



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, APRIL 27, 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.

I. **CALL TO ORDER**

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

II. **ROLL CALL**

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	ABSENT (Unexcused)
John David Corey, Member	PRESENT
Maisie Grace, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Kenn Karakul, Member	PRESENT
Dan Floersheimer, Alternate Member	ABSENT (Excused)
Elizabeth Connaughton, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	ABSENT (Excused)

Please note: Ms. Connaughton voted in the absence of Mr. Sammons.

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James G. Murphy, Assistant Director of Planning, Zoning and Building
Sarah Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Deputy Town Clerk
John Randolph, Town Attorney

III. **PLEDGE OF ALLEGIANCE**

Chairman Smith led the Pledge of Allegiance.

- IV. **APPROVAL OF THE MINUTES FROM THE MARCH 23, 2021 MEETING**
Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the minutes from the March 23, 2022 meeting as amended. Motion carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Ms. Pardue asked for a motion to approve the agenda with the following changes listed on the agenda modification sheet:

Move ARC-22-078, 260 Nightingale Trail to follow ARC-21-038, 218 Royal Palm Way under Major Projects – Old Business

Withdrawal of B-072-2021, 224 La Puerta Way

Deferral of ARC-22-001 (ZON-22-033), 108 El Mirasol to the May 25, 2022 Meeting

Move ARC-22-020, 120 Clarendon Avenue to the Consent Agenda

Deferral of ARC-22-040 (ZON-22-037), 60-70 Blossom Way to the May 25, 2022 Meeting

Deferral of ARC-22-053, 1020 N. Lake Way to the May 25, 2022 Meeting

Move ARC-22-082, 218 Barton Avenue to the Consent Agenda

Move ARC-22-085, 202 Osceola Way to the Consent Agenda

Motion made by Mr. Corey and seconded by Ms. Grace to approve the agenda as amended. Motion carried unanimously. 7-0.

VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

At this time, Chair Smith asked the Commission to approve a limitation of 10 minutes for any major project under old business.

Motion made by Mr. Kirchhoff and seconded by Ms. Shiverick to limit the presentations that fall under Major Projects, Old Business to 10 minutes. Motion carried unanimously, 7-0.

VII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. **ARC-22-073 320 POLMER PARK RD (minor project)** The applicant, Mr. and Mrs. Tony Lara Ignaczak, has filed an application requesting Architectural Commission review and approval for landscape and hardscape modifications to an existing residence.

Please note: This item was pulled from consent and was not approved with the consent agenda.

2. **ARC-22-080 214 PLANTATION RD (minor project)** The applicant, Merrie Harris, has filed an application requesting Architectural Commission review and approval for modifications to existing landscape and hardscape, installation of a new entry terrace, and garden columns to an existing residence.

3. **ARC-22-087 1296 N LAKE WAY (minor project)** The applicant, Enrique & Robin Senior, has filed an application requesting Architectural Commission review and approval of the redesign of a rear loggia.
4. **ARC-22-088 233 MIRAFLORES DR (minor project)** The applicant, 233 Miraflores LLC, has filed an application requesting Architectural Commission review and approval for modifications to an existing residence, addition of a rear loggia, landscape, and hardscape revisions.
5. **ARC-22-096 320 RIDGEVIEW DR (minor project)** The applicants, Tom and Diane Smith, have filed an application requesting Architectural Commission review and approval for design modifications to a previously approved freestanding rear gazebo.
6. **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.

Please note: This item was moved to consent from Major Projects – New Business at Item V., Approval of the Agenda.

This item was pulled from consent and was not approved with the consent agenda.

7. **ARC-22-082 218 BARTON AVE.** The applicants, Daniel and Natalie Lazarek, have filed an application requesting Architectural Commission review and approval for the construction of a two-story rear addition, installation of a new pool, and related hardscape and landscape improvements.

Please note: This item was moved to consent from Minor Projects – New Business at Item V., Approval of the Agenda.

8. **ARC-22-085 202 OSCEOLA WAY** The applicants, Dennis and Roseanne Vollman, have filed an application requesting Architectural Commission review and approval for the construction of a single-story garage addition to the existing residence.

Please note: This item was moved to consent from Minor Projects – New Business at Item V., Approval of the Agenda.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: This approval did not include the following projects: ARC-22-073, 320 Polmer Park and ARC-22-020, 120 Clarendon Avenue.

B. DEMOLITIONS AND TIME EXTENSIONS

1. **ARC-22-078 260 NIGHTINGALE TR.** The applicant, David J. Canepari and Diane Ellwood Carpenter, has filed an application requesting Architectural Commission review and approval for demolition of an existing 3,273 SF one story residence.

Please note: This item was heard out of order and followed ARC-21-038, 218 Royal Palm Way.

C. MAJOR PROJECTS – OLD BUSINESS

1. **B-065-2021 7 OCEAN LN.** The applicant, 7 Ocean Lane LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with pool, hardscape, and landscape on a vacant site.

Mr. Murphy provided a history on the project.

Jamie Crowley, attorney for the applicant, indicated that the architect had not yet arrived and wondered if the project could be held until the professional arrived.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to defer the project until the architect arrived to present the project. Motion carried unanimously, 7-0.

Please note: At this time, the Commission heard ARC-21-064, 120 Seagate Road. The project B-065-2021, 7 Ocean Lane was heard at 9:32 a.m.

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

Jamie Crowley, attorney for the applicant, provided a history of the project, ARCOM's review of the project and explained the changes to the project since the last meeting.

Raphael Portuondo, Portuondo Perotti Architects, stated that they had revised the modern home design but also had a more traditional home design as well.

There was some discussion about the reason there were two style designs for the home and the best path forward. Mr. Corey stated he would recommend a deferral to the next meeting.

Mr. Crowley stated the professional would be happy to review the modern home design and to allow for feedback. A discussion ensued about whether the professional should present the modern home design. Mr. Crowley asked for feedback on whether the Commission preferred a modern or traditional home on the site.

Town Attorney Randolph stated that the professional should have an opportunity to review the plans with the Commission. Mr. Smith stated that the plans for the traditional home had not been provide to the Commissioners. Mr. Crowley explained the plans that were submitted.

Many of the Commissioners preferred the traditional home on the site.

Mr. Murphy provided direction to the Commission so that the professional could properly return at next month's meeting with appropriate plans. He also suggested that the Commission allow for public comment.

Mr. Smith called for public comment.

Elizabeth Ailes, 6 Ocean Lane, supported the modern home but preferred the traditional home. She thanked the owner for working with the neighbors.

Caren Marder, 1 Ocean Lane, expressed concern for the easement between her home and the neighbor's home. She asked that access to the home be placed on the opposite side of the beach easement.

Gary Marder, 1 Ocean Lane, discussed the public access to the beach near his home. He submitted photographs of the easement to show the proximity of the beach access to both homes.

Ms. Grace reserved her opinion as she stated she wanted to see the actual home design.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul to defer the project for one month, to the May 25, 2022 meeting. Motion carried unanimously, 7-0.

2. **B-072-2021 224 LA PUERTA WAY (COMBO –VARIANCES)**

Applicant: Mr. & Mrs. Gray

Professional: David J. Gengler/Gengler Architects, Inc.

Project Description: A major renovation of an existing single-story single-family home which includes a two-story addition on the front of the home, a second-floor addition over a portion of the existing first floor, and a two-story loggia addition on the rear of the home.

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

3. **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.

Mr. Hodges provided staff comments on the project.

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

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

Aaron Mast, PLA Design Studio, PLLC, presented the landscape and hardscape modifications proposed for the site.

Ms. Shiverick asked to see colored renderings of the architecture. She asked for confirmation that the guesthouse would be in stucco to match the existing home. Mr. Radak provided confirmation. Ms. Shiverick asked about the proposed shutters. Mr. Radak explained the placement where the shutters were proposed. Ms. Shiverick asked about the type of windows proposed. Mr. Radak responded.

Ms. Grace was in favor of the elimination of the connection between the guesthouse and main house. She liked the changes to the front elevation but still questioned the front entrance. She also questioned the fenestration on the west elevation; she thought the fenestration plan was too busy. Mr. Radak responded.

Mr. Karakul agreed that the door design above the front door was a bit of a miss; he thought it should have shutters. He also thought the landscaping hid the front door so that the second-floor door had a more prominent view. He thought the landscaping to the right of the garage was weak. Messrs. Mast and Radak explained the design and the landscaping proposed in the area. Mr. Radak addressed the comments regarding the second-floor door.

Mr. Corey thanked the professionals for their changes. He liked that the guesthouse was pushed out with the addition of a breezeway. Mr. Corey thought the result was a charming home that fit into Palm Beach; he added he supported the project.

Mr. Kirchhoff agreed with Mr. Corey.

Ms. Connaughton agreed that the changes were positive. She wondered if the fenestration on the south and east elevations were too high. Mr. Radak responded.

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

Motion made by Ms. Grace and seconded by Mr. Corey to approve the project as presented with the condition that shutters shall be added to the door above the front entrance. Motion carried unanimously, 7-0.

4. **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.

Ms. Pardue provided staff comments on the project.

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

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

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

Mr. Karakul thought the changes were successful and supported the project.

Mr. Corey felt the massing of the north portion was not successful. He thought the fenestration of the main portion of the house was bombastic. He questioned the art deco style on the front façade. He thought the south side changes were successful. However, he added that the remainder of the home was too large on the site and could not support the design.

Ms. Connaughton thought the changes were significant improvements. She thought some elements still needed work and the main portion of the house was still too large.

Ms. Shiverick thought the style of the home looked appropriate for the area.

Ms. Grace liked the choice of style for the home. She appreciated the changes to the view corridor. She questioned the railing proposed for the area above the garage.

Mr. Kirchhoff liked the style of the home and was in favor of the changes on the south side. However, he still believed the center portion of the home was too large and needed some restudy.

Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the project as presented. Motion failed 3-4, with Mses. Connaughton, Grace and Messrs. Corey and Kirchhoff opposed.

Motion made by Ms. Shiverick and seconded by Mr. Corey to defer the project for one month, to the May 25, 2022 meeting, to restudy the center portion of the home. Motion carried unanimously, 7-0.

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.

Please note: This project was deferred to the May 25, 2022 meeting at the Approval of the Agenda, Item V.

6. **ARC-22-029 411 BRAZILIAN AVE.** The applicant, Holy Union PB Limited (Sean Sheridan), has filed an application requesting Architectural Commission review and approval for the construction of a new approximately 3700 SF two story residence designed in a mix of modern and classical style architecture.

Mr. Hodges provided staff comments on the project.

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

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the new residence.

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

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

Ms. Grace liked the change in style. She questioned the fenestration on the south side of the home and the color of the door surrounds. Mr. Clavijo responded. She also questioned the glass on the interior courtyard elevations and wondered if they were consistent with the proposed style.

Mr. Corey was in favor of the change in style. He questioned the site plan, particularly the dining room that was proposed in the guesthouse. Mr. Clavijo responded and explained the layout of the home. Mr. Corey asked if the pergola would be covered, to which Mr. Clavijo responded no. Mr. Corey stated he still had concerns that the design needed more refinement and elegance. Mr. Clavijo responded. Mr. Corey wondered if the Sea Grape trees could be closer to the sidewalk. Mr. Williams responded.

Mr. Kirchhoff agreed that the style was more appropriate. He thought the south side of the home needed some refinement. He provided some suggestions for the south elevation. He also provided some suggestions for the interior courtyard fenestration.

Ms. Shiverick agreed that more refinement and rustication was needed in the design. She thought the fenestration and eaves on the south elevation needed a restudy. She recommended the addition of shutters where the balcony was located. She recommended changing the interior courtyard doors to arched tops. She recommended wrought iron or gas lanterns at the front entrance. She recommended adding windows on the east elevation of the north building.

Mr. Smith agreed with his fellow Commissioners and their recommendations.

Ms. Connaughton agreed with many of the comments of her fellow Commissioners, especially about the details needing refinement. She questioned the hierarchy of the elevated second-story portion of the home; she thought it seemed contrived.

Mr. Karakul inquired if the windows above the main door were a solid glass. Mr. Clavijo responded. Mr. Karakul thought that area needed more study. Mr. Karakul questioned the two different railings on the south elevation. Mr. Clavijo responded.

Ms. Grace wanted to make sure that the deferred projects had enough time to make proper revisions and were not rushed in their submittals.

Motion made by Ms. Grace and seconded by Mr. Kirchhoff to defer the project for one month, to the May 25, 2022 meeting, to address the comments of the Commission. Motion carried unanimously, 7-0.

7. **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.

Mr. Hodges provided staff comments on the project.

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

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

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

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

Mr. Kirchhoff thought the changes were a dramatic improvement. He made suggestions for the arched windows next to the front door.

Ms. Grace thought the changes were an improvement. She stated she supported the project.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented with the condition that the casement windows on the front elevation, adjacent to the front door, are changed from 6 lights to 8 lights. Motion carried unanimously, 7-0

8. **ARC-22-032 (ZON-22-017) 1237 N LAKE WAY (COMBO)** The applicant, Frank H. Pearl and Geryl T. Pearl, has filed an application requesting Architectural Commission review and approval for construction of a new 5800 SF two story residence and two-story accessory structure in the modern/classical style of architecture including variances for a two-story accessory structure to replace an existing two-story residence to be demolished. The variance portion of the application will be reviewed by Town Council.

Ms. Pardue provided staff comments on the project.

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

Maura Ziska, Attorney for the applicant, presented the zoning requests for the application and advocated for a positive recommendation to the Town Council.

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the new residence.

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

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

Ms. Grace wondered if the proposed home would fit into the north end. She thought it would stand out and did not add to the charm of the neighborhood.

Mr. Corey thought the landscape architect did a wonderful job and thought the plan was very successful. He also questioned the two-story element that was so close to the street. He thought the front façade needed more refinement, charm, and elegance. He thought more detailing, and sophistication was needed in the design.

Ms. Shiverick liked the design and concept. She thought the landscaping was fun and charming. She recommended removing the block entrance and thought it could solve some of the design problems. She also recommended revising the sills above the garage. She was in favor of the choice of color as well.

Mr. Kirchhoff liked the concept for the home. He stated he could support most of the design. However, he believed the detailing needed to be revisited. He provided suggestions for the guest house elevations as well as the west elevation of the main house.

Ms. Connaughton was in favor of the site plan. She inquired about the arches on the west entrance of the guest house. She questioned the east elevation design, the fenestration on the north elevation and the details on the bay windows on the main house. Mr. Clavijo responded and stated he would study those suggestions.

Mr. Karakul asked why the main doors were lowered. Mr. Clavijo responded. Mr. Karakul indicated that preferred the taller doors and suggested possibly lowering the guest house so that it would appear more subservient.

Mr. Smith stated he agreed with his fellow Commissioners.

Motion made by Mr. Karakul and seconded by Mr. Corey to defer the project for one month, to May 25, 2022, to address the comments of the Commission. Motion carried unanimously, 7-0.

Please note: A short break was taken at 10:45 a.m. The meeting resumed at 10:56 a.m.

Mr. Smith requested to move the project ARC-22-026, 170 N. Ocean Blvd. to the end of the agenda to allow the engineer to be present for the discussion.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to move the project ARC-22-026, 170 N. Ocean Blvd. to the end of the agenda. Motion carried unanimously, 6-0. (Ms. Connaughton was not in the room for this vote.)

9. **B-063-2021, 280 VIA MARILA.** Demolition of an existing two-story structure. Proposal of a new two-story residence with rear facing two-car garage, new pool, hardscape, and landscape.

Ms. Pardue provided staff comments on the project.

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

Robert Pilla, Wadia Associates, presented the architectural modifications proposed for the new residence.

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

Mr. Corey inquired about the colors proposed and the roof material. Mr. Pilla responded. Mr. Corey thought the changes were wonderful and befitting of Palm Beach. He questioned the fenestration on the second floor. Mr. Pilla responded.

Ms. Shiverick was in favor of the changes. She wondered how a similar John Volk front door would appear on the home. Mr. Pilla responded.

Mr. Kirchhoff though the house was nice but questioned the fenestration on the second floor. He provided a suggestion for the shed roof design on the west elevation, making the roof lower. Mr. Pilla responded. There was a discussion on the second-floor windows.

Ms. Grace thought the changes were good. She stated she preferred a simpler fan light for the front door. She suggested reducing the hardscape in the rear of the yard and agreed that the second-floor windows needed some restudy.

Ms. Connaughton thought the fenestration on the front elevation should have the same proportions. She agreed with Mr. Kirchhoff's assessment of the center portion on the front elevation and thought the roof needed to be lowered. She inquired about the operation of the shutters. Mr. Pilla responded. She recommended simplifying the front door. She provided recommendations on the bay window on the back elevation.

Mr. Karakul asked about the horizontal moldings around the front entrance; he recommended removing those to allow the entrance to stand out. He was in favor of the remainder of the house.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project with the following items to return to the May 25, 2022 meeting for approval: the two shed roofs are brought down over the beam, the

moldings to the left and right of the door, along with the horizontal banding shall be removed, the front door is simplified and the second floor, double hung windows are restudied to align the lights with the windows below. Motion carried unanimously, 7-0.

10. **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.

Ms. Pardue provided staff comments on the project.

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

Nelo Freijomel, Spina O'Rourke + Partners, discussed the items that were to return at the direction of the Commission at the last meeting. He reviewed the modifications proposed to the existing, commercial building.

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

Mr. Corey thought the changes looked good. He was supportive of the rear trellis; however, he questioned the pergola on the front of the building. He supported all the other changes but thought the pergola was too casual for the area. He recommended changing the piers to coquina stone.

Ms. Grace thought the trellis over the front door seemed a bit heavy; she suggested removing it. She questioned the columns and recommended using cypress for the pergola on the front street. She thought the third story took away from the charm of Royal Palm Way.

Ms. Shiverick questioned the reason that the awning did not work on the north elevation. She thought a retractable awning could be more graceful in the area and could soften the end of the building. Mr. Freijomel stated the owner would be open to consider a retractable awning for the north end of the building. She wondered if the owner would consider an awning on the west elevation, rather than a trellis. Mr. Freijomel responding and questioned whether it would be appropriate on the west elevation. Ms. Shiverick stated she preferred the cypress rather than the bronze on the street side.

Ms. Connaughton thought the pergola accentuated the horizontality of the building on the north façade. She recommended a break in the masonry.

Mr. Karakul thought the front entrance coquina columns should be taller. He suggested raising the capital on those columns.

Mr. Kirchhoff provided a suggestion for the masonry columns at the front entrance. He also preferred the cypress over the bronze material.

Mr. Smith did not believe the trellis over the front door was appropriate. He also questioned the front door design and whether it was cohesive with the rest of the design.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented with the condition that awnings are added on the north and south elevations, the piers are brought up with masonry, the railings are not dissimilar from the front door position and the front door design shall return to the Commission for approval at the May 25, 2022 meeting. Motion carried unanimously, 7-0.

Please note: The next item was moved to this position in the agenda during the approval of the agenda, Item V.

11. **ARC-22-078 260 NIGHTINGALE TR.** The applicant, David J. Canepari and Diane Ellwood Carpenter, has filed an application requesting Architectural Commission review and approval for demolition of an existing 3,273 SF one story residence.

Ms. Pardue provided staff comments on the project.

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

Nelo Freijomel, Spina O'Rourke + Partners, presented the demolition for the proposed existing residence.

Mr. Smith called for public comment.

Lori Smith, 250 Nightingale Trail, asked for clarification that the triple Foxtail palm would remain and shield her property from the neighboring property.

Mr Freijomel stated he would be happy to keep the triple Foxtail palm.

Ms. Shiverick asked for a review of the history of the existing home. Mr. Freijomel responded and reviewed the recent approvals of the projects that had been proposed for the home.

Mr. Murphy explained the reason the Commission was reviewing the demolition, rather than the Landmarks Preservation Commission.

Ms. Shiverick inquired if the owner would be building a similar home, since they loved their existing home. Mr. Freijomel responded.

Ms. Connaughton inquired about the roofing project. Mr. Freijomel responded. Ms. Connaughton expressed her disappointment in the demolition of the residence.

Motion made by Mr. Karakul and seconded by Mr. Corey to approve the proposed demolition of 260 Nightingale Trail has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented and with the condition that the triple Foxtail palms would remain.

Lori Smith, neighbor, regretted to see the home demolished. She wondered if an engineering report was obtained to see if the home was structurally unsound. Mr. Freijomel responded. A short discussion ensued.

Motion carried 4-3, with Mses. Grace, Shiverick and Connaughton dissenting.

12. **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.

Mr. Hodges provided staff comments on the project.

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

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

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

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

Ms. Grace thought that the changes were better; however, she felt the house was still boxy and did not interact with the street. She recommended adding a partial porch on the north elevation. She questioned the gate on the side of the

home. She questioned the pattern of the proposed hardscape as well. Mr. Segraves responded and touched on the proposed hardscape.

Ms. Shiverick thought the home had more charm and was beginning to fit on the street. She inquired about the proposed roof material. Mr. Segraves responded. She recommended adding gutters on the home. Mr. Segraves responded. She provided a suggestion for the fenestration on the south elevation. Mr. Segraves responded and explained the design.

Ms. Connaughton expressed concerns that the home was top heavy. She asked to see some historical precedents for the detail shown. She thought the renderings did not do the home justice; she thought the home did not feel like it belonged in Palm Beach, but more in Nantucket.

Mr. Kirchhoff make some suggestions for the north elevation (front façade) of the home.

Mr. Corey thought the home worked well in the area. He questioned the position of the fascia on the first floor, front façade. He wondered if a balcony was studied for the second floor. Mr. Segraves responded. Mr. Corey inquired about the gable roof design. Mr. Segraves responded.

Mr. Smith discussed the gate and added he preferred the gate in the elevation rather than the rendering. Mr. Segraves agreed.

Ms. Grace thought a recessed front entrance would be nice. She also recommended engaging the house with the street.

Motion made by Ms. Grace and seconded by Mr. Kirchhoff to defer the project for one month, to the May 25, 2022 meeting, to address the comments of the Commission.

Mr. Smith inquired if the owner would accept the underground easement. Mr. Segraves agreed to the easement.

Motion carried unanimously, 7-0.

13. **ARC-21-101 425 CHILEAN AVE.** The applicant, Lorraine 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.

Mr. Murphy provided staff comments on the project.

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

Frank Lynch, attorney for the owner, stated that his client would like the Commission to review the same landscape plans that were presented at the December 2021 meeting. He reviewed the reasons the owner was requesting the changes and discussed the current Code Enforcement charges.

Mr. Corey inquired about the safe sight triangle requirement. Mr. Murphy responded. Mr. Corey inquired about the staff level approval. Mr. Murphy responded. Mr. Corey did not understand why the home did not have more landscaping in the front of the property. Mr. Lynch responded. A short discussion ensued. Mr. Corey wished the garage was better screened.

Ms. Grace liked the screening efforts but did not believe the Commission should be making a safety determination of the conditions.

Mr. Kirchhoff thought it was hard to determine what was proposed in terms of landscaping in the staff approval. Mr. Lynch responded. Mr. Kirchhoff thought the driveway needed more landscaping.

Mr. Karakul thought that Mr. Kirchhoff had a good suggestion and the driveway needed two new trees. Dustin Mizell, Environment Design Group, responded about the options that he reviewed with his client.

Ms. Connaughton thought there should be some added screening.

Ms. Grace wondered if the site walls could be moved back with screening added. Mr. Lynch responded.

Ms. Shiverick thought there should be rounded mirrors added to the wall to see vehicles and pedestrians. She thought some landscaping was needed on the left side. Mr. Lynch responded.

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

Motion made by Ms. Grace and seconded by Mr. Karakul to deny the project, based on Section 18-205 (a) 1 and 2. Motion carried unanimously, 7-0.

14. **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.

Mr. Hodges provided staff comments on the project.

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

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

Celine Brazil, Fernando Wong Outdoor Living Design presented the landscape and hardscape modifications proposed for the site.

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

Ms. Grace thought the changes to the fenestration and shutters were good. However, she questioned if the changes reduced the massing of the home. She questioned if the house fit into the area.

Mr. Karakul thought the revised home fit better than the previous home. He questioned the design of the porch and the railing above the porch and thought the item needed to be restudied.

Mr. Kirchhoff thought the home was nice. He questioned the front octagon, louvered element; he recommended changing this to a square shape.

Ms. Shiverick thought the home would fit nicely into the area and was in favor of the front entrance.

Motion made by Ms. Shiverick and seconded by Ms. Connaughton to approve the project as presented. Motion carried 5-2, with Mr. Corey and Ms. Grace dissenting.

Please note: A lunch break was taken at 1:01 p.m. The meeting resumed at 2:00 p.m.

15. **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.

Mr. Hodges provided staff comments on the project.

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

Harold Smith, Smith and Moore Architects, presented the architectural plans proposed for the new addition to the existing residence.

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

Mr. Corey thought the redesign of the rear wall was wonderful and simple. He wondered if the pediment could be removed. He liked the prior design with the more subdued pediment.

Ms. Connaughton agreed with Mr. Corey and though the pediment could be removed.

Ms. Shiverick liked the pediment and thought it differentiated it from the main house. She questioned the balustrades by the front door. Mr. H. Smith responded and explained the changes.

Mr. Kirchhoff was in favor of the pediment and the balustrades. He thought the balustrades were heavy but preferred them to metal.

Ms. Grace liked the new side walls and the pediment.

Mr. Karakul inquired if the balustrades matched the main house. Mr. H. Smith indicated that they did match and presented an elevation of the front. Mr. Karakul stated he supported the project.

Mr. J. Smith questioned the double columns on the corners on the front entrance. Mr. H. Smith stated he could remove one of the columns.

Motion made Mr. Karakul and seconded by Ms. Grace to approve the project as presented with the condition that one of the double columns on the front entrance of the guest house shall be removed. Motion carried unanimously, 7-0.

16. **ARC-22-040 (ZON-22-037) 60-70 BLOSSOM WAY (COMBO)** The applicant, Blossom Way Holdings LLC and Providencia Partners LLC (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a combined 50,000+ sq. ft two-story main house and two-story guest house with associated hardscape, landscape and site improvements. Town Council will perform Site Plan Review for the installation of a generator.

Please note: This project was deferred to the May 25, 2022 meeting at the Approval of the Agenda, Item V.

17. **ARC-22-053 1020 N LAKE WAY** The applicant, Three Palm Trees LLC (Mr. and Mrs. Warren Kanders), has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in a Neo-Classical architectural style containing approximately 9,352 SF of enclosed area, with related landscape and hardscape improvements and the renovation of an existing pool.

Please note: This project was deferred to the May 25, 2022 meeting at the Approval of the Agenda, Item V.

18. ARC-22-058 (ZON-22-038) 220 BRAZILIAN AVE (COMBO) The applicant, I220 PB LLC (Guy Rabideau), has filed an application requesting Architectural Commission review and approval for the installation of generators and AC equipment within both side yards (east and west) for a duplex site. The variance portion of the application will be reviewed by Town Council.

Mr. Murphy provided staff comments on the project.

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

Patrick O'Connell, Patrick Ryan O'Connell Architect, LLC, presented the modified architectural plans proposed for the generator and existing site.

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

Mr. Smith called for public comment.

Dragana Connaughton, Condominium President for 226 Brazilian Avenue, thanked the Commission for their help with this project. She expressed concern for the A/C noise and suggested a new location for these units. She also expressed other concerns for the proposed project.

Ms. Grace inquired if smaller equipment had been researched. Mr. O'Connell responded. Ms. Grace inquired if it would be possible to move the units toward the garages. Mr. O'Connell responded.

Mr. Corey asked to see the location of the generators. Mr. O'Connell responded and pointed out the location.

Mr. Karakul thought the movement of the generators was a good change. He asked if the A/C units could be moved to the same location of the pool equipment. Mr. O'Connell responded.

Ms. Shiverick inquired if the A/C units could be placed on the roof. Mr. O'Connell responded and explained the roof design. He said he would have to think about the possibility.

Mr. Corey provided an alternate suggestion for the location of the A/C units. Mr. O'Connell responded.

Mr. Smith thought the newly proposed locations would have the least impact on the neighbors.

Ms. Grace was supportive of Ms. Shiverick's suggestion to move the A/C units to the roof.

A discussion ensued about the A/C units and the walls to screen them.

Dragana Connaughton thought the best solution was to put the A/C units near the pool pumps. She urged the Commission to protect the residents that live in the building.

Mr. Kirchhoff suggested a location for the A/C units, which was closer to the pool equipment. Mr. O'Connell responded and agreed to the location.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented with the condition that the A/C units shall be moved east/west respectively by 5 feet and a screening wall will be raised to match the height of the units. Motion carried 5-1, with Ms. Shiverick dissenting.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff that implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 6-0.

19. **ARC-22-073 320 POLMER PARK RD (minor project)** The applicant, Mr. and Mrs. Tony Lara Ignaczak, has filed an application requesting Architectural Commission review and approval for landscape and hardscape modifications to an existing residence.

Ms. Pardue provided staff comments for the project.

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

Mario Nievera, Nievera Williams Design, presented the modified architectural plans proposed for the generator and existing site.

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

Ms. Grace inquired about the size of the gates and the size of the opening. Mr. Nievera responded and indicated that a side gate would be the only gate.

Mr. Karakul thought the project was very well done and tasteful.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously, 7-0.

D. MAJOR PROJECTS – NEW BUSINESS

1. **ARC-22-015 (ZON-22-015) 755 N COUNTY RD (COMBO)** The applicant, Beach Club Inc. (David Shaw, General Manager) has filed an application requesting Architectural Commission review and approval for minor renovations and an expansion to the existing Beach Club facility including variances from lot coverage and cubic content ratio (CCR). Town Council will review the Special Exception with Site Plan Review and Variance portion of the applications.

Ms. Pardue provided staff comments for the project

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

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

Isaac Campos, Peacock and Lewis, presented the architectural plans proposed for the renovations for the commercial building.

Mr. Smith called for public comment.

Mr. Karakul thought the renovation was tastefully done.

Ms. Connaughton thought the addition covered up some of the detailing but added that it was a beautiful addition.

Motion made by Mr. Karakul and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0.

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

2. **ARC-22-045 253 EL PUEBLO WAY** The applicant, 253 El Pueblo Way LLC, has filed an application requesting Architectural Commission review and approval for construction of a new 4977 SF two-story residence with associated landscape, hardscape, and pool.

Mr. Hodges provided staff comments for the project.

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

Caroline Forrest, MHK Architecture & Planning, 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. Smith called for public comment.

Ms. Shiverick thought the home was stunning. She inquired about the proposed green color. Ms. Forrest responded. She expressed concern for the lighting. Ms. Forrest responded and indicated she could remove the lanterns and add downlights on the eaves.

Mr. Kirchhoff inquired about the height of the garage doors. Ms. Forrest responded. Mr. Kirchhoff suggested to add more wall space over the garage doors.

Ms. Grace thought the house was attractive. Ms. Grace asked the landscape architect about the percentage of native plantings proposed. Mr. Mizell responded.

Mr. Corey thought the house was well done. He supported all the details of the home and thought they worked.

Mr. Karakul also liked the project. He suggested the addition of a few more coconut palms at the front of the home.

Mr. Smith recommended the use of step lights rather than lanterns at the front entrance. Ms. Forrest agreed to the suggestion.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented with the condition that step lights shall be used at the front entrance rather than lanterns. Motion carried unanimously, 7-0.

3. **ARC-22-054 (ZON-22-044) 333 SUNSET AVE (COMBO)** The applicant, Royal Poinciana South LLC (Arthur Pergament), has filed an application requesting Architectural Commission review and approval for renovations and additions to an existing 7-story apartment building, including landscaping, hardscaping, new accessory structures, changes to the lobby level and additions to the penthouse, requiring Special Exception with Site Plan Review and Variances from height, lot coverage, and setbacks. Town Council will perform review of the Special Exception, Site Plan Review and Variances.

Mr. Murphy provided staff comments for the project.

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

Natalia Livian, Wannemacher Jensen Architects, Inc., presented the architectural plans proposed for the renovation to the existing condominium.

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

Mr. Corey stated that he did not receive any plan details in the mini-sets and could not make comments since he did not have sufficient information. The other commissioners agreed.

Motion made by Ms. Grace and seconded by Ms. Shiverick to defer the project as presented for one month, to the May 25, 2022 meeting, to allow the applicant to properly submit the correct material for the Commission. Motion carried unanimously, 7-0.

The commissioners provided feedback on what they would like to see in the next mini-sets.

4. **ARC-22-075 301 POLMER PARK RD., LOT B** The applicant, 301 Polmer Park LLC (Richard True, Managing Member) has filed an application requesting Architectural Commission review and approval for a new two-story residence with landscape, hardscape, and pool.

Ms. Pardue provided staff comments for the project.

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

Kevin Asbacher, Asbacher Architecture, 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. Smith called for public comment.

M. Timothy Hanlon, representing the remaining owners on Polmer Park, expressed objections to the application. He also expressed a procedural objection to the project.

Maura Ziska, attorney for the owner, rebutted the statements made by Mr. Hanlon.

Robert Fromer, 340 Polmer Park, expressed his objections to the project and added that he did not feel the proposed home fit onto the street.

Darrell Ross, 300 Polmer Park, felt the proposed home did not fit onto the street and felt it was incongruent with the other homes on the street.

Richard True, owner, discussed his intent with the property, which included saving the existing home and building a new home.

Town Attorney Randolph stated the Commission should review the new home from an architectural standpoint. He added that any previously imposed conditions would need to be met prior to the issuance of a building permit.

Mr. Corey thought the home would fit into the area. He was in favor of the courtyard design and the landscaping proposed. He questioned the second-floor element on the north elevation. He thought this element was a bit heavy.

Ms. Shiverick thought the home did fit onto the street. She thought the size of the home proposed was good. She inquired if the chimneys were working chimneys. Mr. Asbacher responded.

Mr. Karakul inquired about the color of the roof. Mr. Asbacher responded. He suggested the entrance could be a bit grander and with more importance. He was in favor of the materials.

Ms. Grace thought the front entrance and fenestration appeared a bit horizontal.

Mr. Kirchhoff was not in favor of the proposed home and did not think it took advantage of the property. He thought the courtyard could be bigger and questioned the reason for the two-story element. He also questioned the entry feature.

Mr. Smith did not believe the home fit into the neighborhood. He thought the street was special and did not believe this home fit into the street. He questioned the two-story element and did not believe the home had enough of the Regency style details.

Ms. Connaughton thought the front entrance was awkward and questioned the two-story element.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to defer the project for one month, to the May 25, 2022 meeting, to address the comments of the Commission. Motion carried unanimously, 7-0.

5. **ARC-22-084 (ZON-22-057) 147 SEABREEZE AVE (COMBO)** The applicant, MEHWD147 LLC (Elanor Acquavella Dejoux), has filed an application requesting Architectural Commission review and approval for a 16 SF first story addition, including variances from lot coverage and cubic content ratio (CCR), and the addition of railing to an existing nonconforming 3rd floor roof deck. Town Council will review the variance portion of the application.

Mr. Hodges provided staff comments for the project.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Mr. Kirchhoff declared a conflict of interest for the project and left the room during the discussion.*

Timo Hoefs, Kirchhoff & Associates, Architects, presented the architectural plans proposed for the addition to the existing residence.

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

Ms. Grace thought this was a nice project.

Mr. Corey also thought this was a nice project. He was not supportive of the roof deck and railing. Ms. Grace thought the roof deck was existing and stated it could not be seen from the street.

Mr. Murphy reviewed staff's comments of the roof deck and railing. He discussed how the roof deck was original.

Mr. Karakul thought the house was nice and simple. He added that he supported the project.

Ms. Shiverick inquired about the material for the railing. Mr. Hoefs responded.

Mr. Smith had an issue with the railing but since it was a safety issue, he accepted the railing.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project as presented. Motion carried unanimously, 6-0. 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.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of the proposed variance will not cause negative

architectural impact to the subject property. Motion carried unanimously, 6-0.

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

6. **ARC-22-086 (ZON-22-059) 2219 IBIS ISLE RD (COMBO)** The applicant, GLOBAL ONE INVESTMENT GROUP LLC (Alfredo Borges), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Cape Dutch style containing 4100 SF and with new landscaping and hardscape on vacant site. Town Council will review the site plan review portion of the application.

Ms. Pardue provided staff comments for the project.

Call for disclosure of ex parte communication: Disclosure by Ms. Grace and Mr. Karakul.

Daniel Clavijo, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

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

Mr. Smith called for public comment.

Howard Rudolph, 2227 Ibis Isle Road, did not believe the proposed residence was in keeping with the neighborhood. He expressed concern for the existing seawall and the size of the proposed home.

Mr. Corey thought the landscaping plan was well done. Mr. Corey inquired if a more simplified home was considered. He thought the island had many modern homes and wondered if the Bermuda style was considered. Mr. Clavijo responded and explained the proposed design and style. He thought the home was handsome but recommended streamlining the home and lowering the overall height. He provided some recommendations on the fenestration.

Ms. Connaughton also thought the home was too high. She provided suggestions for the bay window on the east elevation and a change to the shed roof. She recommended reviewing the details of the home.

Ms. Grace liked the idea of a Bermuda style home. She questioned the proportions of the home in the Cape Dutch style. She thought the home was

too tall. She questioned the glass doors on the east elevation and on the second floor.

Mr. Kirchhoff thought the wings of the home were too tall and thin; he recommended changing the roofs to a hip roof. He questioned some of the windows and doors proposed. He wondered if the symmetry was part of the problem in the design. Mr. Clavijo responded.

Mr. Karakul thought the number of scallops and the height of the center scallop on the gables were disproportionate. He recommended adding some taller trees in the front of the property.

Mr. Smith agreed with the other Commissioners.

Motion made by Mr. Kirchhoff and seconded by Mr. Karakul to defer the project for one month, to the May 25, 2022 meeting, to address the comments of the Commission. Motion carried unanimously, 7-0.

7. **ARC-22-091 256 MOCKINGBIRD TR.** The applicant, M2B Properties LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new single-family residence designed in a “Cottage” style, with associated pool, hardscape, and landscape improvements.

Mr. Hodges provided staff comments for the project.

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

Greg Palmer, Harrison Design, presented the architectural plans proposed for the new residence.

Steve West, Parker Yannette Design Group, Inc., presented the landscape and hardscape plans proposed for the site.

Mr. Smith called for public comment.

Lynn George, 249 Mockingbird Trail, expressed her appreciation that the owner would be saving the Sea grape trees.

Ms. Grace liked the cottage style of the home and the way the professional broke up the mass of the structure. She questioned the height of the main structure as well as the doors and transoms. She questioned the proportions of the fenestration on the south side.

Mr. Corey was in favor of the landscape plan. He thought the design for the home fit on the street. He expressed concern for the family room and did not

believe the exterior of the design worked. He thought it appeared too elongated. He recommended possibly removing the shutters and changing the transom window.

Mr. Kirchhoff liked the home but was not sure if it fit into Palm Beach. He wondered how the home would be air conditioned with the many proposed structures.

Ms. Shiverick liked the cottage style. She wondered if it was too chopped up and too big for the lot. She thought it lacked the quaintness of a cottage.

Mr. Karakul expressed concern for the entrance and the connection piece. He recommended working on that piece.

Ms. Connaughton was unsure about the two gates but thought it was a nice project. She recommended the possibility of adding a muntin or mullion on the window in the family room, which would split the window and allow for different shutters. She was happy that the trees would remain. She questioned the motif on the pergola.

Mr. Smith liked the concept and color palate, but wondered if it was too out of scale, particularly with the family room mass.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the May 25, 2022 meeting, to address the comments of the Commission. Motion carried unanimously, 7-0.

8. **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.

Mr. Hodges stated staff did not have any comments.

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

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

Mr. Corey inquired if anything had changed since the last presentation. Mr. Janssen responded and stated he was presenting the same item as he had at a past meeting.

Mr. Karakul inquired about the height of the railing. Mr. Janssen responded and showed the Commissions a photograph of the railings on the top floor prior

to their removal. He discussed the work, relative to the roof, that had been completed.

Mr. Kirchhoff inquired about the location for the proposed railing. Mr. Janssen pointed out the location in the photographs.

Ms. Shiverick asked about the desire of the residents. Mr. Janssen responded.

Mr. Smith asked to see the balconies of the surrounding buildings. Mr. Janssen responded and showed photographs of the other buildings.

Bruce Bromley, Bromley Cook Engineering, discussed the work that had been completed on the rooftop. He discussed the removal of the previous railings and discussed the installation of the new railings. He discussed the conditions of the previous railings and his concerns related to safety.

Gerard William Ford Jr., 170 Ocean Blvd., provided an overview of the changes and discussed the support from the residents that live in the building as well as some of the neighbors. He requested that the Commission approve the railing design so that the safety issue could be addressed. He indicated that they would then deal with the replacement of the balustrade railings.

Carol Moore, 170 Ocean Blvd., requested that the Commission only approve the seventh-floor railings. She argued that the approval from the residents did not extend to the change in balustrades on the rest of the building. She also argued that the balustrade railings were original to the building.

Ms. Grace was not in favor of the top floor having a different railing from the other railings in the building. She understood the need to address the safety issue and wondered if a temporary solution was possible. She agreed with Ms. Moore that the Mid-Century modern look was much more attractive and preferred to keep the balustrade railings.

Mr. Corey thought the proposed railing would strip the building of its charm. He was not supportive of having the top floor railing different from the other floors.

Ms. Shiverick stated she would support the railings on the seventh floor due to the safety issues. However, she agreed with the other Commissioners that the older railings were more charming and thought any approval should request that the older railings were reinstalled.

Mr. Karakul wondered if the railings had been ordered. Mr. Bromley responded and discussed the upcoming installation of the railings. Mr. Bromley also discussed the safety concerns with installing the older railings. Mr. Karakul also asked about the lack of screening of the mechanical units on

the roof. Mr. Bromley discussed the current screening of the units. Mr. Karakul thought the lack of screening contributed to the aesthetics problem.

Mr. Kirchhoff thought the proposed lacked charm and the existing railing was more appropriate for the building. He thought the safety issue needed to be addressed but was not convinced to allow the proposed railing for the seventh floor.

Mr. Ford discussed the safety issue for the lack of a railing and advocated for the proposed railing. He argued that the proposed railing would be adequate for the top floor and would not be seen.

Mr. Kirchhoff thought that an appropriate new railing needed to be designed in a manner that dealt with the aesthetic and safety issues. Mr. Kirchhoff also argued that the railing could be seen from the street.

Ms. Connaughton did not believe the proposed railing finished the top of the building in an appropriate manner.

Mr. Karakul thought the screening for the mechanical units should be addressed.

Motion made by Ms. Grace and seconded by Mr. Corey to defer the project for one month, to the May 25, 2022 meeting, to address the comments from the Commissioners. Motion carried unanimously, 7-0.

E. MINOR PROJECTS – OLD BUSINESS

None

F. MINOR PROJECTS – NEW BUSINESS

VIII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no comments heard at this time.

2. Staff

Ms. Churney stated that Richard Sammons declared a conflict for a project at 757 Island Drive at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Richard Sammons declared a conflict for a project at 220 Brazilian Avenue at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Richard Sammons declared a continuing conflict for a project at 726 Hi Mount Road at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Thomas Kirchhoff declared a conflict for a project at 425 Chilean Avenue at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Thomas Kirchhoff declared a conflict for a project at 1950 S. Ocean Blvd. at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Elizabeth Connaughton declared a conflict for a project at 220 Brazilian Avenue at the March 23, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

Mr. Corey requested to allow Commissioners' comments at the beginning of the meeting. Mr. Murphy stated he would add this item to the agenda.

Motion made by Mr. Corey and seconded by Ms. Grace to allow Commissioners' comments to the beginning of the agenda. Motion carried unanimously, 7-0.

Ms. Grace thought it would be helpful to list the professional under each project, as previously done in the past.

IX. **NEXT MEETING DATE:** Wednesday, May 25, 2022

X. **ADJOURNMENT**

Motion made by Ms. Grace and seconded by Mr. Kirchhoff adjourn the meeting at 5:39 p.m. on Wednesday, April 27, 2022. Motion carried unanimously, 7-0.

The next meeting will be held on Wednesday, May 25, 2022 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

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-21-101, 425 Chilean Ave

Address: 425 Chilean Ave

Applicant: Lorraine Charnan

Architect: Frank Lynch, Attorney; Dustin Mizell

Project Description:

Approval for the modification of a previously approved landscape plan to include the removal of two trees to be replaced with hedge material.

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 April 27, 2022

TOWN OF PALM BEACH


JEFFERY W. SMITH
Chairman, Architectural Commission

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Connaughton, Elizabeth</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>226 Brazilian Ave. Apt 3C</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>April 27, 2022</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Elizabeth Connaughton, hereby disclose that on April 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, Dragana Connaughton;
- ☐ inured to the special gain or loss of _____, 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 - 22-058
220 Brazilian Avenue
Continuing Conflict

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.

4/27/22

Date Filed

Elizabeth Connaughton
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Kirchhoff Thomas</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>1907 Commerce Ln #106</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Jupiter</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>April 27, 2022</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

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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.

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Thomas Kirchhoff, hereby disclose that on April 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 Eleanor Acquavella Dejour, 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-22-084
147 Seabreeze Ave

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.

Date Filed

4/27/22

Signature

Thomas Kirchhoff

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