



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, NOVEMBER 22, 2024

Please be advised that in keeping with a 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 once it has concluded may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. **CALL TO ORDER**

Chair Smith called the meeting to order at 9:01 a.m.

II. **ROLL CALL**

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT
Betsy Shiverick, Member	PRESENT
Kenn Karakul, Member	PRESENT
Elizabeth Connaughton, Member	PRESENT
Katherine "KT" Catlin	PRESENT
Claudia Visconti, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
David Phoenix, Alternate Member	PRESENT
Maisie Grace, Alternate Member	PRESENT

Staff Members present were:

Friederike Mittner, Design and Preservation Manager
Sarah Pardue, Design & Preservation Planner
Bradley Falco, Design & Preservation Planner
Kelly Churney, Acting Town Clerk
Assistant Town Attorney Lainey Fransisco

III. **PLEDGE OF ALLEGIANCE**

Chair Smith led the Pledge of Allegiance.

IV. **APPROVAL OF MINUTES**

A. Minutes of the Architectural Review Commission Meeting of October 23, 2024

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the minutes of the October 23, 2024, meeting as presented. The motion was carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Ms. Pardue requested two modifications to the agenda: ARC-24-0099, 250 Via Linda would be deferred to December 20, 2024, and project ARC-24-0085 (ZON-24-0044) 315 Chapel Hill Road would be heard immediately following the consent agenda.

A motion was made by Ms. Visconti and seconded by Ms. Catlin to approve the amended agenda. The motion was carried unanimously, 7-0.

VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney administered the oath and continued to do so throughout the meeting, as necessary.

VII. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**

Mr. Smith reminded the applicants that 10 minutes were allotted for the presentations.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

No comments were heard at this time.

IX. **PROJECT REVIEW**

A. **CONSENT AGENDA**

1. **ARC-24-0099 250 VIA LINDA** The applicant, Subtrust Under Article Second of the MTDT 2009 Descendants Trust, has filed an application requesting Architectural Commission approval for the installation of a generator.

Clerk's note: This item was deferred to the December 20, 2024, meeting at Item V. Approval of the Agenda.

2. **ARC-24-0101 259 PENDLETON AVE.** The applicant, Mr. & Mrs. Iovino (MP Design & Architecture), has filed an application requesting Architectural Commission review and approval for installation of a backyard sculpture exceeding 12 feet in height.

Clerk's note: This item was pulled from the consent agenda and immediately heard.

Ms. Pardue provided staff comments on the project.

Ms. Shiverick asked how far the size of the sculpture was outside the size allowed by code. Mr. Perry responded that the sculpture's height was 12' 8", 8" taller than what is allowed by code. He reviewed the drawings and photographs with the commission.

Mr. Smith asked for confirmation that the sculpture was not within the setbacks. Mr. Perry affirmed.

Mr. Karakul asked if it would be lit. Mr. Perry said the sculpture would be lit from underneath, and there would be no uplighting.

Ms. Connaughton asked about the material for the sculpture. Mr. Perry stated it was metal.

Several members disclosed ex-parte communications.

A motion was made by Mr. Karakul and seconded by Ms. Visconti to approve the project as presented. The motion was carried 4-3, with Mses. Shiverick, Connaughton and Mr. Sammons dissenting.

3. **ARC-24-0093 1240 N OCEAN WAY** The applicant, Polly Daugherty, on behalf of Paradelo Burgess Design Studio, has filed an application requesting Architectural Commission review and approval for the installation of solar panels on the roofs of an existing two-story residence.

Clerk's note: This item was pulled from the consent agenda and immediately heard after ARC-24-0101 259 Pendleton Ave.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Polly Daugherty of Paradelo Burgess Design Studio presented the application for the installation of solar panels.

Ms. Shiverick asked about the number of solar panels being placed on the roof. She also thought the panels on the north elevation that sloped down would be visible, particularly on the two-story portion. Ms. Daugherty responded.

Mr. Floersheimer asked about the different types of solar panels that were proposed. He thought the proposed panels with the racking system would protrude above the roof and would be visible from the road.

Contractor Scott Hart discussed the proposed panels. A further discussion ensued about the height of the panels above the roof.

Mr. Floersheimer suggested an illustration for the commissioners to view and confirm visibility before approval.

Ms. Catlin asked about the panels that would be highly visible. Ms. Mittner responded that there were some key locations where the visibility of the panels could be reduced.

Ms. Connaughton asked about the efficiency of the panels on different roofs. Mr. Hart responded.

Ms. Grace was concerned about the vegetation being used for screening and noted it could be removed at any time.

Mr. Karakul asked if the new panels matched the existing panels. Mr. Hart stated there were different panels but of the same color. Mr. Karakul wondered if the older panels should be changed so all panels

are uniform. Ms. Daugherty indicated that the existing panels were installed on a rack, were consistent, and would be the same color.

Ms. Grace noted that panels visible from the street were not approved in the past.

A motion was made by Ms. Catlin to approve the project, with the condition that any panels that staff deemed visible from the street shall be removed. The motion died for the lack of a second.

A motion was made by Ms. Shiverick to deny the project based on section 18-205 (a) 1. The motion died for the lack of a second.

A motion was made by Ms. Visconti and seconded by Ms. Catlin to defer the project to the December 20, 2024, meeting so that an angle of vision study from the surrounding streets could be completed. The motion was carried 6-1, with Ms. Shiverick dissenting.

Clerk's note: The following item was moved to be heard immediately after the consent agenda at the Approval of the Agenda, Item V.

ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD (COMBO) The applicant, Ocean Breezes 2 LLC (Francis Lynch, Attorney), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story, single-family residence of over 10,000 SF with a detached two-story accessory structure including final hardscape, landscape, and swimming pool improvements; requiring a special exception to redevelop a nonconforming parcel in the R-A zoning district and to provide reduced vehicle stacking; also one variance to encroach into the building height plane setback area. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Nelo Freijomel of Spina O'Rourke + Partners presented the architectural plans, and Keith Williams of Nievera Williams Design the landscape and hardscape plans.

Mr. Sammons liked the brick and the gate. He thought the presentation lacked a scale figure in elevations and wondered about the scale of the proposed project. He thought the structure was interrupted, but the center bay did not support the wings. He thought the wings should be based on a smaller scale. He provided a recommendation for the location of the chimney and the fenestration. He questioned the large size of the two-car garage. Mr. Sammons recommended altering the roof heights for differentiation. He liked the direction but thought there was too much going on in the design. He liked the landscape plan.

Ms. Connaughton thought Mr. Sammons's comments were spot on. She thought the project was beautiful but that some changes would

help the design. She agreed that some details had scale issues and pointed out details. She preferred the initially proposed gates rather than the alternate gates shown. She also recommended thinning out the flat roof.

Ms. Catlin found the home warm and inviting. She liked that it was not white or stucco. She liked the detailing and use of the proposed materials. She asked that the design not lose its charm in the finessing process.

Ms. Grace thought the design seemed too congested on the property. She hoped that the variance could be removed in the redesign.

Mr. Phoenix liked the landscape design and was happy that the neighbors supported the design.

Mr. Karakul agreed with the other comments and liked the style and materials. He thought the hyphens needed to be stronger in the design to provide relief. He thought the landscape design was beautiful. He believed the design scale of the front gate needed to be reviewed.

Ms. Shiverick was happy to see the brick material and liked its use. She agreed with Mr. Sammons that the design felt like a run-on sentence and that the hyphens needed to be enhanced. She questioned the scalloped details and thought they should be straight.

Ms. Connaughton asked Ms. Shiverick and Mr. Phoenix what they thought about the window material and colors. They both thought the materials and colors were nice.

Mr. Smith also thought the hyphens were an issue. He liked the brick and the details. He pointed out the east wing and thought it needed some study. Mr. Smith cautioned the applicants on the potential for the steel windows to rust over time. He thought the project was nice.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Mr. Sammons and seconded by Ms. Connaughton to defer the project to the meeting on December 20, 2024. The motion carried unanimously, 7-0.

Clerk's note: A short break was taken at 10:13 a.m. and resumed at 10:27 a.m.

B. MAJOR PROJECTS-OLD BUSINESS

1. **ARC-23-155 160 SEAVIEW AVE.** The applicant, Coral Beach Corporation (Angela Feldman, President) & Seaview Holdings, Inc (David Feldman, Director), has filed an application requesting Architectural Commission review and approval for construction of a new, two-story guest wing and detached cabana structure with associated hardscape and landscape and swimming pool improvements.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Daniel Kahan of Smith and Moore Architects presented the architectural plans, and Cory Meyer of Nievera Williams Design presented the landscape and hardscape plans.

Ms. Visconti liked the new garage design. However, she questioned the number of Green Island Ficus, the squareness of the design, and the lack of flowers. Mr. Meyer stated that the owner had a scent allergy and could consider different plantings. She recommended adding vines to the building and pergola. She thought the design lacked texture.

Mr. Karakul thought the program was very well done and supported the project.

Mr. Phoenix liked the newly revised motor court and garage and the use of parking off the alley. He supported the project.

Ms. Connaughton liked the changes to the floor plan and the site plan. She thought that the pergola was a bit dark and liked the idea of adding some vines. She questioned the amount of fenestration on the north elevation. Mr. Kahan explained the design. Ms. Connaughton asked about the equipment yard around the banyan tree. Mr. Kahan responded. Ms. Connaughton stated that she would support a variance if the applicant wanted to move the equipment yard.

Ms. Catlin agreed with Ms. Visconti about the landscaping's colors and textures. She liked the changes and thought the project was well done.

Ms. Shiverick asked about the color of the windows. Mr. Kahan responded.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Mr. Karakul and seconded by Ms. Shiverick to approve the project as presented, with the direction of adding more texture to the landscape design. The motion was carried unanimously, 7-0.

2. **ARC-24-0074 117 DOLPHIN RD.** The applicant, Marla Wiegman Fusz 2021 Family Trust (Marla Fusz, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new, two-story, single-family residence with final hardscape, landscape and swimming pool.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Roger Janssen of Dailey Janssen Architects presented the architectural plans, and Andres Paradelo of Paradelo Burgess Design Studio presented the landscape and hardscape plans.

Mr. Sammons thought the plan had been improved. He commented on the wings and questioned their design. He recommended clipping the eaves on one of the wings. He thought the garage should appear smaller, and he did not favor the fake chimney. He thought the chimney's seemed a bit too bulky. He thought the front windows needed to be revised.

Ms. Visconti agreed that the design was improved. She wondered if the shutter color could be changed to dark or light green. Mr. Janssen showed a sample of the shutter color. Ms. Visconti asked about the color of the gates and recommended that they be changed to match the shutters. She also recommended adding a vine to the garage to add more color.

Mr. Karakul agreed it was much improved and agreed with the comments on the front windows. He also thought the landscaping needed to be taller.

Ms. Connaughton agreed with the previous comments. She wondered if the doors in the master bedroom could be narrower to match the other doors; she thought they would appear more harmonious. She also commented on the fenestration dimensions.

Ms. Shiverick still thought the entry felt boxy. She questioned the keystone over the entrance and recommended adding some texture to differentiate it from the rest of the house. Mr. Janssen responded. She also recommended eliminating the keystone over the front entrance.

Mr. Phoenix agreed with the comments on the windows. He recommended adding different textures on the front. He asked about the lanterns and recommended simplifying the landscaping. Mr. Janssen responded and thought the front entrance could be white brick. Mr. Phoenix thought the first floor could be brick. Mr. Phoenix was not in favor of the landscape plan.

Ms. Grace thought the changes were nice and agreed with the comments about the fenestration. She liked the suggestion to change the materials. She questioned the Seagrape trees and thought they needed to be larger specimens. She also questioned the palms at the front entrance.

Ms. Catlin thought the changes gave the landscape a much richer look. She liked the other members' suggestions and the use of broken stones.

Ms. Connaughton wondered about narrowing the front entrance opening, which she thought would be nice. She thought the water table at the front was too low and suggested that it be brought up to the window sills.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Visconti and seconded by Ms.

Shiverick to defer the project to the meeting on December 20, 2024, with a study of the first-floor entry and brick, the addition of vines to the wings, and a restudy of the entire landscape plan. The motion carried unanimously, 7-0.

3. **ARC-24-0023 (ZON-24-0010) 515 NORTH LAKE WAY (COMBO)** The applicant, JORDAN GRETCHEN S TRUST (Maura Ziska, Authorized Representative), has filed an application requesting Architectural Commission review and approval for the construction of a new one-story single-family residence with final hardscape and landscape, a special exception to develop the existing nonconforming lot, and one variance 1) to exceed the permitted angle of vision. This is a combination project that shall be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Roger Janssen of Dailey Janssen Architects presented the architectural plans, and Dustin Mizell of Environment Design Group presented the landscape and hardscape plans.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Floersheimer thought the entrance's relocation was successful. He questioned the gate to N. Lake Way and thought it should be landscaped. Mr. Janssen stated that the applicant would prefer not to have a gate at that location.

Ms. Catlin thought the changes were successful. She supported closing the gate at that location.

Mr. Sammons did not believe the design was finished. He questioned the configuration of the garage doors, the amount of fenestration, and the design style. He made a few recommendations on the design.

Ms. Visconti supported closing the gate on N. Lake Way. She recommended continuing the hedge to conceal the garage and changing the Coco plum material to native grass. She favored the shade tree.

Mr. Smith thought the existing home looked better than the proposed one. He agreed with Mr. Sammons and did not believe the design was ready. He added that he could not support the design.

Mr. Karakul was not opposed to the design but thought the front entrance needed to be more significant. He was not in favor of the South's perspective.

A motion was made by Ms. Shiverick and seconded by Mr. Karakul to

defer the project to the meeting on December 20, 2024, with consideration of the commissioners' comments. The motion carried unanimously, 7-0.

4. **ARC-24-0027 (ZON-24-0034) 203 S LAKE TRL (COMBO)** The applicants, Darlene & Gerald Jordan, have filed an application requesting Architectural Commission review and approval for a new two-story single-family residence with one-story pool house and padel court, with final hardscape, landscape, and swimming pool improvements; with (2) special exceptions required as it pertains to the proposed padel court and the location of a vehicular gate. Town Council shall review the application as it pertains to zoning relief/approval. [The applicant has requested a one-month deferral to the December 20, 2024, ARCOM meeting.]

Clerk's note: This item was deferred to the December 20, 2024, meeting at Item V. Approval of the Agenda.

5. **ARC-24-0071 224 VIA MARILA** The applicant, Adrian Tauro, has filed an application requesting Architectural Commission review and approval for construction of a new, two-story single-family residence and attached accessory structure with final hardscape, landscape and swimming pool. [The applicant has requested a one-month deferral to the December 20, 2024, ARCOM meeting.]

Clerk's note: This item was deferred to the December 20, 2024, meeting at Item V. Approval of the Agenda.

C. MAJOR PROJECTS - NEW BUSINESS

1. **ARC-24-0080 (ZON-24-0042) 141 ATLANTIC AVE (COMBO)** The applicants, Sloane Family Trust (Brasseur & Drobot Architects, P.A.), have filed an application requesting Architectural Commission review and approval for a first-floor addition to an existing residence, a new pool and hardscape, new site wall and expansion of an existing curb cut. Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Several members disclosed ex-parte communications.

Jason Drobot of Brasseur & Drobot Architects presented the architectural plans, and Dustin Mizell of Environment Design Group presented the landscape and hardscape plans.

Ms. Connaughton was pleased that the home was going to be saved. She wondered about the original siding. Mr. Drobot showed the commission the original design of the home. She questioned the front balcony enclosure and thought the design was confusing. She thought the elements should be lighter and fit more with the home.

Ms. Shiverick was pleased that the home would be saved. She agreed with Ms. Connaughton and questioned the amount of glass proposed. She recommended using different windows.

Mr. Floersheimer was pleased that the home would be saved and acknowledged the reduction in square footage. On his site visit, he noted that the Buttonwood trees seemed diminished and wondered if they could be revitalized. Mr. Mizell responded.

Ms. Catlin was pleased that the home was going to be saved. She liked the porch enclosure. She thought the design nodded to the past but made it work for the future. She also thought the change to the front entrance was needed.

Ms. Visconti supported the enclosure but thought a change in the fenestration was needed. She also questioned whether the front door should be pulled forward.

Mr. Karakul agreed and wondered if the color palette was not enhancing the design. He did not mind the windows on the balcony enclosure. He wondered if a canopy could be added across the driveway entrance. Mr. Mizell responded, stating that a canopy existed and that he thought it would mitigate the issue.

Mr. Phoenix was pleased the home was going to be saved. He recommended some millwork and glass that mimicked a sunroom. He liked the shutters on the existing design. He thought the color and windows could be studied, with the possible addition of lanterns.

Mr. Sammons discussed the cornice and entablature and provided recommendations. He thought the porch should be all wood and glass without masonry. He recommended changing the floor plan.

Mr. Smith called for public comment.

Zoya Sloane, the owner, discussed the reason for the windows proposed on the porch and the colors she chose for the home.

A motion was made by Ms. Connaughton and seconded by Mr. Sammons to defer the project to the meeting on December 20, 2024, with consideration of the commissioners' comments. The motion carried unanimously, 7-0.

2. **ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD (COMBO)** The applicant, Ocean Breezes 2 LLC (Francis Lynch, Attorney), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story, single-family residence of over 10,000 SF with a detached two-story accessory structure including final hardscape, landscape, and swimming pool improvements; requiring a special exception to redevelop a nonconforming parcel in

the R-A zoning district and to provide reduced vehicle stacking; also one variance to encroach into the building height plane setback area. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Clerk's note: This item was moved to be heard immediately after the consent agenda at the Approval of the Agenda, Item V.

3. **ARC-24-0095 210 JAMAICA LN.** The applicant, J. Williams Weeks Estate (Robin Weeks), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story, single-family residence with final hardscape, landscape, and swimming pool improvements.

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Roger Janssen of Dailey Janssen Architects presented the architectural plans, and Tyler Nielsen of Nielsen Landscape Architects presented the landscape and hardscape plans.

Mr. Sammons questioned the garage's size compared to the home and did not favor the front-facing garage doors. He also questioned the roof plan and could not support the design. He recommended repositioning the house on the site. Mr. Janssen further explained the design.

Ms. Shiverick liked the shutters' chosen color but did not believe it was appropriate; she thought a pastel color would be better.

Ms. Grace liked the rear of the home and porch; however, she did not favor the garage facing the street. She was in favor of the material choices. She wondered if a variance could be granted to allow a one-car garage.

Ms. Visconti liked the material choices and wondered if the garage should be made of wood. She recommended adding vines to the garage and eliminating the sconces above the garage doors. She said there were ways to downlight the landscaping without having the sconces. She asked to see the canopy plan, and Mr. Nielsen showed the plan illustration. She liked the canopy plan but questioned the amount of Bird of Paradise plants proposed in the buffers. When asked about the native plantings, Mr. Nielsen responded.

Mr. Floersheimer wondered about the size of the home and whether it would fit into the neighborhood. He agreed with Mr. Sammons's comments on the size of the garage. He questioned the dormer and windows in the garage space. He recommended reducing the ceiling height on the first floor to align better with the neighborhood. Mr. Janssen further explained the design.

Ms. Connaughton was in favor of the material choices. She thought the design lacked organization. She also thought it was upsetting that the professional's hands were tied with the garage's orientation. She thought the other homes on the street had simplified massing, and she recommended studying the fenestration. She thought the plans could be cleaned up.

Mr. Phoenix liked the materials but not the gray color proposed. He agreed with Ms. Visconti's comments on the Bird of Paradise. He liked the idea of lighting for the garage and thought gas lighting might complement the design and add charm.

Ms. Catlin liked the materials and did not believe the home was large for the area. She recommended exploring nicer-styled garage doors that make the garage less prominent. She thought something was missing on the front elevation.

Ms. Visconti asked about the material for the driveway. Mr. Nielsen responded. She recommended using coral stone with grass joints and adding vines to soften the design.

Mr. Karakul thought the landscaping was good. He suggested reworking the right wing to add charm around the windows. He liked the backyard open space.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Mr. Karakul and seconded by Ms. Visconti to defer the project to the meeting on December 20, 2024, with consideration of the commissioners' comments. The motion carried unanimously, 7-0.

4. **ARC-24-0102 218 MERRAIN RD.** The applicants, Mr. and Mrs. Robert Keith, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements.
Clerk's note: This item was withdrawn at Item V. Approval of the Agenda.

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-24-0087 215 SEMINOLE AVE.** The applicants, Brenda H. Schwerin (Environment Design Group), have filed an application requesting Architectural Commission review and approval for landscape and hardscape modifications, including a new water feature, pedestrian gates, and front yard wall.

Ms. Pardue provided staff comments on the project.

Messrs. Floersheimer and Karakul disclosed ex-parte communications.

On behalf of the applicant, Attorney Bill McGuire reiterated that the commissioners should review the project scope from the perspective of a need for privacy and security. He discussed the surrounding property. Dustin Mizell of Environment Design Group, gave the landscape and hardscape presentation.

Mr. Karakul thought the changes were good, the security issue was mitigated, and the changes reflected the commissioners' comments.

Mr. Floersheimer thought the piers on each side of the gate were excessively high. He felt the columns should remain at their current height.

Ms. Grace thought the changes were attractive and felt they were responsive to the commissioners' comments.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the project as presented. The motion was carried unanimously, 7-0.

2. **ARC-24-0060 910 S OCEAN BLVD.** The applicant, 910 S Ocean LLC (Portuondo Perotti Architects), has filed an application requesting Architectural Commission review and approval for modifications to an interior courtyard and balcony railings. [The applicant has requested a one-month deferral to the December 20, 2024, ARCOM meeting.]

Clerk's note: This item was deferred to the December 20, 2024, meeting at Item V. Approval of the Agenda.

3. **ARC-24-0066 324 PLANTATION RD.** The applicant, Wendy Schriber Trust (Environment Design Group), has filed an application requesting Architectural Commission review and approval for construction of a pergola structure and site wall with associated landscape and hardscape. This item has been deferred to the December 20, 2024 meeting.

Clerk's note: This item was deferred to the December 20, 2024, meeting at Item V. Approval of the Agenda.

E. MINOR PROJECTS-NEW BUSINESS

1. **ARC-24-0036 (ZON-24-0050) 333 SUNSET AVE (COMBO)** The applicant, Royal Poinciana South, has filed an application requesting Architectural Commission review and approval for the installation of eleven (11) new aluminum shade structures on the 7th-floor apartment balconies requiring Special Exception, Site Plan Review and height variances. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

On behalf of the applicant, Attorney Maura Ziska explained the overall design and showed the commission the proposal.

Mr. Phoenix thought the proposal was a big improvement.

Mr. Karakul agreed with Mr. Phoenix and thought the proposal cleaned up the design.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to approve the project as presented. The motion was carried unanimously, 7-0.

2. **ARC-24-0088 (ZON-24-0088) 310 PLANTATION RD (COMBO)** The applicant, John Burns III (Environment Design Group), has filed an application requesting Architectural Commission review and approval for a new spa, site wall, and outdoor grill with associated landscape and hardscape modifications requiring variances. Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Mr. Floersheimer disclosed ex-parte communications.

Dustin Mizell of Environment Design Group presented the landscape and hardscape plans for the site.

Mr. Smith asked about the grade change and if the variance had already been granted. Mr. Mizell stated that he was asking the commission for a positive recommendation for the variance and explained the grade difference.

Ms. Visconti asked about the amount of fill and the grade change.

Mr. Murphy discussed the fill requirements. He explained that the applicant was raising the land to 9 feet, although only 7 feet was required. Mr. Murphy also thought the extra two feet contributed to some issues and triggered other variances. He noted that lowering it to 7 feet would dramatically reduce the variances and eliminate one of them.

Mr. Smith asked about the height of the wall. Mr. Murphy indicated it was 4 feet. Mr. Smith wondered if it could be lowered to 3 feet. Mr. Mizell said he thought it could be sloped down.

Ms. Catlin asked the staff members if the conditions met the FEMA requirements. Mr. Murphy said the house was already existing, and this was the area already wired for a generator. The existing generator was below the critical elevation level. He explained their request to put the generator at a higher elevation and the need to screen it.

Mr. Floersheimer wondered if the existing stairs would remain on the east side of the property. He asked if they would still be recessed below the level of the pool deck and the extended new lawn. Mr. Mizell explained.

Mr. Smith called for public comment. No one indicated a desire to speak.

A motion was made by Ms. Catlin and seconded by Mr. Sammons to approve the project as presented, with the condition that the applicant shall lower the generator and screening wall height to 7', eliminating the need for two variances, and revise fill calculations and submit to the Town before the Town Council meeting. The motion was carried unanimously, 7-0.

A motion was made by Ms. Catlin and seconded by Mr. Karakul that the implementation of the proposed variances will not cause a negative architectural impact on the subject property. The motion was carried unanimously, 7-0.

3. **ARC-24-0094 260 NIGHTINGALE TRL.** The applicant, Nightingale 260 Property LLC (Environment Design Group), has filed an application requesting Architectural Commission approval for sitewide landscape and hardscape modifications.

Ms. Pardue provided staff comments on the project.

Messrs. Floersheimer and Phoenix disclosed ex-parte communications.

Dustin Mizell of Environment Design Group presented the landscape and hardscape plans for the site.

Mr. Smith called for public comment.

Tony Smith, 250 Nightingale Trail, stated that he had met with Mr. Mizell to discuss the proposed changes, and he and his wife supported the changes as presented. He said that thus far, the builder and the architect had sympathetically and supportively worked with them. Mr. Mizell stated that his client was committed to working with Mr. Smith to mitigate visual gaps.

Mr. Floersheimer asked about the wall. Mr. Mizell said the wall was a low wall to accommodate the grade change. He asked about the stepping stones and wondered if they would increase the landscape open space. Mr. Mizell responded.

A motion was made by Ms. Catlin and seconded by Ms. Visconti to approve the project as presented. The motion was carried unanimously, 7-0.

4. **ARC-24-0096 150 WORTH AVE - THE ESPLANADE.** The applicant, Wilson 150 Worth LLC, has filed an application requesting Architectural

Commission review and approval for updated paving, updated railings, removal of the main central staircase, and the addition of a water feature for the Esplanade.

Mr. Sammons recused himself from this item as the applicant retained him professionally.

Ms. Mittner provided staff comments on the project.

Several members disclosed ex-parte communications.

Mark Gianquitti, Director of O'Connor Property Management, provided an explanation and overview of the project. Dustin Mizell of Environment Design Group presented the landscape and hardscape plans for the site. Lorena Knezevic, Architect from Gensler & Associates, presented the scope of the waterproofing portion of the project, which included updating the pavers and the drains only. She stated they would work as much as possible with the existing conditions. She also discussed the railings on the steps throughout the project.

Mr. Smith called for public comment. No one indicated a desire to speak.

Ms. Shiverick thought the changes were long overdue and the materials were spectacular. She supported the project, stating that the railings looked great. She asked about the tile on the risers and wondered what was proposed for that material. Ms. Knezevic responded. Ms. Shiverick recommended using a more appropriate tile with Mizner's design.

Ms. Visconti appreciated the cleaning up and the new railing. She recommended eliminating the travertine tile and using something else. She thought that a coral imprint could be a viable option since it would fit in with the via's vernacular. She found beauty in the fact that it would patina over time.

Ms. Connaughton agreed with Ms. Visconti but was unsure about the proposed materials. She worried that the changes would look like Miami and would look dated. She also questioned the signage. She thought that more coral should be used over travertine.

Mr. Floersheimer asked about the stone replacement. Ms. Knezevic responded. Mr. Floersheimer liked the area being updated but agreed it should reflect the historic Worth Avenue.

Mr. Phoenix was not supportive of the travertine but liked the coral stone. He wondered if a border or another accent could be considered. He felt that the green and white pots appeared basic and generic. He agreed with Ms. Shiverick on the tile replacement.

Mr. Mizell stated that the Commission would only act on the flooring and drainage. He stated he would be happy to stick with the coral and limestone.

Mr. Floersheimer asked about the timeline. Mr. Gianquitti responded that they wanted to begin the project around May 1, 2025, and complete it by October 31, 2025.

Mr. Karakul agreed with his fellow commissioners on the flooring material. He thought the railings should be studied and recommended walking the vias on Worth Avenue.

Ms. Catlin was appreciative of the changes but thought they were too contemporary. She thought the flooring needed more contrast. She liked the existing stone accents and thought some of that detail should remain.

Ms. Visconti asked if there was a way to grow vines on some railings to help soften the appearance. She also discussed the tile and reiterated her preferences.

Mr. Phoenix asked about the paving plan. He felt there was some improvement. He asked about the drainage and whether larger tiles had been considered for the sloping. Ms. Knezevic responded that they were working backward from the constraints to find the most regular pattern. She said they would be creating mitered edges in the areas where the pattern turns.

Mr. Smith did not object to the new railings but thought the existing railings were lower, and he preferred that height. He thought that removing the stone cornice made the appearance less interesting. He did not see enough improvement.

Mr. Brian Alzati, Gensler & Associates, further explained that the approval sought was for the railings.

A motion was made by Ms. Catlin and seconded by Mr. Karakul to defer the railings to the meeting on December 20, 2024, for a restudy. The motion was carried unanimously, 7-0.

The motion was amended by Ms. Catlin and seconded by Mr. Karakul to defer the entire project to the meeting on December 20, 2024. The motion was carried unanimously, 7-0.

5. **ARC-24-0097 (ZON-24-0057) 334 CHILEAN AVE (COMBO).** The applicants, Overflow Pad Too LLC (Environment Design Group), have filed an application requesting Architectural Commission review and approval for modifications to an existing site wall, installation of two additional A/C units, and water feature with associated landscape and hardscape changes. Town Council shall review the application as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Messrs. Floersheimer and Phoenix disclosed ex-parte communications.

Dustin Mizell of Environment Design Group presented the landscape and hardscape. He said he would add acoustic panels on the west elevation to reduce noise.

Mr. Floersheimer supported the variance and the soundproofing. He asked about the pool heater; he noticed the short wall where the pool equipment goes, with a gate. He noted that the gap was only sixteen inches and wondered if that would be redesigned.

Mr. Smith called for public comment.

Doug Benson, 328 Chilean Avenue, objected to the location of the air conditioning units, as they were immediately below his bedroom. He also opposed raising the concrete wall on the property line.

Ms. Shiverick asked about the initial approval of the air conditioning units. Mr. Mizell responded.

A motion was made by Ms. Catlin and seconded by Mr. Sammons to defer the project to the meeting on December 20, 2024, to allow the applicants to relocate the A/C mechanical units to a different location. The motion was carried unanimously, 7-0.

X. **ANY OTHER MATTERS**

Mr. Floersheimer asked about the number of permits and whether it had been considered to limit the number of permits in certain areas of town.

Ms. Grace asked about the recommendation at the Preservation Foundation of Palm Beach CAMP that commission members should not meet with architects. Ms. Mittner said the Preservation Foundation of Palm Beach hosted a presentation that partly discussed meeting procedures and due process. It was stated that commission members were not prohibited from meeting with professionals; however, those meetings would have to be fully disclosed.

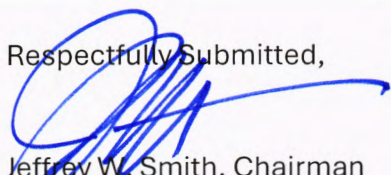
XI. **NEXT MEETING DATE:** Friday, December 20, 2024

XII. **ADJOURNMENT**

A motion was made by Ms. Catlin and seconded by Mr. Karakul to adjourn the meeting at 2:24 p.m. The motion was carried unanimously, 7-0.

The next meeting will be held on Friday, December 20, 2024, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION
kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sammons, Richard</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review</i>	
MAILING ADDRESS <i>455 Worth Avenue</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>November 22, 2024</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammono, hereby disclose that on November 22, 2024:

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

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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

ARC - 24 - 0096
150 Worth Ave

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.