



TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION
FRIDAY, NOVEMBER 17, 2006 AT 9:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

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

II. ROLL CALL:

Morgan Dix Wheelock, Chairman
Nikita Zukov, Vice-Chairman
William P. Feldkamp, Member
William J. Strawbridge, Jr., Member
Leslie C. Diver, Member
Jeffery Smith, Member (arrived at 9:53 a.m.)
Kenn Karakul, Alternate Member
Samuel M. Boykin, Alternate Member
Sterling E. Clarke, Acting Town Attorney
Veronica B. Close, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Thomas M. Youchak, Member (excused absence)
Mark Bennett, Alternate Member (un excused absence)

III PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV APPROVAL OF THE MINUTES FROM THE SEPTEMBER 27, 2006 MEETING.

MOTION BY MR. FELDKAMP TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

V SWEARING IN PERSONS TESTIFYING.

Persons testifying were sworn in at this time and periodically throughout the meeting.

VI PROJECT DEFERRALS/REMOVALS

B88-06 Demolition & New Hotel /Landscape (SP7-05)

Address: 215 Brazilian Avenue
Applicant: Ajit Asrani
Architect: Rafael Cruz-Munoz
Project Description: Demolition of existing building and rebuilding within approved footprint.
Landscape/hardscape for new hotel project. (Note, this will be the final presentation for landscaping)

The demolition approval was extended for six months, and the landscape and hardscape plans were approved at the October meeting. The architectural portion of the project remains on the agenda.

Mr. Wheelock said he met with the architect, the owner and visited the site.

Architect Ralph Cruz-Munoz noted that the project has changed. The entry was made more important, the balconies were eliminated on the front elevation and cast stone was added around the doors and windows. He mentioned that wall plaques/logos will be placed in different places on the building.

The architect was asked to paint the building a lighter color of yellow and line up the windows on the front elevation. He was also asked to submit revised plans to staff because the plans in the ARCOM file did not match today's presentation.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT WITH THE PROVISION TO PAINT THE BUILDING A LIGHTER SHADE OF YELLOW THAN WHAT WAS PROPOSED AND MAKE SURE THE WINDOWS (ON THE FRONT ELEVATION) LINE UP.

MOTION SECONDED BY MR. FELDKAMP.

**SUBSTITUTE MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT AS PRESENTED WITH A SHADE LIGHTER COLOR, WITH THE WINDOWS LINING UP AND ADDING THE PORTE COCHERE.
MOTION DIED FOR A LACK OF A SECOND.**

THE ORIGINAL MOTION WAS CALLED AT THIS TIME WHICH CARRIED UNANIMOUSLY.

VI PROJECT DEFERRALS/REMOVALS

None

VII PROJECT REVIEW

A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS

Formal action may or may not be taken relative to these projects.

B57-06/V30-06 Demolition & New Residence

Address: 1141 North Lake Way
Applicant: 1141 North Lake Way, Inc., William Elias, President
Architect: John Bellamy & Jeffrey D. Brassuer
Project Description: Demolition of existing two-story residence. New two-story residence with a pool.

The demolition was approved at the July meeting and the new construction was deferred for restudy. The project was approved at the August meeting with the provision to bring back detailed drawings and building material samples. This project was deferred from the October meeting at the property owner's request.

Mr. Wheelock declared a previous conflict of interest. He passed the gavel to Vice-Chairman Zukov and left the dias during the presentation.

Architect John Bellamy presented a sample of the standing seam aluminum roofing material. He pointed out that polished copper, cement stucco in a sand finish and impact resistant casement windows will be some of the materials used in this project.

Ms. Diver suggested adding vertical dividers in the windows that flank the front door.

MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH A VERTICAL MUNTIN IN THE WINDOWS ON EITHER SIDE OF THE FRONT DOOR (FOUR OVER FOUR).

MOTION SECONDED BY MR. KARAKUL.

MOTION CARRIED UNANIMOUSLY.

B90-06 Landscape & Hardscape

Address: 1141 North Lake Way
Applicant: Mr. William D. Elias
Architect: Morgan Wheelock, Inc.
Project Description: Proposed pool and pool deck, water feature with runnel, water features, motorcourt, site walls, pilasters and new landscaping.

The project was deferred from the October meeting at the Landscape Architect's request.

Mr. Feldkamp said he met with the architect and discussed the plans. Mr. Wheelock declared a conflict of interest regarding this project. He passed the gavel to Vice-Chairman Zukov and left the meeting during the presentation.

Landscape Architect Don Skowron presented the hardscape plans. He indicated that the property will have a four-foot tall wall around it with a gate. A bridge over a lilly pond will lead to the front door. And, pergolas with water features will connect the garage to the main structure.

Commissioner Smith was in attendance at this time (9:53 a.m.).

Property Owner William Elias assured the Commission that a construction fence will be erected during construction.

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

B84-06/SP17-06 Awning

Address: 100 Royal Palm Way PH-2
Applicant: Desmond and Dorothy Heathwood
Contractor: American Awning
Project Description: Awning

This project was deferred from the October meeting for restudy.

There were no ex parte communications regarding this project.

Attorney Peter Broberg presented photographs of the existing awnings on the building. He proposed additional awnings for Penthouse 2, at the west end of the building, and penthouse 4, in the middle of the building.

**MOTION BY MR. SMITH TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B85-06/SP18-06 Awning

Address: 100 Royal Palm Way PH-4
Applicant: Thomas and Carol Swan
Contractor: American Awning
Project Description: Awning

This project was deferred from the October meeting for restudy.

Please see the above item regarding discussion relative to this project.

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

B86-06/V36-06 Loggia

Address: 665 North Lake Way
Applicant: Trina Lane
Architect: Ames Bennett
Project Description: Construct an open loggia where an awning was formerly located on the west side of the existing house.

At the October meeting, the variance request was not recommended to the Town Council and no motion was made relative to the ARCOM project.

Chairman Wheelock noted that a letter was received from the project attorney requesting removal from the agenda.

Mr. Frank stated that the variance request for a loggia was withdrawn and he staff approved an awning in its place.

**MOTION BY MS. DIVER TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B94-06/V37-06 Demolition and New Residence

Address: 262 Park Avenue
Applicant: Lauro and Areany Bianda
Architect: Smith and Moore Architects
Project Description: Demolition of an existing two-story residence and construction of a new two-story residence of similar architectural style.

Ms. Diver, Mr. Zukov and Mr. Karakul said they met with the architect and discussed the plans. Mr. Wheelock said he met with the architect, discussed the plans and visited the site.

Architect Harold Smith reported that the original house was built in 1923. No architect for this house was indicated in the town records.

**MOTION BY MR. ZUKOV TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND SUBMIT PHOTOGRAPHS OF THE HOUSE TO THE TOWN RECORDS DEPARTMENT AND TO THE PRESERVATION FOUNDATION.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

Architect Smith explained that the owners attempted to remodel the house. After construction began, they realized there was structural damage. As a result, the cost to renovate would increase substantially and demolition would be the best solution. The existing house encroaches on all four setbacks according to the current zoning codes. The new house would require set-back variances for the rear and side yards. The east side will be screened with travelers and coconut palm trees. Mr. Smith reviewed the seven variances requested for the construction of this project. He said the property is in the RC zoning district. Consequently, they will need variances for the lot size, lot width and lot depth. They also need variances for the front yard set-back, which matches the existing of 8'1" in lieu of the required 25'. The west side set-back of 3'6" in lieu of 10' required. Total lot coverage requested is 35.9% which exceeds the required 30%. They also request reconstruction of the house without the required two-garage, which is an existing condition. The building will have off-white stucco, resembling wood siding, cedar shake roofing and shutters painted blue.

Comments were made by the commission that the front porch and shutters at the front door should be removed. The stucco building material may need to be reconsidered as well.

Attorney Maura Ziska, representing the applicant, remarked that the house will be built to conform to the FEMA regulation at 7.5' NGVD.

MOTION BY MR. STRAWBRIDGE TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. STRAWBRIDGE	YES
MR. ZUKOV	YES
MR. FELDKAMP	NO
MS. DIVER	NO
MR. SMITH	NO
MR. KARAKUL	NO
MR. WHEELOCK	YES

MOTION FAILED 4-3.

Discussion took place regarding the motion recommending the variance requests and if removal of the front porch should be included, or if this was strictly an architectural matter.

Zoning Administrator Paul Castro advised the commission to recommend to the council that the variance is necessary for the entry feature. However, they should recommend removal of the front porch.

MOTION BY MS. DIVER TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY, ARCOM APPROVES THE ENTRY FEATURE, BUT WISH TO SEE REMOVAL OF THE BALCONIES ON EITHER SIDE OF THE ENTRY FEATURE.

MOTION SECONDED BY MR. ZUKOV.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

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

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

MR. STRAWBRIDGE	YES
MR. FELDKAMP	YES
MR. ZUKOV	NO
MS. DIVER	NO
MR. SMITH	YES
MR. KARAKUL	YES
MR. WHEELOCK	NO

MOTION CARRIED 4-3.

B95-06/SPR5-06 New Condominium-Hotel (Renovations; Demolition and Rebuild)

Address: 2842 South Ocean Boulevard
Applicant: CSC PB Beach Limited Partnership
Owners listed as: City National Bank/2401 2301 00 Trust
Architect: Oscar Garcia
Project Description: This project is to convert an existing 134-room hotel into a 107-room condominium hotel. The building will be completely renovated, including the demolition and reconstruction of the entire interior and exterior walls, and the reconfiguration of the existing surface parking lot to a tandem valet configuration with 154 spaces to replace the existing 144-space surface parking lot. The swimming pool will be relocated to the 5th floor of the building and the pool amenity building will be demolished. This building will remain 5-stories over a basement. The overall building height and widths will not change. We are proposing glass railings, light stucco and stone for the alteration of the existing building.

There were no ex parte communications disclosed regarding this project.

Adam Schlesinger, representing the applicant, explained that the project has been redesigned since the original presentation. The parking garage was eliminated which resulted in fewer variance requests. He explained the variances requested to complete this project as follows:

1. Enlarge a non-conforming building, which is being demolished and reconstructed more than 50% of the cubic volume.
2. Greenspace variance; 19.3% is existing and they request 25.5% from the required 35%.
3. Valet parking variance, tandem parking.
4. A parking variance.
5. Building side set-back, for the existing balconies.

Architect Oscar Garcia introduced Project Manager Seth Yeslow. Mr. Yeslow reviewed the site plan which showed a 14' wide driveway leading to the entry, circling around the parking lot and exiting back to A1A. The parking was consolidated in a tandem valet scheme to maximize the efficiency. The original concept for the design of the building was "earth, fire and water." The fire portion was deleted after some objection. The building will be clad in sand stone which will replicate the earth and water features will flank the entry. Ebony wood elements will be added to the porte cohere, main entry, and columns and beams.

Landscape Architect Frank Maroni presented the preliminary landscape plan which included royal palm trees and ficus hedges.

Zoning Administrator Paul Castro pointed out that the site plan and the landscape plan did not match each other. The landscape plan showed trellis and awnings which may not meet the landscape/open space requirements. He also noted that they are deficient by about 100 parking spaces from what would be required based on the number of seating in the dining rooms, the retail space and the number of hotel rooms.

The commission comments were as follows:

1. The original proposal of underground parking was preferred especially because the new parking lot will be 100 spaces short of what is required.
2. The rendering depicted an impossible view point and some unrealistic images.
3. Coquina material, in alternating horizontal bands of clean-cut stone and a split base stone, would work well on the building rather sand stone material.
4. The wood material would need constant maintenance being so close to the ocean.
5. A wall should be built around the parking lot and have landscaping against it.
6. The future sign and its location was a concern even though it was not being presented today.
7. Explore the possibility of increasing the existing under the building parking spaces.

Responding to the above comments, Mr. Schlesinger said that the awnings on the landscape plan were changed to umbrellas on the architectural plan. He assured the commission that all plans will match in the future. He agreed, that if parking is a concern, to have the valet parking approval run with the land. Also, if needed, they have a possible 46 vehicle, back-up parking lot a mile away and over the bridge.

MOTION BY MR. SMITH TO RECOMMEND TO THE TOWN COUNCIL THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY, HOWEVER A PARKING GARAGE AND THE PREVIOUS SOLUTION TO THE PARKING ITSELF, ASIDE FROM THE ARCHITECTURAL QUALITY OF THE BUILDING, IS FAR SUPERIOR AND ASK COUNCIL TO LOOK AT IT AGAIN. MOTION SECONDED BY MR. ZUKOV. MOTION CARRIED UNANIMOUSLY.

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

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

B. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B91-06 Landscape & Hardscape

Address: 575 Island Drive
Applicant: Mr. Alan Bernon
Architect: Morgan Wheelock, Inc.
Project Description: Proposed new pool and pool deck, water feature, site walls and pilasters, motorcourt and new landscaping.

This project was deferred from the October meeting for restudy.

Chairman Wheelock passed the gavel to Vice-Chairman Zukov. He declared a conflict of interest and left the dias during the presentation of this project.

Landscape Architect Don Skowron noted that there was some confusion with the demolition portion of this project and the expiration of the approval dates.

Mr. Frank explained that the demolition and rebuild of a new residence was submitted as the same application. Staff was comfortable with the approval, of the new building, still being intact under the twelve-month window even though the demolition was approved months earlier.

It was thought that a presentation was not necessary as the project was looked at last month.

MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. SMITH.

MOTION CARRIED UNANIMOUSLY.

C. NEW BUSINESS - MAJOR PROJECTS

B96-06 Addition

Address: 223 Southland Road
Applicant: Cristina B. Condon
Architect: Smith Architectural Group, Inc.
Project Description: Second story addition to existing one-story structure and associated facade changes. Architectural Commission approval extension request.

The architect had requested removal from the agenda.

**MOTION BY MS. DIVER TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

B97-06 New Residence

Address: 300 Indian Road
Applicant: David J. Jenkins
Owner listed as: Richard B. Skubal
Architect: Jorge L. Perez
Project Description: New two-story single family residence.

No one was present to represent the project.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE DECEMBER MEETING.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

B98-06 Demolition & New Residence

Address: 250 Ridgeview Drive
Applicant: Palm Beach Ventures IV, LLC
Architect: Garcia Stromberg
Project Description: Demolition of an existing residence. New two-story residence designed in a Windsor, Florida/Palm Beach style architecture. Total a/c space 4,244 sq. ft. Structure shall be smooth stucco with shake style concrete roof tiles.

Architect Peter Stromberg proposed demolition of the existing house that was built in 1950.

MOTION BY MR. FELDKAMP TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND TO ERECT A SITE FENCE DURING CONSTRUCTION ACROSS THE FRONT, RIDGEVIEW DRIVE ELEVATION, AND THAT NEW HEDGES BE INSTALLED IMMEDIATELY UPON CONSTRUCTION OF THE MASONRY DRAINAGE WALLS ON EITHER SIDE OF THE PROPERTY.

MOTION SECONDED BY ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Architect Stromberg presented elevation drawings of a new residence. He indicated that the floor plan is set up with a side loading garage, and a central living space leading to a loggia and pool area in the rear.

It was remarked that the articulation of the fenestration and the balcony above the front door gives a stark feeling to the home. Therefore, it was suggested to bring the railing down to a height of 36" at the balcony and recess the entrance door about one-foot. Also, the shutters should be carried across the first floor of the front facade.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE DECEMBER MEETING FOR RESTUDY.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B99-06 Clerestory Window

Address:	695 North Lake Way
Applicant:	James and Amelia Engel
Architect:	SKA Architect (Pat Segraves)
Project Description:	Addition of a clear story on the north elevation. The window is to be the same as the windows on the east and west elevations. This window is to be added to the already approved addition.

Mr. Wheelock clarified the above project description by stating that this project was originally approved with the condition that no windows would be added.

Architect Patrick Segraves presented photographs of the house showing windows installed on the new addition.

Floyd Wideman indicated that he lives next door to this project. He recalled the original ARCOM approval with the conditions to lower the roof and remove the windows on the north side. The building contractor was advised of these requirements several months ago, but continued with the project.

**MOTION BY MR. STRAWBRIDGE TO DENY THE APPLICATION BECAUSE IT IS NOT IN CONFORMITY WITH THE COMMISSION'S PREVIOUS APPROVAL.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

D. DEFERRALS AND CONTINUATIONS MINOR PROJECTS
None.

E. NEW BUSINESS - MINOR PROJECTS
None.

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

None.

IX ADJOURNMENT

**MOTION BY MS. DIVER TO ADJOURN THE MEETING AT 12:38 P.M.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY..**

The next meeting of the Architectural Commission will be held on December 15, 2006 at 9:00 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Morgan Dix Wheelock', with a stylized, flowing script.

Morgan Dix Wheelock, Chairman

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

B99-06 Clerestory Window

Address: 695 North Lake Way
Applicant: James and Amelia Engel
Architect: SKA Architect (Pat Segraves)
Project Description: Addition of a clear story on the north elevation. The window is to be the same as the windows on the east and west elevations. This window is to be added to the already approved addition.

The above request has been denied by the Architectural Review Commission for the following reasons:

X MOTION BY MR. STRAWBRIDGE TO DENY THE APPLICATION BECAUSE IT IS NOT IN CONFORMITY WITH THE COMMISSION'S PREVIOUS APPROVAL.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.

- ___ (1) The plan for the proposed building or structure is not in conformity with good taste and design and in general does not contribute to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- ___ (2) The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment more desirable.
- ___ (3) The proposed building or structure is, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

- (4) The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the Comprehensive Plan.
- (5) The proposed building or structure is excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
- a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
- (6) The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
- a. Height of building or height of roof.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.

h. Design elements that protect the privacy of neighboring property.

- ___ (7) The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- ___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- ___ (9) The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on November 17 2006

TOWN OF PALM BEACH



Chairman, Architectural Commission