TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, JUNE 22, 2016

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

The meeting was called to order at 9:00 a.m. by Mr. Sammons.

II. ROLL CALL

Richard Sammons, Chairman	PRESENT
Ann L. Vanneck, Vice Chairman	PRESENT
Peter I. C. Knowles, Member	PRESENT
Martin D. Gruss, Member	ABSENT (unexcused)
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Member	PRESENT
Michael B. Small, Member	PRESENT
Maisie Grace, Alternate Member	PRESENT
John David Corey, Alternate Member	PRESENT
Betsy Shiverick, Alternate Member	PRESENT

Staff Members present were:
John S. Page, Director of Planning, Zoning & Building
John Lindgren, Planning Administrator
Kelly Churney, Secretary to the Architectural Review Commission

For the record, it should be noted that Ms. Grace voted in the absence of Mr. Gruss.

III. PLEDGE OF ALLEGIANCE

Mr. Sammons led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM THE MAY 25, 2016 MEETING

Motion made by Ms. Vanneck and seconded by Mr. Garrison to approve the minutes from the May 25, 2016 meeting. Motion carried without benefit of a roll call.

V. APPROVAL OF THE AGENDA

Ms. Vanneck asked that Town Attorney Randolph's presentation be moved to the July 27, 2016 meeting and be placed at the beginning of the agenda.

Mr. Lindgren asked that project B-116-2015, 425 & 431 Chilean Avenue be withdrawn from the agenda. He then asked for project B-032-2016, 237 Brazilian Avenue be deferred to the July meeting due to code violation issues, allowing the applicant time to re-notice their project.

Motion made by Ms. Vanneck and seconded by Mr. Small to approve the agenda as amended. Motion carried with all in favor.

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. PRESENTATIONS: (Please limit to 15 minutes)

1. Presentation from Town Attorney Randolph relative to demolition review and approval procedures and related ARCOM code requirements.

Please note: this presentation was deferred at the approval of the agenda for one month, be placed at the beginning of the agenda for the July 27, 2016 meeting.

VIII. PROJECT REVIEW

A. MAJOR PROJECTS-OLD BUSINESS

B-116-2015 Additions/Modifications

Address: 425 & 431 Chilean Ave.
Applicant: Lorraine S. Charman
Architect: Tom Kirchhoff
Project Description: On the south side, remove bedroom and 1 balcony (27 sq. ft.) and enlarge front balcony at bedroom #2 and exercise room (95 sq. ft.). On the west side, remove west garage gate and close with 6 ft. wall, remove driveway and garage door and reduce area 45 sq. ft. Driveway area to become patio and landscaping. Curb cuts will be eliminated. Change windows in breakfast area, demolish existing pool and replace with new pool, replace and relocate windows on second floor in proposed bedroom 1, closet and bath 3. On the north side, convert family rooms to open loggia (675 sq. ft.). On the east side, remove existing pool, remove all windows on east wall of first floor. Replace and relocate windows on proposed closet. On the east side, remove existing pool, and remove all windows on east wall of first floor. Replace and relocate windows on proposed closet and add 262 sq. ft. addition to northeast corner, to enlarge living room.

At the November meeting, a motion carried to defer this project to the December meeting to accommodate the notification process. A motion carried at the December meeting to defer this project to January for further study. A motion carried at the January meeting to defer this project to February. A motion carried at the February meeting to defer this project to April at the architect's request. A motion carried at the April meeting to defer this project until June.

Please note: this project was withdrawn at the approval of the agenda.

B-023-2016 New Residence

Address: 430 N. Lake Way
Applicant: Mr. and Mrs. Jack Levy
Architect: Tod Williams and Billie Tsien/Smith and Moore Architects
Landscape Architect: Mario Nievera/Nievera Williams Design
Project Description: A new one-story residence in a modern style. Final landscape, hardscape and pool.

At the April meeting, a motion carried to approve the architecture as presented but to defer the landscaping to May for further study. At the May meeting, a motion was made to defer this project to the June meeting.

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

Jedidiah Hall, Nievera Williams Designs presented the proposed landscape plans for the property. He told the Commissioners that the new, proposed landscaping is more open and would now show views of the new residence. He also showed the Commission what they had previously had proposed which screened the entire front of the new residence.

Commissioners Comments: Some Members thought more screening for this house would be better since it is dissimilar to the neighboring homes.

Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented. Motion failed 3-4 with Ms. Vanneck and Messrs. Knowles, Small and Sammons opposed.

Ms. Vanneck stated she would like to see the trees undulate rather than the straight, flat previously proposed plan.

Motion made by Ms. Vanneck and seconded by Mr. Knowles to return to the original presented proposal but allowing the trees to keep a natural curve/cylindrical shape versus a straight hedge look. Motion carried with all in favor.

B. MAJOR PROJECTS-NEW BUSINESS

B-031-2016 Additions/Modifications

Address: 500 S. County Rd.
Applicant: The Everglades Club, Inc.
Architect: Jason Drobot
Project Description: A 2,064 square foot addition to the northeast side of the existing pro shop located at the north side of the existing golf course and south of Golfview Rd. The existing cart path and adjacent tee box shall be reworked to accommodate the new addition.

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

Mr. Drobot presented the proposed plans, site plans and elevations for the project. He indicated he would be using the same materials for the roof tiles and overhangs. He will be removing the contemporary band around the building that was placed there in 1972. They will also be using mahogany windows and painted green shutters for a more traditional look.

Commissioners Comments: Many thought the changes were good. Some of the Members want more details for the materials and project. Ms. Vanneck thought the roofline over the exterior storage space needed to be reworked. Mr. Sammons thought the casement windows and shutters were too large.

Motion by Mr. Ives and seconded by Mr. Small to defer the project for one month for further detailing and refinement of the design. Motion carried with all in favor.

B-032-2016 Demolition/New Residence
Address: 237 Brazilian Ave.
Applicant: Florida Capital Management, LLC
Architect: Roger Janssen/Dailey Janssen Architects, P.A.
Project Description: Demolition of existing multi-family residence and hardscape. Construction of a new two-story two family residence each with pools, hardscape and landscape.

Please note: this project was deferred at the approval of the agenda.

B-033-2016 Demolition/New Residence
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 412 Brazilian Ave.
Applicant: Gary Porhrer (412 Brazilian Partners, LLC)
Architect: Daniel Kahan/Smith and Moore Architects, Inc.
Landscape Architect: Dustin Mizell, Environment Design Group
Attorney: Maura Ziska
Project Description: Demolition of existing one-story residence and accessory structure. New two-story residence and guest house. New swimming pool, final landscape and hardscape.

VARIANCE INFORMATION: The applicant is requesting to construct a new 5,098 square foot, two story residence on a lot with a width of 50 feet in lieu of the 75 minimum required and a lot area of 8,560 sq. ft. in lieu of the 10,000 sq. ft. minimum required.

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

Ms. Ziska stated that they are seeking a recommendation to the Town Council for the variance. Ms. Ziska turned the presentation over to Mr. Kahan. Mr. Kahan went over the demolition report for the current residence, cabana and pool.

Motion made by Mr. Small and seconded by Mr. Ives to approve the demolition as presented with the caveats to sod and irrigate within 30 days. Motion carried with all in favor.

Mr. Kahan presented an overview of the street and neighborhood photos. He presented plans for the proposed new home and cabana, including floor plans, renderings and elevations.

Commissioners Comments: Some of the Commissioners thought the height of the home was too tall. Mr. Kahan spoke to Mr. Sammons about adjusting the roof to create a perception of a lowered height. Some of the Members thought the east facing balcony needed to be changed to a Juliette balcony. Mr. Garrison thought the space over the garage door needed to be reworked. There were comments to bring the overall height down to make it feel more cottage-y. It was also suggested to bring down the height on the cabana as well. Ms. Grace suggested to make the columns on the back loggia larger. Mr. Ives and Ms. Shiverick both stated that the location of the house justifies the verticality of the home. The Commission felt overall it was a great house but needed a few minor adjustments.

Mr. Mizell presented the overall landscape and hardscape proposed for the property.

Commissioners Comments: Many Members liked the landscape plan and appreciated the shade tree on the front corner. Ms. Vanneck felt that the two trees flanking the front door were too formal.

A second motion made by Mr. Garrison and seconded by Ms. Vanneck that the implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried with all in favor.

A third motion made by Mr. Garrison and seconded by Ms. Vanneck to approve the plans as presented with the caveat that staff and the Chairman would administratively approve the fine tuning of the following details: the overall height of the home to be reduced by 6-8", the size of the windows is up to the discretion of the Chairman, reduce the head heights of the windows to 6'8", the balcony to be reduced by 6", the columns on the back loggia to be increased by 4-6' and the landscaping at the front door to be changed to something more in scale. Motion carried with all in favor.

B-034-2016 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 168 E. Inlet Dr.
Applicant: Mr. & Mrs. Mitchell Evans
Architect: Bob Acree/Acree Design Consulting
Landscape Architect: Dustin Mizell, Environment Design Group
Attorney: Maura Ziska

Project Description: A 1,595 square foot second story addition onto the existing one story residence.

VARIANCE INFORMATION: The applicant is proposing to add a 1,595 square foot second story addition onto the existing one story residence. The proposed addition will not require the demolition of more than 50% cubic footage of the existing house. The following variances are being requested: 1) lot coverage of 37.8% in lieu of the 30% maximum allowed for a two story structure. The existing lot coverage is 37.8%; 2) cubic content ratio ("CCR") of 4.92 in lieu of the 3.21 existing and 3.99 maximum allowed.

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

Ms. Ziska stated she is seeking a recommendation to Town Council for two variances for the proposed project. She then turned the presentation over to Mr. Acree. Mr. Acree stated they would like to add a second story to their ranch home and would like it to look statelier. He told the Commissioners he designed a two story addition that would span the entire first floor to avoid the look of a pop-up addition. He presented the proposed plans for a second story Bermuda-style addition and handed out a rendering to all of the Members.

Commissioners Comments: Some of the Commissioners felt that the house was over built for the lot and neighborhood. It was also mentioned that maybe the applicant should demolish the current home and rebuild a brand new home that fits within the zoning requirements. Mr. Small talked about all of the large homes on East Inlet Drive and felt that this home would not be out of scale for the neighborhood.

Motion made by Ms. Vanneck and seconded by Ms. Grace that implementation of the proposed variance will cause negative architectural impact to the subject property. Motion carried 4-3 with Messrs. Ives, Small and Sammons opposed.

A second motion made by Mr. Garrison and seconded by Mr. Small to defer the architecture for restudy for one month. Motion carried with all in favor.

A short break was taken at 10:42 a.m. and resumed at 10:55 a.m.

B-036-2016 Demolition/New Cabana and Garage
ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)
Address: 341 Brazilian Ave.
Applicant: Patrick and Molly Ryan
Architect: Gene Pandula/The Pandula Architects, Inc.
Attorney: Maura Ziska
Project Description: Remove existing one story cabana, automobile garage and storage structure (approx. 760 sq. ft. ground floor) at finished floor elevation 3.03 and replace with new two story cabana, automobile garage and two guest bedrooms (approx.. 875 sq. ft. ground floor) at finished floor elevation 7.50. New building will be painted stucco to match existing main residence, clay barrel tile roof, wood outlookers and aluminum clad wood windows. Remove existing swimming pool and cast stone pool deck and install new

swimming pool and cast stone pool deck. Remove existing automobile drive, combination of brick and concrete. Install new site drainage system, and install new automobile drive at original location. New driveway finish to be a combination of old Chicago brick and cast stone.

VARIANCE INFORMATION: The applicant is proposing to demolish a 750 square foot one story garage/cabana in the rear of the property and construct a new 1,836 square foot two story cabana/guest house/garage addition in the same general location. The following variances are being requested: 1) rear yard setback of 8 feet in lieu of the 15 foot minimum required for a two story structure; 2) west side yard setback of 5.3 feet in lieu of the 15 foot minimum required for a two story structure; 3) lot coverage of 35.5% in lieu of the 33.4% existing and the 30% maximum allowed for two story structures; 4) a drive aisle width to the garage to be 18.2 feet in lieu of 25 foot minimum for back up space.

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

Ms. Ziska stated she is seeking a recommendation to Town Council for four variances for the proposed project. Ms. Ziska then turned the presentation over to Mr. Pandula. Mr. Pandula provided a history of the property for the Commissioners. He presented the existing space and then the proposed elevations, floor plans, street site plan, streetscape and a drainage plan.

Commissioners Comments: Many of the Commissioners were happy that the original house would remain intact. The Commissioners requested more details in the presentation. There was a suggestion to use the same windows on the addition that is currently on the existing home. There was also a suggestion to restudy the balconies to reduce the bulk. Ms. Vanneck was concerned with the large shade tree in the rear of the property and hoped it would remain after construction. She also made a suggestion to put in a few trees in the courtyard to soften the effect of the rear addition. Mr. Sammons requested that the roof heights on the addition be restudied.

Motion made by Mr. Garrison and seconded by Mr. Knowles that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried with all in favor.

A second motion made by Ms. Vanneck and seconded by Mr. Garrison to defer the architecture for one month for restudy. Motion carried with all in favor.

C. MINOR PROJECTS - OLD BUSINESS

A-021-2016 Additions/Modifications

Address: 870 S. Ocean Blvd.
Applicant: Invest Komfort FL LLC
Architect: Randall Stofft/Randall Stofft Architects, P.A.
Project Description: Change all exterior windows & doors including necessary changes to openings for a consistent top of window elevation. Re-roof to flat cement tile roof.

A motion carried at the April meeting to defer this project to May for further study. A motion carried at the May meeting to defer the project to June for further study.

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

Mr. Stofft presented the proposed changes based on the previous comments from the Commissioners. He indicated the details that would remain as well as pointed out the proposed changes.

Commissioners Comments: Mr. Garrison asked about sealing the soffits. Mr. Stofft indicated they are using an Icynene insulation. There was a question about the changes to the balconies on the east elevation. There was also a question about the removal of the eye brows over the doors on the east elevation. Mr. Sammons asked to have the transoms put at the top of the windows on the front elevation and to reduce the balcony sizes on the east elevation.

Motion made by Mr. Garrison and seconded by Ms. Vanneck to approve the project as presented with the caveat that balconies on the east elevation to be reduced by 2 feet and to switch the transoms on the windows on the south elevation. Motion carried 5-2 with Messrs. Small and Ives opposed.

D. MINOR PROJECTS-NEW BUSINESS

A-023-2016 Landscape/Hardscape

Address: 1105 N. Lake Way
Applicant: Ken Franklin
Architect: Jorgé Sanchez & Claudia Conte/SMI Landscape Architecture
Project Description: This project will include demolition and reconstruction of the existing south driveway which requires relocation of two driveway entrances from the street. Also included is the removal and enhancement of vegetation in this area.

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

Mr. Sanchez presented the existing driveway and the proposed driveway as well as the proposed landscaping.

Commissioners Comments: Ms. Vanneck requested a shade tree in the southeast corner of the property. Mr. Corey asked about the possibility of putting a shade tree in the southwest corner.

Motion made by Ms. Grace and seconded by Mr. Ives to approve as presented with the addition of a shade tree that Ms. Vanneck suggested. Motion carried with all in favor.

A-029-2016 Additions/Modifications

Address: 122 Peruvian Ave.
Applicant: Peruvian Association
Architect: Dave Gengler/Gengler Architects, Inc.
Project Description: Replace existing aluminum fence and gates with new 5.5' h stucco over block wall and new solid aluminum gate. Replace wood dumpster enclosure with new stucco over block wall and gate.

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

Mr. Lindgren stated that there was an issue with this project and it required administrative site plan approval. He stated that the changes were minor and could have been done administratively with proper notification. He indicated one condition to an administrative site plan approval is that there are no objections to the project. Since the Town had received several objections to the project, the Commissioners would not be able to hear the proposed changes. Mr. Lindgren stated that this project would have to go to the Town Council for the Site Plan Review before it returns to the Architectural Review Commission. However, Mr. Lindgren said he thought the applicant wanted to amend their application and remove the changes that were causing the objections. He asked the applicant to state his intentions in the meeting.

Mr. Gengler stated he is representing the association of the condominium board and asked if the Commissioners could hear part of the project since they are under a time constraint. Mr. Lindgren stated the applicant could either withdraw their application or amend their application to return in July. Mr. Lindgren also stated that the Commissioners needed to hear from anyone in the public that had an objection to the project.

Suzanne Beck – 122 Peruvian Avenue #10, stated she is concerned with the proposed wall and gate, indicating it is the only ingress and egress for the entire property. She stated she is also concerned about the drainage between the wall and the courtyard. She is concerned about her safety and the dangers the proposed wall could present. She questioned the changes in the landscape as well.

Sheila Hurley – 122 Peruvian Avenue #9, stated her concern with the proposed wall and the safety issue it presented.

Mitch Brown – 122 Peruvian Avenue, stated he is an interior designer and the vice president of their condominium board. He also stated that the proposed changed had passed with over 75% approval which satisfied their by-laws. He indicated he feels that the entry to the condos is presently confusing and there had been missed deliveries due to the confusion. He advocated for the wall and gate change. He does not feel the gate is safety issue.

Mr. Lindgren asked the applicant if they would like to withdraw their application, defer their application to July or August or defer to September so that they have enough time for Town Council to hear their Site Plan Review.

Some discussion ensued about the options for the applicant.

The applicant decided to amend the plans and return in July to present to the Commissioners. The applicant also asked about the possibility of replacing existing damaged floor tiles. Mr. Lindgren stated that the replacement of floor tiles is considered maintenance and can be done with a permit. Mr. Lindgren said he can also administratively approve a different tile or pattern if need be.

Ms. Beck stated she is concerned about the drainage and the safety issue it creates.

Mr. Brown stated that the drainage will be addressed when they are able to replace the tiles.

Mr. Lindgren stated he could administratively approve the new tiles and would request a preliminary drainage plan from a civil engineer to be included with their application.

Motion made by Ms. Vanneck and seconded by Mr. Garrison to defer the project to July. Motion carried with all in favor.

A-031-2016 Landscape/Hardscape
Address: 146 Atlantic Ave.
Applicant: Sumner A. Slavin
Architect: Michael Perry/MP Design
Landscaping Architect: Adam Mills/Morgan Wheelock, Inc.
Project Description: Changes to north elevation, hardscape and landscape.

Call for disclosure of ex parte communication: None

Mr. Perry presented the existing site plan, photos, floor plans as well as new floor plans, elevations and the proposed changes.

Commissioners Comments: Mr. Corey thought it was good improvement.

Mr. Mills talked about the existing landscape and presented the proposed landscape.

Ms. Vanneck thought the proposed landscaping plan was a good. She questioned the use of the dwarf oleander. Mr. Mills assured her that they would be preforming proper maintenance on the plants.

Motion made by Ms. Grace and seconded by Mr. Garrison to approve the project as presented. Motion carried with all in favor.

IX. OTHER BUSINESS

Mr. Page informed the Commissioners that their decision for the minor landscaping project at 224 Atlantic Avenue had been appealed by the condominium across the street from the project. He indicated that this appeal would be presented to the Town Council on July 13. He also stated that after Julie Araskog gave her presentation regarding the evolving trend of larger homes on the north end, the Town Council had referred potential changes to the ARCOM processing requirements to the ORS Committee. Mr. Page indicated that this discussion would happen in September and he would inform local architects and the Commissioners on the date of that discussion.

X. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

Julie Araskog, 1490 Via Manana - stated that the only changes to be presented to the ORS committee would be the procedural changes and the presentation could happen in August.

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

Mr. Ives stated that the project at 122 Peruvian was an odd situation and maybe something like this project should be sent to ORS as well.

XII. ADJOURNMENT

Motion made by Mr. Small and seconded by Mr. Ives to adjourn the meeting at 12:17 p.m. Motion carried with all in favor.

The next meeting will be held on Wednesday, July 27, 2016 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Richard Sammons, Chairman
ARCHITECTURAL COMMISSION

kmc