

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, APRIL 24, 2019

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

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

II. ROLL CALL

Robert J. Vila, Chairman	ABSENT (unexcused)
Michael B. Small, Vice Chairman	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT
Nikita Zukov, Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	ABSENT (excused)

Please note: It was noted that Ms. Shiverick would be voting in Mr. Vila's absence.

Staff Members present were:

John Lindgren, Planning Administrator
Wayne Bergman, Assistant Director of Planning, Zoning and Building
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

Mr. Lindgren introduced Wayne Bergman as the Assistant Director and Building Official in the Planning, Zoning and Building Department. The Commission welcomed Mr. Bergman to the Town.

III. PLEDGE OF ALLEGIANCE

Vice Chair Small led the Pledge of Allegiance.

IV. **APPROVAL OF THE MINUTES FROM THE MARCH 27, 2019 MEETING**

Motion made by Mr. Garrison and seconded by Mr. Ives to approve the minutes from the March 27, 2019 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**

Mr. Lindgren asked the Commission to defer project B-022-2019, 223 Sunset Avenue to the May 29, 2019 meeting. Mr. Lindgren also noted that the discussion item listed under Item IX. Other Business regarding modifications to ARCOM landscaping plans would be deferred to the May 29, 2019 meeting as well.

Mr. Corey requested a permanent modification to the agenda, which would allow the Commission members, as well as staff to address any concerns prior to the start of any project review. Mr. Lindgren stated that the agenda could be modified for the current meeting, as well as in the future, to satisfy Mr. Corey's request.

Motion made by Mr. Garrison and seconded by Mr. Ives to approve the agenda as amended. Motion carried unanimously.

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.

VII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

There were no public comments heard at this time.

VIII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

Mr. Small acknowledged the recent, devastating fire at Notre Dame. Mr. Small offered prayers for Dan Floersheimer, who was called away on a family health emergency. Mr. Small recounted the ARCOM Annual Report that he presented to the Town Council at their April meeting. He stated the Town Council expressed their appreciation to the Commission for their role in the beautification of the Town. Mr. Small congratulated Kenn Karakul, Jim Held and Daniel Kahan for the new home on Jungle Road. He expressed appreciation on behalf of the Commission for the site visit to their new home that followed the March meeting. Finally, Mr. Small congratulated John David Corey for his new position on the Board of Directors with the Palm Beach Civic Association.

Mr. Corey inquired if the projects on the agenda would be held to the standards listed in the February 2019 ARCOM Requirements, especially relating to the landscape plans. Mr. Lindgren responded.

Ms. Catlin stated that she had received calls from citizens inquiring about demolitions and the reason ARCOM is not halting the demolitions. She also expressed concern about the lack of enforcement that follows demolition, particularly with the landscaping and keeping the site clean, neat and debris free. Mr. Lindgren discussed the Code Enforcement issues and stated he would be happy to pass on the issues if he is notified.

Mr. Garrison suggested using a checklist that applicants sign and notarize when submitting their plans. Mr. Garrison added that he would like to see the landscaping on adjacent properties and the boundaries of the properties during demolition and after new construction.

Ms. Grace asked what the policy was regarding artificial turf and asked her fellow Commissioners to weigh in with their thoughts. Mr. Lindgren responded and added that he would not administratively approve artificial turf in the front of the property anymore.

Ms. Grace inquired about moratoriums on demolitions in the Town and stated that Mr. Martin was going to look into the legalities.

Mr. Ives stated that he receives comments from other residents about particular properties that are being demolished as opposed to the amount of demolitions. Mr. Ives suggested more dialog between the Commissions by staff about the properties to be demolished.

Mr. Small requested brevity from the professionals when presenting previous projects. Mr. Small spoke about demolitions and the limitations that ARCOM has on these projects.

IX. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

None.

B. **MAJOR PROJECTS – OLD BUSINESS**

B-017-2019 New Construction

Address: 1616 S. Ocean Blvd.

Applicant: Land Trust Service Corporation, Trustee of Trust No. 1616 SOB
(Mark Warda, President)

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

Project Description: Proposal of a new two-story residence with pool, landscape and hardscape.

A motion carried at the March 27, 2019 meeting to approve the project as presented with the exception of the front door entrance design, which was deferred for one month to the April 24, 2019 meeting for restudy.

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

Mr. Marsh presented the modifications to the front door entrance design and other minor changes for the new residence.

Ms. Shiverick stated she saw the model in the architect's office and thought the new entrance was pleasant and was happy to see the elimination of the stone cladding. She was in favor of the new shutters on the master bedroom windows.

Ms. Grace thought the removal of the stone cladding was an improvement but still questioned the front entrance design.

Mr. Zukov was in favor of the new front entrance design.

Mr. Corey stated he felt the change was not significant and added he still had an issue with the entrance.

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

Motion by Mr. Zukov and seconded by Mr. Ives to approve the project as presented. Motion carried 5-2, with Mr. Corey and Ms. Grace opposed.

B-018-2019 Modifications

Address: 341 Hibiscus Ave.

Applicant: Roy and Vanessa Carroll

Professional: Dustin Mizell/Environment Design Group

Project Description: Addition of vehicular gate. Revisions to the entry courtyard and associated landscape changes.

A motion carried at the March 27, 2019 meeting to defer the project for one month to the April 24, 2019 meeting for restudy.

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

Mr. Mizell presented the modifications proposed for the new front vehicular gate and revisions to the landscape.

Mr. Corey stated the pedestrian gate and the vehicular gate did not match. He questioned whether the new proposal was appropriate and offered a possible solution. He stated that he could not support the project as designed. Mr. Mizell responded.

Ms. Shiverick was in favor of the new landscaping but still was not in favor of the proposed vehicular gate. Mr. Mizell responded. Ms. Shiverick was not in favor of the gates so close to the sidewalk.

Mr. Ives agreed with Ms. Shiverick and Mr. Corey. He did not feel the new proposal was an improvement to the property.

Ms. Catlin thought the landscape design was better but stated she did not feel the vehicular gate was appropriate, especially for the site. She felt the gate closed the space.

Ms. Grace suggested a restudy and redesign of the site.

Mr. Small was in favor of the landscaping and the wall but felt the new gates needed to be restudied.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month to the May 29, 2019 meeting to restudy the project based on the comments from the Commissioners. Motion carried unanimously.

B-022-2019 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - Done 3/27/19

Address: 223 Sunset Ave.

Applicant: 223 Sunset Avenue LLC

Professional: Keith Spina/GliddenSpina + Partners

Project Description: The applicant is proposing architectural and functional upgrades to revitalize the existing building at 223 Sunset Avenue in order to facilitate the relocation of Trevini Ristorante and to expand and improve the existing office space. This project will include the following exterior improvements: Significant new planting of ground covers, shrubs and trees; narrowing of the existing driveway to ten feet wide to create a pedestrian walkway to the restaurant and office building entries; new in ground lighting for trees; installation of a small public courtyard adjacent to the lobby entry; an iconic entry portal and street entry are proposed; the building will be painted and receive new and reconditioned windows; and a symbolic clock tower is proposed at the existing elevator/stair tower. The restaurant will also feature an outdoor dining terrace of 840 sq. ft. covered by an awning. Interior improvements include enclosing the existing upper-level garage space with windows to create 4,795 sq. ft. of office space and converting approximately 2,856 sq. ft. of existing office space on south side of building to the proposed restaurant use.

Motions carried at the March 27, 2019 meeting that implementation of the proposed special exception with site plan review and variances will not cause negative architectural impact to the subject property. An additional motion carried to approve the project as presented, subject to conditions, with an alternate plan for the tower element to return to the April 24, 2019 meeting.

Please note: This project was deferred to the May 29, 2019 meeting with the approval of the agenda, Item V.

C. MAJOR PROJECTS – NEW BUSINESS

B-021-2019 New Construction

Address: 165 Seaspray Ave.

Applicant: Oliver “Piper” Quinn

Professional: Daniel Kahan/Smith and Moore Architects, Inc.

Project Description: A new two-story residence in the Palm Beach Colonial vernacular. Final landscape.

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

Mr. Kahan presented the architectural concept and plans proposed for the new residence. Mr. Kahan added that the Town Council approved a variance for a one-car garage for the property. Mr. Kahan presented material and color samples to the Commission.

Ms. Shiverick was in favor of the concept and design. She liked the details and materials proposed. She stated she was hopeful that the roof material would fade in color. Otherwise, she offered her support for the home.

Ms. Catlin stated the proposal had charm and personality. She was in full support of the project.

Mr. Ives liked the approach in the design and thought the proposed residence had an identity.

Ms. Grace was in favor of the proposal and applauded the professional for obtaining the variance for the one car garage. Ms. Grace inquired about the existing Mango tree in the front of the home. Mr. Small asked Ms. Grace to hold her question until the presentation by the landscape professional.

Mr. Corey offered support for the home and suggested a detail in the design for the carriage house.

Mr. Garrison thought the house was very appropriate for the Sea Streets. He added that the house would be a great asset to the community.

Jedidiah Hall, Nievera Williams Design, presented the proposed landscape and hardscape for the new home.

Mr. Corey was in favor of the proposed landscape materials and thought the presentation was successful.

Ms. Grace expressed concern for the loss of the existing Mango tree. Mr. Hall stated he believed the Mango tree was on the adjacent property.

Mr. Garrison asked about the fence on the rear of the property and the proposed landscape that would be surrounding the fence. Mr. Hall responded.

Mr. Small asked Mr. Lindgren if an easement would need to be requested. Mr. Lindgren stated that the Commission would need to request the easement. Mr. Kahan agreed to the requested utility easement.

Mr. Corey asked if the project would need to meet the 25% native requirement. Mr. Lindgren responded.

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

Please note: A short break was taken at 10:20 a.m. The meeting resumed at 10:30 a.m.

Mr. Small stated that the Town Council passed an ordinance with regard to fencing and screening during demolition and construction. He stated that the project at 165 Seaspray had been applied for before the ordinance passed. Mr. Small stated he would be asking all of the professionals if they would accept the new ordinance as a condition to the approval.

Mr. Small asked Mr. Kahan if he accepted the conditions of the new ordinance for his project at 165 Seaspray Ave. Mr. Kahan agreed to the additional conditions.

B-023-2019 New Construction

Address: 280 El Pueblo Way

Applicant: Thomas Frankel

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Proposed two-story residence, one-story guesthouse, landscape, hardscape, spa and pool.

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

Please note: Mr. Ives returned after the break at 10:33 a.m.

Mr. Janssen presented the architectural plans proposed for the new residence and guesthouse. Mr. Janssen presented material and color samples to the Commission. Mr. Janssen stated that he did meet with the neighbors to explain the design. He added that he believed many of the neighbors accepted the design now that they understood the project.

Ms. Catlin appreciated that the house was not built to the maximum on the lot.

Mr. Corey agreed with Ms. Catlin regarding the size of the home. He thought the house could work in its location. Mr. Corey questioned the materials and colors proposed for the home as well as the massing over the garage. Mr. Janssen responded.

Mr. Grace was in favor of the lawn space and the lot organization. She questioned the scale of the proposed home. She thought the house lacked some character.

Ms. Shiverick was in favor of the proposed design style and thought the massing was acceptable. She questioned if the garage could be reduced in the width as well as the east side of the home. Ms. Shiverick thought the color was acceptable for the design style of the home and thought color could be added in with landscaping.

Mr. Garrison was in favor of the home. He expressed concern for the colors proposed for the home and questioned if the colors could be changed.

Mr. Ives declared ex parte communications for the project. Mr. Ives stated that he thought the overall house design was good. However, Mr. Ives questioned the connection from the house to the garage as well as the positioning of the dormers. He suggested moving the garage space to the south.

Mr. Small stated that the existing house on the site was charming. He questioned if the professionals could save and renovate the existing home. Mr. Janssen responded. Mr. Small expressed concern for the garage design and stated it looked as if it were an afterthought. Mr. Janssen stated he could revisit the garage layout.

Ms. Grace suggested making the garage subordinate to the house, which she felt would add more charm to the design.

Mr. Corey provided a design suggestion for the dormers.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Janssen agreed to the easement.

Mr. Small asked Mr. Janssen if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Janssen agreed to the conditions of the new ordinance.

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

Mr. Corey was in favor of the landscape plans.

Ms. Grace stated she was in favor of the landscape plan and thought it was very good. She asked about the drainage for the property. Mr. Mizell responded.

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

Motion made by Mr. Ives and seconded by Mr. Corey to defer the project for one month to the May 29, 2019 meeting for a restudy of the northwest connection of the garage and main house. Motion carried unanimously.

B-024-2019 New Construction

Address: 237 Brazilian Ave.

Applicant: 237 Brazilian, LLC

Professional: Jose Luis Gonzalez-Perotti, AIA/Portuondo-Perotti Architects

Project Description: New construction of a two-family residential building, proposed pool and landscape/hardscape improvements.

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

Rafael Portuondo, Portuondo-Perotti Architects, presented the architectural plans for the proposed two-family residential building. He presented material samples to the Commission.

Ms. Catlin thought the buildings were acceptable but thought they lacked soul and felt stiff. She thought the proposed landscape accentuated the stiffness.

Mr. Corey stated he supported the project.

Mr. Garrison thought the layout of the building was good however, he questioned the first floor volume. Mr. Portuondo respond.

Mr. Ives felt the design elements were appropriate because the proposed were townhomes. He offered his full support.

Mr. Zukov suggested looking at the interior door heights. Mr. Portuondo responded to the comment from Mr. Zukov.

Ms. Shiverick was in favor of the front entrance design as well as the design of the living spaces. She inquired about the shutter colors and material. Mr. Portuondo responded and showed the Commission a sample of the shutters and well as the colors.

Ms. Grace thought the project had a lot of potential. She thought the height of the buildings could be slightly reduced. She questioned the fenestration and expressed concern for the proposed materials. She asked if the shutters would be operational. Mr. Portuondo confirmed they would be operational. Mr. Portuondo discussed the materials to be used.

Mr. Small was in favor of the proposal and thought the new residences would enhance the beauty of the neighborhood.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Portuondo agreed to the easement.

Mr. Small asked Mr. Portuondo if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Portuondo agreed to the conditions of the new ordinance.

Ms. Grace inquired about the proposed window frames as she was not in favor of dark window frames. Mr. Portuondo responded and stated he would consider a lighter window frame.

Keith Williams, Nievera Williams Design, presented the proposed landscape and hardscape design.

Fran Burns, President of the Condominium Association at 227 Brazilian Avenue, asked for a copy of the plans so that she could show the residents in her building. Ms. Churney provided a copy of the plans to Ms. Burns. She also expressed concern for the proposed Oak trees. She inquired about the schedule of construction.

Maura Ziska, attorney for the owner, stated that Senator Bradley, who lives in the condominium, reached out to Ms. Ziska and stated that he supported the project.

Yasmine Ramp, 227 Brazilian Ave., expressed concern for the existing, diseased Ficus trees as well as the Oak trees proposed. Ms. Ramp asked if the professional would consider another species. Mr. Williams stated he would consider another tree but added he would prefer a tree to a palm tree.

Ms. Grace was in favor of the trellis and appreciated the rear garages. She asked the professional to consider a tree specimen that would grow tall.

Mr. Zukov inquired if Mr. Williams would consider another tree specimen. Mr. Williams stated he would.

Mr. Corey expressed concern for the proposed Oak trees on the sides of the property. He recommended adding larger trees in the front of the property.

Mr. Garrison questioned why the material details were not included in the presentation. He believes this should be included in the checklist he recommended.

Mr. Ives was in favor of the landscape plan and thought it was befitting of the design.

Mr. Zukov asked about the landscaping lighting. Mr. Lindgren stated that there is an exterior lighting requirement in place.

Motion made by Mr. Zukov and seconded by Mr. Garrison to approve the project as presented with the condition that the professionals would return in one month to the May 29, 2019 meeting to restudy the landscaping proposed for the borders along both driveways as well as to present the colors proposed for the home. Motion carried 6-1, with Mr. Ives opposed.

B-025-2019 New Construction

Address: 239 Monterey Rd.

Applicant: 239 Monterey Road, LLC

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demo of existing site wall, pier and fence. Proposed two-story residence, landscape, hardscape, spa and pool.

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

Mr. Janssen presented the proposed demolition of the site wall, pier and fence. Mr. Janssen presented the architectural plans proposed for the new residence.

Mr. Corey declared his ex parte communication and added that one of the neighbors he encountered on his site visit was not supportive of the proposed home.

Mr. Ives questioned the design style of the home and asked the professional to lower the proposed roof pitch.

Ms. Shiverick thought the proposed colors for the home were too somber. She suggested using cheerful colors. Ms. Shiverick thought the roof design was whimsical.

Mr. Corey suggested reducing the roof pitches in the design. He thought the front façade was successful but questioned the fenestration on the rear façade. He added that he thought both the height and the rear fenestration needed to be restudied.

Ms. Grace thought the home design was not very interesting. She suggested changing the window color, reducing the roof height and reducing the rear glazing.

Mr. Small thought the design was appropriate for the street.

Ms. Catlin thought that by using a different color, it could alter the look of the home.

Mr. Zukov agreed that by lowering the roof pitch of the home, it could change the look of the home.

Mr. Garrison agreed with his fellow Commissioners' suggestions to change the proposed colors and to reduce the roof pitch. Mr. Janssen agreed.

Carol Perez, AGT Land, presented the proposed landscape and hardscape design.

Ms. Grace thought the height of house was accentuated by landscaping and expressed concern for the thinness in the height of the landscaping on the north side. She questioned the proposed material for the driveway. Ms. Perez stated the overhead power lines limited what could be planted on the north side.

Mr. Corey questioned the plantings proposed for the north border and thought the new home would tower over the one story home next door. He suggested beefing up the north border. Mr. Corey thought that the landscaping was thin overall.

Ms. Shiverick agreed with Ms. Grace about her assessment of the material proposed for the driveway. She suggested using the same material for the landing of the home. Ms. Perez agreed to use cast stone.

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

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Janssen agreed to the easement.

Mr. Small asked Mr. Janssen if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Janssen agreed to the conditions of the new ordinance.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month to the May 29, 2019 meeting to allow the professionals to address the comments made by the Commissioners. Motion carried unanimously.

Mr. Lindgren asked Mr. Zukov to disclose the comments he provided to Mr. Janssen in the side conversation he had during the landscape presentation. Mr. Zukov stated he provided Mr. Janssen with a suggestion for the roof pitch.

Please note: The Commission took a lunch break at 12:29 p.m. The meeting resumed at 1:34 p.m.

B-026-2019 Demolition/New Construction

Address: 247 Miraflores Dr.

Applicant: Laetitia Oppenheim

Professional: Peter Pennoyer Architects and SMI Landscape Architecture, Inc.
Project Description: Demolition of existing structure, landscape and hardscape.
Construction of a new 4,670 square foot under air residence, pool, new landscape and hardscape.

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

Frank Lynch, attorney for the owner, introduced the project and the professionals.

Mr. Pennoyer presented the proposed demolition for the existing structure.

Mr. Corey asked if the entire landscape would be removed from the site.

Jorge Sánchez, SMI Landscape Architecture, Inc. presented the landscape and hardscape plans for the demolition.

Ms. Grace inquired about the late submittal of the architectural mini-sets. Mr. Lindgren responded. A short discussion ensued about the landscape plans and the proper demolition plan.

Mr. Small asked Mr. Sánchez if he accepted the conditions of the new fencing and screening ordinance for the project. Frank Lynch, attorney for the owner, agreed to the conditions of the new ordinance.

Mr. Lindgren stated that the professionals should provide a construction demolition plan that shows the buffering while the construction is ongoing.

A discussion ensued regarding the landscape demolition plan, the construction demolition plan, and the difference between the two plans.

Mr. Ives noted the architect of record of the existing home was Agnes Ballard, the first female architect in the history of Florida.

Motion made by Mr. Corey and seconded by Mr. Garrison to defer the demolition request for one month, to the May 29, 2019 meeting, to allow the professionals to return to the Commission with a complete landscape and hardscape demolition plan.

Mr. Lynch stated the house was not placed under consideration for landmark status. He added that the screening for demolition would be presented with the demolition permit. A discussion ensued regarding the landscape package that was presented to the Commission.

Motion carried 5-2, with Ms. Shiverick and Mr. Ives opposed.

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

Ms. Grace expressed her concern for the projection of the house onto the street. She was in favor of some of the architectural elements but thought it may be too tall for the street. She suggested removing one garage and questioned the color of the garage doors.

Mr. Ives thought the project was nice and added the style would offset the size of the home. He recommended adding more details of the Palm Beach Moorish-Mediterranean style into the home. Mr. Pennoyer stated he thought about adding more details but decided to restrain the design.

Mr. Corey thought the design was excellent but questioned if it was the correct location of the proposed home.

Ms. Shiverick thought the house was stunning and well designed. She recommended adding striped awnings on the side and rear of the home.

Ms. Catlin expressed a concern for the garage design. She felt that visually, the garage was pronounced and the landscaping accentuated this detail.

Ms. Grace stated she thought the proposed home was attractive but added that she thought the home would stand out on the street.

Mr. Garrison thought the house would set the tone for the street. He thought the house was well designed. He questioned the green doors for the garage and thought the garage element could be restudied.

Mr. Small agreed completely with Ms. Shiverick and Mr. Garrison.

Ms. Catlin agreed with Ms. Shiverick and Messrs. Small and Garrison. She added that while the home is different, she did not think the design was out of place.

Ms. Grace thought the large tower would be out of place on the street. She suggested making changes so that the home did not appear so large on the street.

Mr. Corey inquired about doors on the north elevation. Mr. Pennoyer responded.

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

Mr. Small expressed a concern for the landscape boundaries during construction. He also asked for a depiction of the boundaries to determine if the neighbors would be protected during the construction. Mr. Sánchez responded and confirmed the neighbors would be protected.

Mr. Corey thought the home proposed would dominate over the street. He questioned if the proposed landscaping would screen the west side. Mr. Sánchez responded and showed an existing photo of the west property line. Mr. Corey suggested adding more landscaping to increase the height and girth. Mr. Corey was appreciative of the landscaping proposed. However, he questioned if there were enough native plants proposed.

Ms. Grace expressed concern for the proposed solid wood gate. She recommended using an open gate.

Ms. Shiverick commented on the tower element and thought it was appropriate.

Mr. Corey requested a complete plant list that showed the native and non-native materials.

Mr. Ives advocated for the design.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Sánchez responded with concern. Mr. Lindgren further described the request. Mr. Sánchez responded but did not agree to the easement request.

Mr. Corey requested that the professionals return with cross sections of the site before the architecture was approved.

Mr. Small asked Mr. Sánchez if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Sánchez agreed to the conditions of the new ordinance.

Mr. Sánchez inquired about the cross sections requested. Mr. Lindgren stated he could email the professionals a few samples.

A second motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one to the May 29, 2019 meeting to address the comments from the Commission members. Motion carried 5-2, with Mr. Ives and Ms. Shiverick opposed.

Please note: A short break was taken at 2:43 p.m. The meeting resumed at 2:48 p.m.

B-028-2019 Demolition/New Construction

Address: 227 Ocean Terrace

Applicant: 227 Ocean Terrace, LLC

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

Project Description: Demolition of an existing single-family residence, pool, hardscape and landscape. Construction of a two-story Bermuda style single-family residence with pool. Final hardscape and landscape.

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

Mr. Smith presented the proposed demolition for the existing structure.

Steve West, Parker Yannette Design Group, presented the proposed landscape and hardscape demolition plan.

Mr. Small asked Mr. Smith if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Smith agreed to the conditions of the new ordinance.

Motion made by Mr. Garrison and seconded by Mr. Corey to approve the demolition request as presented with the condition to sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously.

Mr. Smith presented the architectural plans for the proposed new residence. Mr. Smith stated that the surrounding property photographs had been inadvertently left out of plans and presented them on the overhead projector. Mr. Smith also placed an alternate elevation on the overhead projector that showed a reduction in the front entrance width.

Ms. Grace stated she was in favor of the proposed colors as well as the gable on front entrance but thought the gable could be reduced in size. She recommended using a lighter, natural wood for the front door. She was not in favor of the pedestrian gate design and questioned if the height of the home could be reduced. Mr. Smith responded.

Ms. Shiverick stated she appreciated the reduction of the front entrance. She recommended reducing the width a bit more along with balcony width over the front door. Ms. Shiverick questioned the sidelights proposed on the windows on the first floor, front façade. She also recommended adding shutters to the windows. Mr. Smith responded and stated the sidelights proposed assisted with bringing light into the room. Ms. Shiverick suggested making window bigger rather than using sidelights.

Mr. Corey was in favor of the design. Mr. Corey also was in favor of the alternate narrower door and the lighter wood for the door. He agreed with Ms. Shiverick's suggestion of the reduction in the balcony over the front door.

Ms. Catlin was in favor of the larger door and thought it was inviting. She questioned if the slope of the roof could be reduced. Mr. Smith stated he reduced the arch width but not the width of the door.

Mr. Ives wondered if there were too many elements on front the front façade. He was in favor of Ms. Shiverick's suggestion for the balcony. He also questioned if the gable width could be reduced.

Mr. Small agreed that the balcony width could be reduced. He was in favor of the reduced front entrance and was not in favor of the sidelights on the front windows. He liked the idea of using shutters rather than the sidelights. Mr. Small added that he would support removing the front pedestrian gate as well.

Mr. West presented the proposed landscape and hardscape design for the new home.

Ms. Grace questioned the concrete pavers in the front of the garage and suggested using a different material or using a grass pattern along with the pavers. Mr. West responded and stated he would look into the suggestion.

Mr. Corey recommended switching the Sea Grape and the Coconut palm on the west side of the property. Mr. West agreed to the change.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Smith agreed to the easement.

Mr. Small asked Mr. Smith if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Smith agreed to the conditions of the new ordinance.

Mr. Garrison complimented the Mr. West for including the cross sections as well as the plant list.

Ms. Grace asked about the color of the Mahogany proposed for the front door. Mr. Smith stated the front door would have a clear coat over the Mahogany door.

A second motion made by Mr. Corey and seconded by Mr. Garrison to approve the project with the following conditions: the front door material is Mahogany with a clear coat, the front door is reduced 14", the balcony over the front door is reduced at Ms. Shiverick's suggestion, the front pedestrian gate is removed and the Sea Grape and Coconut palm are switched on the west side of the property. 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 carried unanimously.**

Mr. West asked for clarification on the motion as to whether the piers are to be removed with the pedestrian gate. Mr. Corey stated that the proposed piers could remain.

B-030-2019 New Construction

***ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL
EXCEPTION WITH SITE PLAN REVIEW***

Address: 220 Jungle Rd.

Applicant: Thought Development, LLC (Edward Kettenbach)

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

Project Description: Construction of a two-story Palm Beach Mediterranean Revival home with pool. Final hardscape and landscape.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: Special Exception with Site Plan Review to allow the construction of a new 8,186 square foot two-story residence on a non-conforming lot with a width of 120 feet in lieu of the 125 feet minimum required in the R-A zoning district and a lot area of 19,200 square feet in lieu of the 20,000 square foot minimum required in the R-A zoning district. There is an existing 929 square foot two-story garage on the property. The total square feet of the new residence and the existing garage together is 9,115 square feet.

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

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

Mr. Smith presented the architectural plans for the proposed new residence. Mr. Smith presented an alternate elevation on the overhead projector, which showed alternate lights. Mr. Smith presented some material samples to the Commission.

Ms. Grace was in favor of the home but felt the front entry portico was too heavy. She suggested reducing the second floor window on the left side, north elevation. She questioned if the windows on the second floor were too high and suggested lowering them. Ms. Grace suggested using smaller lanterns, a lighter gray for the shutters and possibly painting the front door to match the shutters.

Ms. Shiverick was in favor of the home. She requested the ornamental grills to remain on the front façade. Ms. Shiverick suggested removing the window over front entry and replacing it with a marble relief panel. She added that she favored the variegated roof colors. Mr. Smith stated the single window above the front entrance was the only window for the bedroom.

Mr. Garrison suggested making the fenestration symmetrical on the second floor. He also suggested replacing the window over the front door with a door. Mr. Smith responded.

Mr. Corey was in favor of the house and agreed that a symmetrical façade would be optimal. Mr. Corey asked about the proposed driveway. Mr. Smith responded.

Ms. Catlin was in favor of the alternate design for three upper windows on second floor.

Mr. Zukov questioned the length of the driveway along the entire length of the house. He also thought the left side of the home should match the right side. Mr. Smith responded.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape design for the proposed home. He presented inspirational photos on the overhead projector.

Ms. Shiverick suggested using the antique brick in the front motor court. Mr. Williams agreed to use the brick along with a contrasting stone. Ms. Shiverick suggested a different planting along the driveway.

Mr. Corey agreed with Ms. Shiverick's suggestion.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Smith agreed to the easement.

Mr. Small asked Mr. Smith if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Smith agreed to the conditions of the new ordinance.

Motion made by Mr. Garrison and seconded by Mr. Ives that implementation of special exception with site plan review will not cause negative architectural impact to the subject property. Motion carried unanimously.

A second motion made by Mr. Garrison and seconded by Mr. Corey to approve the project as presented with the following conditions: the windows on the second floor, front façade are changed so that the three windows above the door match the alternate drawing and the single window is changed to match the double windows, the trees along the driveway are switched at the suggestion of Ms. Shiverick, the front motor court material is changed to brick with a contrasting stone and the driveway is removed. 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 carried unanimously.

B-032-2019 Modifications

Address: 1015 S. Ocean Blvd.

Applicant: Jennie K. Scaife, Trustee of the JKS 2017 Real Estate Trust, dated as of March 20, 2017 by David Zywiec, as Personal Representative

Professional: Stergas & Associates, AIA

Project Description: The construction of an upper room addition of 725 square feet with 3' wide covered deck facing the ocean, above and within the footprint of the existing garage.

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

Jim Stergas, Stergas & Associates, AIA, presented the proposed architectural plans for the addition to the existing residence.

Mr. Zukov inquired about the purpose of the additional space. Mr. Stergas responded. Mr. Zukov asked if there were any objections from the neighbors.

Jamie Crowley, attorney for the owner, stated he worked with the neighbor's attorney and added that they had no objection to the addition to the addition.

Mr. Garrison thought this was a clever way to add additional space.

Ms. Shiverick inquired about the doors on the addition and the proposed material for the doors. Mr. Stergas responded.

Ms. Catlin inquired about the addition as well as what the addition would look like from the street. Mr. Stergas responded.

Mr. Small inquired about construction access. Mr. Stergas responded. Mr. Small confirmed that there was no zoning relief needed. Mr. Stergas responded.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Crowley agreed to the easement.

Mr. Small asked Mr. Crowley if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Crowley agreed to the conditions of the new ordinance.

Ms. Grace inquired about the purpose of the additional space. Mr. Stergas responded.

Ms. Shiverick confirmed that amount of space to be added. Mr. Stergas responded.

Motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. 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 carried 5-2, with Mses. Grace and Shiverick opposed.

D. MINOR PROJECTS – OLD BUSINESS

None.

E. MINOR PROJECTS – NEW BUSINESS

A-011-2019 Modifications

Address: 880 S. Ocean Blvd.

Applicant: Mr. and Mrs. Alex Chesterman

Professional: MP Design and Architecture

Project Description: We are respectfully requesting to reconsider the previously approved pool house design and gate designs. A one-story garage addition has been added to the west façade of the pool house and the gate design has been altered (from a flat top gate, to a segmental arched gate.) The Southwest driveway facing South County Road will be revised to provide a turn-around space. The Northwest driveway facing Via Vizcaya will also be revised to provide a turn-around space.

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

Michael Perry, MP Design and Architecture, presented the modifications to the previously approved pool house.

Mario Nievera, Nievera Williams Design, presented the proposed modifications to the landscape and hardscape designs.

Mr. Corey asked if the previously presented pattern was to remain in the motor court in front of the original garage. Mr. Nievera stated it would remain. Mr. Corey asked if the east pedestrian gate would be landscaped with grass. Mr. Nievera confirmed it would be grass.

Mr. Lindgren pointed out that the vehicular gate was incorrectly rendered and it would need to be 18 feet from the road.

Mr. Perry responded and stated that the vehicular gate would be 18 feet from the street.

Mr. Small asked Mr. Perry if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Perry agreed to the conditions of the new ordinance.

Motion made by Mr. Corey and seconded by Mr. Zukov to approve the project as presented. Motion carried unanimously.

A-013-2019 Modifications

Address: 231 Nightingale Trail

Applicant: John Copeland

Professional: LaBerge & Ménard

Project Description: New landscape, hardscape. House to be repainted. Modify existing garage entrance.

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

Mr. Ménard presented the architectural modifications to the existing home.

Todd McLean presented the landscape and hardscape modifications for the existing residence.

Mr. Lindgren stated that the driveway would need to be reduced at the street to 14 feet wide.

Ms. Shiverick stated she did not have a problem with garage doors that faced the front. She asked about the garage door material and pattern. Messrs. Ménard and McLean responded. Ms. Shiverick suggested to charm up the front of the house if the garage was designed to face the front. She recommended changing the front fencing walls to a solid wall with an espalier around the doors. She also recommended changing the colors proposed for the home.

Ms. Grace stated that she preferred a side facing garage rather than a front-facing garage. She thought that more planting could be added to the existing driveway. She added that she preferred the existing red brick driveway.

Mr. Ménard advocated for the front facing garage.

Mr. Corey asked about the width for the driveway and the design with the reduced driveway entrance. Mr. McLean responded.

Ms. Catlin stated she preferred the existing beige color but with the new blue shutters. She added that she believed the front entry garage worked in the home. She recommended adding plantings with color around the garage. She was in favor of the openness of the fence. She recommended using a combination of a wall, at Ms. Shiverick's suggestion, while keeping it open.

Ms. Grace expressed concern for the reduction of parking spaces. Mr. Mclean responded.

A discussion ensued about the possibility of numerous cars parked in the front driveway.

Mr. Small asked if the owner would dedicate and record a utility easement or enter into an agreement ensuring said easement, if necessary, to facilitate utility undergrounding in the area. Mr. Ménard agreed to the easement.

Mr. Small asked Mr. Ménard if he accepted the conditions of the new fencing and screening ordinance for the project. Mr. Ménard agreed to the conditions of the new ordinance.

Motion made by Ms. Shiverick and seconded by Mr. Zukov to defer the project for one month to the May 29, 2019 meeting for the the following items: a better fence plans, different colors for the home and shutters, and an espalier or some kind of treatment and/or ground cover around the reduced driveway and the correct drawings of the driveway. Motion carried 5-2, with Mr. Garrison and Ms. Grace opposed.

A-014-2019 Modifications

Address: 146 Dunbar Rd.

Applicant: Michael and Gayle Kalisman

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

Project Description: Construction of a 324 square foot canvas awning above an existing driveway.

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

Mr. Smith presented the proposed awning above the existing driveway. He added that the project received an approval for the variance by Town Council.

Mr. Ives stated that the awning was far back on the property and the canvas matched the home. He stated he would support the project.

Ms. Shiverick suggested using a canvas material rather than the proposed vinyl material.

Ms. Grace asked if the awning could be cantilevered over the driveway rather than using the posts. Mr. Smith responded and explained the reason for the design.

Mr. Small asked if a Porte Cochère could be designed rather than the awning.

Ms. Catlin stated she usually was not in favor of the awnings. However she stated she did not find this proposal offensive. She asked if canvas could be used rather than the vinyl. Mr. Smith responded.

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

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented with a canvas awning rather than a vinyl awning. Motion carried 5-2, with Messrs. Small and Zukov opposed.

A-015-2019 Modifications

Address: 165 Worth Ave.

Applicant: Wally Findlay Galleries (tenant)

Professional: N/A

Project Description: Installation of a temporary fiberglass sculpture in the gallery's courtyard.

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

Mr. Lindgren, on behalf of the applicant, presented the fiberglass sculpture that had already been installed.

Mr. Corey inquired the length of time that the sculpture would remain in the space. Mr. Lindgren could not answer the question. Mr. Corey suggested a making a motion to approve the sculpture with a set end date.

Ms. Catlin thought the sculpture was too big for the space.

Some of the commissioners were upset that the sculpture was already installed.

Mr. Ives stated that art was a matter of opinion but in this case, he believed the size of the sculpture was an issue.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the installation of the sculpture exhibit for 90 days from the April 24, 2019. Motion carried 5-2, with Messrs. Ives and Small opposed.

X. **OTHER BUSINESS**

1. Discussion – Major modifications to approved ARCOM landscaping plans.

Please note: This project was deferred to the May 29, 2019 meeting with the approval of the agenda, Item V.

XI. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

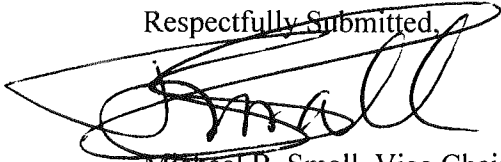
There were no comments heard at this time.

XII. **ADJOURNMENT**

The meeting adjourned at 5:17 p.m. without the benefit of a motion.

The next meeting will be held on Wednesday, May 29, 2019 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Small", is written over the text "Respectfully Submitted,". The signature is stylized and cursive.

Michael B. Small, Vice Chairman
ARCHITECTURAL COMMISSION

kmc