



TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
FRIDAY, NOVEMBER 21, 2008 AT 9:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (tape or CD) of the meeting by contacting Gretchen Dayton, Secretary to the Architectural Commission at (561) 227-6409. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER

Chairman Wheelock called the meeting to order at 9:00 a.m.

II. ROLL CALL

PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
William J. Strawbridge, Jr., Member (arrived at 9:02 a.m.)
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery W. Smith, Member
Kenn Karakul, Alternate Member
Robert J. Vila, Alternate Member
Ann L. Vanneck, Alternate Member
John C. Randolph, Town Attorney
Veronica Close, Assistant Director Planning, Zoning & Building
Jane S. Day, Staff Architectural Consultant
Gretchen Dayton, Recording Secretary

ABSENT:

Samuel M. Boykin, Member (excused)

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES OF THE OCTOBER 22, 2008 ARCOM MEETING.

MOTION BY TO MR. FELDKAMP APPROVE THE MINUTES.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

VI. PROJECT DEFERRALS/REMOVAL

None

VII. PROJECT REVIEW

**A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
DEFERRALS**

Formal action may be taken relative to these projects pending Town Council approval.

B82-08/SPR10-08 Demolition, New Office Building, Landscape & Hardscape 20

Address: 204-210 Royal Palm Way
Applicant: BNB Venture Palm Beach, I, LLC
Architect: Oliver Gliden Spina and Partners
Project Description:

This proposed three-story office building incorporates contemporary design elements with strong references to traditional Mediterranean architecture. The primary building materials are painted stucco on masonry exterior walls; divided lite doors & windows with tinted bronze glazing; cast stone accents for the columns, horizontal accent bands, window & door surrounds and balustrades. The main entry tower features a clay tile hip roof above the arched 3rd floor balcony and a corresponding arched 1st floor level entry. The Royal Palm Way entrance is further framed by an articulated stucco entryway, concrete columns and steps leading up the entry. The placement of 2nd floor level terraces along the street allow the 2nd and 3rd floors to the stepped back further from the street and along with the tower provide interest and scale to the building. Final landscaping and hardscape will be presented. - The applicant requests a Site Plan Review to construct 11,638 square foot, three-story commercial building; a Special Exception to allow a three-story commercial building in the C-OPI Zoning District; and, variances as follows: (a) variance for a front yard setback of .07 feet in lieu of the 20 feet minimum required for a building and 25 feet minimum required for the tower; (b) a variance for the east side yard setback to be 0 feet in lieu of the 10 feet minimum required; (c) variance for the west side yard setback to be 0 feet in lieu of the 10 feet minimum required; (d) variance for lot coverage of 48.6% in lieu of the 25% maximum allowed; (e) variance for landscaped open space to be 9.1% in lieu of the 30% minimum required; (f) variance for landscaped open space in the front yard to be 17.6% in lieu of the 35% minimum required; (g) variance to allow a tower feature to be 4.2% of the maximum gross floor area in lieu of the 2% maximum allowed; (h) variance for the overall height tower to be 49 feet in lieu of the 45 foot maximum height allowed; (i) a variance to allow the architectural tower to be on the entry facade which is not permitted by code; (j) variance to allow the parking spaces to be situated in contradiction to the maneuvering requirements in Section 134-2172; that section provides that required parking be designed so as to not require the movement of another vehicle in order to remove another vehicle from a required parking space. The applicant is proposing 11 stacked parking spaces which requires the shuffling of vehicles in order to remove vehicles from required parking spaces; (k) a variance to provide 19 parking spaces in lieu of the 35 parking spaces

required (a deficit of 16 parking spaces); (l) a variance to eliminate the need for the 1 required loading space; (m) variance to allow an individual business identification sign on the proposed building to be above the first floor which is not allowed on a multi-story building; (n) variance to allow the drive isle width in the parking lot to be a width of 16 feet in lieu of the 25 foot minimum width required; (o) variance to allow the air-conditioning equipment on the roof to be 8 feet in lieu of the 4 foot maximum allowed.

This project was deferred from the October meeting for restudy. The applicant has requested deferral to the December meeting.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE DECEMBER MEETING.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B84-08 /V19-08 New Greenhouse 25

Address: 286 Jamaica Lane
Applicant: Mr. & Mrs. Raese
Architect: Bruh/Gilbert Architectural
Project Description: Construct new greenhouse in rear yard. The applicant requests a variance to construct a one-story enclosed accessory structure with a point of measurement of 21 feet NGVD in lieu of the 17.14 NGVD required.

This project was deferred from the October meeting for restudy.

The attorney for the applicant requests deferral to December meeting.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE DECEMBER MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

**B. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS
NEW BUSINESS**

Formal action may be taken relative to these projects pending Town Council approval

B99-08/SPR12-08 Generator 42

Address: 425 Worth Avenue
Applicant: Villas, Inc. c/o John Schuler
Architect: SKA Architect + Planner
Project Description: New generator and generator enclosure (concrete walls and roof with

applied trellis). Paring spaces and landscaping to be redesigned. The applicant requests a modification of the Villas' site plan to construct a 512 square foot building on the rear (north) side of the property to house a 350 KW generator, reconfigure the parking and open space in the vicinity of the generator enclosure, and relocate two (2) parking spaces to the front (south) side of the property. Variances being requested are as follows: (1) lot coverage of 40.49% in lieu of the 39.5% existing and the 22% maximum allowed for an existing five story residential building including an accessory building; (2) a street rear setback of 20 feet in lieu of the 30 feet minimum from the north (Peruvian Avenue) property line required by code for an enclosed accessory building and generator in a street rear yard setback; (3) to allow two (2) required off-street parking spaces in the front (south) setback where none are allowed by code; (4) to allow one (1) required off-street parking space in the street rear (north) setback where none are allowed by code; (5) to allow seven (7) re-designed parking spaces in the northeast corner of the site to be 8.5 feet wide in lieu of the 9 feet minimum required.

Mr. Wheelock announced that the architect has requested that the project be deferred to the December meeting.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE DECEMBER MEETING.

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B100-08/V21-018 Driveway Entry Gate 35 & 45:06

Address:	10 Via Vizcaya
Applicant:	10 Via Vizcaya
Architect:	Dailey Janssen Architects
Project Description:	Proposed construction of an entry gate and piers at the entrance of 10 Via Vizcaya. The applicant requests a variance to allow gate posts to be constructed with a point of measurement of 5.68 feet National Geodetic Vertical Datum (NGVD) in lieu of the 3.30 feet NGVD required by code. The posts and gate would be 10.38 feet high from the crown of the road in lieu of the 8 foot maximum allowed.

Ms. Vanneck and Mr. Wheelock said they visited the site.

No one was present at this time to represent the project.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE END OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

This project was called to the table after item number B104-08.

Attorney Peter Broberg indicated that the proposed gates will be 27' from the street because this is the only area in the driveway that is flat enough to have gates. He said that the driveway has an incline at that point in which a variance is required being a couple of feet above the crown of the road.

Architect Roger Janssen presented the proposal of black wrought iron driveway entry gates with stucco piers.

Responding to the question if the variance could be avoided by moving the gates closer to the house, Zoning Administrator Castro answered that the gates would have to be set back 35' away from the street.

Mr. Wheelock pointed out that there are no other gates in this neighborhood. He said that if the gates are approved, they should be set back far enough so that they do not impose any more of the new atmosphere of pomposity on this neighborhood. The Commissioner's were in agreement that the gates are not appropriate for the neighborhood.

Attorney Broberg stated that they would like to restudy the project.

MOTION BY MR. STRAWBRIDGE TO DENY THE PROJECT.

MOTION DIED FOR A LACK OF A SECOND.

MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE DECEMBER MEETING AND TO BRING A STREET SCAPESO THAT THE COMMISSION CAN SEE WHAT IS BEING PRESENTED IN THE CONTEXT OF THE NEIGHBORHOOD.

MOTION SECONDED BY MR. YOUCHAK.

MR. STRAWBRIDGE OPPOSED.

ROLL CALL:

MS. DIVER	YES
MR. YOUCHAK	YES
MR. FELDKAMP	YES
MR. STRAWBRIDGE	NO
MR. SMITH	YES
MR. KARAKUL	YES
MR. WHEELLOCK	YES

MOTION CARRIED 6-1.

B101-08/V22-08 Addition

Address: 528 Island Drive
Applicant: Charles C. Hickox
Architect: Joseph Dixon
Project Description: New addition of 2,508.79 square feet to existing one-story home containing 5,181 square feet. Addition will have both one and two story components. Existing British Colonial architectural theme to be continued with same colors. The applicant requests a variance to permit construction of new addition to existing residence containing 2,508.79 square feet providing a front yard setback of 39.5 feet in lieu of 41.6 foot minimum required.

Mr. Wheelock said he spoke with the architect and visited the site.

Architect Joseph Dixon requested deferral of this project to later in the meeting as the attorney, who has the mini plans, was not in attendance at this time.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE END OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

This project was heard after item number B100-08 on the agenda.

Attorney Timothy Hanlon on behalf of the applicant, requested the Commission's recommendation to the Town Council for the variance and that the Commission approve the architecture of this proposal.

Architect Joseph Dixon indicated that the addition will create a new master bedroom, a small staff bedroom and increase the size of the kitchen and dining room. Additional changes include replacement of the awning windows and to return the modified garage to the original two-car configuration.

Ms. Diver noticed that some of the windows were not centered and the window lites were different.

Mr. Smith felt that the house lost its charm with the outlookers removed, quoins added and the chimney turned around. He said that the original house is a classic Bermuda style with a nice roof line and a nice rhythm to it.

MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE DECEMBER MEETING TO RESTUDY AND SIMPLIFY THE DESIGN AND COME BACK WITH LANDSCAPING.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

After discussion, the Commission determined that they would have to see the changes to the architecture in order to make a decision regarding the variance request. Therefore, no motion was made relative to the variance for this project.

Mr. Hanlon said that they will defer this project from the Town Council's agenda.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

Isabella Furlaud, 745 Hi Mount Road, representing the Civic Association in partnership with the Palm Beach Chamber of Commerce and the Royal Poinciana Way Association on streetscape beautification for the retail district, presented a plastic version of the cement planter pots they will place along Royal Poinciana Way. Ms. Furlaud agreed to prepare plans for the pots with plant material and benches to be reviewed by the Commission at their December meeting.

Laurel Baker, representing the Palm Beach Chamber of Commerce, stated that red bows, designed by Bruce Sutka, will be placed on lamp posts rather than being attached to palm trees. She noted that there is no sign that indicates the leaving the City Lake Worth into the Town of Palm Beach. She suggested having a graphic designer look at the image of Palm Beach and come up with a design for a new sign. She touched on the subject of empty storefronts and said that it was suggested by the Preservation Foundation that artist sketches could be made to fit empty storefront windows.

Ms. Close advised that the Town Council would like ARCOM to review signage and holiday lighting issues at their December meeting.

Shannon Emill, representing the Greater South County Road Association, indicated that they have been working closely with the Chamber of Commerce and the other business district associations regarding the planters along South County Road.

Attorney Randolph stated that once ARCOM approves the design of the window displays that it would become a staff process. Therefore, the applicant would not come before the Commission each time they have a vacant storefront.

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

None

D. NEW BUSINESS - MAJOR PROJECTS

B102-08 Demolition 45:06

Address: 203 Via Vizcaya
Applicant: Paul Okean
Architect: ~~None~~ Roger Janssen
Project Description: Demolition of existing residence

Ms. Vanneck said she visited the site. Mr. Wheelock said he visited the site, had a discussion with the contractor and that the property owner called him to schedule an appointment, but they were unable to meet.

Attorney Paul Rampel, representing the property owner, requested deferral to a later part of the agenda as the architect was not in attendance at this time.

MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE END OF THE AGENDA.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

This project was called back to the table after item number B101-08.

Architect Roger Janssen, representing Mr. Paul Okean, requested demolition of the one-story residence. The residence was constructed for Mr. Joseph C. Belden in 1936 and it was designed by Architect Maurice Fazio. He noted that all of the existing landscaping will remain at the perimeter of the property.

Responding to Mr. Wheelock's question whether this property has two lots, Mr. Janssen said yes. There are two separate lots with one owner.

Ms. Close explained that these lots are combined and they would be able to develop only one house and that a Unity of Title will be required to build a house on these lots.

Mr. Smith noted that this is a very lovely Fazio house. He commented there are homes that should be placed on the landmark list because when they come before ARCOM, there is no way to stop demolition.

Mr. Castro pointed out that if these lots are under the same ownership and once the existing home is torn down, they will be considered one lot if they are non conforming. They will need a variance to split the lots and the Comprehensive Plan will be looked at closely as it relates to the maximum density allowed within the Estate Land Use Plan.

MOTION BY MR. FELDKAMP TO APPROVE DEMOLITION WITH THE PROVISION TO PHOTOGRAPH THE HOUSE FOR THE TOWN AND THE PRESERVATION FOUNDATION AND TO SOD, IRRIGATE AND MAINTAIN THE LOT.

MOTION SECONDED BY MR. STRAWBRIDGE.

Under discussion:

Responding, to the question if floor plans could be included with the archiving of this house, Ms. Day said that the original floor plans would be very helpful to complete history of this house.

AMENDED MOTION BY MR. FELDKAMP TO INCLUDE THAT THE FLOOR PLANS AND THE DRAWINGS OF THE HOUSE BE GIVEN TO THE TOWN AND THE PRESERVATION FOUNDATION FOR THEIR RECORDS.

MR. STRAWBRIDGE AGREED TO THE AMENDMENT.

MOTION CARRIED UNANIMOUSLY.

Ms. Vanneck stated that houses are coming before ARCOM requesting demolition due to neglect. There is no reason these houses should get to the state that they are in if the owner cared for them and the town ordinance regarding the maintenance of property was enforced.

Mr. Randolph assured Ms. Vanneck that the Code Enforcement Department does cite these properties when they find them.

B103-08 New Residence 22:38

Address: 615 North County Road
Applicant: Mr. Lewis Sanders
Architect: Smith Architectural Group
Project Description: Requesting a 12-month extension of ARCOM approval. (New Residence)

Mr. Smith declared a Conflict of Interest and left the room during the discussion of this project. Mr. Karakul was a voting member. Mr. Vila, Ms. Diver, Mr. Wheelock and Mr. Feldkamp said they met with the architect and discussed the plans. Mr. Strawbridge said that he had a conversation on the telephone with the architect.

Vice President of Smith Architectural Group Don Kino presented photographs of the model that had been previously presented to the Commission. He said that the property owner requests extension of the project approval for an additional 12 months.

Ms. Vanneck noted that the half of the ficus hedges that surround the property were dead and that the property was not properly maintained.

Mr. Wheelock noted that there will be a change to the ordinance that requires sodding or seeding to require lots to be sodded only and to be maintained. Town Attorney Randolph added that a use

agreement will be added to the ordinance, which if violated, there will be an automatic per day penalty.

**MOTION BY MR. FELDKAMP TO APPROVE A TWELVE MONTH EXTENSION OF PROJECT B103-08 WITH THE PROVISO THAT THE FICUS HEDGE IS REINSTALLED AND PROPERLY MAINTAINED.
MOTION SECONDED BY
MOTION CARRIED UNANIMOUSLY.**

B104-08 New Equipment Building

Address: 2345 South Ocean Blvd.
Applicant: Town of Palm Beach
Architect: Smith Architectural Group
Project Description: Construction of a reverse osmosis building and pump house facility, necessary for the planned replacement of the Par 3 Golf Courses' irrigation system and water supply.

There were no ex parte communications reported for this project.

Responding to Mr. Wheelock's question if Mr. Smith was continuing his previous Conflict of Interest, Attorney Randolph stated that he does not have a Conflict of Interest regarding this project, just that he was not in attendance at this time. Mr. Karakul was voting relative to this matter.

Vice President of Smith Architectural Group Don Kino proposed a Bermuda style reverse osmoses building and a separate pump house building. The louvers required for these buildings will resemble Bermuda style louvered doors.

Responding to the comment that large trucks will be in and out of the property for servicing of these buildings, Palm Beach PAR 3 Golf Course Manager Rick Dytrich, stated that once a month trucks will deliver supplies and equipment for cleaning of the water.

Mr. Kino agreed to bring a landscape plan when ARCOM is to review the new clubhouse building.

**MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.**

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

None

F. NEW BUSINESS - MINOR PROJECT

None

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

Ms. Close announced that the town has hired John Lindgren as the new Planning Administrator.

Ms. Close asked for clarification regarding some policy issues as follows:

1. Applicants must have revised plans submitted no less than one week before the next scheduled meeting.
2. An architect must present a demolition proposal and that the landscaping plan relating to the demolition is presented by either an architect or a landscape architect.
3. Include landscaping plans with second story addition projects, by either the applicant applying for landscaping approval in conjunction with the construction and notice provided to the neighbors, to present a preliminary plan with the construction and notice to neighbors and then come back with the final landscape plan, or present the landscape plan later on in the process after notice to the neighbors.

The Commission agreed to policies one and two, however, policy number three was thought to require the landscape plan to be presented along with the construction project.

Presentation by American Consulting Engineers of Florida on the proposed intersection vision regulation in the Zoning Code as they relate to safety and aesthetics in the town.

Mr. Wheelock announced that the Chairman of the Planning & Zoning Commission Mr. Guttman has asked for the Architectural Commission's input and opinions regarding intersection vision regulations.

Mr. Castro explained that for major renovation or new construction on corner lots a requirement has been implemented to clear any obstruction from the intersection of vision. The Planning & Zoning Commission questioned how over time would this would affect the aesthetics of the town.

Gareth Klotz and Brian Mirson of American Consulting Engineers presented overlay and schematics of the intersection vision angles. Mr. Klotz showed the angle of vision for 25 mph and 30 mph based on roadway widths throughout the town. They varied from 13' wide to 58'

wide. He said that the town currently has a triangle of 15' x 30' across the board.

It was the consensus of the Commission that by removing piers or interesting landscaping would not be aesthetically pleasing.

Mr. Mirson pointed out that automobile accidents are increasing and the vision angle should be improved over time. He also explained that the standard 15' x 30' should be changed to a reasonable angle for each intersection. And, by setting a reasonable standard, this will balance the safety and aesthetics issues.

It was stated that this town has a character unlike any other in the State of Florida and to lose great features that mark corners would be a big loss. It was agreed that the proposed regulations are an improvement from the standard 15' x 30" angle now being used. However, if there is any question, on the part of the property owner for the removal of a site obstruction from the property, they should be able to ask for an aesthetic opinion from the Landmark Commission or ARCOM.

Mr. Guttman indicated that the Planning & Zoning Commission has been trying to balance the public safety versus aesthetics considerations. He thought that a provision could be implemented that would allow an applicant to come before ARCOM or Landmark Commission and request a waiver to this rule.

On behalf of the Commission, Mr. Smith summed up the discussion by stating that the 15' x 30' triangle should be thrown out because it does not work. The study presented today should be implemented, but when the rule affects large landscaping and architectural features, they come to either the Landmark Commission or the Architectural Commission for review before removal.

Mr. Guttman, as the Chairman of Planning & Zoning Commission, stated that he valued ARCOM's input and this has been a very productive process. He was glad for asking ARCOM for their aesthetic input as their review of this issue has added value to this process.

IX. ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

The next meeting of the Architectural Commission will be held on December 19, 2008 at 9:00 a.m.

Respectfully submitted,



Morgan Dix Wheelock, Chairman