



TOWN OF PALM BEACH

Building and Zoning Department

MINUTES OF THE ARCHITECTURAL COMMISSION
WEDNESDAY, NOVEMBER 28, 1990
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. Call to Order

The November 28, 1990 Architectural Commission meeting was called to order at 12:35 p.m. by Chairman Jeffery W. Smith.

II. Roll Call

PRESENT: Jeffery W. Smith, Chairman
Lesly Smith, Vice-Chairman
John Schuler, Member
Jorge Sanchez, Member
Marie Hope, Member
Joanna Frost-Golino, Member
Leighton Rosenthal, Alternate Member
Laurel Baker, Alternate Member
Jesse Newman, Alternate Member

John C. Randolph, Town Attorney
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Jane R. Grace, Member

RECORDING SECRETARY: Mary A. Pollitt

III. Approval of Minutes of October 24, 1990 Meeting.

MOTION MADE BY MRS. SMITH TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

Tim Frank reported to the Commission a decision by the Zoning Commission regarding the Adley Brisson Engman report on Worth Avenue. The report is lengthy, and Mr. Frank suggested the Commission schedule a morning convening time on December 19, 1990 to review the design recommendations mentioned in the Adley report.

A discussion followed on the time the meeting should convene. 10:00 was the time designated.

Jesse Newman suggested representatives from Worth Avenue should

be invited to the meeting and copies of the report provided to them.

MOTION MADE BY MRS. SMITH TO APPROVE THE CONVENING OF THE DECEMBER 19, 1990 MEETING AT 10:00 A.M. TO REVIEW THE WORTH AVENUE STUDY. THE REGULAR MEETING TO BEGIN AT 12:30 P.M.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY AS STATED.

Mr. Sanchez asked if the Commission could prohibit the erection of the Christmas tree before December 1. The tree is up before the Thanksgiving holiday is past and interferes with the spirit of the Thanksgiving time.

Mr. Smith advised Mr. Sanchez the appeal should be addressed to the Town Council. The Architectural Commission has no authority to address that issue.

Mr. Newman explained the tree is put up the week after Thanksgiving. He reported Thanksgiving will occur on November 28 next year. Therefore the tree will go up on approximately December 1.

IV. Project Review

A. Deferrals and Continuations: Major and Minor Projects

B28-90A Revisions

Applicant:	The Wells Road Land Company
Address:	133 Wells Road
Architect:	Ames Bennett
Project Description:	Revisions to a previously approved project

The driveway materials and paint colors were deferred from the October meeting.

The architect requests deferral until the December meeting.

MOTION MADE BY MR. SCHULER TO DEFER THE PROJECT.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

B16-90 Revisions/Additions

Applicant:	Michael J. Civitella
Address:	272 Country Club Road
Architect:	Lawrence Browning
Project Description:	Revisions to approved project

The project was approved at the April, 1990, meeting and deferred from the October meeting.

Michael Civitella returned to the Commission with photographs of the changes made to the approved ARCOM plans. He explained he would be the occupant of the residence.

MOTION MADE BY MRS. SMITH TO APPROVE THE CHANGES TO THE ORIGINAL PLANS.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

B77-90 New Residence

Property Owner:	Mr. and Mrs. Stephen Levin
Address:	446 North Lake Way
Architect:	Milton Klein
Project Description:	Construct two story residence with tennis court, swimming pool and cabana

The project was conceptually approved at the September meeting with the conditions detailed, working drawings, material samples and a landscape plan be presented at a later meeting.

Robert Bell represented Milton Klein at the meeting.

Mr. Bell pointed out that a two story element on the north side of the residence has been reduced to a one story element.

Mr. Bell presented a sample of the barrel tile to be used on the roof. The finish is a dark "blackish" color. The Commission members discussed the color of the tile sample. Mr. Smith and Mrs. Smith agreed the color of the tile appeared "dingy". Mr. Smith commented the entire house had a nice, clean appearance, and the roof was not an enhancement.

Mr. Bell and Mr. Levin replied the tile in a larger sample group had more of a "mixed look" than the single sample presented; although that sample is representative of the group. Mr. Smith would like to see a color picture of a roof made up with that particular color of tile.

Mr. Schuler asked the architect what the height of the house (including the wings) would be. Mr. Bell replied the house is 38 feet high.

A new plan for the entry was presented. The new entry portico features wrought iron gates, columns, round openings over the open cubicles next to the gates and various other architectural details. Mr. Smith questioned the use of so much detail on the entry when the rest of the house is plain. Mr. Bell replied the main entry is the focal point of the house, and this is the owner's preference.

Mr. Bell presented a plan for the boat house located on the lake front of the property. The proposed plan would reduce the current boat house from 2,972 square feet to 432 square feet. The would be an 85.5% reduction in size.

Mr. Levin addressed the Commission. He wishes to change the appearance of the boathouse from the present wood-shingled look to a stucco finish with a barrel tile roof.

The Commission members discussed the plan for the boat house. They concluded the change has an impact on the neighborhood and the project should be advertised to the neighbors for their input before the boat house plan is acted upon by the Commission.

Mr. Randolph commented that since over 50% of the structure would be demolished, the nonconforming structure may or may not need a variance.

MOTION MADE BY MR. SCHULER TO NOT HEAR THE BOAT HOUSE PROJECT UNTIL NOTIFICATION OF PROPERTY OWNERS.

MOTION SECONDED BY MRS. SMITH.

MOTION CARRIED UNANIMOUSLY.

MOTION MADE BY MR. ROSENTHAL TO APPROVE THE REVISED PLANS AS PRESENTED WITH THE DEFERRAL OF THE ROOF TILE COLOR TO ALLOW THE APPLICANT TIME TO PRESENT A PICTURE OF THE ROOF TILES. A FINAL LANDSCAPE PLAN WILL BE PRESENTED AT A LATER MEETING.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITION.

B82-90 New Residence

Applicant:	Richard Doan
Address:	218 Miraflores Drive
Architect:	Grierson Associates
Project Description:	New one-story residence with swimming pool

The project was approved at the August meeting with the condition a landscape plan, color samples and driveway materials be submitted at a later meeting.

The project was deferred from the October meeting.

No one was present to represent the applicant.

MOTION MADE BY MR. SCHULER TO REMOVE THE ITEM FROM THE AGENDA.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

B91-90 Addition

Applicant: Seymour and Rhoda Cole
Address: 233 List Road
Architect: Steven Bruh
Project Description: Second floor addition

The project was approved at the September meeting with the condition samples of the house (color), trim and roof be submitted at later meeting.

Steven Bruh presented elevation an elevation drawing showing window style changes. The previously approved colonial style windows have been changed to bottom vent awning windows with solid tops. The owner wishes to remove the mullions to allow for an unobstructed view.

Mr. Schuler suggested casement windows as an alternative to the awning type, if the owner does not wish to use the colonial style. Mrs. Smith added the awning windows are not an improvement to the facade of the house.

Mr. Sanchez suggested the revised entry (with the pediment roof) and the banding on the house are not compatible.

MOTION MADE BY MR. SCHULER TO DEFER THE PROJECT FOR RE-STUDY.

The Commission preferred to approve the project with conditions rather than defer the project.

Mr. Schuler withdrew his motion.

MOTION MADE BY MRS. FROST-GOLINO TO APPROVE THE PROJECT WITH THE CONDITIONS THE PEDIMENT OVER THE ENTRY BE REPLACED WITH A FLAT ROOF, ADD THE THIRD WINDOW AND USE COLONIAL WINDOWS (AS ORIGINALLY APPROVED).

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITIONS.

B86-90 New Residence

Property Owner: Peter Stanley
Address: 1332 North Ocean Boulevard
Architect: James P. Drago
Project Description: Construct new two story residence

The project was deferred from the October meeting for further study of the massiveness of the residence and [section (f)] as follows:

"THE PROPOSED BUILDING OR STRUCTURE IS NOT VISIBLY EXCESSIVELY DISSIMILAR IN RELATION TO ANY OTHER STRUCTURES EXISTING OR FOR WHICH A PERMIT HAS BEEN ISSUED OR TO ANY OTHER STRUCTURES INCLUDED IN THE SAME PERMIT APPLICATION,

FACING UPON THE SAME OR INTERSECTING PUBLIC OR PRIVATE WAY (ALLEYS NOT INCLUDED) AND WITHIN TWO HUNDRED (200) FEET OF THE PROPOSED SITE IN RESPECT TO ONE OR MORE OF THE FOLLOWING FEATURES:

- (1) CUBICAL CONTENTS,
- (2) GROSS FLOOR AREA,
- (3) HEIGHT OF BUILDING OR HEIGHT OF ROOF,
- (4) NOT INCLUDED WITH THIS MOTION

Mr. Frank read a letter to the Commission (addressed to Jeff Smith) from Amy and Barry Lerner, 201 Ocean Terrace, who were unable to attend the meeting.

The Lerner's are opposed to the construction of the house that they consider "too large in bulk and size for the rather gentle neighborhood surrounding it."

Jim Drago presented plans detailing the changes made since the project was presented last month. The roof has been lowered two feet and the pitch of the roof has been changed from 7.5/12 to 6.5/12

Mr. Drago presented a cross section of the proposed structure showing the lowering of the roof as compared to the original submission.

The cross section showed the relationship of the house to the Martino house to the west. Mr. Drago stated Mr. Martino's highest point is 43.5 feet. He also stated most of the Stanley roof, with the exception of the peak in front of the house, is 37 feet. The mansard roof is five feet.

In response to a question from the Commission, Mr. Drago replied the Martino house is 43.5 feet above sea level. Further he stated the peak of the Stanley house in front is 47 feet above sea level and the remainder of the house is 37 feet above sea level. The Commission questioned the correctness of the numbers. (See Dr. Lilja's comments, page 9.)

Mr. Drago re-examined the cross-sections. The top of the mansard roof is 42 feet, not 37 feet.

Mrs. Smith requested Mr. Drago compare the new elevations to the elevations presented at the October meeting and point out any changes made specifically to the height, the mass and the glass.

Mr. Drago presented two elevation drawings for comparison. A large fascia was eliminated, allowing the lowering of the roof.

The Commission questioned the height of the facades. They are a foot higher than the previously submitted plans. Mr. Drago

replied the raising of the facades was not intentional. The ceiling heights remain at 9 feet. Mr. Drago said if the height of the facade on the plans is incorrect, he will correct it.

Mr. Drago stated the first floor (garage area) will be as low as the Code allows as compared to the crown of the road and the ceilings will only be 9 feet. Whatever those numbers equal, will be the height of the building facade.

The front entry entry was changed by reducing two side windows in the front from 5 feet to 4 feet in width. The bay windows on the south elevation were eliminated. (The windows remain the same size, only they are not bay windows.) Mr. Drago said these were the basic changes.

Mrs. Frost-Golino asked Mr. Drago if anything was done to reduce the cubical content or the gross floor area of the house.

Mr. Drago replied the roof lowering reduced the cubical content. The gross floor area has not been changed.

Mr. Schuler wanted to know the size of the lot. Mr. Drago replied the lot size is 108 x 113. Mr. Drago explained, with the help of a diagram, the outline of the proposed residence as compared to the existing footprint of the house.

Mrs. Smith asked what changes Mr. Drago planned for the west facade of the house. Would any windows be removed or reduced or less glass be used?

Mr. Drago replied no glass has been eliminated. Mr. Drago mentioned that he and Mr. Stanley have made the promise to landscape the back (west) of the property so that nothing will be visible from Mr. Martino's residence. The Commission questioned the feasibility of using 30 foot materials for site screening. Mrs. Smith asked to see the portion of the house visible from Ocean Terrace.

Mr. Sanchez stated he has problems with the architectural character of the house. The back of the house appears to be 2/3 glass and the front of the house appears to be too busy. It appears to be a "sheet of glass with things that have been glued to it all over the place". It had a Bermuda roof that has been cut down to be a Mansard-French-Bermuda roof with huge arches on the front facade. This is not an enhancement to the house. Mr. Sanchez likes the idea that the roof was lowered but the house has too many details .

Mr. Schuler agreed with Mr. Sanchez. He complemented Mr. Drago and Mr. Stanley on the attempt to make some of the changes as discussed by the Commission. Mr. Schuler still finds the house very massive in this particular situation where the other houses are not related in mass to this one.

Mr. Smith commented on the "heavy details" used on the facades

and suggested using more "delicate details". Mr. Smith said, in his opinion, the house "appears huge, because the design details are bold".

Mrs. Smith agreed with Mr. Smith and she did not think any member had a problem with the footprint of the house. The design details could be used to reduce the appearance of the mass. Mrs. Smith suggested if the project were to receive conceptual approval, the glass issue could be addressed. The bold design of the house could look very compatible in another area.

Mrs. Frost-Golino added she felt the Commission, Mr. Drago and Mr. Stanley have made valuable progress but additional progress could be made. The roof lowering as well as the roof details have been major improvements. Additionally, other architectural details could simplify the project and would help toward project approval.

Mr. Smith asked Mr. Drago if he had met individually with other members of the Commission other than himself. Mr. Drago replied he has not. Other Commission members were available between the regularly scheduled meetings.

Mr. Smith offered some suggestions concerning the stucco banding which might help the detailing.

Mr. Drago asked for conceptual approval for the footprint and the house if the details could be worked out. He would meet with whomever wished to meet with Mr. Stanley and himself to reach a better understanding of the working out of the details. Conceptual approval would allow Mr. Stanley to proceed with the site work. Mr. Drago said he could not speak for Mr. Stanley on the reduction or sizing of the windows but he knows there is "room for improvement with regard to a compromise." Making windows smaller is easier than making them larger.

Mrs. Smith commented that if there is no problem making the windows smaller, then the Commission members could have worked this out in individual meetings prior to this meeting.

Mr. Stanley addressed the Commission. He stated he liked the design of the house and does not wish to change the windows. He is in the window business and many homes have the size and number of windows he is proposing. Mr. Stanley would like to have this plan approved.

Mr. Drago would like to determine the points the Commission and the applicant agree on. Mr. Drago stated he did not think anyone had any problems with the placement of the windows just the size of the windows. The Commission responded they have a problem with the number of the windows.

Mr. Smith asked for additional comments.

Dr. Sten Lilja, 1330 North Ocean Boulevard, addressed the

Commission. Dr. Lilja commented he (and the neighbors) are not trying to prevent the building of the house. He drew Mr. Drago's attention to the fact the plans available to the public actually showed an increase of 1 foot to the facade (of which Mr. Drago was unaware).

Mr. Martino and Dr. Lilja measured the heights of the houses. The Martino house is actually 31.5 feet height, not the 38 feet, as stated by Mr. Drago. The rest of the houses are considerably lower than the height of the Stanley house.

Dr. Lilja reported the neighbors consider the house to be too large and the glass offensive.

Joel Martino, 109 Ocean Terrace, reported that the top of his windows closest to the Stanley property are lower than Stanley's windows. Mr. Martino will be looking out and up at the back of the Stanley house. A canyon effect will be created. It would take a thirty foot hedge to site screen the structure. Ten or eleven feet exist for planting of the hedge. Mr. Martino questioned the survival of a tall hedge in that environment.

Ann Lilja, 110 Ocean Terrace, approves of the changes to date. She is opposed to the building of the structure, as designed, which is too large and massive with too many windows.

Mr. Randolph commented that under these circumstances there are dangers of receiving a conceptual approval on the project. The applicant may be guided by the conceptual approval and come back having expended great sums of money and find out an impasse has been reached in regard as to what needs to be done. Mr. Randolph stated, "I think it would not be appropriate to grant a conceptual approval unless everyone is at a point much further than exists presently."

Mrs. Smith commented that Mr. Drago and Mr. Stanley have made a lot of moves. It would have been of benefit to the applicant to have met with the members of the Commission prior to this meeting.

MOTION MADE BY MRS. SMITH TO DEFER THE PROJECT FOR RESTUDY WITH THE CONDITION THE APPLICANT AND THE ARCHITECT CONFER WITH THE INDIVIDUAL COMMISSION MEMBERS PRIOR TO THE NEXT MEETING.

MOTION SECONDED BY MR. SANCHEZ.

Mr. Stanley stated he is not looking for a deferral.

Mrs. Smith replied, in all good consciousness, she cannot move to deny this project considering all the time spent by the Commission up to this point.

Mr. Stanley stated he did not think this issue can be resolved.

Mrs. Smith noted a deferral could be appealed to the Town

Council.

Mr. Stanley stated he understood a deferral could not be appealed to the Council.

Mr. Randolph explained the purpose of the deferral is to allow the applicant, if he wishes, to have time for further study. "In the event the applicant indicates (to the Commission) he does not wish a deferral and will not consider any of your suggestions, the Commission should follow that portion of the Ordinance that indicates the action the Commission should take. That part provides you may approve it, you may disapprove it or you may approve it with conditions."

In response to Mr. Smith's statement concerning an appeal of a deferral or denial, Mr. Randolph replied there were staff members who indicated an appeal could not occur because that was not a final action. Mr. Randolph ruled: "Yes, it could occur when an applicant did not wish to move ahead further."

Mrs. Frost-Golino stated that would appear to be the case with the Mr. Stanley, since the Commission is willing to discuss the window issue and Mr. Stanley is not willing to negotiate on them.

Mr. Randolph stated Mr. Stanley could appeal the deferral, but Mr. Stanley is deciding right now that he doesn't want to move ahead.

Mrs. Smith asked if Mr. Stanley was telling the Commission he wishes to withdraw the project.

Mr. Drago stated the position of Mr. Stanley and himself is a request for an approval with conditions as long as one of those conditions is not changing the windows. A number of details could be changed and worked out with the Commission. "If we can't get an approval with conditions, then we would ask for a denial because it is our understanding, the information we have received, that if we go in with a deferral, going to the next step isn't (acceptable) because we could get thrown out because we don't have a denial."

Mr. Randolph replied, "No, if you are deferred, and you don't wish to go forward, then you can appeal directly to the Town Council. You don't need a denial."

Mr. Drago asked what 'you don't wish to go forward' means?

Mr. Randolph explained the purpose of the deferral is to allow the applicant time to consider modifications. "If you decide you do not wish to accept that, then you may consider this action final and go directly to the Town Council and appeal the decision."

Mr. Drago questioned the validity of taking a deferral to the Town Council.

Mr. Randolph replied that "some of the risk of taking a deferral instead of a denial to the Town Council is that when the Town Council looks at this, and it is being appealed on a deferral, they think that there's more yet to do before this Commission, and they are reluctant to act on a matter that has been deferred because they want to give this Commission the opportunity and the applicant the opportunity to continue their work. So, in a sense, it does create some risk for the applicant to go to Council on a deferral rather than a denial, but.....there is nothing to preclude them from going to directly to Council."

Mrs. Smith commented if the Council read the minutes of the Architectural Commission, they will see the Architectural Commission has been willing to go forward with this project and the deferral given last month was for the opportunity to meet with the individual members to work out the details of the project.

Mr. Drago stated that if the record reflects Mr. Drago's and Mr. Stanley's request for approval with conditions or a denial then they have done everything they could to go to the Council with the proper decision.

Mr. Randolph added he thought the applicant was entitled to a final action of this Board in the event they do not choose not to make any additional modifications to their plan. "The Ordinance provides, if the criteria are met, the application should be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and will be such as to bring the building into conformity. If an application is disapproved, the Architectural Commission shall detail in its findings the criteria or criterion that are not met. The action taken by the Architectural Commission shall be reduced to writing and signed by the Chairman. A copy thereof shall be made available to the applicant upon request. I think the purpose of the deferral is so as to attempt modifications. I understand that this will be the third deferral or the fourth deferral. I do think the applicants get to the point where they do not wish to make any changes and are entitled to a final action by the Board."

Mr. Schuler asked Mr. Randolph if he was saying the Commission should either approve or disapprove the project.

Mr. Randolph replied the Commission should either approve the project, approve with conditions or deny the project.

Mrs. Frost-Golino stated she did not think this is the case. She has not heard the applicant say (for the record) that he is not willing to make any further changes. If the applicant says that, then the Commission would be able to make a denial.

Mr. Drago asked if there was any way to get an approval with conditions.

Mrs. Smith stated the Commission is on the record with statements of the status of the project. Mr. Drago has not stated his position on the project.

Mr. Stanley stated his position is he does not "want to change the windows in this house...period. I don't think we are going to come to any understanding. I would ask you to approve this project in its entirety, the way it is right now, or conditions on minor changes, other than the windows."

In response to questions from the Commission, Mr. Stanley stated he would "consider changing cosmetically the bold features of the house." He will not consider changing the mass of the structure (as defined as cubical content or gross floor area).

Mr. Stanley agreed with Mr. Randolph's statement that the two sides are too far along to compromise.

Mr. Smith reminded the Commission there is a motion on the floor for deferral. Mrs. Smith withdrew the motion.

Mr. Drago asked if there were enough details on the project for some agreement with the Board and Mr. Stanley. A denial and appeal to the Town Council may hurt everyone.

Mr. Smith responded that Mr. Drago and Mr. Stanley had the opportunity to work with the Commission this past month. Mr. Smith noted the deferral in October listed several items that needed to be addressed and only the roof height was changed, a foot of glass was removed in the front and the bay part of the windows on the side were removed. By meeting with the individual members, additional issues may have been resolved.

Mr. Drago stated he had every intention of meeting with the board members but did not.

Mr. Randolph asked Mr. Drago if he would accept a deferral to try to work things out. Mr. Drago stated he needs to know what items the Commission and he agree on.

Mrs. Smith stated to Mr. Stanley that "no one on the Commission is trying to (say) that a house will not be built on the property. It will be. The Commission is trying to help build a house that Mr. Stanley will be happy with and will be compatible with the neighborhood and an architectural enhancement to North Ocean Boulevard in general. That was the reason for the deferral."

MOTION MADE BY MR. SCHULER TO DISALLOW THE PROJECT FOR FAILURE TO MEET THE FOLLOWING CODE REQUIREMENTS:

ARTICLE IX. ARCHITECTURAL REVIEW AND PROCEDURE, PALM BEACH CODE OF ORDINANCES

SECTION 5-387 (f)(g), PAGE 558 AS FOLLOWS:

(f) THE PROPOSED BUILDING OR STRUCTURE IS NOT VISIBLY EXCESSIVELY DISSIMILAR IN RELATION TO ANY OTHER STRUCTURES EXISTING OR FOR WHICH A PERMIT HAS BEEN ISSUED OR TO ANY OTHER STRUCTURES INCLUDED IN THE SAME PERMIT APPLICATION, FACING UPON THE SAME OR INTERSECTING PUBLIC OR PRIVATE WAY (ALLEYS NOT INCLUDED) AND WITHIN TWO HUNDRED (200) FEET OF THE PROPOSED SITE IN RESPECT TO ONE OR MORE OF THE FOLLOWING FEATURES:

- (1) CUBICAL CONTENTS
- (2) GROSS FLOOR AREA
- (3) HEIGHT OF BUILDING OR HEIGHT OR ROOF
- (4) (NOT PART OF THIS MOTION)

(g) THE PROPOSED BUILDING OR STRUCTURE IS APPROPRIATE IN RELATION TO THE ESTABLISHED CHARACTER OF OTHER STRUCTURES IN THE IMMEDIATE AREA OR NEIGHBORING AREAS IN RESPECT TO SIGNIFICANT DESIGN FEATURES SUCH AS MATERIAL OR QUALITY OR ARCHITECTURAL DESIGN AS VIEWED FROM ANY PUBLIC OR PRIVATE WAY (EXCEPT ALLEYS).

MOTION SECONDED BY MRS. FROST-GOLINO.

Mrs. Frost-Golino stated the Commission is not telling Mr. Stanley what kind of windows Mr. Stanley may or may not install. The windows in the house are a major design element of the structure. The windows are very different from any other type of window in the neighborhood. When Mr. Stanley stated he was unwilling to change the windows, he is giving the message he is not willing to work with that major design element. This is the reason (g) was cited by the Commission. They are not compatible with the neighborhood.

Mr. Smith stated the Commission has preferred a deferral.

Mr. Sanchez noted Mr. Stanley and Mr. Drago do not seem to agree on the action they seek, either a denial or a deferral.

Mr. Smith asked Mr. Stanley (one more time) which he prefers--a denial or a deferral.

Mr. Stanley said he would give it one more try (take a deferral).

Mr. Schuler withdrew his motion.

MOTION MADE BY MRS. SMITH TO DEFER THE PROJECT UNTIL THE DECEMBER MEETING WITH THE CONDITION THE APPLICANT AND ARCHITECT MEET WITH THE COMMISSION MEMBERS BEFORE THE MEETING.

THE MOTION WAS DEFERRED FOR RESTUDY FOR THE FOLLOWING REASONS:

ARTICLE IX. ARCHITECTURAL REVIEW AND PROCEDURE, PALM BEACH CODE OF ORDINANCES

SECTION 5-387 (f) (g), PAGE 558 AS FOLLOWS:

(f) THE PROPOSED BUILDING OR STRUCTURE IS NOT VISIBLY EXCESSIVELY DISSIMILAR IN RELATION TO ANY OTHER STRUCTURES EXISTING OR FOR WHICH A PERMIT HAS BEEN ISSUED OR TO ANY OTHER STRUCTURES INCLUDED IN THE SAME PERMIT APPLICATION, FACING UPON THE SAME OR INTERSECTING PUBLIC OR PRIVATE WAY (ALLEYS NOT INCLUDED) AND WITHIN TWO HUNDRED (200) FEET OF THE PROPOSED SITE IN RESPECT TO ONE OR MORE OF THE FOLLOWING FEATURES:

- (1) CUBICAL CONTENTS
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MOTION SECONDED BY MRS. HOPE.

MOTION CARRIED WITH A ROLL CALL VOTE AS FOLLOWS:

YEA:	LESLY SMITH
	MARIE HOPE
	JOHN SCHULER
	JORGE SANCHEZ
	JOANNA FROST-GOLINO
	LEIGHTON ROSENTHAL
	JEFFERY SMITH

B102-90 Renovations and New Auxiliary Structure

Applicant:	Lawrence Gordon
Address:	1260 North Ocean Boulevard
Designer:	Jamie Nassehi
Project Description:	Renovate front facade; construct auxiliary structure

The project was approved at the October meeting with the conditions color samples and a landscape plan are to be submitted at a later meeting.

The applicant requested the project be deferred until the end of the meeting.

MOTION MADE BY MR. SCHULER TO DEFER THE PROJECT UNTIL THE END OF

THE MEETING.

MOTION SECONDED BY MR. SANCHEZ.

MOTION CARRIED UNANIMOUSLY.

The project was heard at the end of the meeting.

Jamie Nassehi presented a site plan showing the re-designing of the enter part of the site between the existing residence and the approved auxiliary structure. The new design is compatible with the two structures.

The applicant has decided to use the existing beige and eggshell colors. The new structure will match the existing structure.

MOTION MADE BY MRS. SMITH TO APPROVE THE PLAN AS PRESENTED.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

(The Commission recessed at 2:35 p.m. and reconvened at 2:55 p.m.)

B. New Business - Major Projects

B105-90 Additions and Remodeling

Applicant:	Gerard Harriman
Address:	112 Woodbridge
Designer:	Kip Hubbard
Project Description:	Additions to residence and new entry

Mr. Frank recommended this project be deferred until the December meeting. Two property owners did not receive notification of the changes to the residence.

MOTION MADE BY MR. SCHULER TO DEFER THE PROJECT UNTIL THE DECEMBER MEETING.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

Kip Hubbard requested the Commission review his present plans to allow time for any changes before the next meeting.

The site plan shows a new driveway entrance off South Ocean Boulevard. The existing opening on 112 Woodbridge will be narrowed.

A new garage would be built on the west side of the property. The garage doors are visible from the street. The Commission suggested that entrance be closed off and site screened.

B106-90 Renovation

Applicant: George Phillips
Address: 264 Dunbar Road
Contractor: D & W Construction, Inc.
Project Description: New entry; raise living room roof; change windows and enlarge driveway

George Phillips presented an elevation drawing of the front of the house and a site plan.

The living room roof will be raised. The raised addition has gable ends; the original roof is a hip style. The addition would be painted yellow with white trim and a white roof to match the existing structure.

Mr. Phillips explained he wants a living room with 12 to 14 foot ceilings inside the house.

Mr. Smith suggested using the actual rafters of the roof with the addition of skylights to achieve the same effect.

Mr. Phillips replied the inside configuration did not allow the 12-14 height he and Mrs. Phillips want.

The members of the Commission discussed the new roof addition. They agreed the design was not an architectural enhancement to the residence.

Mr. Schuler suggested the front entry could be re-worked, perhaps changing the wooden doors to glass doors.

MOTION MADE BY MRS. FROST-GOLINO TO DEFER THE PROJECT TO RESTUDY THE ROOF AND THE ENTRY. THE PLAN IS NOT AN ARCHITECTURAL ENHANCEMENT TO THE RESIDENCE.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

B107-90 Additions and new pool house

Applicant: Gregory and Claire Papadopoulos
Address: 111 El Brillo Way
Architect: Smith & Paine
Project Description: Construct a two story addition on the west side of the house; a one story addition on the east side of the house and a new pool house

Jim Paine presented photographs of the existing house and neighboring properties to the Commission.

A colored rendering showed new windows, a barrel tile roof and the new addition. The stucco addition has a three car garage and servants quarters. The Mediterranean style addition is compatible with the neighborhood.

MOTION MADE BY MRS. FROST-GOLINO TO APPROVE THE PROJECT AS PRESENTED WITH THE CONDITION THE CABANA'S WINDOWS AND DETAILING MATCH THE EXISTING RESIDENCE. A LANDSCAPE PLAN WILL FOLLOW.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITIONS.

B108-90 New Garage and Residence Renovation

Applicant: Ian and Valerie Forsyth
Address: 265 Tradewind Drive
Architect: Island Studio, Inc.
Project Description: Construct new garage; renovations to include new entry, windows, doors and reworking of the driveway area

Photographs of the existing house and the neighboring properties were presented.

The site plan calls for a new driveway area with three cuts. The new garage has been located on the west end of the house. Two individual garage doors are planned in lieu of one large door.

The Commission suggested the driveway entrance opening directly from the street to the garage be closed off and the center cut be lined up with the entrance to the house.

MOTION MADE BY MRS. FROST-GOLINO TO APPROVE THE PROJECT WITH THE CONDITION ONE DRIVEWAY OPENING BE CLOSED OFF AND ANOTHER OPENING LINED UP WITH THE ENTRANCE TO THE HOUSE AND THE GARAGE DOORS BE TOTALLY SCREENED.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITION.

B109-90 New Storage Building

Applicant: Town of Palm Beach
Address: 265 Palmo Way (nursery)
Architect: Gee & Jenson
Project Description: Construction of a new storage building at the nursery

Jim Bowser, Town Engineer, presented plans for the new storage building at the Town's nursery on Palmo Way. Photographs of the nursery were presented also.

Mr. Bowser stated two of the present buildings on the site will

be demolished. The new building will be used to store mainly fertilizers and chemicals.

The buildings will be constructed on concrete blocks with a stucco finish and a brown shingled roof.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT.

MOTION SECONDED BY MR. SANCHEZ.

MOTION CARRIED UNANIMOUSLY.

C. New Business - Minor Projects

A121-90 Entry Gates, Columns and Walls

Applicant: Mr. and Mrs. Stanley Gaines
Address: 1446 North Ocean Boulevard
Contractor: Sloane Construction Company, Inc.
Project Description: Install entry gates; construction columns and walls

(Mr. Sanchez will present this project. He excused himself from the Commission. Mrs. Baker will be voting in his place.)

Jorge Sanchez, Sanchez and Maddox Landscaping, presented photographs of the existing property and the adjacent properties.

The site plan shows a driveway on an expanded lot. The entire property is to be re-landscaped.

Double black aluminum gates are hung on six foot columns. A four foot wall adjoins the columns.

The gates are approximately twenty feet from the road.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

(Mr. Sanchez resumed his seat on the Commission. Mrs. Baker is no longer voting.)

A122-90 Awnings

Applicant: Bice Restaurant
Address: 313 Worth Avenue
Contractor: Awnings by Jay
Project Description: Replace 4 existing awnings with 12 (different style) awnings

This project was presented with the next sign project by Phil Rowe Signs.

The solid green with white awnings will be used at the location of the former Petite Marmite Restaurant. The French doors on the Peruvian side of the building would have awnings.

Photographs of the building were presented and drawings of the awning style.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT WITH THE CONDITION THE COLOR OF GREEN ON THE AWNINGS MATCH THE GREEN AWNING NEXT DOOR (TRILLION'S).

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITION.

(Mr. Sanchez left the meeting at 4:00 p.m. Mrs. Baker is now voting.)

A123-90 Sign

Applicant:	Bice Ristorante
Address:	313 1/2 Worth Avenue
Contractor:	Phil Rowe Signs
Project Description:	Three signs on building

Steve Rowe presented an elevation drawing of the building with the signs imposed on the facade.

Mr. Rowe stated the signs would either be vinyl letters or painted on the building.

MOTION MADE BY MRS. HOPE TO APPROVE THE VINYL LETTERS WITH THE CONDITION THEY HAVE A MATTE FINISH.

MOTION SECONDED BY MR. ROSENTHAL.

MOTION CARRIED 6/1 WITH MRS. SMITH VOTING NEGATIVE.

A124-90 Sign

Applicant:	Island National Bank
Address:	126 North County Road
Contractor:	Phil Rowe Signs
Project Description:	Black letter on face of Building (Island National Bank). Letter front and rear glass doors in white.

The Applicant requests this project be removed from the agenda.

MOTION MADE BY MR. SCHULER TO REMOVE THE ITEM FROM THE AGENDA.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

A125-90 Sign

Applicant:	Arij Gasiunasen Fine Art
Address:	200 Worth Avenue
Contractor:	Phil Rowe Signs
Project Description:	Install matte black letters on building; 3 inch letters on window

Steve Rowe presented an elevation drawing with the sign imposed on the building.

The location is next to Ferragamo's.

Black cut-out letters would be installed on the building. Three inch lettering would be on the window.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT.

MOTION SECONDED BY MRS. HOPE.

MOTION CARRIED UNANIMOUSLY.

(Mr. Newman left the meeting at 4:10 p.m.)

A126-90 Addition

Applicant:	Mrs. Suzanne Wagner
Address:	219 Mediterranean Road
Architect:	Ames Bennett
Project Description:	Bathroom addition

Ames Bennett presented a rendering showing the small bathroom addition.

The Commission discussed the details of the addition.

MOTION MADE BY MRS. FROST-GOLINO TO APPROVE THE PROJECT WITH THE SUGGESTION THE FRONT DOOR BE CHANGED.

MOTION SECONDED BY MR. ROSENTHAL.

MOTION CARRIED UNANIMOUSLY WITH THE STATED SUGGESTION.

A127-90 Carport Awning

Applicant:	Dr. R. Campbell
Address:	257 Dunbar Road

Contractor: American Awning Company
Project Description: Install carport awning on west side of residence

Joe Mattei presented a drawing of the awning which would be installed on the west side of the residence, 100 feet back from the road.

Photographs of the residence were presented.

The awning would be white and located 15 feet from the property line, next to the garage.

MOTION MADE BY MRS. HOPE TO APPROVE THE PROJECT.

MOTION SECONDED BY MR. ROSENTHAL.

MOTION CARRIED UNANIMOUSLY.

A128-90 Awnings

Applicant: Gerard Harriman
Address: 137 Dunbar Road
Contractor: Perco Industries
Project Description: Install awnings on upper and lower sun decks

A site plan was presented showing the proposed installation of awnings over the upper and lower sun decks.

A white color sample was presented.

MOTION MADE BY MRS. SMITH TO APPROVE THE PROJECT.

MOTION SECONDED BY MRS. HOPE.

MOTION CARRIED UNANIMOUSLY.

A129-90 Sign

Applicant: Uptown Casuals
Address: 251 Royal Poinciana Way
Contractor: City Signs
Project Description: 12" and 15" black plastic letters mounted on building

An elevation drawing was presented showing the sign imposed on the facade of the building. The new sign will be located in the same position as the old sign.

MOTION MADE BY MRS. BAKER TO APPROVE THE PROJECT.

MOTION SECONDED BY MR. ROSENTHAL.

MOTION CARRIED UNANIMOUSLY.

A130-90 Gates

Applicant: Mr. and Mrs. Robert Montgomery
Address: 1800 South Ocean Boulevard
Architect: The Lawrence Group
Project Description: Entrance gates to residence

Donna Beinstein from The Lawrence Group presented a site plan showing the location of the gates approximately twenty feet from the road.

The black aluminum gates would have gold spearheads. The gates have an intricate design. Existing lions flank the gates.

Mr. Smith questioned the shape and design of the gates and the gold spearheads. The Commission members discussed these issues.

MOTION MADE BY MRS. SMITH TO APPROVE THE BLACK GATES WITH THE CONDITIONS THE DESIGN BE STRAIGHT ACROSS AND THE SPEARHEADS BE PAINTED BLACK WITH NO GOLD TRIM.

MOTION SECONDED BY MRS. HOPE.

MOTION CARRIED UNANIMOUSLY WITH THE STATED CONDITIONS.

A131-90 Wall and Gate

Applicant: Robb R. and Elizabeth T. Maass
Address: 225 Monterey Road
Contractor: Dove Enterprises of Palm Beach County
Project Description: Wall and wooden gate

(This project was heard after the major items.)

Elizabeth Maass presented a drawing showing the wooden gate and a beige concrete stucco wall. The gate detail matches the railing on the back of the house. The house is beige with white trim.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. ROSENTHAL.

MOTION CARRIED UNANIMOUSLY.

A132-90 Roof

Applicant: T. Trout
Address: 340 Brazilian Avenue
Architect: Robert Kolany
Project Description: Install clay tile, solid roof over existing trellis roof

Mr. Frank reported no plans were received for this project prior to the meeting.

Robert Kolany presented a drawing showing the clay tile roof in place of the trellis roof.

The Commission members remarked the roof is an improvement.

MOTION MADE BY MRS. FROST-GOLINO TO APPROVE THE PROJECT.

MOTION SECONDED BY MRS. SMITH.

MOTION CARRIED UNANIMOUSLY.

A133-90 Sign

Applicant:	Perry Ellis Shoes
Address:	235A Worth Avenue
Contractor:	Phil Rowe Signs
Project Description:	Lettering on window

(This project was heard following A125-90.)

Steve Rowe presented an elevation drawing showing the proposed lettering (either black, gold or white) on the windows.

MOTION MADE BY MR. SCHULER TO APPROVE THE PROJECT.

MOTION SECONDED BY MRS. SMITH.

MOTION CARRIED UNANIMOUSLY.

A134-90 Sign

Applicant:	Dr. Lawrence Gorfine
Address:	101 North County Road
Contractor:	Clayton Kohlmeyer General Contractor
Project Description:	Cut out wood sign (Tete-a-Tete Cafe) over corner store front door

Steve Rowe presented an elevation drawing showing the lettering over the corner door.

The cut out wood sign will be black or brown; probably brown to match the color of the building.

MOTION MADE BY MR. SCHULER TO APPROVE THE SIGN WITH THE CONDITION THE COLOR BE BROWN.

MOTION SECONDED BY MRS. FROST-GOLINO.

MOTION CARRIED UNANIMOUSLY.

Adjournment

MOTION MADE BY MRS. SMITH TO ADJOURN THE MEETING.

MOTION SECONDED BY MRS. HOPE.

MOTION CARRIED UNANIMOUSLY.

The November 28, 1990 Architectural Commission meeting was adjourned at 4:50 p.m. The next Architectural Commission meeting will be held December 19, 1990. The morning session will begin at 10:00 a.m.

Respectfully submitted,

Jeffery W. Smith, Chairman

JWS:mp

A121-90

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

LAST NAME—FIRST NAME—MIDDLE NAME SANCHEZ, JORGE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Commission</i>	
MAILING ADDRESS 239 Southland Rd.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY P.B.	COUNTY FL	CITY COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 11-28-90		NAME OF POLITICAL SUBDIVISION:	
		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 equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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 the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should 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.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jorge Sanchez, hereby disclose that on 11/28, 19 90:

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

Mr. & Mrs. Stanley Gaines
1446 N. Ocean

landscape architect for the project

11-28-90
Date Filed

J. Sanchez
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.