

MINUTES
ARCHITECTURAL COMMISSION
AT THE
EMERGENCY OPERATIONS CENTER
355 SOUTH COUNTY ROAD, 3RD FLOOR

FRIDAY, DECEMBER 18, 2009, 9:00 a.m.

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 or may obtain an audio recording (CD) of the meeting by contacting Cindy Delp, Secretary to the Architectural Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER(9:00:00 a.m.)

Chairman Feldkamp called the meeting to order at 9:01 a.m.

II. ROLL CALL(9:00:02 a.m.)

All regular members and all alternate members of the Architectural Commission were present at roll call, excepting Mr. Karakul who arrived just after the roll was called. Mrs. Delp clarified that Mr. Vila is a voting member today as a result of Mr. Youchak's resignation.

Staff members present were John Randolph, Town Attorney, John Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, and Cynthia Delp, Secretary to the Architectural Commission.

III. PLEDGE OF ALLEGIANCE(9:00:18 a.m.)

All stood for the Pledge.

IV. APPROVAL OF THE MINUTES FROM THE NOVEMBER 20, 2009 MEETING(9:01:02 a.m.)

MOTION BY MR. STRAWBRIDGE FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

V. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:01:20 a.m.)

Mrs. Delp administered the oath to all those who wished to testify today. Mrs. Delp also administered the oath periodically throughout the meeting as necessary.

VI. OTHER BUSINESS(9:01:38 a.m.)

Mr. Boykin offered congratulations to Mr. Kenn Karakul as his home won the prestigious Ballinger Award for preservation.

Mr. Page announced that staff will enforce submission deadlines more strictly with regard to revised drawings. Such drawings are to be submitted no later than one week prior to the meeting.

VII. PROJECT REVIEW

A. MAJOR PROJECTS - DEFERRAL AND/OR REMOVAL REQUESTED:

B91/09 Addition

Address: 615 Crest Road

Applicant: Richard Richman

Architect: Bridges, Marsh & Associates

Project Description: Addition of new second story over existing eastern garage wing, in same style as existing structure

Please note that the attorney, Maura Ziska, has submitted a letter requesting a deferral of this project to the January 27, 2010 meeting.

MOTION BY MR. SMITH FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B. TOWN COUNCIL PROJECTS INVOLVING VARIANCES - DEFERRAL AND/OR REMOVAL REQUESTED:

B92/09 Site Plan and Signage

Address: A portion of 150 Worth Avenue; specifically a triangular-shaped parcel located at the Southeast corner of the intersection of Worth Avenue and South County Road

Applicant: Town of Palm Beach, c/o Tom Bradford, Deputy Town Manager

Architect: Bridges, Marsh and Associates, P.A.

Project Description: Site plan approval with special exception for exceeding 15 ft. in height, variance for business identification sign above 15 ft., variance for

25% landscaped open space and approval of script lettering for business identification sign

Staff recommends deferral to the January meeting due to notice requirements.

MOTION BY MR. SMITH FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

C. TOWN COUNCIL PROJECTS INVOLVING VARIANCES - DEFERRED FROM PRIOR MEETINGS:

[B75/09 V27/09 Demolition & New Residence](#)

Address: 358 Hibiscus Avenue

Applicant: Suren Hovsepian

Architect: The Pandula Architects, Eugene Pandula

Project Description: Demolition of an existing duplex and construction of a two-story single-family residence. Request approval of variances to construct a single-family home on a lot 55 feet wide in lieu of the 75 foot minimum width required; to allow a lot area of 5,500 square feet in lieu of the 10,000 square foot minimum required; to allow 32% lot coverage in lieu of the 30% maximum allowed; to allow 5 foot south side yard setback for swimming pool in lieu of 10 feet minimum required and to allow 42.77% landscape coverage in lieu of 45% minimum required.

This project was approved at the October meeting with the proviso to return with a restudy of the front door elevation and landscaping. At the November meeting, the project was deferred to the December meeting at the request of the applicant.

Call for disclosure of ex parte communications

There were no ex parte declarations made.

Architect Eugene Pandula returned with a revised front facade, and landscaping, which was not previously approved. Some changes include: the front door now has a Gothic arch: the rustication has been rearticulated so the cast stone is more typically on the bottom; some window shapes have been changed above; two pilasters have been deleted from the second floor area; and basically, the design is now simpler. Brick infill is now proposed for some windows to protect the privacy of the neighbor to the south so as to block views into his master bedroom. Mr. Pandula also proposed plans to reduce the height of the first floor mass.

MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED, WITH THE BRICK INFILL IN A HERRINGBONE PATTERN AND APPROVAL OF EITHER BEAM HEIGHT, WITH THE LOWER PREFERRED.

**MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

Landscape architect Bob Fleck presented the landscape plans for the project which incorporate existing and new plant material together with drought tolerant sod. Mrs. Vanneck raised a concern about the need for varying levels of plantings under the tripled Alexander palms on the North side.

**MOTION BY MR. STRAWBRIDGE FOR APPROVAL OF THE
LANDSCAPE AS PRESENTED WITH THE PROVISO TO INCREASE
THE OVERALL COVERAGE ON THE NORTH SIDE, AND TO BE SURE
THAT THE ALEXANDER PALMS ARE STAGGERED IN HEIGHT.**

**MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

[B76/09 V26/09 Aesthetic Building Changes](#)

Address: 135 Root Trail

Applicant & Architect: Eugene R. Fagan

Project Description: Convert an eight-unit apartment building into a two-family residence. Request approval of variances to modify and renovate an existing two story, flat roof, eight-unit apartment building and create two single-family dwelling units within the approximate footprint of the existing building. The existing building consists of two, four-unit sections connected by an exterior stair and breezeway. The renovation will comply with the requirement that no more than 50% of the structure to be demolished so that the building footprint, which is nonconforming, may remain. They are proposing a change from a flat to a pitched roof, which requires the following variances to increase the height and overall height of the existing building within the required setbacks: (1) a 4.2 foot existing front-yard setback in lieu of the 25 foot minimum required; (2) a 1.5 foot existing east side-yard setback in lieu of the 15 foot minimum required; (3) a 2.2 foot existing west side-yard setback in lieu of the 15 foot minimum required; (4) a 2.8 foot existing rear-yard setback in lieu of the 15 foot minimum required.

This project was deferred from the October meeting to the November meeting for restudy, to bring building samples, engineering for the driveway approach to the garages and landscaping. At the November meeting, there was a motion that the implementation of the proposed variances will not cause negative architectural impacts to the subject property; and another motion for deferral to the December meeting, deferring the design, including choice of materials, and requiring the architect to present a drainage and landscape/hardscape plan.

Call for disclosure of ex parte communications.

Ms. Diver declared ex parte communication.

Persons presenting this project were Attorney M. Timothy Hanlon and Architect James Paine. The property owner, Eugene Fagan, was likewise present. This project had been heard and deferred from the October and November ARCOM meetings. Attorney Hanlon reported that the Town Council has approved the variance requests for the project. Mr. Paine provided the architectural presentation, particularly focusing on proposed materials: various roof and wall shingles, standing seam roof, Hardi-board, and stucco. Mr. Feldkamp suggested that Hardi-board is inferior to the original stucco and clay tiles. A roof shingle sample was passed, but through discussion, it was revealed that this was not an accurate sample. In short, the members felt that the applicant had sufficient time to prepare for today's presentation and the members should not have been given an incorrect sample or a confusing materials presentation. The applicant was instructed to return next month with a complete, fully rendered elevation of each building, including colors. Mr. Smith stressed that the buildings not be designed to be "too cutesy", or like ABACOA, but be quality buildings. There was a minimal landscape presentation, and the applicant was advised to make better plant choices.

MOTION BY MR. SMITH FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

D. TOWN COUNCIL PROJECTS INVOLVING VARIANCES - NEW BUSINESS:

E. MAJOR PROJECTS - DEFERRED FROM PREVIOUS MEETINGS:

[B72/09 Addition](#)

Address: 234 Via Linda

Applicant: Jonathan Gladstone

Architect: SKA Architects

Project Description: First floor renovation and second floor addition to existing one-story Bermuda style home

This project was approved at the September meeting with the proviso to bring the landscaping plan back for review. The project was deferred to the November meeting at the architect's request, and was similarly deferred to the December 18, 2009 meeting.

Architect Patrick Segraves addressed the commission requesting deferral.

MOTION BY MR. STRAWBRIDGE FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

[B73/09 Demolition & New Residence](#)

Address: 160 Dunbar Road

Applicant: Robert and Lucia Harvey

Architect: SKA Architects

Project Description: Demolition of existing one-story home and construction of a new two-story Mediterranean style home to be approximately 6,000 square feet

This project was deferred from the September meeting for restudy and approved at the October meeting with the proviso to return to the commission with the front entry wall. At the November meeting, the project was deferred to the December meeting at the request of the architect.

Call for disclosure of ex parte communications

Mr. Zukov and Mr. Feldkamp made ex parte declarations.

Architect Patrick Segraves and Landscape Architect Steve Dauber presented this project. Mr. Dauber presented revised drawings showing columns which have been reduced in size. The entrance gate is 6 ft. tall. Landscaping material has been added between the columns to provide screening. The wrought iron will be completely screened behind the landscaping. Comments indicated that the gate design was too simple. Mr. Dauber noted that the driveway will be brick, while all other hardscape will be cast stone.

MOTION BY MR. SMITH FOR APPROVAL OF THE WALL AND PICKETS WITH THE CONDITION THAT IT BE TOTALLY SCREENED FROM THE STREET AT THE DAY OF CERTIFICATE OF OCCUPANCY, TOGETHER WITH THE PROVISIO THAT THE APPLICANT RETURNS (PRIOR TO THE C.O.) WITH THE MAIN GATE DESIGN AND SIDE PANELS.

**MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

[B81/09 New Residence, Landscape & Hardscape](#)

Address: 264 Country Club Road

Applicant: JDM Investments, LLC

Architect: Rustem Kupa Architect

Project Description: Construct a new two-story single-family residence with two-car garage, pool and pool area trellis structures, including hardscape and landscape.

This project was deferred from the October meeting to the November meeting for restudy, and was deferred from the November meeting to the December meeting at the request of the property owner.

MOTION BY MR. SMITH FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY. (Please note that this motion for deferral occurred much earlier in the meeting, along with the other deferrals.)

[B84/09 Addition](#)

Address: 1100 North Ocean Boulevard

Applicant: 1100 North Ocean Boulevard Trust

Architect: The Lawrence Group Architects

Project Description: The addition of a two-story guest house and additional garage space in the basement on the south side of the main house in similar architectural elements as the existing main house.

This project was deferred from the November meeting.

Call for disclosure of ex parte communications.

Several members made ex parte declarations.

Architect Eugene Lawrence, Landscape Architect Jeff Blakely, and Attorney Greg Young presented this request. Mr. Lawrence offered a PowerPoint presentation to illustrate the project. He indicated that no variances are required for the project. The 4,600 square ft. proposed addition will match the details of the main house, and will have roofs at varying levels to break up the massing of the addition. The addition is connected to the main house at the garage and the first floor levels. Mr. Blakely reviewed the landscape plans, existing and proposed, giving particular emphasis to the landscape material between this property and the Castle property.

Commission members offered extensive commentary, some of which follows: The big window, facing south, is too big; the chimney is too big; the streetscape is very massive (width); move the addition to the North and West, and do not make it a separate building; the connection to the main house is offensive and lacks consideration to the neighbors; not architecturally pleasing; cannot say anything positive about the project: unduly complicated; fenestration is absurd; the mass is not submissive to the main house; reduce the size; fenestration is inappropriate; bring the addition closer to the main house; this is not a respectful solution; its placement and size is an affront to the neighborhood; the addition sits up too high; the project is out of scale; and, no landscape buffer will survive the wind and the winter months.

Mr. Lindgren noted that a letter was received from the National Trust for Historic Preservation in opposition to the project.

Attorney Greg Young of Edwards and Angell testified in support of the project. He stated that this project does not negatively impact the landmarked property to the South which is owned by the Castles, and the project is not excessively

dissimilar to the neighborhood.

Mr. Randolph interjected that the letter from the National Trust should be declared as an ex parte communication. As such, the members made such declarations regarding the letter.

Attorney Paul Rampell addressed the commission on behalf of his clients, John and Marion Castle, who reside at 1095 North Ocean Boulevard. He testified that the Castles are profoundly opposed to the project; that ARCOM set precedence over ten years ago when they approved the existing home with tennis court at 1100 North Ocean Boulevard, and that tennis court open space should not be filled in now; and, that the project should be rejected outright and denied. He read letters into the record in opposition to the project from the neighbors at 1102 North Ocean Boulevard, 1090 North Ocean Boulevard, and 1086 North Ocean Boulevard. Mr. Rampell introduced several experts who also spoke against the project: Morgan Wheelock, Landscape Architect, Wes Blackman, Certified Urban Planner, Robert Moore, former Director of Planning, Zoning & Building, and Tom Kirchhoff, Architect. Mr. Young, Mr. Blakely, and Mr. Lawrence offered additional responses to the testimony heard.

Additional commission commentary: It is good that no variances are required for the project; move the footprint North and West; the only reason that variances are not required is the connector piece; addition is not pleasing and does not relate properly to main house; consider decreasing the scale and square footage; honor the deal made with the former owner to maintain open space on the South side of the property; no reason to approve the project as is; some of the arguments are mean-spirited or "red herrings"; the project is better smaller and better connected; neighbors have rights too; setback is insufficient for this project; plants will not live to buffer; the architecture is the problem here; cannot approve this; cannot protect the neighbor's vista; cannot consider deals from the past; this detracts from the Kennedy (Castle) property which should be respected; the architecture is not up to standards; and, the project is poorly designed.

MOTION BY MR. SMITH TO DENY THE PROJECT FOR THE FOLLOWING REASONS: (1) THE PLAN FOR THE PROPOSED BUILDING OR STRUCTURE IS NOT IN CONFORMITY WITH GOOD TASTE AND DESIGN AND IN GENERAL DOES NOT CONTRIBUTE TO THE IMAGE OF THE TOWN AS A PLACE OF BEAUTY, SPACIOUSNESS, BALANCE, TASTE, FITNESS, CHARM AND HIGH QUALITY; AND, (4) THE PROPOSED BUILDING OR STRUCTURE IS NOT IN HARMONY WITH THE PROPOSED DEVELOPMENTS ON LAND IN THE GENERAL AREA, WITH THE COMPREHENSIVE PLAN FOR THE TOWN, AND WITH ANY PRECISE PLANS ADOPTED PURSUANT TO THE COMPREHENSIVE PLAN.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED 6-1, WITH MR. FELDKAMP OPPOSED. MR. FELDKAMP NOTED THAT HE VOTED AGAINST THE MOTION AS HE FELT DEFERRAL WOULD HAVE BEEN MORE APPROPRIATE.

At this point, there was a fifteen minute recess, and the meeting reconvened at 11:45 a.m.

F. MAJOR PROJECTS - NEW BUSINESS:

B86/09 Time Extension

Address: 216 Colonial Lane

Applicant: Andrew Adler

Architect: Principle Design and Development, Kermit White

Project Description: Time extension request for previously approved single family residence

Call for disclosure of ex parte communications

Mr. Zukov, Mrs. Vanneck and Mr. Feldkamp made ex parte declarations.

Attorney Ron Kolins was present to request a one year time extension. He noted that there have been no architectural changes since the project was approved, and the project was designed with no variances.

MOTION BY MRS. VANNECK FOR APPROVAL OF ONE YEAR TIME EXTENSION.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY. (Let the record show that Ms. Diver and Mr. Strawbridge were not present for this vote.)

B87/09 Addition and renovation

Address: 275 Orange Grove Road

Applicant: Mr. and Mrs. Finch

Architect: Fairfax & Sammons

Project Description: Two-story addition and renovations to existing residence. New detached pool house and swimming pool. Landscape.

Call for disclosure of ex parte communications

Mrs. Vanneck made an ex parte declaration.

Richard Sammons of Fairfax & Sammons Architects presented this project for the parcels of 271 & 275 Orange Grove Road. The former east home was removed, and two bays and a porch are now proposed to be added to the remaining Monterey style house. The CBS addition to the existing house will add a living room, family room, side porch and breakfast room off the kitchen. The house will have a light grey concrete tile roof and periwinkle operable storm shutters. The

project includes a new pool house and pool. The pool house has two rooms and an octagonal porch, along with a conical roof over the octagonal portion. The pool pavilion roof will be concrete tile and standing seam. Darryl McCann of Gregory Lombardi design presented a preliminary landscape plan including a shift of the driveway so it is centered on the front door.

MOTION BY MR. KARAKUL FOR APPROVAL OF THE ARCHITECTURAL PROJECT, AS PRESENTED, WITH THE UNDERSTANDING THAT THE LANDSCAPE WILL BE BROUGHT BACK TO THE COMMISSION.

MOTION SECONDED BY MR. VILA AND MRS. VANNECK SIMULTANEOUSLY.

MOTION CARRIED UNANIMOUSLY. (Please note that Mr. Strawbridge had returned to the meeting prior to the vote.)

[B88/09 Time Extension](#)

Address: 528 Island Drive

Applicant: Charles C. Hickox

Architect: Joseph Dixon III Architect

Project Description: Request for 12 month extension of prior approval granted in December, 2008 regarding 2,508.79 sq. ft. addition to existing home. Existing British Colonial theme and colors to be continued.

Call for disclosure of ex parte communication

Attorney M. Timothy Hanlon testified that this project has not moved forward due to deaths in the owner's family. The property owner is now ready to proceed with the project and requests an extension.

**MOTION BY MR. STRAWBRIDGE FOR A ONE YEAR EXTENSION.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.**

[B89/09 Additions](#)

Address: 400 Regents Park

Applicant: Kathleen Price

Architect: SKA Architect & Planner, Jacqueline Albarran, Architect, P.A.

Project Description: Addition of a one and two story structure to an existing two-story Regency residence. Addition of a pool pavilion. Reconfigure existing auto court, pool, and pool patio. Masonry construction, smooth stucco walls, color, wood windows and French doors, and roof style to match existing.

Call for disclosure of ex parte communications

Several members made ex parte declarations.

Architect Jacqueline Albarran testified that no variances are required for this project. She presented the architectural aspects of the project as well as a preliminary landscape plan. She noted that the extensive hardscape both in front and back of the home will be reduced in favor of additional green space. The two story addition will provide a two car garage to the property which now has no garages. The new pool pavilion will match the details of the main house. All fenestration will be mahogany impact windows and doors to match the existing home.

MOTION BY MR. ZUKOV FOR APPROVAL OF THE ARCHITECTURE AS PRESENTED.

**MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.**

Mrs. Albarran indicated that she will return to the commission with a landscape/hardscape plan at a future date.

[B90/09 New Residence](#)

Address: 175 Via Palma

Applicant: Jonathan Deitcher

Architect: MP Design & Architecture Inc.

Project Description: New two-story residence with pergola/breezeway to existing garage

Call for disclosure of ex parte communication

Mr. Feldkamp made an ex parte declaration.

Michael Perry of MP Design & Architecture presented this project along with Mario Nievera, Landscape Architect. Mr. Perry gave a brief overview of the site and explained that the layout of the house is dictated by the lovely garden. Mr. Perry reviewed the site plan, floor plans, and elevations. The house will have a barrel tile roof.

Mario Nievera presented the landscape/hardscape plan. The west portion of the property from the west facade of the house back will remain intact and untouched. The main gate and landscaping and front wall will not change. The southeast corner and north boundary property line will likewise not change. A very large Banyan tree will be relocated to the west. Mr. Nievera described the various new plant material for the site. No additional lighting is planned.

MOTION BY MR. SMITH FOR APPROVAL WITH THE PROVISIO THAT THE ROOF OVER THE FRONT DOOR IS REMOVED, AND THAT IT BECOMES A TERRACE WITH RAILING; THAT THE PEDIMENT AND QUOINS ARE REMOVED.

MOTION DIED FOR LACK OF A SECOND.

Mr. Feldkamp passed the gavel to Mr. Smith and made the following motion:

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE PROJECT AS PRESENTED WITH THE SUBSTITUTION OF A BALUSTRADE ABOVE THE ENTRYWAY, SIMILAR TO THE WEST FACADE; AND THAT THE ROOF BE FLAT INSTEAD OF PITCHED.

**MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED 4-3, WITH MR. SMITH, MR. VILA AND MRS. VANNECK VOTING AGAINST.**

G. **MINOR PROJECTS - DEFERRAL AND/OR REMOVAL REQUESTED:**

H. **MINOR PROJECTS - DEFERRED FROM PREVIOUS MEETINGS:**

I. **MINOR PROJECTS - NEW BUSINESS:**

VIII. **COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)(12:28:26 a.m.)**

IX. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT:(12:29:53 a.m.)**

Mr. Page confirmed that the ARCOM meetings will resume their former scheduling on the 4th Wednesday of each month, except for November and December as is typical.

Mr. Page addressed the subject of persons qualified to present at ARCOM which was the subject of recent correspondence from Mr. Page to the members. He asked for input regarding the proposed language, and that was given....attorneys should be included as those permitted to present, and the language must be specific regarding the exclusion of interior designers. Mr. Page will bring revised language back to the commission for review at the January meeting.

X. ADJOURNMENT:

The meeting was adjourned at 12:50 p.m. upon a motion by Mr. Smith. The second to the motion was not audible, but the decision to adjourn was unanimous.

The next meeting of the Architectural Commission will be held on Wednesday, January 27, 2009 at 9:00 a.m. in the Emergency Operations Center, 3rd floor, 355 South County Road, Palm Beach.

Respectfully submitted,

William P. Feldkamp, Chairman
ARCHITECTURAL COMMISSION

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