

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
FRIDAY, DECEMBER 20, 2002 AT 9:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I CALL TO ORDER

The meeting was called to order by Chairman Schuler at 9:00 a.m.

II ROLL CALL

PRESENT:

John H. Schuler, Chairman
Floyd L. Wideman, Jr., Vice Chairman
Eric Adams, Member
Marvin Rosenberg, Member
Leslie A. Shaw, Member
Lindley M.F. Hoffman, Member
Nikita Zukov, Member
Morgan Dix Wheelock, Alternate Member
William J. Strawbridge Jr., Alternate Member
Leslie C. Diver, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

III PLEDGE OF ALLEGIANCE

Chairman Schuler lead the pledge of allegiance.

IV APPROVAL OF THE MINUTES FROM THE NOVEMBER 22, 2002 MEETING

A correction on page 9 was requested to record the vote of 4-3 rather than 3-4.

**MOTION BY MR. WIDEMAN TO APPROVE THE CORRECTED MINUTES.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

VI SWEARING IN PERSONS TESTIFYING

Persons testifying were sworn in at this time and periodically throughout the meeting.

VII PROJECT DEFERRALS/REMOVALS

B92-02 Demolition

Applicant: Arturo V. Burigaito
Address: 137 Australian Avenue
Project Description: "Demolition." (of a single family residence)

This project was deferred from the November meeting at the property owner's request. The owner requested deferral to the January meeting.

MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE JANUARY MEETING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

VII PROJECT REVIEW

Project number B52-01, Jane Ylvisaker, 346 Seabreeze Avenue, Brower Architectural Associates, "Alteration and addition to home to Mediterranean Revival," was placed on the agenda by the Chairman for discussion at this meeting. This project was originally approved in August 2001. Staff sent a letter on November 27, 2002, requesting the architect to attend this meeting.

Planning, Zoning and Building Director Robert Moore recalled that the application to the Town Council was applied for in such a manner that the applicant was permitted to demolish more than 50% of the structure. When they came to ARCOM for their additions and renovations, it was the understanding of this commission, and the staff, that the application was not for demolition of nearly 100%. The architect and attorney have been asked to come before the Commission to explain why they asked for approval of a remodel and a few additions when in fact it became a demolition.

Attorney Maura Ziska, representing Jane Ylvisaker, reported that the confusion was with the ARCOM application which stated a request for an alteration to an existing single family residence. She quoted the variance application as follows: "To allow construction of a two-story and second story addition with a side yard set back of 7.7 in leu of the 12.5 and 15-foot minimum allowed in the RB zoning district, and to allow reconstruction of a nonconforming two story house that will exceed 50% of its existing cubic footage during the demolition/reconstruction process." She informed the Commission that the rear portion of the house was demolished and rebuilt, then the front half of the house was demolished and rebuilt.

Mr. Wideman said that when he drove by the property there was nothing left of the original house. He recalled that nothing was mentioned, to this commission, that the house was going to be demolished, that it was presented as a remodeling project. Mr. Moore thought that the proper procedure would be to have the architect and their representative return to the Architectural Review Commission. He realized that some of the commissioners were misled by the application, and they may have had a different point of view had they known it would be demolished down to the slab.

Project designer Raphael Saladrigas implied that he brought it to the commission's attention, at the August 2001 meeting, that 50% demolition would take place. Project Architect Ken Brower passed out transcripts of the August 2001 ARCOM meeting to the commission members. (Attached to these minutes) He said that it was not their intention to mislead the commission, and that it was mentioned that the finished floor level would be raised approximately three feet. He said the lot is 50 feet wide and if the house were to be built back to conform to the zoning requirements, the house would only be 20 feet wide. The way that it was done with the variance, and within the code, allowed the house to be built with the extra 6 or 7 feet of width.

As no action was necessary, Chairman Schuler thanked the architect and the attorney for attending the meeting and discussing the project.

A. DEFERRALS AND CONTINUATIONS MAJOR PROJECTS

B86-02 New Residence

Applicant: CND Property, LLC
Address: 242 Merrain Road
Contractor: Tuscany Corporation
Project Description: "New two-story Mediterranean home with clay barrel tile roof and cast stone ornamental columns."

Demolition was approved and review of the new residence was deferred at the October meeting. This project was again deferred from the November meeting for restudy.

Ms. Diver, Mr. Wideman, Mr. Schuler, and Mr. Adams said they reviewed the plans with Mr. Escandari. Mr. Hoffman and Mr. Zukov said they met with Mr. Escandari and visited the site. Mr. Wheelock said he visited the site and discussed the project with a neighbor.

Project Designer Tony Escandari introduced the Project Architect Greg Portman. Mr. Escandari explained that the style of the house was simplified after suggestions from Commission Members. He said a very large existing hedge along the east side of the property will remain. The west side of the property is lacking vegetation; however, substantial trees will be planted to block the view from the neighbors.

Dr. Thomas DiBaco, 1295 North Lake Way, stated that he was opposed to the project. He introduced Jean Zwicky, John M. Kindred, Bill Williams and Mr. and Mrs. Held who were also opposed to the proposed plan. Dr. DiBaco read letters from neighbors, Mariano Elia, and Mr. and Mrs. Stewart, who had similar feelings relative to this project.

Bill Williams addressed the commission and stated the project was not in conformity with the neighborhood. He asked the commission to deny this request.

Several commissioners commented that the project met all of the guidelines, and that the requested changes had been made. Also, it was mentioned that the revised architectural style fit in with the neighborhood better than the earlier proposals. It was requested that the landscaping should relate to the neighborhood and absorb the two-story home. The applicant was asked to plant the perimeter landscaping at the onset of the project. Mr. Strawbridge stated that the street was not in transition and that the project was too dissimilar with the rest of the neighborhood. Mr. Schuler felt the project still needed to be toned down.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO PLANT A MINIMUM TEN FEET HIGH HEDGE AROUND THE PROPERTY PERIMETER.

MOTION SECONDED BY DR. ROSENBERG.

MR. SCHULER OPPOSED.

MOTION CARRIED 6-1.

B90-02 New Residence

Applicant:	Mrs. Michael Orenstein
Address:	253 Ridgeview Drive
Architect:	Dailey and Partners Architects
Project Description:	"Two-story, CBS, single family residence with side flanking one-story wings, a side loading two-car garage, swimming pool and a separate spa. Residence is a French Country style."

This project was deferred from the November meeting for restudy.

Mr. Shaw and Mr. Wideman said they met with Mr. Dailey and reviewed the plans. Mr. Schuler received a telephone call from the architect. Mr. Hoffman, Mr. Adams and Mr. Zukov said they met with the architect and visited the site. Mr. Wheelock said he visited the site and reviewed the plans with the landscape architect.

Mr. Frank noted that Mr. Dailey submitted the latest revised plans at the beginning of the meeting. Therefore, the staff has not had the opportunity to review the plans for code compliance.

Architect Ed Dailey stated that the front elevation was the only portion that was revised on the new plans which included deletion of the garden walls that extend from the building to the property lines. Other revisions include elimination of the shutters on the ground floor, and removal of cast stone plaques and the surround around the front door. The height of the chimney and the roof height were lowered. The color scheme was changed using softer colors.

Concern of screening this house from the neighbors was stated. Mr. Hoffman said, after meeting with the architect, he was satisfied with the privacy issue for his clients next door.

Landscape Architect Jorge Sanchez presented the preliminary perimeter landscape plans. He described cocoanut palm trees planted with curved forms, and vines planted in irregular shapes to grace the front of the house.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

Mr. Zukov asked to reconsider the walls that extend from the building to the property lines as part of the project approval.

**MOTION BY MR. ZUKOV TO RECONSIDER THE MOTION FOR APPROVAL.
MOTION SECONDED BY MR. ADAMS.
MR. WIDEMAN OPPOSED
MOTION CARRIED 6-1.**

**MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE WING WALLS
AND SUBJECT TO STAFF APPROVAL.
MOTION SECONDED BY MR. ADAMS.**

ROLL CALL:

MR. ZUKOV	YES
MR. ADAMS	YES
MR. WIDEMAN	NO
DR. ROSENBERG	NO
MR. SHAW	NO
MR. HOFFMAN	YES
MR. SCHULER	NO

MOTION FAILED 3-4

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SHAW.
MR. ZUKOV OPPOSED.
MOTION CARRIED 6-1.**

B98-02 New Building and Landscaping

Applicant: The Preservation Foundation of Palm Beach, Inc.
Address: 311 Peruvian Avenue
Architect: Smith Architectural Group
Project Description: "Two-story stucco Mediterranean with stone adornment, wood doors and windows, and tiled niches."

This project was approved at the November meeting with the provision to return with the final landscape plan and the redesign of the north and west facades.

Mr. Schuler declared a conflict of interest, passed the gavel to Vice-Chairman Wideman, and left the dais during the discussion. Mr. Wheelock was a voting member for this project. Mr. Wheelock said he visited the site.

Preservation Foundation Trustee Frank Chopin presented three alternative drawings for the west elevation in order of building cost. The least expensive option indicated that landscaping would be planted against the building. The second option had two large niches with cast stone surrounds at the first floor level. Plan "C," the most expensive option, replaced two windows on the second floor with two window elements and transoms. One alternative drawing for the north elevation was presented. The drawing indicated removal of two windows, port hole windows and tiled niche elements added, and cast stone applied around the door. The Commissioners agreed that the most expensive options were the best choices. The architect of record, Jeff Smith introduced himself to the commission members.

MOTION BY MR. ADAMS TO APPROVE THE REDESIGN OF THE NORTH AND WEST FACADES. THE WEST ELEVATION INDICATING A NICHE AND A MATCHING WINDOW ON THE OTHER SIDE, AND THE NORTH ELEVATION WITH CAST STONE AROUND THE DOOR AND THE REVERSAL THREE AND ONE IN TERMS OF WINDOWS.

MOTION SECONDED BY MR. WHEELOCK.

MR. SHAW OPPOSED.

MOTION CARRIED 6-1.

Landscape Architect Jorge Sanchez presented the final landscape plan. All of the plants, with the exception of the bougainvillea, will be native material. He commented that this project will be an extension of Pan's garden.

MOTION BY MR. WHEELOCK TO APPROVE THE LANDSCAPE PLAN AS PRESENTED.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B100-02 New Residence

Applicant: Janina Radtke
Address: 211 Tangier Avenue
Architect: SKA Architect & Planner
Project Description: "Construction of a new two-story Mediterranean style home."

This project was deferred from the November meeting for restudy.

Ms. Diver, Mr. Wideman, Mr. Schuler said they met with the architect. Mr. Shaw said that he received telephone calls, but did not meet with the architect. Mr. Hoffman, Mr. Adams, Mr. Zukov and Mr. Wheelock said they met with the architect and visited the site.

Architect Pat Seagraves presented the revised project to the Commission. The plans indicated that the stair tower was moved 4 ½ feet to the west allowing the entry to increase in size. Windows in the tower were revised and cast stone around the front door was changed. To simplify the project, the side lites were removed on the rear elevation, and an arched window was squared off on the east elevation. The pointed arches above the windows in the garage were thought to bring attention to the garage.

Mr. Seagraves said he would like to reduce the amount of hardscape, but they were not prepared to discuss the hardscape at this time. Mr. Wheelock stated that the purpose of bringing the preliminary landscape to the commission, at this particular phase of the project, is to make sure there is sufficient space for future landscaping. Landscape Architect John Lang presented the preliminary perimeter landscaping

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO CHANGE THE GARAGE WINDOWS.

MOTION SECONDED BY MR. ADAMS.

ROLL CALL:

MR. WIDEMAN	YES
MR. ADAMS	YES
DR. ROSENBERG	YES
MR. SHAW	YES
MR. HOFFMAN	YES
MR. ZUKOV	NO
MR. SCHULER	NO.

MOTION CARRIED 5-2.

B. NEW BUSINESS - MAJOR PROJECTS

B101-02 New Residence

Applicant: Paul and Phyllis Fireman
Address: 14 South Lake Trail
Architect: Smith Architectural Group
Project Description: "1. A one-story addition to the northwest side of the property. 2. A one-story pool pavilion on the southwest side of the property. 3. All details and finishes to match existing."

There were no ex-parte communications relative to this project.

Architect Jeffery Smith presented the proposed pool house and a one-story addition. A variance was approved for a fifteen-foot set back for the addition of a laundry room and breakfast area. The style of the pool house was very simple with pocketing sliding doors. Mr. Smith was asked to center the windows on the south elevation of the pool pavilion and to add shutters. The window on the east elevation of the addition, was perceived to be too close to the corner of the building.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO CENTER THE WINDOWS ON THE POOL PAVILION, ADD SHUTTERS AND MOVE THE EAST WINDOW IN THE BREAKFAST ROOM.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.

C. NEW BUSINESS - MINOR PROJECTS

A42-02 Revisions

Applicant: Mary T. Khawly
Address: 888 South Ocean Boulevard
Engineer: Turquoise Consulting Inc.
Project Description: "Remove windows, doors, & fireplace - alter openings - install impact resistant units - install new entry door surround - alter/extend balcony - interior improvements / his & her bath additions - relocate interior stair - install spiral stair unit in covered terrace to balcony."

Ex-parte communication disclosures

Jeff Semko, representing Turquoise Engineering, stated that balconies will be modified with some becoming enclosed spaces and others being enlarged. The entry will be altered to be a Deco style with a stainless steel gate.

It was thought that the presentation was not clear as to what is existing and what they propose to change.

MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE JANUARY MEETING TO PRESENT CLEAR ELEVATIONS OF THE EXISTING HOUSE AND THE FUTURE HOUSE.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B96-02 New Residence

Applicant: Janette G. Egbers
Address: 162 East Inlet Drive
Architect: The Lawrence Group
Project Description: "Construction of a new two-floor, Mediterranean, single-family house. The project has been submitted to Town Council for zoning approvals."

This project was placed at the end of the agenda at the architect's request. Demolition of the existing house was approved at the November meeting.

Mr. Hoffman said he met with the attorney and the architect, and visited the site. Mr. Adams said he met with the attorney and the architect. Mr. Zukov said he met with the architect and visited the site. Mr. Wheelock said he visited the site.

Architect Richard Leja presented a model of the proposed project and stated that because the lot is only 96 feet wide, zoning approval was received. The style of the house will be Mediterranean with clay barrel tile roofing material. He said after meeting with commissioners, he had some alternatives to the project. He proposed lowering a portion the roof; creating a step in the second story by extending a terrace; either removing or revising the two round windows on the rear elevation; and, narrowing the chimney.

Mr. Hoffman liked the idea of flattening the roof, but not stepping the terrace out. Mr. Zukov liked the port hole windows on the rear elevation and disliked the walls coming out of the terrace. Mr. Wheelock thought the house was big in a small neighborhood and that it was too dissimilar than the existing house. Mr. Shaw objected to the wall along the front of the house.

Architect Eugene Lawrence addressed the drainage plan and said an exfiltration trench will be located under the driveway and the landscaping will not be effected.

MOTION BY MR. HOFFMAN TO APPROVE THE PROJECT WITH THE PROVISIO THAT THE ROOF, ON THE SIDE, BE LOWERED AS SHOWN IN ONE OF THE ALTERNATE SCHEMES AND THAT THE CHIMNEY WILL BE MADE SMALLER AS ALSO SHOWN IN ONE OF THE ALTERNATE DRAWINGS.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. HOFFMAN YES

MR. ZUKOV YES

MR. WIDEMAN YES

MR. ADAMS NO

DR. ROSENBERG YES

MR. SHAW NO

MR. SCHULER NO

MOTION CARRIED 4-3.

IX OTHER BUSINESS

Dr. Rosenberg suggested including variance information on the ARCOM agenda. Mr. Frank stated that staff will add to the ARCOM application disclosures of any variance, special exceptions or Town Council actions that were requested, and how it will effect the project aesthetically. Mr. Shaw suggested having the first page of the variance, etc. attached to the ARCOM application. He also applauded the presentations that had the elevation and the partial floor plan, relating to that elevation, on the same page.

X ADJOURNMENT

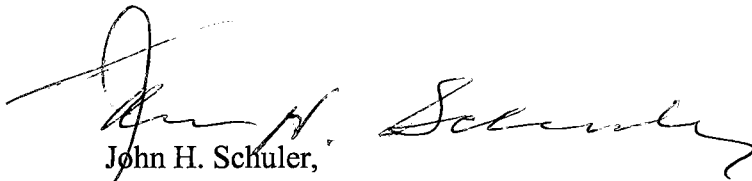
MOTION BY MR. WIDEMAN TO ADJOURN THE MEETING AT 12:23 P.M.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Review Commission will be held on Wednesday, January 22, 2003 at 9:00 a.m.

Respectfully submitted,


John H. Schuler,
Chairman