh/Bridges, Marsh & Associates, Inc.
Project Description: Addition to and remodel of existing one story residence with new pool, landscape and hardscape.

ZONING INFORMATION: Section 134-229, Section 134-329 and Section 134-893(b): Special Exception with Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50% cubic footage on a lot with a width of 50 feet in lieu of the 100 foot minimum required and an area of 8,000 square feet in lieu of the 10,000 square foot minimum required in the R-B Zoning District. Additionally, the applicant is proposing to construct one story additions totaling 950 square foot that will require the following variances to be requested: Section 134-893(7): to allow a 4.7 foot east side yard setback in lieu of the 12.5 foot minimum required in the R-B Zoning District. Section 134-893(7): to allow a 5.2 foot west side yard setback in lieu of the 12.5 foot minimum required in the R-B Zoning District.

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

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

Mark Marsh, Bridges, Marsh & Associates, Inc., presented the architectural modifications proposed for the existing residence.

Maura Ziska, attorney for the owner, discussed the zoning request needed and advocated for a positive recommendation to the Town Council.

Sean Allen, Nievera Williams Design, presented the landscape and hardscape plans proposed for the existing residence.

Mr. Small called for public comment.

Ben Mullaly, 155 Peruvian Avenue, expressed many concerns about the proposed project.

Messrs. Marsh and Allen responded to Mr. Mullaly's comments.

Mr. Small called for staff comment. Mr. Castro and Ms. Van Onna provided staff comments.

Mr. Corey inquired if a pool could be installed with the power lines are overhead. Mr. Castro responded. Mr. Corey understood the challenges with this home. He questioned the additions of the wings on the north and south. He questioned the pool location as well. He suggested working in the master bedroom in the main house and possibly adding a guest home in the rear of the home.

Mr. Ives liked the design and stated he would support the variances.

Ms. Grace thought the project was attractive and was happy the home was being renovated, rather than demolished. She recommended the owner works with the neighbor.

Ms. Shiverick suggested using a white trim, rather than black. She agreed with Ms. Grace's comments. She liked Ms. Van Onna's suggestion on the front door. Mr. Marsh responded. She was intrigued by Mr. Corey's idea of a guest house.

Mr. Smith had concern for the installation of the underground electricity so close to the home. Mr. Smith expressed concern of the extension of the flat roof to the street.

Mr. Kirchhoff liked the fact that the house would be saved. He questioned the functionality of the equipment yard and enclosure.

Mr. Allen stated that the power lines are 10 feet from the proposed new pool location.

Mr. Floersheimer appreciated the owners saving the home and keeping it a one story. He discussed the sewer line that ran through the property. He questioned the skylights and roof ridge structure and whether it reflected the Palm Beach style.

Mr. Small expressed concern for the dormer or roof windows proposed and thought they were a distraction. He questioned the pool design and the need for variances.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project for one month, to the June 23, 2021 meeting, for restudy based on the comments from the neighbors and the Commissioners, specifically addressing the power line situation, the lighting, and the dormer window design. Motion carried unanimously.

Please note: A short break was taken at 3:03 p.m. The meeting resumed at 3:15 p.m.

13. B-033-2021 Additions/Modifications
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW
Address: 760 N. Ocean Blvd.
Applicant: Palm Beach Country Club (Maura Ziska)
Professional: Ronald Rickert II/Intelae, LLC
Project Description: Addition of a Padel court to the south-central area of the property.

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting due to lack of presentation materials.

ZONING INFORMATION: Section 134-890(5): Modification to a previously approved private club in a residential zoning district by adding a Padel ball court on the Fairview Road property owned by the Palm Beach Country Club. Section 134-1759: A request for Special Exception Approval with Site Plan Review to allow construction of a Padel ball court that will be enclosed and screened by landscaping.

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

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

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape plans proposed for the Padel ball court.

Maura Ziska, attorney for the owner, presented the plans for proposed Padel court.

Mr. Small inquired if the court would be lighted, to which Ms. Ziska replied that it would not be lighted.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired about the Green Buttonwood hedge on Fairview and the proposed height of the hedge. Mr. Nievera responded. Mr. Corey thought the court was harsh and could not support the request.

Mr. Ives stated he thought the request was fine.

Ms. Grace questioned why the landscaping was not directly next to the court. Without that coverage, she stated she could not support the request.
Ms. Shiverick thought this would be well screened and supported the request.

Mr. Smith confirmed that the court would be screened and then screened around the street as well. Mr. Nievera provided confirmation. Mr. Smith suggested providing a deed restriction for the hedges. Mr. Smith stated he would support the request.

Mr. Kirchhoff agreed with Mr. Smith.

Mr. Floersheimer thought this request was acceptable since it was screened on all four sides.

Mr. Small thought the setting was compatible for the request.

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

14. B-034-2021 Additions/Modifications
Address: 905 N. Ocean Blvd.
Applicant: 905 N. Ocean LLC (Maura Ziska)
Professional: LaBerge and Menard

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

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting for restudy, particularly how the home fits onto the lot.

Please note: This project was deferred to the June 23, 2021 meeting at the Approval of the Agenda, Item VI.

E. MAJOR PROJECTS – NEW BUSINESS

1. B-036-2021 Modifications
Address: 201 Ocean Terrace
Applicant: Scott Goodwin
Professional: John Melhorn/Thomas Melhorn
Project Description: Alterations to façade and roof color; replacement of entry door; relocation of two screened openings on east façade; one window relocation on west façade; alteration to glazing on north façade; alteration to landscape and hardscape; removal of pergola; replacement of sconces; replacement of in kind railing.

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

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

Mr. Melhorn presented the architectural modifications proposed for the existing residence.

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

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey suggested removing some of the hardscape around the pool. He liked the rest of the landscaping. He was not in favor of the front door change as well as the nano doors.

Mr. Ives stated he supported the project.

Ms. Grace inquired about the design of the steel door. Mr. Melhorn responded. Ms. Grace stated she preferred the straight picket railing over the Chippendale railing. Ms. Grace was not in favor of the color change. She also preferred the existing fenestration over the proposed fenestration on the north elevation.

Ms. Shiverick liked the newly, proposed front door. She also was in favor of the simplification of the property. She recommended using steel doors for the sliders so that they matched the front door. Mr. Melhorn explained the material to be used on the rear sliders.

Mr. Smith stated he could not support the front door change but would support the rear fenestration changes.

Mr. Kirchhoff agreed with Ms. Shiverick with the landscaping changes. He was not in favor with the fenestration changes but provided some suggestions for the change. He liked the change in the railing but did not prefer the Chippendale design.

Mr. Floersheimer stated he thought the Chippendale railing and the glass door were in conflict with each other. He was not in favor of the glass doors on the north elevation. He suggested adding mullions on the glass doors. Mr. Melhorn showed an alternate elevation, which had mullions on the doors.

Mr. Sammons thought the proposed front door was too much of a departure for the design style of the home. He stated he could not support the large sliding doors on the north elevation either. He questioned the proportions of the sliding doors. He also objected to the black roof material proposed.

Mr. Small thought the proposed conflicted with the existing and stated he could not support the project.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month, to the June 23, 2021 meeting, for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously.

2. B-039-2021 Demolition/New Construction
Address: 200 Bahama Lane
Applicant: 200 Bahama Lane, LLC (Maura Ziska)
Professional: SKA Architect + Planner
Project Description: Demolition of existing one story house. New construction of two story classical style house, approx. 5,856 sq ft. Final landscape and hardscape included.

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

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

Pat Segraves, SKA Architect + Planner, presented the architectural demolition plans proposed for the existing residence.

Mr. Small asked for confirmation that the existing home was not on a list to be landmarked. Mr. Segraves provide confirmation

Andres Paradelo, Paradelo Burgess Design Studio, presented the landscape and hardscape plans proposed for the demolition of the existing home.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey inquired about any landscaping on the east and west sides that was worth salvaging to help with screening the property. Mr. Paradelo responded.

Motion made by Mr. Corey and seconded by Ms. Shiverick that the proposed demolition of 200 Bahama Lane has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Segraves presented the architectural plans proposed for the new residence.

Mr. Paradelo presented the landscape and hardscape plans proposed for the new residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thought the proposed home was wrong and unsuccessful for the street. Mr. Corey suggested breaking up the mass of the home, perhaps using dormers. He thought the landscaping was too robotic. Mr. Corey suggested a complete restudy of the entire project.

Mr. Ives agreed with Mr. Corey. He thought the design was static and lacked individuality. Mr. Ives suggested looking at Clarence Mack when revisiting the design. He also thought the landscaping was static as well.

Ms. Grace believed that the proposed home did not fit in the streetscape. She believe the home needed to be smaller with more character.

Ms. Shiverick agreed and thought this home was too large. She thought the home did not belong on the street.

Mr. Smith suggested moving into the Bermuda style. He thought the home was too large and bulky.

Messrs. Kirchhoff, Sammons, Floersheimer and Small agreed with the other Commissioners.

Motion made by Mr. Corey and seconded by Mr. Ives to defer the project for two months, to the July 28, 2021 meeting, for an entire restudy. Motion carried unanimously.

3. B-037-2021 Demolition
Address: 1080 S. Ocean Blvd.
Applicant: Todd Glaser
Professional: LaBerge & Menard Inc.
Project Description: Demolition of existing residence.

A motion carried at the April meeting to defer the project to the May 26, 2021 meeting to return with a landscape plan that shows the proper screening during the demolition and new construction.

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

Richard Sammons inquired if he would need to recuse himself for the project. Town Attorney Randolph weighed in on the issue. Mr. Sammons stated he would not recuse himself but also would not comment on the project.

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

Christopher Cawley, Christopher Cawley Landscape Architecture, presented the landscape and hardscape plans proposed for the demolition of the existing residence.

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

Daniel Menard, LaBerge & Menard, presented the architectural plans proposed for the demolition of the existing residence.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey thanked the professional for addressing the neighbor's concern on the west.

Ms. Shiverick thought it was a shame to see the Belford Schoumate design demolished.

Katherine Eyre, 112 Kings Road, asked for confirmation that screening would be provided during the demolition, higher than six feet on their side of the property.

Mr. Cawley stated he would provide a 12 foot screening fence.

Motion made by Ms. Grace and seconded by Mr. Kirchhoff that the proposed demolition of 1080 S. Ocean Blvd. has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

4. B-042-2021 New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REIVEW WITH VARIANCE(S)
Address: 1080 S. Ocean Blvd.
Applicant: Todd Glaser
Professional: LaBerge & Menard Inc.
Project Description: New two story home with pool cabana. House will have clay barrel tile roof, smooth stucco painted Manchester tan.

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

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

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

Christopher Cawley, Christopher Cawley Landscape Architecture, presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment.

Katherine Eyre, 112 Kings Road, asked for confirmation that the pool orientation is north to south. Mr. Cawley provided this confirmation. Ms. Eyre inquired if there would be a generator and where it would be located. Mr. Cawley responded. Ms. Eyre inquired about the height of the current home as well as the proposed home. Ms. Menard responded.

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Corey was in favor of the asymmetrical design. He also was in favor of the landscaping plan. He liked the colors and the roof material. Mr. Corey wondered if there was any way to break the ridge across S. Ocean and provide prominence to the front entrance. He also suggested breaking the ridge above the garage element. He recommended removing the chimneys. He questioned the Coconut Palm on the northeast corner and suggested making it a Date Palm.

Mr. Ives agreed with Mr. Corey and liked his idea of giving prominence to the front entrance. He thought the design was a bit heavy. He suggested adding some lightness and flow, possibly in the materials to be used. He thought a revisit to the columns on the interior courtyard was necessary.

Ms. Grace liked Mr. Corey's suggestion. She stated she liked the inspiration photos that the professional provided. She questioned the fenestration proposed as they were very symmetrical. She suggested adding some more character in the fenestration. She wondered if the colors in the inspiration photos could be achieved in the proposed home.

Ms. Shiverick thought the design was intriguing. She thought the corner entrance appeared clunky. She suggested looking at the inspiration photo with the rounded entrance. She agreed with removing the chimneys as well as revisiting the columns in the rear of the home. She thought the home had a lot of potential.

Mr. Smith thought there were too many balconies on the home. He agreed with the removal of the chimneys. He agreed with the break on the ridge at the garage section of the house. He provided guidance on the quoins on the garage wing. He thought the columns on the loggia needed to be restudied as well as the style of the garage doors.

Mr. Kirchhoff liked the oval entry. He thought the site plan was a bit scattered and suggested some refinement. He thought the arched top doors on the east were conflicting to the sliding doors on the west side. He agreed with the suggestion to break up the roof line and remove the balcony elements from the entrance.

Mr. Floersheimer stated he looked forward to seeing the revisions as this home had the originality that the Commission has been requesting.

Mr. Small agreed with Mr. Floersheimer. He thanked the professional for the video shown. He also thanked the professional for the design style chosen. He shared the comments for the corner entry, the rear loggia, and the orientation of the garage doors.

Motion made by Mr. Corey and seconded by Mr. Ives to defer the project for one month, to the June 23, 2021 meeting, in accordance with the comments of the Commissioners. Motion carried unanimously.

5. B-045-2021 Additions
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 230 N. Ocean Blvd.
Applicant: 230 North Ocean Trust (Maura Ziska, Trustee)
Professional: Portuondo-Perotti Architects
Project Description: Addition of two garden pergolas to rear yard.

ZONING INFORMATION: Section 134-893(13). A request for a variance to add two pergola structures located in the back yard totaling 619.6 square feet which will result in a cubic content ratio ("CCR") of 4.395 In lieu of 4.14 existing CCR and the 4.15 maximum CCR allowed in the R-B Zoning District.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.
Maura Ziska, attorney for the owner, discussed the zoning relief needed for the pergolas and advocated for a positive recommendation to the Town Council.

John Lang, Lang Design Group, presented the architectural plans for the proposed pergolas.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Ms. Grace thought the trellis appeared to be open.

Ms. Shiverick inquired about the coverage of the trellis. Mr. Lang responded.

Mr. Kirchhoff suggested to adding a roof on to the trellis next to the home. Mr. Lang responded.

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

A second motion made by Ms. Grace and seconded by Mr. Corey that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.

*Please note: The meeting stopped at 5:44 p.m. on May 26, 2021. The meeting resumed at *:59 a.m. on May 27, 2021. Upon roll call, Messrs. Corey and Ives. Mr. Sammons arrived 9:02 a.m.*

6. B-046-2021 Demolition/New Construction
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)
Address: 1540 S. Ocean Blvd.
Applicant: 1540SOcean LLC (Maura Ziska)
Professional: Roger Janssen/Dailey Janssen Architects
Project Description: Demolition of an existing two story residence, pool, landscape and hardscape. Construction of a new two story residence, pool, hardscape and landscape.

ZONING INFORMATION: Section 134-843(b): Request for a Special Exception with Site Plan Review to allow the construction of a 10,284 square foot two-story, single family residence on a non-conforming platted lot that is 16,151 square feet in area in lieu of the 20,000 square foot minimum required; 145.53 feet In depth in lieu of the 150 foot minimum depth required; and 112.53 feet in width in lieu of the 125 foot minimum depth required in the R-A Zoning District. Section 134-2: a variance to allow a point of measurement of 21.42 ft NAVD in lieu of the 18.87 ft NAVD maximum allowed for the building height plane calculation.

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

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

Mr. Janssen presented the architectural plans for the proposed demolition of the existing two-story property.

Dustin Mizell, Environmental Design Group, presented the landscape and hardscape plans proposed for the existing site.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Floersheimer thought the home was in poor shape. He inquired about the removal of a site wall. Mr. Mizell responded.

Motion made by Ms. Shiverick and seconded by Ms. Catlin that the proposed demolition of 1540 S. Ocean Blvd. has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the project as presented

with the condition to sod and irrigate the property within 30 days. Motion carried unanimously. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Janssen presented the architectural plans proposed for the new residence.

Mr. Mizell presented the landscape and hardscape plans proposed for the site and new residence.

Mr. Janssen addressed the concerns indicated in a letter from several neighbors.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Lindsay DuGan, 114 Ocean View, expressed concern for their protection during the demolition of the existing property. She requested a 12-foot-high screening fence.

Ms. Grace she thought the house needed to fit into the S. Ocean Blvd. streetscape. She did not believe the proposed home fit into the area. She thought the area would lose its identity with the proposed home. She thought the home was busy with many windows and shutters. She inquired about the floor heights of the home. Mr. Janssen responded. She thought there were many lanterns around the garage door. She inquired about the number of homes on Ocean View that had double curb cuts.

Ms. Shiverick thought the home was a little tall and too big. She felt the height plan variance could be eliminated. She inquired about the existing number of curb cuts on the property. Mr. Janssen responded. She thought maybe the eastern most curb cut could be eliminated. She thought the house was a bit busy, particularly on the windows over the front door and the windows over the door on the eastern elevation. She expressed concern for the plate glass windows needed to be reduced. She thought the louvered panels above the front door should be painted white, rather than blue.

Mr. Smith thought this was a cute house but thought it looked like a mansion. He agreed the house looked a little busy. He thought one of the curb cuts should be eliminated as well as the variance.

Mr. Kirchhoff was in favor of the home. His only concern was possibly too much glass on the ocean side. He also believed there may be too much landscape lighting.

Ms. Catlin thought the home fit into the area. She agreed with Ms. Shiverick's suggestion to reduce the number of windows. She liked the transoms around the plate glass windows. She supported both curb cuts on the site for safety reasons. She inquired if the proposed height would put them ahead the upcoming FEMA changes. Mr. Janssen responded. She was in favor of the style of the home.

Mr. Floersheimer thought the fenestration could be restudied as well as the variance could be eliminated. He inquired about the height of the home in relationship to the requirements of DEP. Mr. Janssen responded.

Mr. Sammons questioned the need for the height plan variance. Mr. Sammons thought the style of the home could lend itself to smaller buildings. He suggested that the style could be changed to a Mediterranean style. He thought the fenestration could be reduced and restudied. He suggested a restudy of the balcony features.

Mr. Small appreciated the elimination of the curb cut on S. Ocean Blvd. He supported the two curb cuts on Ocean View. He believed there was too much glass on the home. He also believed that the variance could be eliminated. He did believe the style of the home was in harmony with the neighborhood.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project for one month, to the June 23, 2021 meeting, in accordance with the comments from the Commissioners, particularly relating to size, fenestration, curb cuts, style and the requested variance. Motion carried unanimously.

7. B-048-2021 New Construction
Address: 224 S. Ocean Blvd.
Applicant: Armen Manoogian
Professional: Jose A. Gonzalez/Gonzalez Architects
Project Description: Proposed work includes the construction of a new 836 square foot, one story detached, four car garage and driveway. Also, the siding and all trim of the existing adjacent guest house will be repainted to match the main house.

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

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

Mr. Gonzalez presented the architectural plans proposed for the new garage.

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Ms. Grace stated she has enjoyed the changes to the property over the last several years. She supported the integration of the additional property into the main property. However, she was not in favor of the current proposal. She questioned the roof line of the garage structure. She thought the windows on the garage doors emphasized the horizontality of the structure. She suggested a different roof line and different windows. Mr. Gonzalez responded.

Ms. Shiverick was in favor of the restoration of the property. She preferred the hip roof over the gable roof. She suggested using three over three windows in the garage. She suggested the hedge in front of the garage should be higher. She inquired about the columns in the colonnade. Mr. Gonzalez responded.

Mr. Smith thought the scale of the garage was too large. He suggested that the garage should be subservient to the home. He also thought the garage should be staggered to break up the mass and roof line. Mr. Smith thought the garage was too tall and too massive. Mr. Gonzalez responded.

Mr. Kirchhoff agreed with Mr. Smith. He liked the hip roof suggestion but thought three garage doors would be more appropriate, with more wall between the doors. He added that he believed more space should be given between the main residence and the garage structure. He applauded the owner for saving the guest home.

Ms. Catlin greatly appreciated the preservation of the home to the west. She liked the colonnade but questioned the connection to the main home. She thought the garage was big and boxy and did not enhance the main structures. She was in favor of the garage behind the hedge. She believed the garage was too massive.

Mr. Floersheimer thanked the owner for saving the home to the west. He thought the unity of title brought the main home into compliance. His concern was that the garage doors lined up with the main home. He believed that this made the buildings seemed massive. He preferred the hip roof design. He agreed with Mr. Smith's suggestion to lower the structure. He suggested the colonnade should be reconfigured to allow the garage to be moved and staggered. Mr. Gonzalez responded.

Mr. Sammons thought the garage doors facing the street were inappropriate. He thought more imagination should be giving to the design. He suggested rotating the garage and engaging the columns of the colonnade with the garage structure.

Motion made by Mr. Floersheimer and seconded by Ms. Shiverick to defer the project for one month, to the June 23, 2021 meeting, in accordance with the comments of the Commissioners, with a specific request to bring a view of the colonnade from the south. Motion carried unanimously.

F. MINOR PROJECTS – OLD BUSINESS

1. A-048-2020 Modifications
   Address: 230 Atlantic Ave.
   Applicant: Linda Saligman
   Professional: Kyle B. Fant/Bartholemew + Partners
   Project Description: Interior and exterior remodel as defined in the November and December ARCOM meeting. Present new front elevation and pergola in the rear.

   Motion carried at the November meeting to defer the project to the December 18, 2020 meeting for a restudy in accordance with the comments from the Commissioners, which many questioned the proposed changes to the front façade. A motion carried at the December meeting to defer the project to the January 27, 2021 meeting to address the comments of the Commissioners, particularly relating to the recommendations on the landscape plan, lanterns, garage doors and front entrance design. A motion carried at the January meeting to defer the project to the February meeting at the request of the professional. A motion carried at the February meeting to defer the project to the March meeting due to lack of presentation materials submitted. A motion carried at the March meeting to defer the project to the April 28, 2021 meeting for a restudy of the front entrance design, window configuration and garage doors. A motion carried at the April meeting to defer the project at the request of the professional.

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

   Mr. Fant presented the architectural modifications proposed for the existing residence.

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

   Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

   Ms. Grace thought the lanterns on the front door were too large. She also suggested to remove the lanterns over the garage doors.

   Ms. Shiverick agreed with Ms. Grace.

   Mr. Kirchhoff agreed with Ms. Grace.

   Ms. Catlin was in favor of the larger front door.

   Mr. Floersheimer thought the lanterns at the front door were too large.

   Motion made by Ms. Grace and seconded by Ms. Catlin to approve the project as presented with the condition that the front lanterns adjacent to the

door were changed to smaller lanterns as well as the elimination of the lanterns above the garage doors. Motion carried unanimously.

2. A-024-2021 Modifications
Address: 226 Oleander Ave.
Applicant: J & J Realty
Professional: Dustin Mizell/Environment Design Group
Project Description: Previously approved driveway design to be modified. Associated hardscape and landscape improvements.

A motion carried at the April meeting to approve the project as presented with the professional to return at the May 26, 2021 meeting with a sample of the cast stone and the gravel material.

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

Mr. Mizell presented the material samples proposed for the cast stone and gravel.

Mr. Small inquired about the glass balcony on the second floor. Mr. Mizell stated that the balcony had been previously staff approved. Ms. Van Onna stated she did not believe the balcony had been staff approved.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time.

Ms. Grace thought the balcony should be removed. She was not in favor of the gravel proposed as it was looked more commercial.

Ms. Shiverick inquired about the location of the gravel material. Mr Mizell responded and explained his reason for the material choice. Ms. Shiverick suggested pavers with turf in between the pavers.
Mr. Castro stated staff could not find any approval or permit for the balcony.

Mr. Kirchhoff was not in favor of the gravel. He suggested an alternate material.

Ms. Catlin was not opposed to the gravel but not the color. She suggested using turf.

Mr. Floersheimer was in favor of Ms. Shiverick's suggestion of the combination of grass and pavers.

Mr. Sammons was not in favor of the color of the gravel. He suggested brick or coquina.

Mr. Small was in favor of Ms. Shiverick's suggestion of the combination of grass and pavers.

Motion made by Ms. Catlin and seconded by Ms. Shiverick to defer the project for one month, to the June 23, 2021 meeting, for a restudy of the materials. Motion carried unanimously.

3. A-035-2021 Landscape/Hardscape
   Address: 190 N. County Rd.
   Applicant: Temple Emanuel of Palm Beach, Inc. (Steven Horowitz, President)
   Professional: Chuck Yannette/Parker Yannette Design Group, Inc.
   Project Description: Landscape enhancements along north side of building to include replacing 6 Black Olive trees with 6 native Royal Palms and 2 Medjool Date Palms as well as shrub replacements.

   A motion carried at the April meeting to defer the project to the May 26, 2021 meeting for a restudy of the project in accordance with the comments of the Commissioners, in particular the material choice.

   Please note: This project was deferred to the June 23, 2021 meeting at the Approval of the Agenda, Item VI.

G. MINOR PROJECTS – NEW BUSINESS

1. A-044-2021 Modifications
   Address: 2800 S. Ocean Blvd.
   Applicant: J.V. Associates (P.B.) LLC (Mohamed Elbanna, GM)
   Professional: Leo A. Daly
   Project Description: Existing terrace reconfiguration, removal of fountain, window/door replacement in the first and second floors, and the additions of five windows to the third floor.

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

   Anette Lyons-Evans, Leo A. Daly, presented the architectural modifications proposed for the building.

   Tiffany May, Leo A. Daly, presented the landscape modifications proposed for the site.

   Mr. Small inquired if the professional had colored renderings of the changes in the windows. Ms. Lyons-Evans responded and showed the changes in elevation.

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

Mr. Small called for staff comment. Ms. Van Onna stated she had no comments at this time but asked Mr. Castro to confirm he did not have any zoning concerns. Mr. Castro responded.

Ms. Grace expressed concern for the proposed color for the planter caps.

Ms. Shiverick inquired if only one elevation of windows were changing. Ms. Lyons-Evans responded. She stated she would have preferred a colored rendering of the changes. Ms. Shiverick asked for confirmation that the change in the windows would match the change that occurred in 2019. Ms. Lyons-Evans responded.

Mr. Kirchhoff shared Ms. Shiverick's concern that the windows would not look the same and it was hard to see what the windows. He also inquired about the paint color for the planter cap. Ms. Lyons-Evans responded.

Ms. Catlin wanted to see a rendering of the front of the building.

Mr. Floersheimer requested that the professional return with photographs and renderings for all four sides of the building and of the proposed changes.

Mr. Small believed that not enough information had been received to make a determination.

Ms. Lyons-Evans inquired if they could get a contingent approval on submitting additional renderings of the proposed windows.

Brad Garven, Leo A. Daly, stated the building color was not changing and would be happy to provide a rendering of the windows.

Motion made by Mr. Floersheimer and seconded by Ms. Shiverick to partially approve the project with the reconfiguration of the terrace area as submitted and the professional will submit additional information on the window changes to staff who will confer with Ms. Shiverick on the approval. Motion carried 6-1, with Ms. Grace opposed.

2. A-049-2021 Modifications
Address: 249 Seabreeze Ave.
Applicant: Elizabeth and Joseph Berger
Professional: Mario Nievera/Nievera Williams Design
Project Description: Proposed west PPL and rear north PPL site walls. Proposed pedestrian gate along rear north PPL. Proposed landscape changes along north and west PPL. Proposed hardscape changes around pool and for rear terraces.

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

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

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

Mr. Small called for staff comment. Ms. Van Onna provided staff comments.

Mr. Kirchhoff inquired about the materials for the gate proposed. Mr. Allen responded. Mr. Kirchhoff was not in favor of the gate.

Ms. Catlin was not thrilled with the project.

Mr. Floersheimer was not in favor of the proposed gate. He thought a better material could be used. He asked for more information on the proposed dog shower. Mr. Allen responded.

Mr. Sammons was not in favor of the proposed gate and thought it was too minimalistic for Palm Beach.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the project as presented, with a new gate design and the details of the dog shower and fountain to return to the June 23, 2021 meeting. Motion carried 6-1, with Mr. Floersheimer opposed.

VIII. **UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

1. Public

   Aimee Sunny, Preservation Foundation of Palm Beach, stated she would be sending the Commission a survey, which would gather their opinions on challenges that the Commission routinely faces. She added this information would be used to put together a training for realtors.

2. Staff

   Mr. Bergman stated that Jeffrey Smith declared a conflict for his project at 1118 N. Lake Way at the April 28, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

   Mr. Bergman stated that Thomas Kirchhoff declared a conflict for his project at 102 Flagler Drive at the April 28, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

   Mr. Bergman discussed the first reading approval of Ordinance 06-2021, which detailed changes to the notice requirements as well as added in a requirement for story poles and the option of 3-D virtual models.

   Mr. Bergman discussed the first reading approval of Ordinance 09-2021, which detailed changes for the architects on the Commission and their conflicts of interest.

He added one change was that minor projects would not contribute to the number of conflicts accrued.

Mr. Bergman asked the Commission for their recommendation on S-tile roof material. After some discussion, the consensus was to continue the practice that S-tile requests would be reviewed by the Commission and not by staff, unless the S-tile would be used in a repair of less than 50% of a roof. In this case, it would be able to be reviewed by staff.

Mr. Bergman stated that ORS was reviewing artificial turf and would be making a recommendation on when it could be used in the Town.

Mr. Bergman discussed the upcoming hybrid meetings for June, July and August. Mr. Small confirmed that an alternate member would be voting if they constituted a quorum. Town Attorney Randolph confirmed this would be the case. There was some discussion on which Commissioners would be voting in the hybrid meeting.

3. Commission

Ms. Grace suggested making the draft minutes available to the architects. Ms. Churney stated that the architects have access to the draft minutes as well as the audio of the meeting. She inquired about changing the zoning information with each agenda. Assistant Director Murphy discussed the upcoming changes, with respect to the agenda as well as upcoming staff memos.

Mr. Floersheimer discussed the number of projects that requested variances as well as the number of variances granted. He questioned why the number was so prevalent. Town Attorney Randolph stated this issue was a Town Council issue, not an ARCOM issue. Mr. Bergman stated he would be discussing Code Review with the Town Council.

IX. **ADJOURNMENT**

Motion made by Mr. Floersheimer and seconded by Ms. Catlin to adjourn the meeting at 12:06 p.m. on Thursday, May 27, 2021. Motion carried unanimously.

The next meeting will be held on Wednesday, June 23, 2021 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

Application Number and Title: B-047-2021 New Construction

Address: 870 S. Ocean Blvd.
Applicant: 870 South Ocean Blvd, LLC (Todd Glaser, Manager)
Architect: MP Design + Architecture
Project Description: Proposed new 435 SF one story beach cabana, new pool, new landscape and hardscape.

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) now (10) 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 May 26, 2021

TOWN OF PALM BEACH

Chairman, Architectural Commission

DENIALcriteriaFORM

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-073-2020 Demolition/New Construction

Address: 1015 S. Ocean Blvd.
Applicant: 1015 South Ocean Boulevard, LLC. (Maura Ziska)
Architect: Harold Smith / Smith and Moor. Architects
Project Description: New two story residence with pool, hardscape and landscape.

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 May 26, 2021

TOWN OF PALM BEACH

Chairman, Architectural Commission

DENIALcriteriaFORM