

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, OCTOBER 26, 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 9:02 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	PRESENT
Robert N. Garrison, Member	ABSENT (unexcused)
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

III. PLEDGE OF ALLEGIANCE

Mr. Sammons led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM THE SEPTEMBER 28, 2016 MEETING

Motion made by Mrs. Vanneck and seconded by Mr. Gruss to approve the minutes from the September 28, 2016 meeting. Motion carried with all in favor.

V. APPROVAL OF THE AGENDA

Mr. Lindgren informed the Commissioners that the attorney for project B-043-2016, 168 E. Inlet Drive has withdrawn the project. He also stated that the architect for project B-050-2016, 2300 Ibis Isle Rd. West has asked for a deferral until the November 30, 2016 meeting. Lastly, he noted that the architect for the projects at B-064-2016, 316 Seabreeze

Ave and B-065-2016, 320 Seabreeze Ave. are requesting a partial deferral for the new construction projects and would like to seek approval for the demolition only.

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

Mr. Page noted that Ms. Grace would be voting in the absence of Mr. Garrison.

Mr. Page also stated for the record that Mr. Sammons declared 2 conflicts, at 122 Peruvian Ave. and 515 N. County Rd., at the September 28, 2106 meeting and has correctly completed the 8B form in accordance with State Law.

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. DISCUSSION ITEMS

1. Discussion of removal of Schefflera and structure of adjacent wall at 129 Woodbridge Rd.

Mr. Lindgren stated a previously ARCOM approval directed the removal of the exotic Schefflera, however there is an area in the rear of the property where the Schefflera is stabilizing a wall on a Landmarked property. He also stated the contractor was supposed to be present to ask approval to allow the Schefflera to remain as to not damage the wall.

Mrs. Vanneck stated that the roots of the Schefflera can become invasive and if the roots have already invaded the wall, the only way to manage it is to make sure it does not bloom and to make sure it does not have seeds that will spread.

Maura Ziska represented the contractor and expressed his concern about removing the Schefflera.

Motion made by Mr. Ives and seconded by Mrs. Vanneck to allow the Schefflera to remain as long as it is contained and controlled at its current location. Motion carried with all in favor.

2. Discussion of window material for 259 Oleander Avenue.

Mr. Lindgren stated that he would like the Commission to review a new, synthetic window material.

At this time, the contractor was not present. The Commission decided to review this item later in the agenda.

VIII. PROJECT REVIEW

A. MAJOR PROJECTS-OLD BUSINESS

B-034-2016 Additions/Modifications

***ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)* -**

Done 6/22/16

Address: 168 E. Inlet Dr.

Applicant: Mr. & Mrs. Mitchell Evans

Architect: Bob Acree/Acree Design Consulting

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

At the June meeting, a motion carried that the implementation of the proposed variance would cause negative architectural impact to the subject property. A second motion carried to defer the architecture for one month for restudy. At the July meeting, a motion carried to defer the project for one month at the attorney's request.

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

B-50-2016 Additions/Modifications

Address: 2300 Ibis Isle Rd. West

Applicant: Rob and Sue Bushman

Architect: Miklos Architecture

Project Description: 1) Re-configure existing driveway and front property line pilaster layout; 2) add two driveway gates; 3) replace existing flat cement tile roof with new flat cement tile roof; 4) bedroom, covered front entry and rear covered pavilion additions; 5) existing pool and spa shape slightly reconfigured; 6) existing landscaping adjusted and augmented.

At the August meeting, a motion carried to defer the project to the September meeting. At the September meeting, a deferral request was granted to the October meeting.

Please note: This discussion item was deferred to the November 30, 2016 meeting at the Approval of the Agenda, Item V.

B-055-2016 Demolition/New Residence

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 241 El Dorado Ln.

Applicant: Mr. & Mrs. Keogh

Architect: MP Design and Architecture

Project Description: One story addition to main house, new one story detached two car garage, all finishes to match existing with new landscape and hardscape.

VARIANCE INFORMATION: The applicant is requesting a variance to allow a 898 square foot addition one story addition to the main house and a 842 square foot one story garage addition (total of 1,740 sq. ft.) which will require the following variances: 1) an east side yard setback of 12.5 feet in lieu of the 30 foot minimum required for a lot over 20,000 square feet with a width of 246.60; 2) a west side yard setback of 12.5 feet in lieu of the 30 foot minimum required for a lot over 20,000 square feet with a width of 246.60; 3) a rear yard setback of 9.5 feet in lieu of the 10 foot minimum required; 4) lot coverage of 32.4% in lieu of the 30% maximum allowed for single story construction on lots in excess of 20,000 square feet.

At the September meeting, a motion carried to defer the project for one month for restudy of the north elevation and the driveway entrance.

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

Michael Perry presented a newly proposed site plan, roof plan, floor plan and new elevations that included an undulation in the north wall. Mr. Perry stated that Mr. Keogh would like to address the Commission.

Mr. Corey asked for an explanation on the variances. Maura Ziska read through the variances for the Commissioners. Ms. Ziska also stated the need for the existing, larger driveway rather than the smaller driveway that the Commissioners asked for at the last meeting. Mr. Perry passed around photos of the surrounding neighbors' driveways. Ms. Ziska also stated that several neighbors have written letters in support of the larger driveway.

There was a question about the current driveway material. Mr. Perry stated that it is currently gravel but will be changed to a paver driveway.

Mr. Keogh spoke to the commission about the reasons he would like to keep his driveway at its existing size. There was some discussion about the amount of hardscape on the property.

Commissioners Comments: Mr. Ives stated he still feels like the north wall is long and massive. There was a suggestion to maintain the gravel rather than paving the driveway to allow water to drain better. Some of the Commissioners liked the gravel rather than a paver driveway. There was a suggestion to redesign the addition without the variances that is now requires. Mr. Perry stated that the existing home was built before the Zoning Code was in place. Mr. Sammons questioned the "pavilion" look of the new addition and stated that modulation of the eave heights could mitigate some problems.

Mr. Keogh stated that the north elevation of the home is against an 8-foot site wall and asked the Commissioners to consider keeping the wall straight without the undulation.

Motion made by Mr. Ives and seconded by Mrs. Vanneck that the implementation of the proposed variances will not cause negative architectural impacts to the subject property. Motion carried with all in favor.

A second motion made by Mrs. Vanneck and seconded by Mr. Small that the project is approved as originally presented with the straight, long wall on the North elevation and that the driveway size will remain as existing with the existing pebble material. Motion carried 5-2 with Mr. Gruss and Mr. Ives opposed.

Please note: At this time, the Commissioners heard Discussion Item 2.

2. [Discussion of window material for 259 Oleander Avenue.](#)

Toby Tokes, contractor for 259 Oleander Avenue, presented a window sample and stated the window is a 100% vinyl product and the manufacturer is Custom Window Systems. He also stated that the window is an impact rated product.

There was some discussion about the product among the Commissioners. None of the Commission members were in favor of using the product.

Motion made by Mrs. Vanneck and seconded by Mr. Small that the material of the presented sample was not acceptable for use in Palm Beach. Motion carried with all in favor.

B. [MAJOR PROJECTS-NEW BUSINESS](#)

[B-058-2016 Time Extension](#)

Address: 12 Lagomar Rd.

Applicant: Roberto and Joanna DeGuardiola

Architect: Mario Nievera/Nievera Williams Design

Project Description: Request a 1-year time extension of B-103-2015 (fenced tennis court, pavilion and pool modification) which was previously approved by ARCOM at the October 28, 2015 meeting.

Call for disclosure of ex parte communication: Disclosure by Messrs. Ives and Sammons and Mrs. Vanneck.

Mr. Small questioned why the time extension was needed and also questioned if the house is for sale. Mr. Nievera stated that the house is for sale. Mr. Small stated he thought this improvement was being used as a sale enhancement. Ms. Ziska stated that the original approval occurred when the house was not for sale and that the applicant is an avid tennis player.

Motion made by Mr. Ives and seconded by Mrs. Vanneck to approve the time extension for one year. Motion carried 5-2 with Messrs. Small and Sammons opposed.

[B-059-2016 Demolition/New Construction](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 221 Oleander Ave.

Applicant: Barnacle PB LLC

Architect: Michael J. Johnson Architect, P.A.

Attorney: Maura Ziska

Project Description: Demolition of existing 2 story building and construction of a new 2-story single family residence. New hardscape and landscape.

VARIANCE INFORMATION: The applicant requests a variance to allow construction of a new 2,930 square foot, two story residence on a lot with a depth of 56 feet in lieu of the 100 foot minimum required and a lot area of 4,200 square feet in lieu of the 10,000 square foot minimum; a variance to allow lot

coverage to be 41.6% in lieu of the 30% maximum allowed; a variance to allow a front yard setback to be 13.5 feet in lieu of the 25 foot minimum; and a variance to allow a rear yard setback to be 10 feet in lieu of the 15 foot minimum required.

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

Maura Ziska stated the need for the variances that are being requested. She reviewed all of the variances with the Commissioners.

Mr. Knowles stated that the Commissioners did not receive a demolition report. Daniel Menard explained why the demolition report was not included and asked if he could proceed or if he needed to defer the project.

Mr. Sammons asked about the existing house and the reason it had been condemned. Mr. Menard showed the Commissioners a photo of the existing house and said the house is leaning due to lack of supports.

Mr. Lindgren stated that a demolition report, including exterior and interior photographs, needed to be submitted. There was some discussion about whether a motion for the demolition could be made. Some of the Commissioners expressed their hesitation in supporting a motion without the demolition report.

Motion made by Mrs. Vanneck and seconded by Mr. Small to defer the project for one month to the November 30, 2106 meeting. Motion carried with all in favor.

B-060-2016 Demolition

Address: 1330 N. Ocean Blvd.

Applicant: Dr. Sten A. Lilja

Architect: Roger P. Janssen/Dailey Janssen Architects

Project Description: Demolition of westerly building only and hardscape.

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

Please note: Mrs. Vanneck recused herself for this project. It was also noted that Mr. Corey would be voting in the absence of Mrs. Vanneck.

Mr. Janssen presented a survey and a demolition report for the property. He showed the Commissioners photos of the existing structure. He also stated that the existing landscape would remain and it would also be sodded and irrigated.

Motion made by Mr. Small and seconded by Mr. Corey to approve the demolition as presented with the caveats that the applicant submit interior photos of the house, that the existing landscaping remain and that the property be sodded and irrigated within 30 days. Motion carried with all in favor.

B-061-2016 Lighting

Address: 254 Sunrise Ave.

Applicant: Philip Witt

Architect: Molnar Jordan and Associates

Project Description: Exterior LED Lighting upgrade. Replace exterior canopy mount lighting fixtures, add new exterior wall mount lighting fixtures and add new pole fixtures.

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

Shane Patterson, with GMR, stated he designed the lighting for this project. He reviewed all of the newly proposed lighting fixtures for the project.

Mr. Corey inquired about the year the bank was built. Mr. Patterson stated he did not know the year. Mr. Corey asked about the temperature of the proposed lighting fixtures. Mr. Patterson stated all of the lights would be 4000K. Mr. Corey thought the study of the lights was well executed but thought that 4000K would be too cold of a light.

Other Commissioners thought that 4000K was too cold of a light as well and requested a warmer light.

Motion made by Mrs. Vanneck and seconded by Mr. Knowles to defer the project for one month to the November 30, 2016 meeting and to return with lighting that is appropriate for the settings of Palm Beach. Motion carried with all in favor.

B-062-2016 Demolition/New Construction

Address: 425 Chilean Ave.

Applicant: Lorraine S. Charman

Architect: Kevin Asbacher/Asbacher Architecture

Project Description: Demolish (2) existing two-story townhomes. Construct a new two-story residence in the French Neoclassical style with a one-story 2 car garage. Final landscape and hardscape.

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

Mr. Asbacher presented the demolition of the existing property. He presented photos of the existing interior and exterior of the home. He provided a history of the residence and stated the owner will donate as much material as they are able to do so.

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

Mr. Asbacher presented a streetscape and map, existing street photos, a site plan, floor plans, a roof plan, elevations, renderings and landscape renderings for the proposed new residence.

Commissioners Comments: One of the Commissioners questioned the location of the garage in the front as well as the 14-foot driveway as opposed to using a 12-foot driveway. Many of the Commissioners were not in favor of the garage in the front of the home. There was a suggestion to scale back the size of the home. There was a request for samples and colors to be used. One of the Commissioners noted that the plans and the renderings do not match. There was also a comment that the master bedroom overhang was too heavy. There was another suggestion to restudy the pitch of the roof. Mr. Sammons questioned the style of the house, its size, the roof, garage, proportions and the pediment.

Motion made by Mr. Ives and seconded by Mr. Small to defer the project for one month to the November 30, 2016 for restudy. Motion carried with all in favor.

A short break was taken at 10:20 a.m. The meeting resumed at 10:32 a.m.

At this time, a motion was made by Mrs. Vanneck and seconded by Mr. Small to reopen project B-059-2016, 221 Oleander Ave. Motion carried with all in favor.

B-059-2016 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 221 Oleander Ave.

Applicant: Barnacle PB LLC

Architect: Michael J. Johnson Architect, P.A.

Attorney: Maura Ziska

Project Description: Demolition of existing 2 story building and construction of a new 2-story single family residence. New hardscape and landscape.

VARIANCE INFORMATION: The applicant requests a variance to allow construction of a new 2,930 square foot, two story residence on a lot with a depth of 56 feet in lieu of the 100 foot minimum required and a lot area of 4,200 square feet in lieu of the 10,000 square foot minimum; a variance to allow lot coverage to be 41.6% in lieu of the 30% maximum allowed; a variance to allow a front yard setback to be 13.5 feet in lieu of the 25 foot minimum; and a variance to allow a rear yard setback to be 10 feet in lieu of the 15 foot minimum required.

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

Mr. Menard stated that the demolition report was submitted in the record file and he obtained a copy to show to the Commissioners. Ms. Ziska put the photos of the interior and exterior existing structure on the overhead and read demolition report. The structural report was also read to the Commissioners by Ms. Ziska.

Some of the Commissioners were unhappy to see this structure demolished.

Motion made by Mr. Small and seconded by Mrs. Vanneck to approve the demolition as presented with the usual caveats to sod and irrigate the property within 30 days. Motion carried 5-2 with Messrs. Sammons and Ives opposed.

Mr. Menard presented a site plan, streetscape, photos of the surrounding neighbors, floor plans, roof plan, elevations, material samples, and details of the proposed new home. Mr. Menard also showed a video of the proposed project.

Commissioners Comments: There was a comment that the newly proposed home would be about 5 feet taller than the existing structure. One of the Commissioners asked about the neighbors' setbacks in relationship to the proposed residence. Mr. Menard stated he used the historical setback when designing the new residence. One of the Commissioners asked about the neighbors' lot coverages in relationship to the proposed residence.

Some of the Commissioners asked for a deferral for a month for restudy as well as for the applicant to also bring back more information about setbacks, greenspaces, and lot coverages for the street.

Mr. Sammons commented on the uniform eave height and hip roofs and suggested varying the beam heights.

Motion made by Mr. Ives and seconded by Mr. Small to defer the variances and the architecture for one month to the November 30, 2016 meeting. Motion carried with all in favor.

Mr. Sammons suggested a restudy of the roof, eaves and details. Mr. Corey suggested restudying the pergola over the garage as well as using operable shutters.

[B-063-2016 Demolition/New Construction](#)

Address: 130 Dolphin Rd.

Applicant: 130 Dolphin Rd LLC

Architect: Michael J. Johnson Architect P.A.

Project Description: Demolition of existing structure. New 2-story residence. Updated cottage style. White stucco finish with black trim and grey cement tile roof. New landscape and hardscape.

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

Daniel Menard presented a survey and photos of the existing house to be demolished. He then presented a map and surrounding neighbor photos, a streetscape, a roof plan, floor plans, elevations and a video of the proposed property. He stated that his clients wanted a house in the contemporary style and he had to convince them that it was not appropriate for the street.

Commissioners Comments: There was a suggestion to differentiate the front door. A comment was made that there was too much glass in the design and that the height of the house was too tall. One of the members questioned the floor height as well as the mass of the proposed home. Other Commissioners thought the house was too tall and too large.

Mr. Menard presented color samples and other material samples to the Commissioners.

Mr. Sammons questioned the roof design, eave heights, faux chimneys, the style of the proposed home and the design of the center portion of the house. Mr. Menard explained his reasoning for the tall roof design.

Mr. Ives stated he did not think the design of the house was fixable.

Motion made by Mr. Ives to deny the project B-063-2016 based on failure to comply with Section 18-205 of the Code, paragraphs 1, 4, 6 sub c, d, e, f. Motion died due to a lack of a second.

A second motion made by Mr. Small and seconded by Mr. Knowles to defer the project for one month to the November 30, 2016 for a complete restudy.

Khooshe Aiken, 145 Seagate Rd, expressed her concern with the lack of landscaping that was proposed for the home and asked for taller landscaping to mitigate the height of the proposed home.

Whitney Wood, 140 Dolphin Rd., expressed her concern with the height of the hedge.

Motion carried with all in favor.

[B-064-2016 Demolition/New Construction](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 316 Seabreeze Ave.

Applicant: Mr. & Mrs. Gregory Fisher

Architect: Patrick Segraves, SKA Architect + Planner

Project Description: Demolition of existing house and new construction of 2,800 square foot Mediterranean Revival two-story home. Home will consist of three bedrooms and two and one half baths with living room, dining room and kitchen. Final landscape/hardscape to be included. *Applicant is requesting deferral for new home portion of the application.*

VARIANCE INFORMATION: The applicant is requesting a special exception with site plan review to allow the construction of a 2,700 square foot two-story, single family residence on two platted lots which combined creates a lot that is 50 feet in width in lieu of the 100-foot minimum required and 6,125 square feet in area in lieu of the 10,000 square foot minimum area required. The following variances are being requested. To allow a 6-foot west side yard setback for the two story portion in lieu of the 15-foot minimum required and to allow a 6-foot east side yard setback for the one story portion in lieu of the 12.5-foot minimum required.

Mrs. Yanneck expressed concern about the number of letters the Commission has received, one in particular that was worried about the Commissioners approving the demolition of the existing home before seeing the plans for the new home. She questioned if the Commission should wait to hear the project as a whole at the next month's meeting.

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

Mr. Segraves stated that the owner would like to demolish the properties before the end of the moratorium, which occurs between December thru March.

Mr. Lindgren stated that the Commission has consistently approved demolition without plans for new construction.

Mr. Segraves stated that the owners want to build two small houses for their families, that have a different front elevation but in the same style and the rear yard ties the properties together.

Ms. Ziska stated that the owner would like to take the homes down before the moratorium but will take the extra time to meet with the neighbors to try to resolve any issues.

Mr. Sammons asked about the hardship of the client. Mr. Segraves stated that his client would like to be in his new home by the end of next year.

Mr. Segraves presented a survey, exterior and interior photos of the existing home, photos of surrounding properties and street, street map, site plan and provided a history and condition of the home to be demolished.

Mrs. Vanneck asked about the plan for the landscaping around the perimeter of the property. Don Skowron stated they will keep and maintain the perimeter landscaping. Mr. Skowron also indicated a tree in the front of the property that would remain and stated the remaining landscaping would be removed.

Mr. Corey stated that the survey indicated that the home is a one story home but the architect indicated it was a two story home and questioned if the survey needed to be updated before the Commission should act on the demolition.

Motion made by Mr. Gruss to approve the demolition as presented.

Anne Pepper, 333 Seaspray Ave., expressed concern about the demolition of the small homes and asked the Commission to defer the approval of the demolition.

Motion died for lack of a second.

A second motion made by Ms. Grace to defer the demolition due to an inaccurate survey. Motion died for a lack of a second.

Mr. Page asked Town Attorney, John Randolph to speak on the topic and updated him on the project at hand. Mr. Randolph stated that the new construction plans do not need to be presented for a demolition approval. Mr. Randolph also stated that the demolition approval can have conditions placed upon it.

Mr. Lindgren stated that all of the information that is required for a demolition approval had been submitted.

A third motion was made by Mr. Small and seconded by Mr. Gruss to approve the demolition as requested with the caveats that the perimeter landscaping will be

retained and to sod and irrigate the property within 30 days. Motion carried 5-2 with Mr. Sammons and Ms. Grace opposed.

A fourth motion was made by Mr. Small and seconded by Mr. Ives to defer the architectural presentation of the new construction to the November 30, 2016 meeting. Motion carried with all in favor.

[B-065-2016 Demolition/New Construction](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 320 Seabreeze Ave.

Applicant: Mr. & Mrs. Gregory Fisher

Architect: Patrick Segraves, SKA Architect + Planner

Project Description: Demolition of existing house and new construction of 2,800 square foot Mediterranean Revival two-story home. Home will consist of three bedrooms and two and one half baths with living room, dining room and kitchen. Final landscape/hardscape to be included. *Applicant is requesting deferral for new home portion of the application.*

VARIANCE INFORMATION: The applicant is requesting for approval of a special exception with site plan review to allow the construction of a 2,713 square foot two-story, single family residence on two platted lots which combined creates a lot that is 50 feet in width in lieu of the 100-foot minimum required and 6,125 square feet in area in lieu of the 10,000 square foot minimum area required. The following variances are being requested. To allow a 6-foot east side yard setback for the two story portion in lieu of the 15-foot minimum required and to allow a 6-foot west side yard setback for the one story portion in lieu of the 12.5-foot minimum required.

Call for disclosure of ex parte communication: Disclosure was not given at this time.

Mr. Segraves presented a survey, exterior and interior photos of the existing home, photos of surrounding properties and street, street map, site plan and provided a history and condition of the home to be demolished. Mr. Segraves stated that the existing house has a large hedge in the front of the house that will remain.

Mrs. Vanneck asked if the rear of the property would be screened for the neighbors. Don Skowron stated that he will keep the landscaping around the perimeter. Mr. Segraves stating that there are buildings in the rear on the neighbors' property. Mrs. Vanneck requesting screening at the rear of the property to protect the neighbors. Mr. Segraves stated that he will screen the rear and will also be meeting with the surrounding neighbors to listen to their concerns.

Motion made by Mr. Small and seconded by Mrs. Vanneck to approve the demolition as presented with the caveats of screening the rear yard, maintaining the front hedge and to sod and irrigate the property within 30 days. Motion carried 6-1 with Mr. Sammons opposed.

Mr. Page stated that the Town does not allow demolition in the months of December, January and February and urged the architect to act accordingly.

A second motion was made by Mr. Ives and seconded by Mrs. Vanneck to defer the architectural presentation of the new construction to the November 30, 2016 meeting. Motion carried with all in favor.

B-066-2016 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 340 Seaview Ave.

Applicant: Town of Palm Beach (Tom Bradford, Town Manager)

Architect: Nelo Freijomel/Stephen Boruff, AIA Architects + Planners, Inc.

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: Demolition of the existing one-story recreation center, maintenance building, pro shop, tennis hitting wall & backstop and the construction of a new two-story, community center & gymnasium, new maintenance building and a new tennis observation pavilion with attached tennis hitting wall & maintenance yard and associated site work including a new elevated plaza, numerous new stairs and ramps, new playground area and the renovation and expansion of on-site parking.

VARIANCE INFORMATION: The applicant is requesting a special exception with site plan review to approval to allow a new two-story 33,810 square foot Recreation Center for the Town of Palm Beach that will include a new athletic field, parking lot, gymnasium, tennis pro shop, multi-purpose room, fitness center with locker rooms, concession area, classrooms, offices and new maintenance building, new tennis backboard, new scoreboard. A second special exception request is to allow for a rebound wall to be constructed on the north side of the new maintenance building. The following variances are being requested in order to construct the new community center: 1) A west side yard setback of 10 feet in lieu of the 30 foot minimum required for properties that are in excess of 20,000 square feet; 2) A north side yard setback of 8 feet in lieu of the 30 foot minimum required for properties that are in excess of 20,000 square feet; 3) A street rear yard setback for the new parking lot on Royal Palm Way of 4 feet in lieu of the 35 foot minimum required for properties that are in excess of 20,000 square feet; 4) an east side yard setback of 4 feet in lieu of the 30 foot minimum required for the new parking lot on Royal Palm Way for properties that are in excess of 20,000 square feet; 5) a height of 27 feet in lieu of the 22 foot maximum allowed; 6) an overall height of 35 feet in lieu of the 30 foot maximum allowed; 7) a vertical distance to the top of beam of 30.75 feet in lieu of the 26 foot maximum distance allowed from the crown of street to top of beam; 8) landscaped open space of 43% in lieu of the 55% minimum required for properties that are in excess of 20,000 square feet; 9) parking lot interior landscaped open space of 5% in lieu of the 10% minimum required; 10) to allow signage on the proposed scoreboard which would exceed the maximum signage allowed (of one for each street frontage); 11) to allow three (3) air-conditioning units to be on the roof that is in excess of the 4 foot maximum allowed. The proposed A/C units will be 5 feet tall plus the height of the stand.

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

Mr. Randolph, Town Attorney, stated that the public should be allowed 3 minutes to speak unless they are an expert hired by a group. He stated an expert should be allowed a longer time to speak.

Mr. Page directed the Commissioners to focus on the architecture and design and that the Town Council would be making decisions about any other concern that was raised in the letters of opposition.

Beth Zickar, Director of the Recreation Department at the Town, discussed the history of the design process and stated the process has occurred over two years, including surveys

to all residents and two public meetings. She also indicated that the additional feedback received will be utilized.

Mr. Freijomel presented the demolition report for the existing recreation facility. He read the report, presented a survey and showed many interior and exterior photos of the existing facility. Mr. Williams presented the landscaping demolition plan and indicated that trees to remain and those that will be moved during the demolition.

Mr. Small expressed his concern about the process of the demolition. He questioned how the surrounding schools and students would be protected and kept safe and asked about the traffic during the demolition.

Mr. Freijomel stated that the construction will begin during the summer months when school is not in session. He also stated that Ms. Zickar has made arrangements to use other facilities for summer programming at the Recreation Center. He indicated the Pro Shop and the majority of tennis will remain operational during most of the demolition and construction. He stated that all staging will take place in the parking lot.

Mr. Small also asked about the possibility of the impacts from noise and toxic pollutants. He also asked about the screening of the demolition site. Mr. Freijomel addressed these issues.

Mrs. Vanneck asked if the playing field would be accessible during the demolition. Mr. Freijomel addressed this question and stated that part of the field will be accessible.

Motion made by Mrs. Vanneck to approve the demolition as presented.

Mr. Page stated that when the Town Council acts on their approvals necessary for the new facility, staff will recommend that a construction management agreement be required that will contain definite timeframes outlining when work can and cannot occur.

Sophia Vollmer, resident of Palm Beach, stated she is speaking on behalf of many public and private school parents. She indicated her two concerns included the proposed Recreation Center's mass and size and the front, north field that is being eliminated.

Khooshe Aiken, 145 Seagate Rd, stated she is a member of the Recreation Advisory Board and has been approached by many residents. She stated that the concerns she heard from parents is security for the children in the new Recreation Center.

Mr. Corey asked about the plans for the live oaks that are currently on site. Mr. Williams addressed this question.

Motion failed for a lack of a second.

There was a discussion regarding the demolition and the motion needed for demolition approval. Mr. Randolph reminded the Commissioners that they can put conditions on their motion.

A second motion made by Mr. Small to defer the demolition until more information regarding the conditions placed on the demolition is gathered.

Paul Castro, Zoning Administrator, stated that preconstruction meetings will occur and there will be conditions placed in the construction management agreement to address the safety issues as well as other concerns. He stated that the agreement will be addressed by the Town Council.

Mr. Small withdrew his motion.

A second motion made by Mr. Ives and seconded by Mrs. Vanneck to approve the demolition with a request to hear an update from the Town about the measures in place for safety and security as soon as the information is available and with the caveat to sod and irrigate the property within 30 days. Motion carried 5-2 with Messrs. Small and Gruss opposed.

Ms. Zickar stated that the Recreation Department has begun conversations with the schools to discuss programming during construction.

Mr. Freijomel presented the plans for the new construction. He presented a streetscape, site plan, floor plans, elevations, renderings, materials, secondary elevations, gate designs, roof plan and detail sheets. He spoke about the variances that were being requested and indicated to the Commissioners why they were being requested. He talked about the proposed uses of all of the spaces and spoke to each section in detail.

Mr. Williams presented the plans for the landscaping. He showed the Commissioners a site plan, elevations and renderings of the proposed landscape and hardscape. He spoke in detail on the specific landscaping that is being proposed.

Mr. Sammons asked if any of the proposed parking spaces were made for compact cars as to have the opportunity to acquire more greenspace. Mr. Freijomel stated that there are none but that is something that could be considered. Mr. Lindgren stated that the Code does not have any provisions for compact spaces.

Commissioners Comments: Many of the Commissioners complimented the architect and landscape architect and thought they both did a good job in their designs. Many of the Commissioners were concerned about the elimination of the north field. Another concern was raised about the playground. There was a suggestion to make the front north field an open, covered pavilion with landscaping on the west to mitigate the large wall.

Ms. Zickar stated the newly proposed playground is designed for children up to 12 years old. She also provided some clarification on the plan for the multipurpose field's east and west sides.

Mr. Corey stated he thinks the new center is necessary to bring the building current with FEMA regulations. He also stated that he believes the building is too large and if reduced, could eliminate some of the variances that are currently requested, specifically on the north side portion. He also felt there was a disconnect between the gymnasium and the recreation center. Mr. Corey also spoke to the need of shade trees and the possibility of mitigating the view of the large, east side parking structure with landscaping.

Commissioners Comments: There was a question regarding the exits for the gymnasium and about delivery locations. Mr. Freijomel addressed both of these questions. There was a question regarding the office space along the south side of the building. There was a concern expressed regarding the south side façade and the scale of the proposed building. There was a suggestion to separate the north and south buildings for ease of getting around the buildings. There was another suggestion to move the office spaces to the second floor. One of the Commissioners added that the landscaping does mitigate the gymnasium space well. One of the Commissioners requested a section through the gymnasium at the next presentation.

Mr. Freijomel stated that the multipurpose field's landscaping will be upgraded and regraded to solve current water retention issues.

Michael Ainslie, Vice Chairman of Friends of Recreation, stated the need for the Recreation Center to be brought up to FEMA standards. He stated he has been working to help bring this project to fruition and indicated he would like to work with the community to address all of the issues in the letters that the Town received.

Susan Watts, 44 Cocanut Row, expressed concern about the massing, scale and size of the proposed center as well as the walkway path that is between the tennis courts.

A third motion was made by Mrs. Vanneck and seconded by Mr. Knowles to defer the project for one month to the November 30, 2016 meeting for restudy, with particular attention to reducing the mass and addressing the elimination of the north field. Motion carried with all in favor.

A short break was taken at 1:47 p.m. The meeting resumed at 1:53 p.m.

[B-067-2016 New Construction](#)

Address: 212 Coral Lane

Applicant: Linda Saville

Architect: Mark Marsh/Bridges, Marsh & Associates, Inc.

Landscape Architect: Keith Williams/Nievera Williams Design

Project Description: New one and two-story single family residence with associated landscape/hardscape improvements.

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

Mr. Marsh presented an aerial view, street map, surrounding photos, streetscape, site plan, floor plans, roof plan, elevations, detailed sections, renderings and material samples for the proposed new residence. He also stated that he is not seeking any variances.

Ms. Shiverick asked for an explanation on the proposed cladding. Mr. Marsh talked more about the cladding in detail.

Commissioners Comments: There was a comment that the proposed home was too large and tall for the site and that the bulk of the home was incongruent with the other homes on the street. Many of the Commissioners thought the proposed style of the home did not fit into the neighborhood. There was a suggestion to restudy the courtyard space on the north side of the house.

Motion made by Mr. Gruss and seconded by Mr. Knowles to defer the project for one month to the November 30, 2016 meeting for restudy. Motion carried with all in favor.

[B-068-2016 Additions/Modifications](#)

Address: 1333 N. Lake Way

Applicant: Douglas and Susanne Durst 2012 Family Trust

Architect: Dustin Mizell/Environment Design Group

Project Description: Addition of a service gate and a pedestrian gate located along the south property line.

Call for disclosure of ex parte communication: Disclosure by Mr. Small and Mses. Vanneck and Shiverick.

Mr. Mizell stated they are proposing to add two gates, a pedestrian and service gate to the property. He showed the Commissioners a site plan, a previously approved elevation as well as a proposed elevation. He also presented two existing photos and explained the need for the gates.

Commissioners Comments: Mrs. Vanneck stated her disappointment in the removal of the old entrance. Most of the Commissioners did not see the reason for two gates and were not happy with the proposed design.

Motion made by Mr. Ives and seconded by Mrs. Vanneck to defer the project for one month to the November 30, 2016 meeting for restudy. Motion carried with all in favor.

[B-069-2016 Modifications](#)

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 1015 S. Ocean Blvd.

Applicant: Dean Vegosen, as Trustee of the Land Trust dated June 22, 1995

Architect: Stergas & Associates, AIA

Project Description: On the north wing of the existing home, modify the flat roofed area and adjacent improperly pitched roof sections, which are causing continuous leaking, to properly sloped and orientated pitched roofs. Proposed pitched roofs will match and will be in keeping with the Terra Cotta colored cement tiles on the remainder of the house.

VARIANCE INFORMATION: The residence at 1015 S. Ocean Blvd. was constructed in 1937. The owner is replacing the roof tiles on the house. As part of this project, she requests to add two roof elements on the north end of the house where an existing flat roof and valley have created aesthetic and drainage problems. The new elements will be a pitched roof and a cricket. The new roof elements will increase height in nonconforming setbacks and angle of vision but will not further reduce the setbacks or increase the existing angle of vision. The following variances are being requested: 1) increase building (roof) height with a 13.66-foot setback from the west (front) property line in lieu of the 35" minimum setback required; 2) add building (roof) height outside the allowed angle of vision, which is 120 degrees on this site. This existing structure has an angle of vision of 146.93 degrees; 3) increase building (roof) height with a 5.08-foot setback from the north (side) property line in lieu of the 15-foot minimum setback required; and 4) increase building (roof) height with a 9.50-foot setback from the east (rear) property line in lieu of the minimum 15-foot setback required.

Call for disclosure of ex parte communication: None.

Mr. Stergas presented the roof plan for the existing home. He stated the current roof has hip and flat roof sections. He is proposing to remove the flat roof section, which has been susceptible to leaks, and is replacing that section with a new hip roof to match the remainder of the hip roofs on the residence. He showed the Commissioners a site plan, roof plan, aerial photo, streetscape elevation, street photo, and other photos. He indicated that new roof material will match the existing roof.

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

A second motion was made by Mr. Knowles and seconded by Mr. Small to approve the project as presented. Motion carried with all in favor.

C. MINOR PROJECTS - OLD BUSINESS
NONE

D. MINOR PROJECTS-NEW BUSINESS
NONE

IX. OTHER BUSINESS

Mr. Page stated that everyone had been given the dates for the 2017 Architectural Commission meetings.

X. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

NONE

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

Mr. Ives asked if the issue of demolition could be readdressed with the Town Council.

Mr. Page informed the Commissioners that their decision on B-043-2016, 1230 N. Ocean Way and that the Town Council had upheld their decision and denied the appeal.

Mr. Page asked the Commissioners if the Friday before their meeting was still an acceptable pick up date for their mini-sets. There was some discussion on this topic.

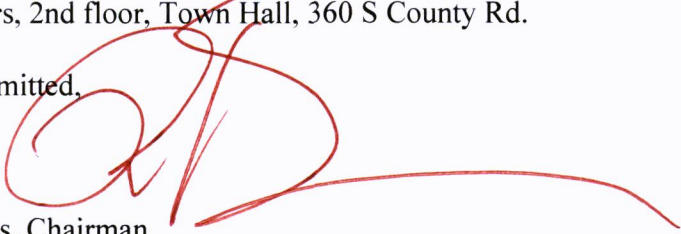
Mrs. Vanneck asked if minor changes would still be acceptable being presented on the overhead. Mr. Page indicated that the changes would need to be minor and dealt with on a case by case basis.

XII. ADJOURNMENT

Motion made by Mr. Ives and seconded by Mrs. Vanneck to adjourn the meeting at 2:40 p.m. Motion carried with all in favor.

The next meeting will be held on Wednesday, November 30, 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

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

LAST NAME—FIRST NAME—MIDDLE NAME Vanneck, Ann L.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Commission	
MAILING ADDRESS 217 W. Indies Dr.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: Town	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED October 26, 2016		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		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, Ann Vanneck, hereby disclose that on October 26, 20 16:

(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, My father owns property _____;
- ☐ 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:

Project B-000-2016 / Demolition
1330 N. Ocean Blvd.

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

10/24/16

Signature

Ann Vanneck

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.