

# **TOWN OF PALM BEACH**

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

### **MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 26, 2022**

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 via Zoom Webinar.

#### **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 (arrived at 9:10 a.m.) |

Staff Members present were:

James G. Murphy, Assistant Director of Planning, Zoning and Building  
Sarah Pardue, Historic Preservation Planner  
Jordan Hodges, Planner II  
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 acknowledged the Town Council's decision to return to the Zoom platform for this month's meeting. Mr. Small continued with procedural information and comments regarding the upcoming meeting.

- V. **APPROVAL OF THE MINUTES FROM THE DECEMBER 17, 2021 MEETING**  
**Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the minutes from the December 17, 2021 meeting as amended. Motion carried unanimously.**

VI. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

*Deferral of ARC-21-101, 425 Chilean Avenue to the February 23, 2022 Meeting*  
*Deferral of ARC-21-040 (ZON-21-006). 164 Seaspray Avenue to the February 23, 2022 Meeting*

*Withdrawal of B-074-2019, 125 Worth Avenue*

*Withdrawal of ARC-21-084 (ZON-21-022), 191 Bradley Place*

*Deferral of ARC-21-046, 237 Brazilian Avenue to the February 23, 2022 Meeting*

**Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the agenda as amended. Motion carried unanimously, 7-0.**

VII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. ARC-21-062 327 BARTON AVE (minor project) The applicant, Brian and Laura Carr, has filed an application requesting Architectural Commission review and approval of modifications to an existing landscape and hardscape plan as well as a driveway opening increase of 2 feet.

***Please note: This item was pulled from consent and was not approved with the consent agenda. This was moved to items pulled from consent, item VII. F.***

2. ARC-22-007 210 EDEN RD (minor project) The applicant, Sarah Reynolds, has filed an application requesting Architectural Commission review and approval of exterior modifications to an existing two-story residence.

Please refer to staff memo for additional information on this project.

3. ARC-22-012 1480 N LAKE WAY (minor project) The applicant, Southpaw Trust, has filed an application requesting Architectural Commission review and approval of modifications to the existing landscape and hardscape plan as well as the relocation of AC equipment and installation of a new generator.

Please refer to staff memo for additional information on this project.

4. ARC-22-017 217 SEABREEZE AVE (minor project) The applicant, Robert S. Berg, has filed an application requesting Architectural Commission

review and approval for the installation of a vehicular gate and minor landscape alterations.

***Please note: This item was pulled from consent and was not approved with the consent agenda. This was moved to items pulled from consent, item VII. F.***

5. ARC-22-019 635 CREST RD (minor project) The applicant, Lili C. Monell, has filed an application requesting Architectural Commission review and approval for the construction of a new concrete masonry wall along the south property line and new pedestrian gate.

Please refer to staff memo for additional information on this project.

6. ARC-22-025 1340 S OCEAN BLVD (minor project) The applicant, Greene Family Trust, has filed an application requesting the Architectural Commission review and approval for exterior design modifications to the landscape and hardscape plan.

Please refer to staff memo for additional information on this project.

**Motion made by Ms. Grace and seconded by Mr. Corey to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: This approval did not include the following projects: ARC-21-062, 327 Barton Avenue and ARC-22-017, 217 Seabreeze Avenue.**

**B. DEMOLITIONS AND TIME EXTENSIONS**

None

**C. MAJOR PROJECTS – OLD BUSINESS**

1. B-065-2021 7 OCEAN LN.  
Applicant: 7 Ocean Lane, LLC (Nedim Soylemez, Manager)  
Professional: Portuondo Perotti Architects, Inc.  
Project Description: New two-story residence with pool. Final hardscape and landscape.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting for a restudy in accordance with the comments of the Commissioners. At the July 28, 2021 meeting, a motion was made to deny the proposed new home as presented but failed for lack of a second. Another motion was made to defer the project, for two months to the September 29, 2021 meeting, for a restudy with a potential change in style, moving the house to the west, reducing the size of the house, reducing the east fenestration and reducing the garage size or relocating it to the basement as well as all of the direction provided. A motion carried at the September

meeting to defer the project to the November 19, 2021 meeting for a restudy with particular attention to the front façade screening and the glazing on the rear façade.

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. Portuondo agreed to the easement.

Rafael Portuondo, Portuondo Perotti Architects, presented the architectural plans proposed for the new residence.

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

Mr. Small called for public comments.

Rick Gonzalez, representing neighbor Elizabeth Ailes, stated his client was very happy with the new changes, particularly with the garage sunken to the basement level. He stated that Ms. Ailes fully supported the application.

Elizabeth Ailes, 6 Ocean Lane, expressed her appreciation for the owners and design professionals who listened to her concerns in the new re-design of the home. She offered her full support for the project.

Attorney John Eubanks, representing neighbor Elizabeth Ailes, appreciated the professionals that listened to Ms. Ailes' concerns for the new home.

Mr. Small called for staff comment. Ms. Pardue and Mr. Murphy provided staff comments.

Ms. Catlin thought the design was refreshing and exciting. She was in favor of the gardens and happy to see the garage location in the basement.

Mr. Floersheimer agreed with Ms. Catlin. He appreciated the new siting of the home further back from the ocean. He questioned the site lines shown in the presentation. Mr. Floersheimer was happy to see the garage location in the lower level. He was unsure about the brick rather than the previously proposed vertical slats. He thought the mechanical equipment should be located on the ground rather than the roof. He questioned the amount of glass on the east elevation and thought this side should be restudied.

Mr. Kirchhoff asked for further clarification of the brick screening. He questioned the egress from the second floor windows with the brick screening proposed. He asked for the details on the aluminum levers proposed.

Mr. Ives questioned whether the proposed home was better than the last presentation. He was excited by the professional's approach and material choices; however, he added that the home felt static and boxy.

Mr. Corey thought the landscape plan was well done and thought the material choices were environmentally smart. Mr. Corey expressed concern that while the lot was one of the smallest in the neighborhood, the proposed home was designed setback to setback and bigger than the neighboring homes. He thought the home was too big on the site. He also thought the pool was too large and too close to the ocean. He was not in favor of the mechanical equipment's location on the roof.

Ms. Grace agreed with the comments of the other Commissioners. She agreed with Mr. Corey's comments that the home's size was pushing the limits. She still questioned the east façade fenestration and thought it should be reduced. She was in favor of the plantings on the west façade. She wondered if a deed restriction would be placed on the plantings. She was not in favor of the mechanical equipment's location on the roof. Ms. Grace was in favor of the material choices but wondered if the home would appear dense and lack movement. She recommended a slight increase in the east side plantings.

Ms. Shiverick agreed and thought the home was dense and static. She was unsure which brick screen pattern was proposed and wondered if it appeared too dense. She also questioned why all of the designs for this lot had been big and boxy; she suggested a lighter and open home with porches for this lot. She liked the native plant materials and the garage location proposed.

Mr. Sammons thought this home was static and lacked movement. He thought the home design was too deep and fat. He also questioned the lack of individuality in the design. He thought the home was just another home that would erode the character in Palm Beach.

Mr. Smith was in favor of the new garage location and stepping the home back from the beach. He agreed with Mr. Kirchhoff's concern about the egress from the second floor. He thought eliminating the roof on the balcony, east façade, would help to ameliorate the design's size and rectangular like appearance.

Mr. Small agreed with the other Commissioners. However, he complimented the professional for working successfully with the neighbors. He also thought the home was too big and boxy. He questioned the design style but added he thought it was acceptable in its location. With that said, he thought the home needed some restudy.

Mr. Portuondo further explained the design of the new home and addressed some of the concerns of the Commissioners. Mr. Portuondo stated he would revisit the location of the mechanical equipment.

Caren Marden, 1 Ocean Lane, expressed concern for the location of the driveway next to the pedestrian beach access.

Mr. Floersheimer pointed out an inaccuracy on the plans for the overall building height.

Ms. Grace requested the professional to bring comparisons of the previously proposed home at the next meeting.

Mr. Corey indicated that the Commission had reviewed various versions of the design. However, he still felt the home was too large for the site; it did not respect the ocean, the design was a problem with privacy concerns and added the house would look odd and not contextual in its proposed location.

**Motion made by Mr. Corey and seconded by Ms. Shiverick to deny the project at 7 Ocean Lane as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (1), (6c) and (6d). Motion carried 4-3, with Messrs. Smith, Kirchhoff and Small opposed.**

2. ARC-21-093 (ZON-22-002) 150 WORTH AVE, STE 234 (COMBO) The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson) has filed an application requesting Architectural Commission review and approval for outdoor furniture associated with proposed exterior seating in association with a new second floor restaurant in The Esplanade (Cojimar). The outdoor seating will require a Special Exception Review w/Site Plan Review by the Town Council.

Please refer to staff memo for additional information on this project.

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 stated that the applicant was a tenant of the property and could not agree to the easement.

Jeffrey Brasseur, Brasseur and Drobot Architects, presented the architectural modifications proposed for the new commercial space.

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

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Mr. Small thought the first floor seating was possible, however he questioned the seating as proposed. He reviewed what type of seating that he believed would be successful. He stated he walked the space and was in this area several times a week.

Paul Castro, Zoning Manager, reviewed the role of the Commission in reviewing the application for the restaurant.

Town Attorney Randolph agreed with Mr. Castro and stated that the Commission should not be reviewing the location of the table and chairs. A discussion ensued on this issue.

Mr. Bergman agreed with Messrs. Randolph and Castro's assessment of the application.

Mr. Floersheimer agreed with Mr. Small and thought the Commission's charge was to protect Palm Beach's ambiance and charm. He thought the issue with the application was the location of the seats. He supported second floor seating but not first floor seating.

Ms. Grace did not believe that the umbrellas and chairs were in keeping with the architecture of the Esplanade or Worth Avenue. She did not believe there was enough room for the umbrellas that were in keeping with the style. She thought the umbrellas proposed were skimpy. She was not in favor of the tables and planters proposed.

Ms. Shiverick thought the furniture was light, airy and easy to move. She was in favor of the dining on both floors, first and second. However, she agreed with Ms. Grace and thought the planters were not in keeping; she recommended a terracotta planter. She agreed with Mr. Small's assessment of the table placement.

Ms. Catlin agreed with Ms. Grace's assessment of the furniture, umbrellas and planters. She thought the proposed did not match the architecture.

Mr. Ives agreed with Mr. Castro and thought the application was fine. He supported the request.

Mr. Corey agreed with Ms. Grace. He thought the furniture, umbrellas and planters did not coordinate with the architecture of the building or street.

Ms. Grace questioned their need for extra seating on the first floor.

Mr. Floersheimer asked to see the furniture in elevation if the application should return to the Commission.

Mr. Castro read the language in the Code specific to the charge of the Architectural Commission when reviewing outdoor seating.

Mr. Small restated that he supported outdoor seating for the first and second floor but thought the location of the seating should be restudied.

Mr. Corey inquired if the applicant would be able to move forward to the Town Council if the project was deferred. Mr. Murphy confirmed the applicant would continue to the Town Council if deferred.

**Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting for restudy of the furniture, umbrellas and planters based on the Commissioners comments that the items were not consistent with the architectural style of the building and street. Motion carried 6-1, with Mr. Ives opposed.**

*Please note: A short break was taken at 11:06 a.m. The meeting resumed at 11:20 a.m.*

3. ARC-21-101 425 CHILEAN AVE. The applicant, Loraine Charman, has filed an application requesting Architectural Commission review and approval for the modification of a previously approved landscape plan to include the removal of two trees to be replaced with hedge material.

***Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.***

4. ARC-21-064 120 SEAGATE RD. The applicant, Tracey Hirt, has filed an application requesting Architectural Commission review and approval for modifications to an existing two-story residence including the addition of new front entry, the enclosure of a second floor terrace and ground floor patio, the construction of a new one-story addition totaling approximately 600SF in area, a new pool, spa and pool deck, new landscaping, and other exterior modifications.

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. Radak agreed to the easement.

Travis Radak, Radakovich Architects, presented the architectural modifications proposed for the existing residence.

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

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

Ms. Grace was in favor of the new window configurations and new window frames proposed. She questioned the connection between the main house and guest house.

Mr. Smith suggested removing the vertical muntins from the three pairs of doors on the east and south façades. Mr. Smith questioned the change in pitch on the guest house roof; he recommended changing the roof pitch to a 6 over 12 roof pitch.

Mr. Kirchhoff questioned some of the elements with the cantilevered balcony on the side of the home. He thought the guest home was overly complicated. He agreed with Mr. Smith and thought the roof pitch on the house and guesthouse should be the same. He was not in favor of the detailing on the front door. Mr. Kirchhoff liked the new garage doors but thought the windows to the left of the garage were too tall and thin. He also thought the French doors were too tall and thin; he agreed with Mr. Smith's comment to remove the vertical muntins.

Ms. Catlin thought the fenestration was problematic. She also agreed that the guesthouse did not work in its current design and needed some restudy..

Ms. Shiverick agreed that the bay window on the guest house was not successful. She agreed that the roof on the guest house did not work. She also was not in favor of the glass box around the front door.

Mr. Corey agreed with the other comments of the Commissioners. Mr. Corey inquired about the muntins on the windows. Mr. Radak responded. Mr. Corey suggested removing the transoms over the French Doors as they elongated the long, thin doors. He provided a suggestion for the fenestration.

Mr. Small agreed with most of the comments of the Commissioners. He thought some restudy on the design was still necessary.

Mr. Floersheimer inquired about the exterior stucco wall in relation to the one story guest home. Mr. Radak responded. Mr. Floersheimer suggested straightening the stucco wall during the renovation.

**Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.**

Mr. Floersheimer inquired if the pool equipment was required to be enclosed. Mr. Radak responded.

5. ARC-21-050 (ZON-21-011) 1090 S OCEAN BLVD. (COMBO) The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the traditional Georgian style. The application will require special exception and site plan reviewed by Town Council. The application will require special exception and site plan reviewed by Town Council.

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. Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, introduced the project and discussed the redesign of the home.

Angela Lehman, Smith and Moore Architects, presented the architectural plans proposed for the new residence.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

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

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

Ms. Shiverick thought the changes were going in the right direction. She questioned the front door and its lack of importance. She suggested changing the window above the front door to a French door. She suggested a porte-cochère for the front entrance. She was in favor of the landscape plan.

Mr. Smith stated a front setback could be an issue with a porte-cochère.

Mr. Corey also thought the changes were moving in the right direction. He liked the site plan and the garage design. He liked the change in massing from the previous design. He liked the previous fenestration proposed for the second floor rather than the current proposed fenestration. He questioned the fenestration width on the first floor and made a suggestion for the second floor fenestration on the east elevation. He questioned the size of the chimneys. He thought the house appeared a bit too large from the street, which worried him.

Mr. Kirchhoff thought the home could take some inspiration from a John Volk house on N. Lake Way. He discussed the fenestration on the east elevation. He also suggested moving the entry of the home more to the north. He suggested moving the pool away from the home and centering it on the garage.

Ms. Grace agreed with Mr. Corey on the windows over the garage. She suggested reducing those windows.

Mr. Ives felt the scale of the home was appropriate. He agreed with Ms. Shiverick's comments on the front door and entrance to the home.

Mr. Jeffrey Smith questioned the sliders with the transoms. He agreed with Mr. Kirchhoff's suggestion on moving the pool. He thought the garage should be moved further south to be more subservient to the main home.

**Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.**

6. ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE. (COMBO) - VARIANCES The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

***Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.***

7. ARC-21-077 991 N LAKE WAY The applicant, Michael Rapp, has filed an application requesting Architectural Commission review and approval for exterior modifications to a previously approved two-story residence, including the demolition of portions of the existing structure and the construction of a new detached accessory structure, architectural changes and modifications to the site plan and 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. Ford agreed to the easement.

Meghan Ford, Tralongo & Taylor, presented the architectural modifications proposed for the existing residence.

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

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

Mr. Corey was not in favor of the front door options and did not believe they were in keeping with the architecture of the home. He did not believe the rear covered space was working. He provided some design suggestions for the space.

Mr. Kirchhoff agreed with Mr. Corey's assessments. He inquired about the material of the garage doors. Ms. Ford responded that the material for the garage doors as proposed was Cypress. Mr. Kirchhoff provided a suggestion for the front door. He recommended using Romanesque arches on the rear of the home but also agreed with Mr. Corey's suggestion.

Mr. Ives agreed with the Romanesque arches on the rear. He believed that many of the previous comments were positive and cautioned for changing too many of the details at this point in the critique.

Mr. Smith agreed with Mr. Corey on the front door and did not believe it should be arched. Mr. Smith suggested simple columns with a flat roof on the rear of the home.

Ms. Catlin agreed with Mr. Ives. She liked the Romanesque arches. She thought option one was nice for the front door.

Ms. Grace agreed with Mr. Corey that a square door would be most appropriate. She recommended removing the arches in the rear of the home.

Mr. Small favored the squared off front door and Romanesque arches. He wondered if the project could be approved with only the two items returning for approval.

A discussion ensued on the motion. A consensus of the Commissioners was taken to determine their desire for the type of front door and design of columns on the rear colonnade best suited for the home.

**Motion made by Mr. Corey and seconded by Mr. Smith to approve the project with the condition that the design of the front door and the design of the rear colonnade arches shall return to the February 23, 2022 meeting. Motion carried unanimously, 7-0.**

8. B-074-2019 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.

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

9. ARC-21-084 (ZON-21-022) 191 BRADLEY PL. (COMBO) The applicant, NDL Property Palm Beach Property LLC (David Tornek, Mgr.), has filed an application requesting Architectural Commission review and approval for exterior seating (48 seats) to an existing one-story restaurant (Meat Market) not exceeding the maximum capacity licensed. The outdoor seating will require a Special Exception Review w/Site Plan Review by the Town Council.

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

*Please note: A lunch break was taken at 12:35 p.m. The meeting resumed at 1:05 p.m.*

**D. MAJOR PROJECTS – NEW BUSINESS**

1. ARC-21-044 (ZON-21-013) 1800 S. OCEAN BLVD. (COMBO) The applicant, Gerard Beekman, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Traditional Anglo Caribbean-Georgian style of architecture over 20,000 sf in size, multiple accessory buildings, generator and padel court on a vacant site. The application will require Special Exception request and Site Plan Review by Town Council.

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. Beekman agreed to the easement.

Gerard Beekman, Madison Worth Architecture, presented the architectural plans proposed for the new residence.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the site.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Shiverick thought the home was stunning in many regards. She thought the details were very well thought through. She thought the home had whimsy while still having some seriousness. She recommended adding the awning on the overlook patio. She also thought there was a lack of verticality in the planting material on the overlook patio, leaving the patio a bit open and exposed. She was in favor of the color choices as well.

Mr. Corey thought the bronze material choice was exceptional. Mr. Corey thought the colonnade on the front was distracting and wondered if it would be better on the rear of the home. He liked the proposed wood shingles. He thought the windows of the home were good. He indicated that he was not in favor of the parapet roofs on the wings. He wondered if the gazebos were a bit tall; he recommended simplifying those elements. He expressed some issues with the rear elevation of the main wing and thought it was disconnected from the main elevation. Mr. Corey thought

the landscape was a bit overdone. He thought the terracing landscaping could work but recommended opening up the views and simplifying the landscaping.

Ms. Catlin thought the design had warmth, charm and whimsy. She thought the landscaping used the topography in a nice way. She thought the landscaping color palate was very nice.

Mr. Ives did not agree with Mr. Corey's suggested changes. He thought that both the architecture and landscape plan were both very well thought out and thought the Commission should welcome the plan.

Mr. Kirchhoff agreed with Mr. Ives. He thought the project was fabulous. He commended the professionals. He questioned the roof pitch that was initially proposed. Mr. Beekman responded.

Mr. Smith thought the presentation was nice and very well thought through. Mr. Smith agreed with Mr. Corey. He did not believe the front and rear of the house related to each other. He thought it presented very large and long. He also wished the home was hidden from the road.

Mr. Floersheimer thought the presentation was wonderful and exciting. He agreed with Mr. Smith that the east side was very expansive. He complimented Mr. Wong on the landscape plans. He thought the landscape was very formal. Mr. Floersheimer stated he was surprised to see that only three bedrooms were proposed for the home. He thought the project was very successful.

Mr. Sammons thought the symmetry was a bit bombastic. He thought some of the home was over scaled. He was not in favor of the project as he believed the design needed more work. Mr. Sammons thought the gardens were beautiful but very symmetrical.

Ms. Grace thought the gardens were spectacular but she wished there were more native materials used. She thought that the house appeared a bit too wide from the street view. She appreciated the comments from Mr. Corey about the differences between front and rear facades. She recommended planting a few trees on the northeast side of the property.

Mr. Small thought the project was awesome and the gardens were spectacular; however, he had issues with the house being too close to the street and thought it should be a bit more mysterious from the street view. He thought there should be a bit more restudy of how the home appeared from the street.

**Motion made by Mr. Ives and seconded by Mr. Kirchhoff to approve the project as presented. Motion failed 3-4, with Messrs. Corey, Smith, Small and Ms. Grace opposed.**

**Motion made Mr. Corey and seconded by Mr. Smith to defer the project for two months, to the March 23, 2022 meeting, to address the request to simplify the east and west facades, along with the gardens. Motion carried 4-3, with Ms. Shiverick and Messrs. Kirchhoff and Ives opposed.**

A discussion ensued about the motion. It was pointed out to the professional that Messrs. Ives and Small would not be on the Commission in March as they both have reached their term limits. The professional asked to change their deferral to the February meeting.

**Motion made by Mr. Corey and seconded by Mr. Smith to open the previous motion to amend the deferral date for the project to February 23, 2022. Motion carried 6-1, with Mr. Ives opposed.**

2. ARC-21-038 (ZON-21-002) 218 ROYAL PALM WAY (COMBO) The applicant, 218 Holdings LLC (Susan Hudson, Manager) has filed an application requesting Architectural Commission review and approval for the expansion of a third floor to an existing three-story building including variances from the parking, generator and wall height, and setback requirements. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

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. Freijomel agreed to the easement.

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural modifications proposed for the existing commercial building.

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

Mr. Small asked about any changes that were proposed for the tower on the building. Mr. Freijomel reviewed all of the changes proposed.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments for this project.

Ms. Grace appreciated the need to update the building; however she questioned the need to enclose the third floor. She thought the modification changed the charm and the beauty of the area. She stated she could not support the project.

Mr. Corey thought the project was nice and liked the change. He thought the use of the third floor was good. He questioned the plate glass proposed for the third floor, west façade. Mr. Freijomel responded. A discussion ensued about the design detail for the glass proposed. He questioned the shutters placed on the third floor windows and the proposed Date palms.

Mr. Sammons applauded the third floor addition. He questioned the lack of details and scale figures in the plans. He questioned the moldings proposed and requested details on the coquina. He questioned the sizes of the fenestration proposed. He thought the item should return with more details.

Ms. Catlin thought the tower looked disconnected. Overall, she was in favor of the concept and design. She agreed with the comments of Mr. Sammons. She suggested a bit of refinement.

Mr. Ives expressed concern for the pergola on the front façade and questioned the approach. However, his main concern was the eastern façade. He thought anything to alleviate the massive, three story wall would be helpful.

Mr. Smith thought the professional was taking the correct approach in the changes. However, he questioned the pergola on the south façade. He agreed with Mr. Sammons and requested detailing on some of the design elements.

Mr. Kirchhoff applauded the professional for the changes. He was concerned about the residential units on top of commercial office buildings. He did not believe that the pergolas worked on the third floor. He suggested that the professional reconsider designing the shutters to fit the windows. He made a suggestion for the stone detailing around the first floor windows and thought the stone cladding on the second floor needed some restudy.

Ms. Shiverick inquired if there were any other residential units in this area. Mr. Freijomel responded. She expressed concern that the changes looked residential on the third floor and looked commercial on the lower floors. She thought the pergolas were too large and thought the colonnade should

be open. She concluded that the building should look either commercial or residential and requested that the professional return with more details of the design.

Mr. Floersheimer agreed with the other comments made by the Commissioners. He questioned if the professional needed a variance for the overall building height. Mr. Freijomel responded. Mr. Floersheimer agreed with the other comments regarding the shutters, windows, pergolas and colonnade.

Mr. Corey asked the professional not to be discouraged and added many of the Commissioners thought this project was a good project.

Mr. Small stated he could not support the variance for the stairs on the east side of the building. He thought they were unsightly and needed to be removed. Otherwise, he stated he supported the project. However, he agreed that the pergola was not necessary.

**Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project to the February 23, 2022 meeting to address the comments made by the Commissioners. Motion carried unanimously, 7-0.**

3. ARC-21-080 757 ISLAND DR. The applicant, 757 Island Drive LLC, has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in the Art Moderne style containing 13,000 SF and with new landscaping and hardscape.

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. Menard agreed to the easement.

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

John Lang, Lang Design Group, presented the landscape and hardscape plans proposed for the site.

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

Mr. Small called for staff comment. Ms. Pardue stated that staff had no comments at this time.

Ms. Grace thought the project was interesting and the design style could work on the site. She recommended creating a view to the house from the street. She also recommended adding more wall space to the rounded wall on the west side of the home.

Mr. Kirchhoff thought the lot was fabulous but was troubled by the design of the home. He thought the house took over the lot, corner to corner. He was not in favor of the design and did not believe it was special. He thought the entry feature was monstrous and did not relate to the wings. He questioned the location of the garage next to the master bedroom. Mr. Kirchhoff wondered if there would be a generator proposed for the home.

Mr. Corey inquired about the proposed native Banyan trees. Mr. Lang responded. Mr. Corey thought the landscaping was successful. Mr. Corey thought the home was too wide and aggressive. He recommended detaching the wings. He questioned the style of the home for the location. He suggested a hybrid style of Art Moderne and Mediterranean. He thought the home was too massive.

Ms. Shiverick agreed the home was too wide for the lot. However, she thought the style worked on the lot. She was in favor of the entry portion of the home as well. She believed the home needed a bit of work but thought the home was light and could work.

Mr. Ives thought the style worked in the area; however, he did believe the home was too wide and a bit boxy. He thought the home needed some refinement, movement and flow.

Mr. Sammons loved the style but on a smaller home. He recommended reducing the size of the home, with an effort to group the elements rather than appearing as a large mass.

Mr. Smith thought the project was nice and he liked the style proposed. He agreed the home was too large and massive. He thought the foyer was too large. He liked that the home was set back from the street. Mr. Smith thought the connections between the wings should be smaller.

Ms. Catlin thought the style was brave and bold. She was not personally a fan of the style but thought the design appeared warm. She thought the size of the home needed to be reduced. She was in favor of the entrance to the home. She believed the home could work but needed some refinement.

Mr. Floersheimer was in favor of the hidden driveway. He thought the fenestration needed to be reexamined as they scaled the home down in size. He recommended considering possibly adding green roofs.

Mr. Small liked the entry to the property; however he thought the home was too massive and consumed too much of the land. He recommended reducing the size of the home.

**Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the March 23, 2022 meeting to address the comments made by the Commissioners. Motion carried unanimously, 7-0.**

4. ARC-21-095 (ZON-22-006) 432 SEABREEZE AVE (COMBO) The applicant, Bijon Memar, has filed an application requesting Architectural Commission review and approval for modifications to the existing residence including window and door replacements, roof changes, and new covered loggia, including variances from lot coverage and setback requirements. The variance portion of the application will require review and approval by town council.

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. Kellogg agreed to the easement.

Kristen Kellogg, Smith Kellogg Architecture, Inc. presented the architectural modifications proposed for the existing residence.

Claudia Visconti, SMI Landscape Architecture, presented the landscape and hardscape modifications proposed for the existing site.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Grace inquired asked Mr. Murphy about his comments regarding the variances. Mr. Murphy responded. Ms. Grace thought the home was charming and was glad to see the home was being renovated. She believed the changes would enhance the property. She questioned the overhang on the secondary doorway. She asked about the percentage of native plantings proposed. Ms. Visconti responded.

Mr. Corey commended the architecture and thought the changes worked well on the street. He stated he supported the architectural portion of the project. He thought the landscaping needed some height, particularly near the garage on the northeast corner. He asked about the width proposed for the driveway gates. Ms. Visconti responded. Mr. Corey asked about the

material proposed for the gates. Ms. Visconti responded. Mr. Corey did not believe the vehicular gates worked and recommended removing them.

Mr. Floersheimer generally was in favor of the project; however, he expressed concern with the north elevation. He thought there was some confusion about which door was the main entrance. He questioned the pathway on the west side and thought it was too tight for a seating area. Mr. Floersheimer asked for an explanation for the east side louvered wall. Ms. Kellogg responded and explained the design and functionality of the new front entry door.

Mr. Kirchhoff thought the professional did a great job of organizing the plan and correcting the fenestration. He liked the new front entrance. He thought there should be more verticality in the landscaping and thought the vehicular and pedestrian gates should be eliminated.

Ms. Shiverick agreed with Mr. Kirchhoff and liked the changes proposed. She was happy to see the professional embrace the quirkiness of the home. Ms. Shiverick inquired about the material on the walls on the second story. Ms. Kellogg responded. Ms. Shiverick recommended adding brick to the second story section the front façade. She added that additional trees in the front of the property would be nice. She concluded that she could support the variance.

Mr. Ives agreed with Mr. Kirchhoff and thought the project was wonderful. He thought the project should be applauded and approved.

Ms. Grace did not fully oppose the pedestrian gate but was not supportive of the proposed vehicular gates.

Ms. Visconti discussed the reasons that the owner requested the vehicular gate.

**Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

**A second motion made by Mr. Corey and seconded by Ms. Shiverick to approve the architectural portion of the project as presented. Motion carried unanimously, 7-0. 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 third motion made by Mr. Corey and seconded by Ms. Grace to defer the landscape portion of the project to allow the professional to restudy the size and material of the pedestrian gate, to consider the addition of a shade tree and to reconsider removing the vehicular gates from the plans. Motion carried 5-2, with Ms. Shiverick and Mr. Ives opposed.**

5. ARC-22-001 (ZON-22-033) 108 EL MIRASOL (COMBO) The applicant, ANK Palm Beach LLC (Anand "Andy" Khubani, Managing Member), has filed an application requesting Architectural Commission review and approval of a new two story residence designed in Contemporary Classicism style containing 15,446 SF and a 6,750 SF below grade basement/parking garage, and landscaping. Town Council to review the variance portion of the application.

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 owners, explained the requested variance and advocated a positive recommendation to the Town Council.

Todd Tragash, STA Architectural Group, presented the architectural plans proposed for the new residence.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for this site.

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

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

Ms. Grace liked the landscaping plans but recommended adding some more color on the east side of the home. She questioned the style of architecture proposed; she thought it might be a bit cold and industrial. She appreciated the different materials chosen but questioned the colonnade. She expressed concern for the amount of glazing on the east side of the home. She believed the architectural features on the east side of the home seemed too strong.

Ms. Catlin questioned if the lots had been combined. Mr. Tragash provided confirmation. She thought the home appeared too large and commercial. She liked the material choices but could not get past the size of the home; she believed it was too wide. She could also not support the variance, which supported a 13-car garage. She believed this was excessive. She thought the home seemed commercial and industrial. She was in favor of the landscaping.

*Please note: At 5:20 p.m., Mr. Small indicated Mr. Smith had to leave the meeting. He noted that Ms. Catlin would be voting in his absence.*

Mr. Kirchhoff thought the home was well sited and liked the material choices; however, he did not believe the materials related to each other. He thought the home felt too commercial. He was not a fan of the freestanding colonnade. He questioned the way the materials, particularly the stone, were being used on the home. He also expressed concern for the stone pergola. He did not believe the home was too big but thought some restudy of the vocabulary of how the materials related to each other was necessary.

Ms. Shiverick had a problem of the style of the home. She felt the home was too heavy, commercial and industrial. She also was concerned about the request for the variance. She thought the home needed a restudy.

Mr. Corey agreed with all of the Commissioners; he thought the home was abnormally long. He thought the landscaping plan was nice but thought the entire home needed a restudy, particularly the fenestration on the east side of the home. He said the home and detailing were very commercial.

Mr. Ives did not completely object to the style proposed for the home. He did not believe the home was too large or too massive. He also thought the home was nicely sited. Mr. Ives did express concern for the material choices and suggested the professional introduce more materials and color. He felt different materials could help the home and resolve the commercial feeling of the home.

Mr. Floersheimer expressed concern for the length of the home, the excessive fenestration on the east side, the colonnade on the front of the home and possibly some of the landscaping. He did not support the variance request, especially on a new home. He recommended looking for inspiration in other designs in a similar style.

Mr. Small agreed with the other Commissioners and their comments. He asked to see the upper floor of the garage and inquired about the purpose of the garage. Mr. Tragash responded. Mr. Small asked about the proposed length of the home. Mr. Tragash responded. Mr. Small felt that the home

felt too industrial and commercial. He indicated that the home was twice as long as any of the surrounding homes and did not exude charm or warmth. He stated he could not support the design.

**Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the March 23, 2022 meeting for a complete restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.**

At this time, the Commission decided to hear project ARC-22-008, 420 Brazilian Avenue.

*The meeting stopped at 5:50 p.m. It was announced that the meeting would resume on Thursday, January 27, 2022 at 9:00 a.m.*

*The meeting resumed at 9:00 a.m. on January 27, 2022. After a roll call, all Commissioners were present, with the exception of Mr. Kirchhoff who arrived at 9:02 a.m.*

6. ARC-22-005 225 EL PUEBLO WAY The applicant, 225 El Pueblo Way LLC, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence and the construction of a new 5,006 SF two-story residence designed in a Regency-inspired style.

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. Asbacher agreed to the easement.

Kevin Asbacher, Asbacher Architecture, Inc., presented the architectural plans for the proposed demolition of the existing residence.

Mr. Small asked for confirmation that the existing home was not landmarked or on a list to be landmarked, to which Mr. Asbacher provided confirmation.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape demolition plans for the site.

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

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

**Motion made by Mr. Corey and seconded by Ms. Grace that the proposed demolition of 225 El Pueblo Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented. Motion carried unanimously, 7-0. 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. Asbacher presented the architectural plans for the proposed for the new residence.

Mr. Meyer presented the landscape and hardscape plans proposed for the site.

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

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

Mr. Sammons was in favor of the home. He suggested a change to the cornice on the main entrance. He also suggested to reduce the width of the two doors on the second floor. He also made a suggestion to another cornice on the details page. He provided a few suggestions for the fenestration.

Ms. Catlin thought the home was simple and clean. She asked the professional to consider directing the construction traffic to enter the island via the north bridge. She questioned if the mini-sets were incomplete and missing items.

Mr. Floersheimer inquired if a side loaded garage was considered in the design. He also thought there was too much fenestration on the rear of the home.

Mr. Corey thought the landscape plan was good. He inquired about the Sabal palms to be relocated on the site. He also expressed his objections for the proposed Date palms. Mr. Corey inquired about the details for the doors and windows. He thought the house was very large and would tower over the home across the street. He suggested that the garage design was unresolved. He thought the home was a bit simple and could use some more charm.

Ms. Grace agreed with Mr. Corey's comments, particularly about the size of the home and the garage design. She expressed concern for the door sizes on the second floor as well as the amount of fenestration on the rear of the home.

Mr. Smith thought the home was uninspiring and did not feel like a home in Palm Beach. He thought the garage should be stepped back from the front elevation. He agreed with Mr. Corey and stated he could not support the home.

Ms. Shiverick agreed with Messrs. Smith and Corey. She thought the package lacked many details which would help the Commissioners make a decision on the home. She thought the professional should take some cues from the original home. She thought the home was too big and lacked charm.

Mr. Kirchhoff agreed with all of the other Commissioners.

Mr. Small also agreed with his fellow Commissioners and thought the design needed a restudy.

**Motion made by Mr. Ives and seconded by Ms. Shiverick to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.**

7. ARC-22-006 215 ARABIAN RD. The applicant, 215 Arabian LLC, has filed an application requesting Architectural Commission review and approval for new construction of a 7,400 SF two story residence designed in the Regency style, detached cabana, swimming pool and associated hardscape and landscape.

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. Asbacher agreed to the easement.

Kevin Asbacher, Asbacher Architecture, Inc., presented the architectural plans proposed for the new residence.

Gabriela Alborno, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the site.

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

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

Mr. Small asked staff if the issue with the proposed CCR was still valid. Mr. Murphy indicated that if the CCR was still over the limit, the professional would need to resolve the issue.

Mr. Asbacher indicated he would modify the guest bedroom roof to comply with the CCR requirements. Ms. Pardue commented on the design and CCR requirements.

Ms. Catlin found the mini-sets incomplete and lacked details. She thought the home presented as a large box on the street and needed some relief. She asked the professional if he would consider another color, other than white. She also indicated that the trucks logistics plan was not included in their proposal.

Mr. Corey thought the site plan worked and liked the garage location in the rear of the home. He asked the professional to bring back a front rendering of the home without the landscaping. He thought the home was too big, wide and tall and was much larger than all of the other homes on the street. He also asked the professional to return with a north/south cross section of the land. Mr. Corey liked the landscape plan and plant choices; however, he was not a fan of the Date palms proposed.

Ms. Grace thought the home was a bit formal and appeared too large for the street. She thought the doors on the west elevation should appear more vertical. She thought the landscape plan was attractive.

Mr. Smith stated that the guest house was not shown on the streetscape. He thought the package was incomplete.

Mr. Kirchhoff thought the home was too large and formal for the street. He pointed out that the CCR numbers were incorrect on the plans.

Ms. Shiverick agreed that the home was too big; however she thought the formality of the home would be resolved if the home was reduced. She suggested simplifying the details on the front entrance.

Mr. Floersheimer agreed with the other Commissioners. He also pointed out error shown in the plans for the door off of the master bedroom. He asked for more details on the next submittal. He also asked the professional to consider a different color for the home.

Mr. Small also agreed with the other Commissioners. He too thought the packet was incomplete, missing details. Mr. Small thought the professional should include more of the newer homes on the street as he thought the area was changing. Mr. Small liked the design of the home and thought the home would fit in. However, he thought the size should be reduced.

**Motion made by Ms. Shiverick and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.**

8. ARC-22-008 (ZON-22-012) 420 BRAZILIAN AVE. (COMBO) The applicant, Ronald Gross, has filed an application requesting Architectural Commission review and approval for a the installation of a new generator and screening wall in the required front yard of an existing residence, including variances from landscape open space, setback, and a height requirements. Town Council will review the variance portion of the application.

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 owners, explained the requested variance and advocated a positive recommendation to the Town Council.

Dustin Mizell, Environment Design Group, presented the plans proposed for the generator and screening wall for the existing residence.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Corey stated that the existing transformer in front of home was only a temporary mock up. Mr. Corey inquired about the height of the generator. Mr. Mizell responded. Mr. Corey inquired if the one-foot addition would be added to the entire wall or only around the generator. Mr. Mizell responded.

Mr. Floersheimer stated he generally would not be in favor of the generator next to the street but understood this request. Mr. Floersheimer inquired

about the type of generator proposed. Mr. Mizell responded. Mr. Floersheimer requested that the professional speak to owner about a water-cooled generator, which was quieter.

Ms. Shiverick inquired about the variance for the landscape open space. Ms. Ziska responded.

**Motion made by Mr. Corey and seconded by Mr. Ives that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried 6-1, with Ms. Shiverick opposed.**

**A second motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously, 7-0. 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. ARC-22-009 (ZON-22-013) 215 SEABREEZE AVE. (COMBO) The applicant, Edward & Margot Mehm, has filed an application requesting Architectural Commission review and approval for construction of an unenclosed pergola structure in the rear of the property, including a setback variance. Town Council will review the variance portion of this application.

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 architectural plans proposed for the new pergola.

Mr. Small inquired about the look of the pergola. Mr. Mizell showed the commission a photograph of the proposed pergola.

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

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

Ms. Shiverick inquired about the top of the pergola. Mr. Mizell responded and explained how the pergola would provide shade for the owners. Ms. Shiverick asked to see photographs of the home in any future presentations.

Ms. Grace inquired if the top of the pergola could be completely closed. Mr. Mizell stated it could not be closed. Ms. Grace also thought photographs of the home should also be included in the presentation.

**Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting with the request that the professional return with photographs of the existing home and a rendering of the proposed pergola. Motion carried unanimously, 7-0.**

10. ARC-22-011 233 BAHAMA LN. The applicant, Richard and Lori Jabara, has filed an application requesting Architectural Commission review and approval for exterior modifications to the landscape and hardscape plan.

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 landscape and hardscape modifications proposed for the site.

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

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

Ms. Shiverick stated that there were no photographs of the home in the mini-sets as well as details of the gate, fence and deck. She thought it was too hard to make a decision without the photographs.

Ms. Grace agreed with Ms. Shiverick and thought the details were missing. She inquired about the gate.

Ms. Catlin agreed with Ms. Shiverick.

Mr. Smith agreed with Ms. Shiverick and thought it should be deferred as the packet was incomplete.

**Motion made by Mr. Smith and seconded by Mr. Corey to defer the project to the February 23, 2022 meeting with the request that the professional return with more details and photographs of the existing home. Motion carried unanimously, 7-0.**

11. ARC-22-014 (ZON-22-030) 143 SEMINOLE AVE. (COMBO) The applicant, Lisa Pevaroff Cohn, has filed an application requesting Architectural Commission review and approval for modifications to window and door openings and a two-story addition to an existing two-story residence. Town Council will review the Special Exception with Site Plan Review and Variances portion of the application.

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. Kellogg agreed to the easement.

Kirstin Kellogg, Smith Kellogg Architecture, Inc., presented the architectural modifications proposed for the existing residence.

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

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Corey thought the changes were good and was happy that the home was being updated. Mr. Corey wished that 3-D renderings were provided in the packet.

Mr. Kirchhoff also thought the professional did a good job and was happy with the changes proposed. He inquired about the shutters on the front of the home. He suggested that the professional restudy the shutters and whether they should be put back on the home.

Ms. Grace thought the changes were good and liked the addition of the screened porch. She supported the project.

Ms. Shiverick supported the project and the variances.

Mr. Floersheimer agreed with the Commissioners but inquired about the allowable CCR for the home.

Mr. Small agreed with the other Commissioners. He was happy the home was being saved and renovated.

Mr. Murphy responded regarding the allowable CCR.

**Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.**

**A second motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented. Motion carried unanimously, 7-0. 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.**

12. ARC-22-016 625 CREST RD. The applicant, Crest Road LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new 10,518 SF two story main house and a 576 SF one story pool pavilion designed in the Anglo-Caribbean style.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Richard Sammons declared a conflict of interest for the project and immediately left the meeting.*

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. Torres-Cruz agreed to the easement.

Jaime Torres-Cruz, Fairfax and Sammons, presented the architectural plans proposed for the new residence.

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

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

Mr. Small called for staff comment. Mr. Hodges provided staff comments and indicated the Code did not allow the three stories as proposed.

Mr. Torres-Cruz explained how the issue was addressed. Mr. Murphy responded.

Ms. Shiverick thought the home was beautiful and thought the landscaping was complimentary. She inquired about the enclosures that housed mechanical equipment and wondered if they could be smaller. Mr. Torres-

Cruz responded. Ms. Shiverick inquired about the material proposed for the railings. Mr. Torres-Cruz responded and explained the railing materials and design. Ms. Shiverick inquired if the railings could all be made of wood. Mr. Torres-Cruz responded. She suggested adding a Cypress cap on the handrails to add to the island feel of the home. She also wondered if the colors could be changed.

Mr. Corey was in favor of the landscape plan as proposed. Mr. Corey thought the site plan of the home was good and he was in favor of the style. Mr. Corey requested to see a cross section of the home from the road to the lake trail. He also wondered how the professional would handle the significant slope down to the lake trail. He thought the home was artificially high and did not respect the topography of the land. He thought the home needed to step down in the rear. He made a suggestion for the roofs on the wings of the home in the front. He also thought the roof pitch on the home should be reduced. He thought some details on the home were not included in the packet. He suggested adding some trees and palms on the lake trail. Mr. Corey closed his comments by stating the home was good but a bit too big.

Ms. Catlin was in favor of the home and thought the design worked well on the lot. Ms. Catlin inquired about the plantings proposed for the foundation level. Mr. Mizell responded and reviewed the plans.

Mr. Kirchhoff thought the home was nice overall but thought the home was too large for the lot. He was not in favor of the roofs on the garage wings. He expressed concern for the front entry way. He thought the railings should be made out of wood and suggested adding pedestals in the corners on the rear railings. Mr. Torres-Cruz responded. He made a suggestion for the door that leads to the basement from the outside and requested the elimination of the two windows next to the door.

Ms. Grace complimented the landscape plan and the large amount of native plantings proposed. She liked the home overall but also questioned the size of the home, especially the width. She questioned the fenestration design on the west elevation. Mr. Torres-Cruz responded and further described the fenestration design.

Mr. Floersheimer expressed concern that the home was raised over three feet on the site. He suggested placing the pool equipment on the east side of the home. The roofs on the garages were not resolved in Mr. Floersheimer's opinion. He liked the style of the home and particularly liked the east elevation. He questioned the more formal façade on the west elevation. He suggested adding some color to the body of the home and making the roof a lighter color. He agreed with Ms. Grace and thought

there was too much fenestration on the west façade. Overall, he thought the mass and the scale of the home needed some restudy.

Mr. Smith was in favor of the house and thought the home was simple. He thought the glass on the west side was appropriate. He liked the way the home sat up high and liked the design of the pool. He did not believe anyone would see the home from the lake trail. He was not in favor of the bathroom in the basement. Mr. Smith suggested moving the basement door and windows to the side of the home if the owner needed the bathroom in the lower level.

Mr. Small shared Mr. Smith's comments and asked the professional to resolve the bathroom door and the three stories. He suggested adding landscaping around the mechanical enclosures or possibly moving them to another location, which would reduce the width of the home. He thought the home could be reduced in width and length.

Mr. Corey inquired if staff required a cross section of the home. He thought a cross section would be very helpful. Mr. Murphy responded.

**Motion made by Mr. Corey and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting with the request that the professional consider the comments made by the Commissioners. Motion carried unanimously, 7-0.**

*Please note: A short break was taken at 11:15 a.m. The meeting resumed at 11:30 a.m. Mr. Sammons returned to the meeting at 11:41 a.m.*

13. ARC-22-018 333 EDEN RD. The applicant, 333 Eden Road, LLC, has riled an application requesting Architectural Commission review and approval for the demolition of an existing one-story cabana and construction of a new 540 SF new cabana with associated landscape and hardscape changes.

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. Harold Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, Inc., presented the architectural modifications proposed for the demolition and construction of a pool cabana. Mr. Smith read a landscape and hardscape plan prepared by Todd MacLean.

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

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

Ms. Grace supported the project.

**Motion made by Ms. Grace and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0. 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. ARC-22-020 120 CLARENDON AVE. The applicant, 120 Clarendon Ave LLC, has filed an application requesting Architectural Commission review and approval for the second story addition and renovation of existing detached cabana.

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. Harold Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, Inc., turned the presentation over to Angela Lehman.

Ms. Lehman presented the architectural modifications proposed for the modifications proposed for the pool cabana. Ms. Lehman stated there were no changes to the landscape.

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

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

Ms. Grace liked the design of the new cabana but thought it was a bit large. She wondered if it would complement the main home.

Mr. Corey asked if the applicant has spoken to the neighbor to the south. Mr. Smith responded. Mr. Corey was nervous about the cabana being a bit tall in its location.

Mr. Floersheimer stated he was also worried about the height of the cabana. He made a recommendation for the second floor ceiling of the cabana. Ms. Lehman responded and explained the design. Mr. Smith pointed out similar heights of neighboring homes and cabanas.

Ms. Shiverick agreed that this cabana looked a bit big and wondered if it should be more subservient to the main home. She suggested making a second story in the center of the cabana. Mr. Smith responded.

Ms. Catlin initially had the same concerns but understood that the cabana was really being turned into a guest home. Upon seeing the proposed in the context of the neighborhood, she felt it was subservient to the main home.

Ms. Grace felt the existing cabana was large. She wondered if the original cabana could be lowered. Mr. Smith responded and explained the reason that the extra space was being added to the cabana.

Mr. Corey provided a suggestion to put the gym in the second floor.

Mr. Small thought the existing one story cabana was more attractive than the proposed.

Mr. Smith thought the external arched walls on both sides of the cabana exasperated the size of the cabana. He recommended removing both walls and adding landscaping on the sides of the cabana.

**Motion made by Ms. Shiverick and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting with the request that the professional consider the comments made by the Commissioners. Motion carried unanimously, 7-0.**

15. ARC-22-021 129 CHILEAN AVE. The applicant, CH1129 LLC, has filed an application requesting Architectural Commission review and approval for exterior façade modifications to an existing two-story residence and one-story accessory buildings and associated landscape and hardscape changes.

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. Kahan agreed to the easement.

Daniel Kahan, Smith and Moore Architects, Inc., presented the architectural modifications proposed for the existing residence.

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

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

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

Ms. Grace thought the project was excellent with wonderful materials. She inquired about the posts with the balls on top of them. Mr. Kahan said that they posts were an error in the renderings. Ms. Grace inquired about the railings proposed for the front of the home. Mr. Kahan responded and explained the design. Ms. Grace was not in favor of the fountain in the front of the home. Mr. Williams responded.

Ms. Shiverick thought the project was fabulous. She thanked the owners and the professionals for the wonderful materials. She did question the fountain in the front of the home; she suggested more greenery in the front of the home.

Mr. Corey agreed and thought the project was great. He liked the front porch and thought the design fit into the neighborhood. Mr. Corey inquired if the professional was meeting the greenscape requirement. Mr. Williams responded. Mr. Corey thought the greenscape could be further increased. Mr. Corey also suggested a pedestrian gate or a peekaboo from the front of the property.

Ms. Catlin agreed with Ms. Shiverick and requested more greenery be added around the fountain. She thought the design was charming with a touch of class.

Mr. Floersheimer agreed with the other Commissioners. He requested more greenscape for the property. He suggested moving the fountain up against a wall and adding a lawn space. Mr. Floersheimer inquired about the material for the vehicular gate. Mr. Williams responded.

Mr. Kirchhoff thought the project was very nice. He agreed to add more greenspace in the front and more of a view to the street.

Ms. Grace questioned the need for a vehicular gate in this area. She added she could not support the request. Mr. Kahan further explained the design of the gate. Ms. Grace stated she would support the gate in its proposed location.

Mr. Small complimented the professionals on the design. He inquired why the professionals were changing the columns on the front of the home. Mr. Kahan responded. Mr. Small also supported adding more greenspace to the front of the home.

**Motion made by Ms. Grace and seconded by Ms. Shiverick to approve the project with the condition that the hardscape around the fountain shall be removed and replaced with landscape. Motion carried unanimously, 7-0. 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.**

*Please note: A lunch break was taken at 12:30 p.m. The meeting resumed at 1:00 p.m. It was noted that Messrs. Ives, Smith, Sammons and Grace were absent. Mr. Sammons returned to the meeting at 1:06 p.m. Mr. Ives returned to the meeting at 1:07 p.m. Ms. Grace returned to the meeting at 1:25 p.m.*

16. ARC-22-026 170 N OCEAN BLVD. The applicant, The Condominium Association of Ocean Towers, Inc., has filed an application requesting Architectural Commission review and approval for the installation of a metal railing along the entirety of an existing rooftop penthouse terrace/balcony.

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.

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the existing condominium.

Mr. Small inquired if Mr. Janssen had a rendering of the railing. Mr. Janssen showed the commission a mockup of the proposed railing. Mr. Small indicated that the railing resembles another railing at a nearby condominium. Mr. Janssen confirmed that the condominium had a similar railing.

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

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

Ms. Shiverick inquired if the railing was only being replaced in the penthouse. Mr. Janssen responded and explained why the condominium was replacing only the penthouse railing at this time. Ms. Shiverick inquired if this replacement could be temporary until the repairs and a new railing could be made. Mr. Janssen showed the Commission a similar railing in the nearby condominium.

Mr. Small inquired if the balconies would all be painted the same color as the building. Mr. Janssen confirmed this statement.

Mr. Catlin had the same concern for the severe difference for the two railings. She wondered if there was a compromise in-between the existing and the proposed pattern for the railings. She inquired if the condominium could be painted a different color than white. Mr. Janssen responded.

Mr. Corey wondered if the color change was in the current presentation. Mr. Janssen responded. Mr. Corey thought the current railings should be restored with a new cap added. She thought the proposed railing looked cheap and not in harmony with the building. He added he could not support the request.

Mr. Kirchhoff agreed with Mr. Corey and believed the current railings provided some unique detailing to the building.

Mr. Small agreed with the comments on the railings and was not supportive of the change in color.

**Motion made by Mr. Corey and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting in accordance with the comments made by the Commissioners. Motion carried unanimously, 7-0.**

17. ARC-22-027 (ZON-22-034) 127 EL BRAVO WAY (COMBO) The applicant, 127 El Bravo Trust (Guy Rabideau, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new residence and guest house designed in a Mediterranean Revival style and landscaping. Town Council will review the variance portion of the application.

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.

Roger Janssen, Dailey Janssen Architects, presented the architectural plans proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape modifications proposed for the site.

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

Mr. Small called for staff comment. Brad Falco, Planner 1, provided staff comments.

Mr. Corey thought the design was a special home. He thought the proportions were good and added he supported the variance request. He thought the windows in the towers were too big. He suggested adding quatrefoil windows in the tower. Mr. Corey also supported the landscape plans.

Ms. Grace was supportive of the proposed style and thought it fit nicely in the area. She thought the windows were a bit too large for the tower. She suggested making the tower taller and a bit wider. She recommended using coral stone rather than cast stone in the panel over the arched windows. She questioned the fenestration proposed and suggested using a more traditional window for this style.

Mr. Sammons thought the details were under developed. He questioned the fenestration proposed. He thought the project should return with more details and refinement. He thought the home was too fat and should be reduced in sized. He thought the tower should be bigger. Mr. Janssen responded.

Ms. Shiverick thought the tower should be bigger and wider, if possible. Mr. Janssen responded. She thought the front wall should be more solid rather than punctuated.

Ms. Catlin stated that she was unsure if the tower element fit; she thought it should be wider. She liked the style and appearance of the home. She wondered if the home was missing something. Mr. Janssen responded.

Mr. Kirchhoff thought the home was nice overall. He agreed that some of the details were missing. Mr. Kirchhoff requested that the landscape architect increase the size of the details on his plans in any future submittals.

Mr. Floersheimer did not believe the home was excessively large. He questioned the different shapes of the fenestration. He recommended removing one of the three windows on the tower.

Mr. Ives agreed with the other Commissioners. He agreed that some of the details were missing; he also agreed some of the detailing and material application appeared a bit heavy. He also thought the window choices were too busy; he recommended a simplification of the fenestration.

Mr. Small thought the house was close to an approval. Mr. Small pointed to looking at the tower element as well as the fenestration choices. He thought the design was compatible with the neighborhood and would fit in nicely.

Mr. Corey wondered if the tower should be removed altogether.

**Motion made by Ms. Grace and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting in accordance with the comments made by the Commissioners. Motion carried unanimously, 7-0.**

18. ARC-22-030 230 VIA LAS BRISAS The applicant, 230 Via Las Brisas LLC, has filed an application requesting Architectural Commission review and approval of a new two story residence designed in a Classical style with landscape and hardscape improvements.

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 but added that the area had already been undergrounded.

Patrick Segraves, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

Carol Perez, AGT Land, presented the landscape and hardscape modifications proposed for the site.

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

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

Ms. Shiverick thought the home was nice. She thought the home was nicely sized. She thought the arched windows on the first floor should be square windows. She was not in favor of the lanterns as shown. She stated that she did not see a rendering of the awning on the rear of the home. She was not in favor of the driveway material as proposed.

Ms. Corey thought the site plan for the home was fine; however, he felt the proposed home was boxy. He did not feel like the home fit into the neighborhood and added he could not support the project. He thought the landscape plan was ok and made some suggestions.

Mr. Kirchhoff had some problems with this home and believed some of the details lacked quality. He provided some suggestions for the front door and was not in favor of the arched windows and lanterns.

Ms. Grace thought the style of the home was fine. She agreed that the lanterns were not appropriate and was not in favor of the driveway material.

Ms. Catlin thought the home did fit into the area. However she agreed with Mr. Kirchhoff with the lack of details. She supported the arched windows on the front façade. She also thought the submittal packet was light.

Mr. Ives agreed strongly with Mr. Corey. He thought that there were many items in the design that were unresolved.

Mr. Sammons inquired about the size of the curb cut. He questioned the design of the portico. He also questioned the quality of the proposed construction. He thought the house looked cheap and lacked details. He did not believe the home met the standard of Palm Beach.

Mr. Small wondered if the neighborhood would begin to change with this home since the current neighborhood had a number of Mediterranean Revival style homes. He added he was not in complete support with the proposed design. Mr. Small thought more restudy was warranted.

**Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project to the March 23, 2022 meeting for a major restudy. Motion carried 6-1, with Ms. Catlin opposed.**

19. ARC-22-031 2285 IBIS ISLE RD. The applicant, Global 1 Investment Group LLC, has filed an application requesting Architectural Commission review and approval for the renovation and major additions to an existing one-story residence.

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 but added the utilities were already underground.

Patrick Segraves, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

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

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

Mr. Small called for staff comment. Mr. Hodges provided staff comments.

Mr. Segraves presented an alternate front door for the home.

Mr. Kirchhoff thought it was a good project overall. He liked the alternate design for the front door. He was not in favor of the shutters over the casement windows. He also thought the proportions of the fenestrations were inconsistent and should be cleaned up.

Ms. Catlin agreed with the fenestration comments of Mr. Kirchhoff as well as his comment on the shutters. She was happy to see the home renovated.

Ms. Shiverick wondered why the home was being made to work and questioned if a new home would be better. She also stated that there were not any renderings provided to the Commissioners.

Ms. Grace thought the home would be more attractive after the renovation. She also had some concerns for the fenestration inconsistencies. She recommended lowering the roof. Mr. Segraves responded.

Mr. Corey thought the design was a good project. He thought a few changes were necessary, otherwise he added he would support the project.

Mr. Ives agreed with Ms. Shiverick.

*Please note: Ms. Catlin left the meeting at 2:35 p.m.*

Mr. Small thought the changes were a significant improvement in the area. He liked the alternate door and thought a few changes could make the home nice.

**Motion made by Mr. Kirchhoff and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Ms. Shiverick opposed.**

*Please note: A short break was taken at 2:41 p.m. The meeting resumed at 2:55 p.m. Mr. Kirchhoff announced that he was leaving the meeting at this time.*

20. ARC-22-033 (ZON-22-019) 200 OCEAN TERRACE (COMBO) The applicant, Mr. & Mrs. Timothy Davidson, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence (201 Osceola Way) and construction of a new one-story guest residence of approximately 2400 SF with new hardscape, landscape and pool. Town Council will review the variance portion of this application.

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. Cordero-Loza agreed to the easement.

Mr. Cordero-Loza, MP Design & Architecture, Inc., presented the architectural plans for the proposed demolition of the existing residence at 201 Osceola Way.

Adam Mills, Environment Design Group, presented the landscape and hardscape plans proposed for the demolition of the existing site.

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

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

Mr. Floersheimer asked if the construction vehicles would use North Ocean Boulevard. Mr. Mills confirmed that change was possible.

**Motion made by Mr. Corey and seconded by Mr. Ives that the proposed demolition of 201 Osceola Way has met the conditions listed**

**in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented. Motion carried unanimously, 7-0. 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. Cordero-Loza presented the presented the architectural plans proposed for the new guest residence.

Adam Mills, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

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

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Mr. Sammons thought the plan was confusing and was unsure how the roof plan would work.

*Please note: Mr. Sammons left the meeting at 3:25 p.m.*

Ms. Grace liked the idea for the two properties. She thought the home was a bit wide and suggested bringing in the width.

Ms. Shiverick thought the proposed was a nice idea and was happy it was a one story home. She agreed the home was too wide. She thought the home should be compressed and moved toward the main home so that the variance could be reduced or eliminated. She also wondered why the door was proposed on Osceola Way.

Mr. Floersheimer initially agreed with moving the home back towards the main home; however, he realized that the proposed new home was in line with the other homes on the street. He did agree that the floor plan was a bit scattered. He suggested condensing the home and simplifying the roof plan.

Mr. Corey was supportive of the variance. He agreed and questioned the door proposed for Osceola Way. He thought the guesthouse was sprawling and had a larger footprint than the main home. He recommended reducing the size of the home.

Ms. Grace thought the setback requirements should be respected. She thought the guest home could be reduced to comply with those setbacks.

Mr. Floersheimer was happy with the new driveway configuration on North Ocean Way.

Mr. Small agreed with the other commissioners. He was not supportive of the door proposed on Osceola Way. He also suggested reducing the size of the structure. Mr. Small stated he would support the variance but would request more landscaping on Osceola Way

**Motion made by Mr. Floersheimer and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 6-0.**

21. ARC-22-035 726 HI MOUNT RD. The applicant, Irimar Ocean Properties LLC, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved two-story single-family residence currently under construction.

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. Torres-Cruz agreed to the easement and stated the utilities were underground.

Jaime Torres-Cruz, Fairfax and Sammons, presented the architectural modifications proposed for the previously approved new residence, currently in construction.

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

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

Ms. Shiverick thought there were many changes for the Commission to approve. She thought many were acceptable; however she added that she could not support for the plexiglass railings proposed for the rear elevation. She also added that she would not support solar panels. Finally, she expressed some concern for the change in the sky light but could live with the change if the other Commissioners were supportive.

Mr. Ives agreed with Ms. Shiverick but supported the sky light change. He thought a vast majority of the changes were fine. He expressed concern for both the plexiglass railing as well as the solar panels. He explained his

feeling for solar panels and indicated where he thought they were acceptable.

Mr. Corey stated he could not support the plexiglass railing as well as the copper over the pergola. He thought a mockup was needed before he would approve the solar panels.

Mr. Floersheimer agreed with Mr. Ives's assessment of solar panels. Mr. Floersheimer inquired about the approved railing on the rear elevation. Mr. Torres-Cruz showed the approved railing and the reason for the proposed change. Mr. Floersheimer inquired about the AC units near the driveway. Mr. Torres-Cruz responded. Mr. Floersheimer agreed with Mr. Corey and was not supportive of the copper over the pergola. He thought the vehicular gates should be completely slats rather than a solid gate.

Mr. Small stated that he would support a motion that would include an approval of all of the items with the exception of the solar panels, metal roof over the pergola, the plexiglass railing and the revised skylight design.

**Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented with the following items not included in the approval: the solar panels, the glass railings and the metal roof over the pergola. Motion carried unanimously, 6-0.**

22. ARC-22-036 (ZON-22-016) 60 COCOANUT ROW (COMBO) The applicant, Royal Poinciana Chapel, Inc. (Cater Randolph, Board President) has filed an application requesting Architectural Commission review and approval for the construction of approximately 240 SF addition to the existing house of worship to house a generator including a setback variance. Town Council will review the Special Exception with Site Plan Review and Variance portion of the application.

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

*Please note: Ms. Grace left the meeting at 4:20 p.m.*

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. Schwab agreed to the easement.

Mindi Schwab, Dailey Janssen Architects, presented the architectural modifications proposed for the new enclosure for a generator.

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

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

Mr. Small called for staff comment. Mr. Falco provided staff comments.

Ms. Shiverick inquired if the professional spoke to the neighbors behind the site. Ms. Schwab responded.

Mr. Ives indicated there were several landmarked buildings in the area. He was a little saddened by the addition of the generator in the area.

**Motion made by Mr. Corey and seconded by Mr. Floersheimer that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 5-0.**

**Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented. Motion carried unanimously, 5-0.**

**E. MINOR PROJECTS – OLD BUSINESS**

1. ARC-21-102 200 EVERGLADE AVE. UNIT A-2 (minor project) The applicant, Robert Satterfield, has filed an application requesting Architectural Commission review and approval for the installation of solar panels on the shared existing flat roof on a town house building.

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

Zymeena Chavis, Sunpro Solar, presented the plans proposed for the addition of solar panels on the multifamily building.

*Please note: Ms. Catlin returned to the meeting at 4:27 p.m.*

Mr. Small inquired how high the solar panels would extend over the existing roof. Ms. Chavis responded.

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

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

Mr. Floersheimer inquired about the roof material. Ms. Chavis thought the roof material was concrete. Mr. Floersheimer inquired if the panels were proposed for only the one unit. Ms. Chavis responded.

Mr. Corey stated he was supportive of the request.

Ms. Catlin inquired if more solar panels would be needed if another owner wanted solar panels as well. Ms. Chavis confirmed more panels would be needed. Ms. Catlin agreed with Mr. Corey and supported this request.

Ms. Shiverick stated she was not supportive of the request.

**Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented. Motion carried 4-2, with Ms. Shiverick and Mr. Ives opposed.**

2. ARC-21-103 225 SEABREEZE AVE. (minor project) The applicant, Robert Berg, has filed an application requesting Architectural Commission review and approval for the installation of solar panels on the existing roof of a two-story single family residence.

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

Zymeena Chavis, Sunpro Solar, presented the plans proposed for the addition of solar panels on the existing residence.

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

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

Mr. Floersheimer stated he could not support the project. He did not believe solar panels on pitched roofs were appropriate and would be visible for the right of way.

Many of the Commissioners strongly agreed with Mr. Floersheimer and opposed the application.

**Motion made by Mr. Corey and seconded by Mr. Floersheimer to deny the project at 225 Seabreeze Avenue as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (3). Motion carried unanimously, 6-0.**

3. ARC-21-046 237 BRAZILIAN AVE. (minor project). The applicant, Brazilian PB Land Trust, has filed an application requesting Architectural Commission review and approval for the installation of two new side entry gates.

***Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.***

**F. ITEMS PULLED FROM CONSENT**

1. ARC-21-062 327 BARTON AVE (minor project) The applicant, Brian and Laura Carr, has filed an application requesting Architectural Commission review and approval of modifications to an existing landscape and hardscape plan as well as a driveway opening increase of 2 feet.

Mr. Murphy stated that the professional could not attend the meeting due to a medical issue. He indicated that the professional requested a deferral to the February 23, 2022 meeting.

**Motion made by Mr. Corey and seconded by Ms. Catlin to defer the project to the February 23, 2022 meeting at the request of the professional. Motion carried unanimously, 6-0.**

2. ARC-22-017 217 SEABREEZE AVE (minor project) The applicant, Robert S. Berg, has filed an application requesting Architectural Commission review and approval for the installation of a vehicular gate and minor landscape alterations.

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

Harold Smith, Smith and Moore Architects, Inc., presented the architectural and landscape modifications proposed for the existing residence.

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

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

Mr. Floersheimer was in favor of the proposed gate. However, he was not in favor of the backing to the gate. Mr. Smith responded. There was some discussion about the wall height near the alley.

Mr. Corey was supportive of the request and thought the request was reasonable.

Ms. Catlin supported the gate but was not in favor of the backing on an iron gate.

Mr. Small agreed with Ms. Catlin's assessment of the backing.

Ms. Shiverick agreed with Mr. Corey. However, she added that she could not support the backing to the gate.

**Motion made by Ms. Shiverick and seconded by Mr. Corey to approve the project as presented with the condition that the backing shall be removed from the gate. Motion carried unanimously, 6-0.**

**G. MINOR PROJECTS – NEW BUSINESS**

None

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

**1. Public**

There were no comments heard at this time.

**2. Staff**

Ms. Churney stated that Jeffrey Smith declared a conflict for a project at 1025 N. Lake Way at the December 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy expressed his regrets about the packets the Commission felt were insufficient. He indicated staff would continue to work to improve their efforts on obtaining any items the Commission felt they needed to make an informed decision.

**3. Commission**

Ms. Catlin complimented the staff in their review of the plans. She raised the issue of a previous checklist that staff had used to make sure the presentations were complete. Mr. Murphy stated the request was noted.

Mr. Small recommended The Craftsmen Series by The Preservation Foundation. He spoke highly of the series, provided some further information on the series and advocated for the Commissioners to attend future sessions.

Mr. Small thought that he believed the Commissioners should spend extra time reviewing any landscaping plans for any intersections that were presented to them.

Mr. Small thanked the Commission for their support during the past two days.

Mr. Floersheimer thanked everyone for their hard work during the past two days.

Mr. Ives thought Chairman's Small's comments on vegetation at intersections was an excellent point. He thought there was an opportunity for beautification at the intersections.

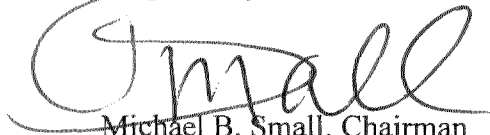
IX. **NEXT MEETING DATE:** February 23, 2022

X. **ADJOURNMENT**

**Motion made by Mr. Ives and seconded by Ms. Shiverick to adjourn the meeting at 5:16 p.m. on Thursday, January 27, 2022. Motion carried unanimously, 6-0.**

The next meeting will be held on Wednesday, February 23, 2022 at 9:00 a.m. in the Town Council Chambers, 2<sup>nd</sup> floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Small". The signature is written in dark ink and is positioned above the printed name of the signatory.

Michael B. Small, Chairman  
ARCHITECTURAL COMMISSION

kmc

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

|                                                                                                     |                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><i>Sammons, Richard</i>                                         | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>Architectural Review Commission</i>                                                                                                         |
| MAILING ADDRESS<br><i>455 Worth Avenue</i>                                                          | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br><input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY |
| CITY<br><i>Palm Beach</i>                                                                           | COUNTY<br><i>Palm Beach</i>                                                                                                                                                                                   |
| DATE ON WHICH VOTE OCCURRED<br><i>January 27, 2022</i>                                              | NAME OF POLITICAL SUBDIVISION:<br><i>Town of Palm Beach</i>                                                                                                                                                   |
| MY POSITION IS:<br><input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE |                                                                                                                                                                                                               |

## WHO MUST FILE FORM 8B

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

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

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

\* \* \* \* \*

### ELECTED OFFICERS:

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

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

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

\* \* \* \* \*

### APPOINTED OFFICERS:

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

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

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

### APPOINTED OFFICERS (continued)

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

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

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

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on January 27, 20 22:

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

☐ inured to my special private gain or loss;

☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;

☐ inured to the special gain or loss of my relative, \_\_\_\_\_;

☒ inured to the special gain or loss of Crest Road LLC, by whom I am retained; or

☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

ARC - 22-016  
625 Crest Road

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

Feb 15 '22  
Date Filed

[Signature]  
Signature

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

# 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-065-2021, 7 Ocean Lane

**Address:** 7 Ocean Lane

**Applicant:** 7 Ocean Lane LLC (Nedim Soylemez, manager)

**Architect:** Portvondo Perotti Architects, Inc.

**Project Description:** New two story residence with pool. Final 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).

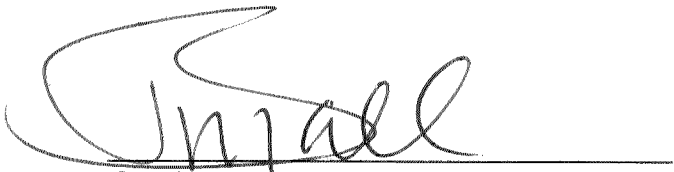
- \_\_\_ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- \_\_\_ (9) The project's location and design does not adequately protect unique site characteristics 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 January 26, 2022.

TOWN OF PALM BEACH

  
Chairman, Architectural Commission

# 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:** ARC-21-103 225 Seabreeze Avenue

**Address:** 225 Seabreeze Avenue

**Applicant:** Robert Berg

**Architect:** Zymeeva Charvis / Sunpro Solar

**Project Description:** The applicant, Robert Berg, has filed an application requesting ARCOM approval for the installation of solar panels on the existing roof of a two-story single family residence. 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).

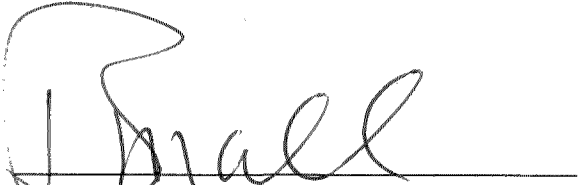
- \_\_\_ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- \_\_\_ (9) The project's location and design does not adequately protect unique site characteristics 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 January 27, 2022

TOWN OF PALM BEACH

  
Chairman, Architectural Commission