

# **TOWN OF PALM BEACH**

## **PLANNING, ZONING AND BUILDING DEPARTMENT**

### **MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MARCH 25, 2020**

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](http://www.townofpalmbeach.com).

#### **I. CALL TO ORDER**

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

#### **II. ROLL CALL**

|                                    |                  |
|------------------------------------|------------------|
| Michael B. Small, Vice Chairman    | PRESENT          |
| Robert N. Garrison, Member         | PRESENT          |
| Alexander C. Ives, Member          | PRESENT          |
| Maisie Grace, Member               | ABSENT (Excused) |
| John David Corey, Member           | PRESENT          |
| Betsy Shiverick, Member            | PRESENT          |
| Richard Sammons, Member            | PRESENT          |
| Katherine Catlin, Alternate Member | PRESENT          |
| Dan Floersheimer, Alternate Member | PRESENT          |
| Edward A. Cooney, Alternate Member | PRESENT          |

*Please note: Ms. Catlin voted in the absence of Ms. Grace.*

Staff Members present were:

Wayne Bergman, Acting Director of Planning, Zoning and Building  
Kelly Churney, Secretary to the Architectural Review Commission

#### **III. ELECTION OF OFFICERS**

There was no action taken on this item due to the COVID-19 situation. The item was postponed to the April 29, 2020 meeting.

#### **IV. PLEDGE OF ALLEGIANCE**

There was no action on this item due to the COVID-19 situation.

- V. **APPROVAL OF THE MINUTES FROM THE FEBRUARY 26, 2020 MEETING**  
There was no action taken on this item due to the COVID-19 situation. The item was postponed to the April 29, 2020 meeting.
- VI. **APPROVAL OF THE AGENDA**  
There was no action taken on this item due to the COVID-19 situation.
- VII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**  
There was no public participation at this meeting due to the COVID-19 situation.
- VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**  
There was no public participation at this meeting due to the COVID-19 situation.
- IX. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**  
There were no comments heard due to the COVID-19 situation.
- X. **PROJECT REVIEW**
- A. **DEMOLITIONS AND TIME EXTENSIONS**  
B-012-2020 Demolition  
Address: 60 Blossom Way  
Applicant: Providencia Partners LLC  
Professional: Daniel Kahan  
Project Description: Demolition of the existing residence, hardscape and pool. Existing perimeter walls shall remain. Landscape submittal and presentation will outline the plan to preserve and relocate the existing vegetation.
- Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.
- Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**
- B. **MAJOR PROJECTS – OLD BUSINESS**  
B-069-2019 Demolition/New Construction  
\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\*  
Address: 977 South Ocean Boulevard  
Applicant: 195 PHESTEN ASSOCIATES, LLC (RUSTY & ASHLEY HOLZER)  
Professional: Studio SR Architecture  
Project Description: Demolition of existing 1-story wood frame house, and construction of a contemporary 1 & 2-story residence.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two-story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in

lieu of the 20,000 square foot minimum area required in the R-A Zoning district (Section 134-840 & 134-893(c)). The following variances are also being requested:

1. Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35-foot minimum required in the R-A Zoning District.
2. Section 134-843(a)(5) and (9): A request for a variance to allow the proposed residence to have a rear setback of 9 feet in lieu of the 15 foot minimum required in the R-A Zoning District which includes the balconies which extend 3 feet from the building in lieu of the 2' foot maximum allowed.
3. Section 134-1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10-foot minimum required in the R-A Zoning District.
4. Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District.
5. Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District.
6. Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house.

At the October 30, 2019 ARCOM meeting, the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members. A motion carried at the December meeting to defer the project to the January 29, 2020 meeting at the request of the applicant. A motion carried at the January meeting to defer the project to the March 25, 2020 meeting for a significant restudy with consideration of the comments from the Commissioners.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

B-074-2019 Additions & Modifications

\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\*

Address: 125 Worth Avenue

Applicant: 125 Worth Partners LLC

Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects

Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its

users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

**ZONING INFORMATION:** A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project:

1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded.
2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis.
3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code.
4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code.
5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building.
6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property.
7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable.
8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story.
9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

A motion carried at the December meeting to defer the project to the February 26, 2020 meeting. A motion carried at the February meeting to defer the project to the March 25, 2020 meeting at the request of the attorney.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

B-009-2020 New Cabana

Address: 1360 N. Ocean Blvd.

Applicant: Katherine J. Henry

Professional: M. Mark Marsh/Bridges Marsh & Associates, Inc.

Project Description: Construction of a beach cabana and site improvements. New doors and windows at the existing house.

A motion carried at the February meeting to defer the project to the March 25, 2020 meeting for a restudy of the project.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Ms. Catlin and seconded by Mr. Corey to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

B-010-2020 Demolition/New Construction

Address: 1 Wells Circle

Applicant: Allison Menkes

Professional: LaBerge & Menard

Project Description: Demolition of existing house. New 8,800 sq. ft. one-story home.

A motion carried at the February meeting to approve the demolition request. A second motion carried to approve the architectural plans as presented and to defer the landscape and hardscape plans to the March 25, 2020 meeting for a restudy of the site circulation and vehicular guest parking.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Mr. Garrison and seconded by Ms. Catlin to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

B-011-2020 Demolition/New Construction

Address: 217 Sandpiper Dr.

Applicant: Valley Property Management LLC (Philip Cambo)

Professional: Gregory Bonner/BA Architect

Project Description: A new proposed one-story single family residence approximately 5,120 total square feet in a Bermuda architectural style.

A motion carried at the February meeting to approve the demolition request. A second motion carried to defer the project to the March 25, 2020 meeting for a restudy based on the comments from the Commissioners.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Ms. Catlin and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

**C. MAJOR PROJECTS – NEW BUSINESS**

**B-013-2020 Additions/Modifications**

Address: 1620 S. Ocean Blvd.

Applicant: Anthony and Lynda Lomangino

Professional: Harold J. Smith/Smith and Moore Architects, Inc.

Project Description: Additions and alterations to an existing two-story residence. Landscape and hardscape revisions.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

**B-014-2020 Additions**

Address: 145 Kings Road

Applicant: Sam Bonomo

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: New Garage 328 square foot addition.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Mr. Garrison and seconded by Mr. Sammons to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

**B-015-2020 Awnings**

**\*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)\***

Address: 247 Worth Avenue

Applicant: Jane Holzer

Professional: Keith Spina/Spina O'Rourke

Project Description: Install a combination of new awnings consisting of a fixed awning connecting to the via to the front door of the restaurant and a retractable awning over the outdoor dining area to be used during inclement weather.

ZONING INFORMATION: 1) Sec. 134-1159 (a)(6), Sec. 134-329 and Sec. 134-229: A request to modify the previously approved Special Exception with Site Plan Review to add 51 additional seats to the previously approved 109 seat, 3,590 square foot restaurant ("Le Bilboquet") on both the 1st and 2nd floor in the rear of the via located at 247 Worth Avenue (160 total proposed seats). In addition, to add 594.5 square feet on the back of the building to house a cooler/storage area and elevator and two retractable awnings totaling 512 square feet over the via. There are also two existing permanent awnings that will be replaced with three awnings of the same approximate size. There is also an existing awning on Worth Avenue that will be replaced with an awning of the same approximate size. There will be new mechanical equipment located on the roof that will be screened. Additionally, the restaurant plans to have background music in the via. 2) Sec. 134-1159 (a) (6), Sec. 134-2176 and Sec. 134-2001: A request for Special Exception with Site Plan Review modification to allow 58 seats to be outside in the via in lieu of the 48 seats previously approved. 3) Sec. 134-1161 (a): A variance to have 58 outdoor seats over the inside capacity. The Code does not allow outdoor seating above the indoor capacity of the tenant space. 4) Sec. 134-1163 (7): A variance request to have a rear yard setback of 5.5 feet for the elevator and 2.5 feet for the cooler/storage building in lieu of the 10 foot minimum required in the C-WA Zoning District. 5) Sec. 134-1163(9): A variance request to allow a lot coverage for the elevator, cooler/storage building and retractable awnings of 84.6 % in lieu of the 72.4 % existing and the 35 % maximum allowed in the C-WA Zoning District for a two story building. 6) Sec. 134-1163(11): A request for a landscaped open space to be 3.5 % in lieu of the 4 % existing and the 25 % minimum required in the C-WA Zoning District for a two story building. 7) Sec. 134-2175, Sec. 134-329 and Sec. 134-229: A request for a variance to provide zero (0) on-site parking spaces in lieu of the required 24 parking spaces that would be required under the principle of equivalency for the additional 51 seats being requested and the new elevator and 494 square foot cooler/storage building that is being added. A variance was previously approved to eliminate the requirement of 29 parking spaces.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Ms. Catlin and seconded by Ms. Shiverick to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

**D. MINOR PROJECTS – OLD BUSINESS**

None

**E. MINOR PROJECTS – NEW BUSINESS**

A-004-2020 Modifications

Address: 3450 S. Ocean Blvd.

Applicant: The Patrician of Palm Beach Condominium Apartments, Inc.

Professional: James C. Paine, Jr.

Project Description: Request for approval of balcony rail change-out from original precast concrete balcony rails to vertical aluminum picket rails (white) conforming to current code.

Call for disclosure of ex parte communication: There was no ex parte disclosed as this project was not discussed.

**Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month to the April 29, 2020 meeting due to the COVID-19 situation. Motion carried unanimously, 7-0.**

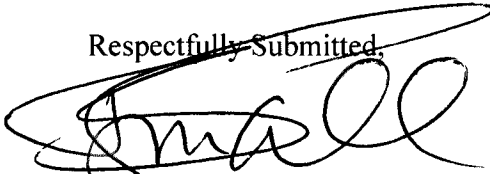
XI. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**  
There were no comments heard due to the COVID-19 situation.

XII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**  
There were no comments heard due to the COVID-19 situation.

XIII. **ADJOURNMENT**  
**Motion made by Ms. Catlin and seconded by Ms. Shiverick to adjourn the meeting at 9:08 a.m. Motion carried unanimously.**

The next meeting will be held on Wednesday, April 29, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,



Michael B. Small, Vice Chairman  
ARCHITECTURAL COMMISSION

kmc