

MINUTES
ARCHITECTURAL COMMISSION
AT THE
EMERGENCY OPERATIONS CENTER
355 SOUTH COUNTY ROAD, 3RD FL
FRIDAY, NOVEMBER 20, 2009, 9:00 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cindy Delp, Office Manager, at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER(9:01:30 a.m.)

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

II. ROLL CALL(9:01:45 a.m.)

All regular members and alternate members of the Architectural Commission were present upon Roll Call, excepting Mr. Strawbridge (arrived at 10:16 a.m.; record as present per P.Elwell), Mr. Youchak, and Mr. Boykin. All absences are pending classification at this time. In light of the absence of three regular members, Mr. Feldkamp announced that all three alternate members would be voting today.

Staff members present were John Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, John Randolph, Town Attorney, and Cindy Delp, PZB Office Manager.

III. PLEDGE OF ALLEGIANCE(9:02:03 a.m.)

IV. APPROVAL OF THE MINUTES FROM THE OCTOBER 28, 2009 MEETING(9:02:31 a.m.)

MOTION BY MRS. VANNECK FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY.

V. SWEARING IN PERSONS TESTIFYING(9:02:50 a.m.)

Mrs. Delp administered the oath at this time and on several other occasions during the meeting, as needed.

VI. OTHER BUSINESS(9:03:14 a.m.)

Mr. Feldkamp announced that Mr. Youchak has submitted a letter of resignation from ARCOM. Mr. Feldkamp expressed his appreciation to Mr. Youchak for his service on the commission.

Mr. Feldkamp announced that the applicant has requested that the Major Project, B84-09 for 1100 North Ocean Boulevard be deferred to the December meeting. As such, it will not be heard today.

VII. PROJECT REVIEW(9:04:15 a.m.)

A. PROJECT DEFERRAL/REMOVAL (9:04:17 a.m.)

B72/09 Addition

Address: 234 Via Linda

Applicant: Jonathan Gladstone

Architect: SKA Architects

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

This project was approved at the September meeting with the proviso to bring the landscaping plan back for review. This project was deferred to the November meeting at the architect's request. Please note that the architect has requested another deferral to the December 18, 2009 meeting.

**MOTION BY MR. KARAKUL FOR DEFERRAL TO THE DECEMBER MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

B73/09 Demolition & New Residence

Address: 160 Dunbar Road

Applicant: Robert and Lucia Harvey

Architect: SKA Architects

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

This project was deferred from the September meeting for restudy and approved at the October meeting with the provision to return to the Commission with the front entry wall. Please note that the architect has requested a deferral to the December 18, 2009 meeting.

**MOTION BY MR. SMITH FOR DEFERRAL TO THE DECEMBER MEETING.
MOTION SECONDED BY MR. KARAKUL.
MOTION CARRIED UNANIMOUSLY**

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

Address: 264 Country Club Road

Applicant: JDM Investments, LLC

Architect: Rustem Kupi Architect

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

This project was deferred from the October meeting for restudy. Please note that the property owner has requested another deferral to the December 18, 2009 meeting.

**MOTION BY MR. KARAKUL FOR DEFERRAL TO THE DECEMBER MEETING.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.**

B. [TOWN COUNCIL PROJECTS - VARIANCE/SPECIAL EXCEPTION - DEFERRALS\(9:06:43 a.m.\)](#)

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

Address: 358 Hibiscus Avenue

Applicant: Suren Hovsepian

Architect: Gene Pandula

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

This project was approved at the October meeting with the provision to return with a restudy of the front door elevation and landscaping

Ex parte communication disclosures

As Mr. Pandula was not present when the item was called, the following motion was made:

**MOTION BY MR. KARAKUL TO MOVE THIS ITEM TO THE END OF NEW
BUSINESS: MAJOR PROJECTS.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

Later in the meeting, Mr. Page announced that the applicant had provided a deferral request to PZB staff, but it was inadvertently missed since Ms. Dayton has been out of the office.

**MOTION BY MR. SMITH FOR DEFERRAL TO THE DECEMBER MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

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

Address: 135 Root Trail

Applicant & Architect: Eugene R. Fagan

Project Description: Convert an eight-unit apartment building into a two-family residence.

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

This project was deferred from the October meeting for restudy, to bring building samples, engineering for the driveway approach to the garages and landscaping

Ex parte communication disclosures

Mr. Feldkamp and Mr. Zukov made ex parte declarations. Attorney M. Timothy Hanlon and Eugene Fagan, Architect/Property Owner, presented this request. Mr. Hanlon stated that this project represents a great opportunity to the Town and the neighbors to reduce density from eight apartment units to 2 small residences. The project requires four (4) variances as noted, but height and overall height are not included in the variances. Mr. Hanlon noted that the neighbors support the project, and one neighbor who originally opposed the project has withdrawn his objection.

Mr. Smith asked for clarification relative to the variances, especially regarding increasing a non-conformity within a setback, as he believed that perhaps a variance which was necessary had not been requested. Paul Castro, Zoning Administrator testified later that no additional variances were required and explained the matter to the satisfaction of the commission.

Mr. Fagan provided photos of other homes in the neighborhood, and explained that he would like his home to look like the rest of the homes on the street, basically homes with wood siding and pitched roofs. (135 Root Trail, as it exists, is a stuccoed, Spanish design with a flat roof.) Mr. Fagan described the design changes he had made as a result of ARCOM's comments last month, and presented some design alternatives. He briefly reviewed the proposal for landscape/hardscape at the site, though there was no landscape/hardscape plan included in the reduced plans distributed to the members.

Mr. Lindgren reported that the Town's Engineer, Martin Gauthier, has requested that if the project receives approval today, a drainage plan must be provided prior to building permit issuance. Mr. Castro interjected that paving and drainage plans were submitted as part of the Variance application for this residence, but called attention to the fact that staff is requesting that gutters be placed on the pitched roofs. Mr. Fagan responded that gutters are shown on his plans. There was some discussion about the plan to have a wooden garage floor. Staff verified, with the Building Official, that while this may be unusual, it is not prohibited by the Building Code. Likewise, there is no requirement to make the garage floor lower than the finished floor of the house.

Mr. Lindgren read letters into the record from Moyle Flanigan on behalf of Donna Flammarion at 137 Root Trail wherein she withdrew her previous objection; and, from Peter K. Coleman in support of the project. Later, he read another letter in support of the project from Michele C. White, 127-133 Root Trail.

Mr. Fagan elaborated on materials at the request of Mr. Vila. Cypress shingles with wood moldings will be used for the walls, and the roof will also be done in cypress shingles. Stucco will be applied to look like wood on the East building.

Mr. Feldkamp felt it was unnecessary to change the architecture of the building from Spanish to wood shingle; that it would be incorrect to change the structure from durable stucco to an applied degradable material; that he could not support the variances for roofs which cause an increased non-conformity; and, that the project could be done without variances.

Mr. Hanlon commented that the proposal is more consistent with the neighborhood; it decreases density, and as such, is more compliant with the Town's Comp Plan; the neighbors support the project; and, the architecture merits the variances.

MOTION BY MR. ZUKOV THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MR. KARAKUL.

UPON A ROLL CALL VOTE, THE MOTION CARRIED 4-3, WITH MS. DIVER, MRS. VANNECK, AND MR. FELDKAMP VOTING AGAINST.

Mr. Smith cautioned Mr. Fagan against the use of wood shingles as they are prone to rot. Also, he was very much opposed to the level of the garage floor as presented.

MOTION BY MR. ZUKOV FOR DEFERRAL OF THE DESIGN, INCLUDING CHOICE OF MATERIALS TO THE DECEMBER MEETING, AND THE ARCHITECT SHALL PRESENT A DRAINAGE AND LANDSCAPE/HARDSCAPE PLAN.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

C. TOWN COUNCIL PROJECTS - VARIANCES/SPECIAL EXCEPTION - NEW BUSINESS

D. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

[B79/09 Landscape & Gate](#)

Address: 101 El Bravo Way

Applicant: 101 El Bravo Way (Dan Swanson, Manager) Landscape

Architect: A. Grant Thornbrough & Associates

Project Description: Final landscape plan, vehicular gate into garage area. This project was deferred from the October meeting for restudy

Ex parte communication disclosures

No ex parte communications were declared. The project was presented by Carol Perez, Grant Thornbrough & Associates, and Dan Swanson, Manager. Ms. Perez stated that ARCOM had requested that they return with rendered landscape plans, including design options for the gate. She proceeded to review the landscape plan, as revised. It should be noted that photos were shown which indicate that a new gate has already been installed because the gates were fabricated so quickly. Mr. Swanson was amenable to removing that gate in favor of one which ARCOM might approve. He indicated that the gate must be solid in order to abide by a previous ARCOM condition that the garage doors must be hidden by the gate. Any new gate will be on rollers and will be made of aluminum. Mr. Swanson testified that there will be no lights on the gate columns. The members reviewed the various gate options presented. Mrs. Vanneck reminded that the Silver Buttonwood must be at least 7 ft. tall.

MOTION BY MR. VILA FOR APPROVAL OF THE LANDSCAPE PLAN AS PRESENTED, WITH THE PROVISIO THAT THE PROPOSED GATE BE OPTION "C" WITH THE CHANGE THAT MAKES THE BOTTOM OF THE GATE SOLID AND THE TOP OF THE GATE OPEN WITH NO SPEARS; AND, MAINTAINING THE SLIGHT CURVE AT THE TOP OF BOTH GATE SECTIONS.

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

[B80/09 Landscape & Hardscape](#)

Address: 180 Royal Palm Way

Applicant: PEMS Partnership Ltd.

Landscape Architect: Morgan Wheelock Inc.

Architect: Glidden Spina & Partners

Project Description: Replace existing landscape with new. Replace existing asphalt parking lot with new concrete and brick.

The landscape and hardscape were approved at the October meeting with the proviso that the applicant returns with a new gate design.

Ex parte communication disclosures

Mr. Zukov declared ex parte communication.

Keith Spina of Glidden Spina & Partners returned to ARCOM today with a revised simplified gate design with stucco gate posts with low level light fixtures. Since the deferral last month, another gate has been added to the walkway to the North.

MOTION BY MR. ZUKOV FOR APPROVAL AS PRESENTED WITH LOW VOLTAGE LIGHTS.

MOTION SECONDED BY MR. VILA.

MOTION CARRIED UNANIMOUSLY.

E. NEW BUSINESS MAJOR PROJECTS

[B84/09 Addition](#)

Address: 1100 North Ocean Boulevard

Applicant: 1100 North Ocean Boulevard Trust

Architect: The Lawrence Group Architects

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

Ex parte communication disclosures

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

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

(Please note that this motion actually occurred during Section A. PROJECT DEFERRAL/REMOVAL.)

[B85/09 Addition](#)

Address: 1436 North Ocean Way

Applicant: Dr. Tony Nader

Architect: Smith and Moore Architects

Project Description: A one-story master bedroom extension and loggia addition to an existing two-story residence. Door and window changes.

Ex parte communication disclosures

Mr. Zukov and Mr. Feldkamp declared ex parte communication. Architect Harold Smith gave a brief architectural history related to this property. Some features of this project are to demolish the shed structure off the master bedroom, construct a one-story master bedroom addition, replace all windows and doors, including the garage door (changing from 40 panel to 16 panel white door), closing up unnecessary openings, add loggia at pool, move spiral stair from front of house to interior courtyard, reconfigure windows on several elevations, remove concrete walk on North & West sides of structure; replace rotted wood railing with aluminum picket railing, replace shutters on windows, replace vertical siding with horizontal Hardi-plank, and, white on white color scheme.

Mr. Lindgren read a letter into the record from Attorney John C. Dotterer representing Jeffrey Cole, 201 Esplanade Way, in support of the proposal. Mr. Dotterer addressed the members requesting a condition of approval that there be no exterior equipment located on the West side of the property.

Mr. Jeffery Smith asked whether demolition had been considered in this case, as that may have been the more appropriate course of action. Likewise, he noted that this house has "the classic pop top that should have never been approved." Mrs. Vanneck acknowledged that the house will be made better through an approval of this project, but it will still remain an example of architecture that is not desired in Town. Mr. Feldkamp commented that while this house is a tear down, it is not ARCOM's job to insist upon it.

It was recommended that the Hardi-plank be in 8" dimensions rather than 6".

MOTION BY MR. KARAKUL FOR APPROVAL AS PRESENTED WITH 8" HARDI-PLANK AND THE CONDITION THAT THERE BE NO EQUIPMENT ON THE WEST SIDE, AND THAT THE LANDSCAPE BE MAINTAINED AT LEAST AT THE SAME LEVEL AS EXISTS, AND THAT IF THE LANDSCAPE WERE TO CHANGE SUBSTANTIALLY, THAT THE LANDSCAPE RETURN TO ARCOM FOR APPROVAL.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED 4-3, WITH MR. SMITH, MR. VILA, AND MRS. VANNECK OPPOSED.

F. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

None

G. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

None

H. NEW BUSINESS - MINOR PROJECTS(10:42:03 a.m.)

Address: 170 Barton Avenue

Applicant: 170 Barton Avenue, LLC

Architect: Bridges Marsh & Associates Inc.

Project Description: Request for modification of conditions to approval granted at June 23, 2009 meeting. Applicant requests deletion of the following two conditions (a) the stained glass window on front facade to remain and (b) French doors on the north facade window to remain

Mrs. Vanneck, Mr. Strawbridge, MR. Feldkamp and Mr. Smith declared ex parte communication.

Architect Mark Marsh returned to ARCOM subsequent to his July presentation wherein a flat tile roof had been requested. Mr. Marsh was happy to report that the owner now plans to do a clay barrel tile roof on the house. The garage/guesthouse will still have a flat tile roof. Today's request concerns the stained glass window on the front elevation which was required to remain. The owner is requesting removal of the stained glass window and replacement with fenestration to match the house. Secondly, the owner has requested a solid panel on the bottom of the French doors for privacy.

Alexander Ives of the Preservation Foundation stated support for the roof change, an acceptance of the French door change, but some reservation about removal of the stained glass window. Mr. Smith suggested that the stained glass window be photographed and drawn, and then placed in the Town's records.

MOTION BY MR. SMITH TO APPROVE REMOVAL OF THE STAINED GLASS WINDOW AND TO PROVIDE A SOLID PANEL ON THE BOTTOM OF THE FRENCH DOORS PROVIDED IT IS NO HIGHER THAN THE RAILING.

MOTION SECONDED BY MR. KARAKUL.

The applicant was further advised to return to ARCOM with a final landscape plan at such time as those plans are ready for review.

MOTION CARRIED UNANIMOUSLY.

Address: 216 Emerald Lane

Applicant: William and Katherine Rayner

Architect: Peter Marino Architect

Project Description: Vinyl awning to provide sun shading for pool house central terrace

Bill Cheeseman from Peter Marino Architect presented this request. The proposal represents a step back to the original design intent, but this time it will be an awning.

MOTION BY MR. VILA FOR APPROVAL AS PRESENTED.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

VIII. COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT(11:02:16 a.m.)

Mr. Page reported that he had checked the Code, and found that there is nothing in the ordinance which would compel an owner to demolish a property. As such, he commended the members of ARCOM for their action regarding 1436 North Ocean Way.

Discussion relative to time extensions of ARCOM approvals: Please note that there was no discussion today relative to this subject.

IX. ADJOURNMENT(11:02:56 a.m.)

MOTION BY MR. SMITH TO ADJOURN AT 11:03 A.M.

MOTION SECONDED BY MRS. VANNECK.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

William P. Feldkamp, Chairman
ARCHITECTURAL COMMISSION

The next meeting of the Architectural Commission will be held on Friday, December 18, 2009 at 9:00 a.m. in the Town's Emergency Operations Center, 355 South County Row, 3rd floor, Palm Beach.

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