

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION WEDNESDAY, OCTOBER 24, 2001

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I CALL TO ORDER

The meeting was called to order at 9:00 a.m.

II ROLL CALL

PRESENT:

John H. Schuler, Chairman
Lowry M. Bell, Jr., Vice-Chairman
Eric Adams, Member
Floyd L. Wideman, Jr., Member
Marvin Rosenberg, Member (arrived at 10:15 a.m.)
Leslie A. Shaw, Member (arrived at 9:05 a.m.)
Lindley M.F. Hoffman, Member
Morgan Dix Wheelock, Alternate Member
William J. Strawbridge Jr., Alternate Member
Nikita Zukov, Alternate Member
Robert L. Moore, Director Planning, Zoning & Building
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
Gretchen Dayton, Recording Secretary

Note: Mr. Wheelock, and Mr. Strawbridge were voting members for portions of the meeting.

III PLEDGE OF ALLEGIANCE

IV APPROVAL OF THE MINUTES FROM THE SEPTEMBER 26, 2001 MEETING.

Mr. Bell said he made a motion at last month's meeting under Other Business to put 200 El Vedado Road on the agenda. (This matter was discussed again after item number B83-01 on the agenda).

Mr. Wheelock asked to have the minutes corrected on page 10 to add the word "not" in

the first sentence of the second paragraph.

MOTION BY MR. BELL TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. WHEELOCK.

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

B72-01 Storefront

Applicant: Via 313 ½ Worth Avenue, LTD
Address: 313 ½ Worth Avenue
Architect: Robert Bell
Project Description: Raise storefront height to ten feet, a new tempered glass storefront with center door and polished stainless steel trim and frame.

This project was deferred from the September meeting for restudy.

The architect requests removal from the agenda.

B84-01 Demolition and New Residence

Applicant: Michael J. Civitella
Address: 272 Country Club Road
Architect: Turner/Johnson Architects & Planners
Project Description: Demolition of existing residence and construction of a new two-story single family residence.

Staff deferred this project to the November meeting as the plans did not meet the zoning code requirements.

MOTION BY MR. WIDEMAN TO REMOVE ITEM #B72-01 AND DEFER ITEM #B84-01 TO THE NOVEMBER MEETING.

MOTION SECONDED BY MR. BELL.

VII PROJECT REVIEW

A. DEFERRALS AND CONTINUATION - MAJOR PROJECTS

B68-01 New Residence

Applicant: Frank DiMino
Address: 242 Via Las Brisas
Architect: Phoenix Architecture
Project Description: New residence

This project was deferred by staff from the August meeting and deferred from the September meeting for restudy.

No ex-parte communications were disclosed regarding this project.

Architect Lynn McColl said the plans were revised to reflect most of the Commission's comments. 125 s. f. of pavement was removed from the site plan. The stained glass window was replaced with a bay window which will have a barrel tile roof element and a row of bricks above the stone water table. The brick quoins were replaced with stone. The garage was not moved because they felt it would interfere with a window in the kitchen.

The Commission felt that the pitched pergola roof was incorrect. Ms. McColl defended the roof and said if it will help she will refer to as a trellis rather than a pergola. It was felt that there may not be enough space to back out of the garage. The large pane window on the east elevation was felt to be too contemporary for the Mediterranean style architecture that is proposed.

MOTION BY MR. BELL TO APPROVE THE PROJECT SUBJECT TO MAKING THE PERGOLA FLAT, MOVING THE GARAGE AT LEAST 18 INCHES OVER, AND MAKING TWO WINDOWS AS OPPOSED TO ONE WINDOW WITH THE CENTER GLASS (ON THE SECOND FLOOR, EAST ELEVATION).

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B69-01 New Residence, Landscape and Hardscape

Applicant: Kings Estate, Inc.
Address: 150 Kings Road
Architect: SKA Architect and Planner
Project Description: New two-story Mediterranean style home including landscape and hardscape plans.

This project was deferred from the August and September meetings for restudy.

Mr. Zukov, Mr. Wideman, Mr. Bell, Mr. Schuler, and Mr. Adams said they met with the architect and reviewed the plans. Mr. Hoffman said the architect called him, but he did not meet with him. Mr. Wheelock declared a previous Conflict of Interest and left the dais during the presentation.

Attorney Dean Vegosen, representing Kings Estate, Inc., addressed the Commission and introduced Architect Pat Seagraves and Landscape Architect Don Skowron.

Mr. Seagraves presented the new two-story Mediterranean style project and said the garage will be 35' from the road. The design elements on top of the house were removed. Stone work around some of the windows were removed and a chimney was added on the side of the house. The columns were changed to a Corinthian with simple capitals and re-spaced. The three five-foot wide French doors with arched tops were changed to a pair of single doors with a center arch.

It was requested to raise the tower three or four feet and replace the doors on the south elevation with two French doors.

MOTION BY MR. ADAMS TO APPROVE THE PROJECT WITH THE PROVISION TO RAISE THE TOWER TWO TO THREE FEET WHATEVER THE CODE ALLOWS.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

Landscape Architect Don Skowron, of Morgan Wheelock, Inc. presented the landscape and hardscape project. The hardscape was reduced in the rear of the property by eliminating the hardscape area south of the pool and replacing it with a 2-x-2 stepping stone path.

MOTION BY MR. WIDEMAN TO APPROVE THE LANDSCAPE AND HARDSCAPE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B74-01 New Residence and Beach Cabana

Applicant: Mr. and Mrs. Michael Gretschel
Address: 1230 North Ocean Boulevard
Architect: Smith and Moore Architects, Inc.
Project Description: Construction of new two story Mediterranean style residence and beach cabana.

Demolition of the existing residence was approved at the September meeting, the construction portion of the project was deferred for restudy, and the project description was amended to add the beach cabana.

Mr. Shaw, Mr. Wideman, Mr. Bell, Mr. Schuler, Mr. Hoffman and Mr. Adams said they met with the architect and reviewed the plans. Mr. Wheelock said he met with the architect and visited the site. Mr. Zukov said he visited the site.

Architect Jon Moore said they moved the garage two feet away from the property line. Two arches will replace the three arches on the front elevation and Corinthian columns were changed to a simpler Tuscan style. The building colors will be Benjamin Moore, Montgomery white and Laffate green window trim. Mr. Moore said the Gretchel's preferred the barrel tile mansard roof element above the loggia as shown in an alternative drawing. He asked for approval for demolition of the existing cabana which has an asphalt shingle roof and it is non conforming on the lot. The replacement cabana will have barrel tile roofing and a pool on the south side of the building.

Mr. Shaw suggested moving the house forward on the property allowing for more of a rear yard. Mr. Moore said he spoke with the engineer, but the Department of Environmental Protection Agency has set the coastal construction control line for the property.

Mr. Wheelock urged Mr. Moore to ask his client to eliminate the overhead lines that cross the road to the cabana. Mr. Moore said the lines that cross the road also service the neighbor's cabana to the north, but he will ask his client to suggest this the neighbor.

Property owner Michael Gretschel addressed the Commission and stated that they preferred to keep the roof element with the barrel tile over the loggia.

**MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT AS PRESENTED, (WITHOUT THE ROOF ELEMENT AS SHOWN ON THE ALTERNATE DRAWING).
MOTION SECONDED BY MR. BELL.**

MOTION CARRIED UNANIMOUSLY.

B77-01 Demolition and New Residence

Applicant: Gary and Dina Wexler
Address: 249 Orange Grove Road
Architect: Mojo Stumer Associates
Project Description: Demo existing house and build two story house. Stucco exterior with low E glass in aluminum frames, tower walls in stone facing, also stainless steel decorative accents.

This project was deferred from the September meeting at the architect's request.

Mr. Zukov and Mr. Wheelock said they visited the site.

Architect Mark Stumer presented a model, a building material board, and elevation drawings of the contemporary style project. He said the house will be set back from the street so that it will not have a massive appearance to the front with a greenspace area of 64.3%. The garage will be the front panel to the house which will step back from there with a tower and a courtyard area. The courtyard will provide privacy and a sculpture garden outside of the living room. The garage door will be a solid glass panel and the tower rising from the center of the house will be made of split textured limestone in large panels. The living room area will have two-stories of glass with an interesting designed mullion layout. Mr. Stumer said that one of the houses in the area was somewhat of a contemporary style, but admitted that the homes are mainly traditional styles. He did not have a street scape drawing or photographs of the other houses on the street for his presentation.

The Commission commented that it was an intriguing design, but the comparison of the other homes on the street is very important. It was preferred to locate the garage on the side of the house or possibly move the driveway access to the other side of the property. Mr. Stumer said that it is a tight lot and they did look at other solutions to the garage location. The perimeter hedging was discussed and Mr. Stumer said they propose hedging all around the property. Mr. Hoffman stated that ARCOM's mandate is not to approve houses that are too dissimilar to others in the neighborhood and it was difficult to determine this without pictures of the other houses.

Dr. Rosenberg was present at this time.

Mr. Wheelock asked to leave some open landscaping area so that the house can be seen from the street. Mr. Stumer said they want to keep the landscaping simple, similar to a Japanese garden.

Mr. Frank read a letter from Mrs. Ralph A. Curran, 241 Orange Grove Lane, asking that her property rights not to be invaded.

Mr. Shaw asked that the issue of yard trash be addressed with this project as the street is very narrow, there are no swale areas or sidewalks.

**MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE NOVEMBER MEETING TO STUDY THE DRIVEWAY AND THE ENTRY TO THE GARAGE, BRING PHOTOGRAPHS OF THE HOUSES IN THE NEIGHBORHOOD AND A PRELIMINARY LANDSCAPE PLAN.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

Chairman Schuler passed the gavel to Vice-chairman Bell and left the meeting at this time.

B. NEW BUSINESS - MAJOR PROJECTS

B78-01 New Residence

Applicant: P. Kevin Jaffe Trust
Address: 1440 North Lake Way
Architect: Smith & Moore Architects, Inc.
Project Description: New two-story contemporary style residence with pool.

Mr. Shaw, Mr. Wideman, Mr. Bell and Mr. Hoffman said they met with the architect. Mr. Zukov said he visited the site.

Architect Harold Smith presented a model of the 9,400 s. f. contemporary style project. He said there are other contemporary style homes in the neighborhood and presented photographs of the homes. The rooms of this home will focus on the lake and the garden. The design includes a parapet wall section and a two-story open space. The windows will be aluminum clad impact with wood on the interior.

Mr. Hoffman said he liked the project very much.

Mr. Adams felt the project had somewhat of an institutional appearance rather than looking like a single family residence.

Mr. Wheelock thought that the project looked like two different buildings. The front elevation "has the curtain down" and the rear has "something going on".

Ann Metzger, 277 Esplanade Way, read a letter that was signed by twelve of the residents on Esplanade Way, stating that they want traditional homes, and the proposed contemporary style of architecture does not belong here. Ms. Metzger asked about the fate of an existing tree on the lot. Mr. Smith stated that tree will remain on the property.

Mr. Zukov did not think that the residents on Esplanade Way would be able to see this house from their street.

Mr. Moore reminded the Commission of the too similar/dissimilar criterion in the ordinance.

MOTION BY DR. ROSENBERG TO DEFER THE PROJECT TO THE NOVEMBER MEETING FOR RESTUDY.

MOTION SECONDED BY MR. ADAMS.

B79-01 Demolition

Applicant: Harold and Ann Sorgenti
Address: 311 & 305 Seabreeze Avenue
Architect: Brower Architectural Associates, Inc.
Project Description: Demolition of primary and accessory structures at 305 Seabreeze Avenue and accessory structure at 311 Seabreeze Avenue.

Architect Anthony Harrington read the demolition report into the record. The 2,500 square foot house at 305 Seabreeze Avenue was built in 1923. They also request demolition of the separate garage building at 305 Seabreeze and the accessory building at 311 Seabreeze Avenue.

MOTION BY MR. ADAMS TO APPROVE DEMOLITION.

MOTION SECONDED BY MR. WIDEMAN.

Under discussion:

Mr. Wheelock thought that the presentation was incomplete as no landscaping plans were presented. Mr. Frank said they presented the new construction with a preliminary landscape plan last month, but the architect overlooked the demolition portion of the project.

It was agreed to keep the hedge during construction and to remove only a portion for access only.

MOTION CARRIED UNANIMOUSLY.

B80-01 Extension of Approval

Applicant: Mr. and Mrs. Gus Falcione
Address: 970 North Lake Way
Architect: Pandula Architects
Project Description: Re-approval, (time extension), of previously approved facade revisions to existing residence.

There were no ex-parte communications disclosed regarding this project.

Architect Eugene Pandula stated the original approval was fourteen months ago and the owners ran out of time to begin their project. He presented a revised elevation drawing that had been simplified from the original presentation.

The Commission felt the new proposal was too plain and preferred the original scheme that was presented a year ago.

**MOTION BY MR. WIDEMAN TO APPROVE THE ORIGINAL SUBMISSION
AND TO GRANT THE TIME EXTENSION.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

B81-01 Demolition and Two New Apartment Buildings

Applicant: The Darby Corporation and 3000 Ocean Blvd., LLC.
Address: 3000 South Ocean Boulevard
Architect: The Lawrence Group Architects
Project Description: Demolition of existing building, construction of two buildings with 30 apartment units, and construction of a temporary sales office.

Mr. Wheelock said he visited the site.

Architect Eugene Lawrence presented project #B81-01, 3000 South Ocean Boulevard and project #B82-01, 3024 South Ocean Boulevard together as both properties will be tied together. Mr. Lawrence asked for approval for demolition of the old radio station building and the Beachcomber apartments. The two buildings will be constructed of masonry, glass and aluminum. The glass balcony railings will be grey and the windows will be another shade of grey. The groin vault canopy entry element will be connected to

a barrel vault walkway. Air-conditioning/equipment screens will be back and away from the edge of the roof. The parking garages will be underground with only a few parking spaces on grade.

Developer Gordon Deckelbaum with Premier Developers thanked the commission for their support of this project and praised the architect.

Mr. Shaw was concerned with the location of the south building because of the problems with beach erosion and thought that the tennis courts should not guide the location of this building.

Mr. Schuler returned to the meeting at this time.

Mr. Tim Frank said he met with Ed Breeze, Director of Community Development for the City of Lake Worth, an adjacent property owner, and reviewed the plans with him. Mr. Breeze was pleased with the wall proposed for the south property line as it will also perform as a retaining wall.

Mr. Jerry Frank, Co-Chairman of the Citizens Association, said the project will be a great asset to the area.

MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION OF THE EXISTING BUILDINGS WITH THE USUAL CONDITIONS, (SOD OR SEED AND IRRIGATE THE LOT WITHIN 90 DAYS.

MOTION SECONDED BY MR. WHEELock.

MOTION CARRIED UNANIMOUSLY.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. HOFFMAN.

MR. SHAW OPPOSED.

MOTION CARRIED 6-7.

B82-01 Demolition and Two New Condominium Buildings

Applicant: The Darby Corporation
Address: 3024 South Ocean Boulevard
Architect: The Lawrence Group Architects
Project Description: Demolition of all existing structures on the site. Construction of two condominium buildings, each five floors over a basement. Construction of cabanas, and a temporary sales office. Six guest parking spaces will be on grade, and all other parking will be in basements.

Mr. Wheelock said he visited the site.

Please see the motion marked ¹ relating to this item.

Attorney Ron Kolins asked to have item Number B87-01 heard at this time.

Mr. Bell asked for a motion to hear this project.

**MOTION BY DR. ROSENBERG TO MOVE ITEM B87-01 TO THIS PORTION OF THE AGENDA AND HEAR IT AT THIS TIME.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

Mr. Moore asked to have a motion for item B82-01 as it was listed separately on the agenda.

Mr. Bell read the project description.

**¹ MOTION BY DR. ROSENBERG TO APPROVE ITEM B82-01 AS PRESENTED.
MOTION SECONDED BY MR. HOFFMAN.
MR. SHAW OPPOSED.
MOTION CARRIED 6-7.**

Vice-chairman Bell passed the gavel back to Chairman Schuler at this time.

B87-01 Demolition and New Residence

Applicant: Mr. and Mrs. Dan Lerner
Address: 1157 North Lake Way
Architect: Glen P. Harris
Project Description: Demolition of existing single story residence and construction of a new single story residence.

Mr. Hoffman said he met with the architect and reviewed the plans for the new construction. Mr. Zukov and Mr. Wheelock said they visited the site.

Attorney Ron Kolins asked to have only the demolition portion of the project heard at this time.

Mr. Moore stated that this project is in front of the Town Council for site plan review because of a non-conforming lot

Architect Glen Harris stated that the house was built in 1955 and has no architectural significance. They plan to keep as much of the existing vegetation as possible during construction.

MOTION BY MR. BELL TO APPROVE THE DEMOLITION WITH THE USUAL CONDITIONS, (SOD OR SEED AND IRRIGATE THE LOT WITHIN 90 DAYS).

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY

B83-01 New Residence

Applicant: The Rose Garden Realty Trust
Address: Vacant lot in the Boca Raton Subdivision, lot 47 (Indian Road)
Architect: Dailey & Partners Architects
Project Description: New Two-story residence, pool, decks and driveways.

There were no ex-parte communications disclosed regarding this project.

Architect Roger Janssen presented the project. The house will be shaped in an "L" with an internal court yard to take advantage of the corner lot. The architecture is intended to be simple and elegant with a covered loggia and French doors facing the pool. The west

property line will contain the service court and garage. The project includes a detached cabana/guest building. The roofing material will be a red brick color flat cement tile.

It was suggested to move the garage over and hedge the property for screening, or to come in with the driveway at an angle versus directly into the garage from the street.

The Commission commented that the tower should be raised above the roof line. The 23 feet allowed for the driveway turnaround was felt to not be enough room and the garage was too close to the street.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION TO MOVE THE ENTIRE PROJECT OVER TOWARD THE EAST AS FAR AS POSSIBLE TO INCREASE THE SPACE FOR THE GARAGE AND TO INCREASE THE HEIGHT OF THE TOWER.

MOTION SECONDED BY MR. SHAW.

MR. WIDEMAN OPPOSED.

MOTION CARRIED 6-1.

Mr. Moore said that if the changes to the project do not meet the zoning requirements and the project is altered which cannot be staff approved, it will come back to the Commission for review.

Mr. Bell stated that he made a motion last month, (referring to 200 El Vedado Road), "to notify the owner to be notified that they must come before ARCOM to present what their intentions are, otherwise the project should be "red-tagged," He said, apparently it did not get on the agenda. Ms. Close stated that the job was red-tagged. Mr. Bell said that Mr. Schuler and he walk by this house and they are concerned with the changes that have been made.

Contractor Paul Whittmann said he met with Mr. Bell at his house two weeks ago and thought that he did not have a problem with the plans. Mr. Bell said it is still a problem before ARCOM because the plans do not reflect what was built.

MOTION BY MR. BELL TO ASK THE DEVELOPER, (WITH AN ARCHITECT), TO BRING BACK A SET OF PLANS AS IS, (THE WAY IT WAS DONE IN THE FIELD), TO PRESENT TO THIS COMMISSION FOR FINAL APPROVAL.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

Mr. Bell also requested that the red-tag be lifted. It was stated that it was the intention of the motion to bring this project back next month.

B85-01 Addition

Applicant: Paul Desmarais
Address: 1600 South Ocean Boulevard
Architect: Kenardon M. Spina
Project Description: Exercise room addition

There were no ex-parte communications disclosed regarding this project.

Architect Kenardon Spina presented elevation drawings of the proposed addition. The master suite will be rearranged which will include the addition of an exercise room.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SHAW.
MOTION CARRIED UNANIMOUSLY.**

B86-01 Demolition and New Residence

Applicant: Barbara Madsen
Address: 258 Miraflores Drive
Architect: Architectural Communications Group, Inc.
Project Description: Demolition of existing residence and construction of a new Bermuda style home.

Mr. Hoffman said he reviewed the plans. Dr. Rosenberg said he met with the owner and visited the site. Mr. Wheelock said he visited the site.

Architect Tony Chiaravalloti said the proposal is to remove an existing building that has been flooded numerous times and to construct a new residence. Because there is a limited area in the front, the garage will be front loading. The garage will be lower than the house in elevation so that there will not be a steep slope to enter it. The house will be a pale yellow color with green/grey shutters, white cement tile roofing material, white railings and white stucco banding.

The Commissions comments are as follows:

The front loading garage should be redesigned or redesign the driveway so that it does not lead directly into the garage.

The windows seem to have different styles, as well as some having shutters and others not.

Additional hardscape to provide for a side loading garage would be a better solution even though the project already has a lot of hardscape.

It was suggested to use the aluminum windows that have a profile rather than ones with flat bars.

The proposed awning windows are not energy efficient and may not be hurricane approved.

Retain the east and west hedges during construction.

Possibly remove some of the hardscape in the rear property and design the driveway to come in at a different location.

Property Owner Barbara Madsen, addressed the Commission and spoke in favor of the proposed awning windows.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE NOVEMBER MEETING TO COME BACK WITH CHANGES TO THE GARAGE, EITHER TRY TO DO IT AS A SIDE ENTRANCE OR RELOCATE THE FRONT DRIVEWAY INTO THE GARAGES SO IT DOES NOT SHOW FROM THE STREET, TO LOOK AT ALL OF THE WINDOWS, AND TO REEXAMINE THE WINDOWS AND THE DOORS THROUGHOUT THE HOUSE.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

Chairman Schuler read the demolition report into the record which stated that the 2,000 square foot home was designed by Henry K. Harding in 1945 and has been flooded numerous times.

**MOTION BY MR. BELL TO APPROVE THE DEMOLITION WITH THE STANDARD CONDITIONS DURING DEMOLITION THAT THE LANDSCAPING REMAIN AND THE PROPERTY BE IRRIGATED AND GRASSED OVER.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A48-01 Landscape and Hardscape

Applicant: Stephenie and Bob Vanhellemont
Address: 1320 North Lake Way
Architect: Paul Tracy Landscape Design
Project Description: Landscape and Hardscape plans

This project was deferred from the August meeting as no one was present and it was deferred from the September meeting for restudy.

Mr. Wheelock said he met with the architect and visited the site last month.

Landscape Architect Paul Tracy presented revised plans which showed increased greenspace.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

A55-01 Landscape/Hardscape

Applicant: Amigo Partnership
Address: 329-333 Australian Avenue
Architect: Mario Nievera Design
Project Description: Proposed Hardscape and planting design

This project was deferred from the September meeting for restudy.

Mr. Zukov said he met with the developer. Mr. Schuler and Mr. Bell said they met with the architect. Mr. Wheelock visited the site.

Landscape Architect Mario Nievera presented elevation drawings of the proposed landscaping. It was agreed to plant the ficus trees, but not to shape them as it would be out of character with the street.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MINOR PROJECTS

A58-01 Landscape, Hardscape and Landscape Lighting

Applicant: DeBrule
Address: 167 Seabreeze Avenue
Architect: Mario Nievera Design, Inc.
Project Description: Hardscape, landscape and landscape lighting design.

There were no ex-parte communications regarding this project.

Landscape Architect Mario Nievera presented the project and said that an orange jasmine hedge will be planted along Seabreeze Avenue. Not shown on the ARCOM plans are five cocoanut palms and ten viburnum awabukis to screen the house from the street. Mr. Nievera said they will not do any landscape lighting.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. BELL WITH THE ADDED COMMENT THAT
THE LANDSCAPE ARCHITECT TALK TO THE CONTRACTOR ABOUT
DOING SOMETHING OUT FRONT.
MOTION CARRIED UNANIMOUSLY.**

A59-01 Landscape, Hardscape & Landscape Lighting

Applicant: Mr. and Mrs. Bruce Gendelman
Address: 230 Kawama Lane
Architect: Smallwood Design
Project Description: Landscape, Hardscape and Landscape lighting

There were no ex-parte communications disclosed regarding this project.

Landscape Architect Jeff Briggs representing Smallwood Design in Naples presented the project of large palm trees and flowering shrubs.

Architect Tony Harrington responded to questions regarding the generator which is fourteen feet long, six feet wide and six feet high, and located on the rear property line. He said he thought that when the plans were approved, the generator was discussed and may have been shown on the drawings.

Note: The original ARCOM plans did not indicate a generator on the property.

Ms. Close said the code does not regulate generators other than not permitting them in street side set-backs. It was commented that the generator may be considered an

accessory building because of the size, being placed on a concrete pad, and having a muffler housing.

MOTION BY MR. SHAW TO APPROVE THE LANDSCAPE PLAN, AND PRIOR TO THE CERTIFICATE OF OCCUPANCY THAT ALL FIVE AIR-CONDITIONING UNITS AND THE GENERATOR BE FIRED UP WITH CODE ENFORCEMENT, AND GET THEM TO CONFIRM THAT IT MEETS THE NOISE REQUIREMENTS, TO MAKE SURE THAT THE GENERATOR IS VISUALLY SCREENED FROM THE NEIGHBOR, AND TO ADD A ROYAL PALM TREE.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

The landscape lighting plan was discussed at this time and the Commission felt that too many fixtures were lighting trees on the property.

MOTION BY MR. BELL TO DEFER THE PROJECT TO THE NOVEMBER MEETING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

A60-01 Fenestration Revisions

Applicant: Bill Walde
Address: 326 Seabreeze Avenue
Architect: Affiniti Architects
Project Description: Change at first floor, front fenestration and rear.

There were no ex-parte communications disclosed regarding this project.

Architect Benjamin Schreier said the owner would like to change three transom windows on the front of the house and three transom windows on the rear at the loggia area. He presented the original approved plans and the revised plans.

The Commission felt that the windows were not appropriate for the architecture.

William Walde addressed the commission and stated that the windows are already installed.

**MOTION BY MR. SHAW TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.**

ROLL CALL:

MR. SHAW	YES
MR. WIDEMAN	YES
MR. BELL	NO
MR. ADAMS	NO
DR. ROSENBERG	NO
MR. HOFFMAN	NO
MR. SCHULER	NO

MOTION FAILED 2-5.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE NOVEMBER MEETING TO CORRECT ALL THE OVERDOOR TREATMENTS ON ALL THE FRENCH DOORS AND COME BACK WITH AN APPROPRIATE DESIGN.
MOTION SECONDED BY MR. WIDEMAN.**

Mr. Walde understood that if he corrects the transom windows to what was originally presented, he would not have to come back to the Commission for approval.

Mr. Bell and Mr. Wideman left the meeting at this time. Therefore, Mr. Wheelock and Mr. Strawbridge were voting members.

A61-01 Landscape, Hardsape & Landscape Lighting

Applicant:

Westrend Development, Inc.

Address: 224 Barton Avenue

Architect: James M. Towery & Associates

Project Description: Landscape, Hardscape and Landscape Lighting

Mr. Wheelock said he visited the site.

Landscape Architect Jim Towery presented front elevation drawings and said Architect Paul Twitty would answer any questions regarding the hardscape plan.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE RECOMMENDATION TO CONSIDER PLANTERS IN THE PATIO AREA ADJACENT TO THE POOL AND WITH THE PROVISIO THAT THE GRASS BLOCK BE CHANGED TO GRASS, (AT THE REAR OF THE PROPERTY).

Mr. Towrey presented the landscape lighting portion of the project at this time.

**MOTION BY MR. WHELOCK TO DEFER THE LANDSCAPE LIGHTING PROJECT TO THE NOVEMBER MEETING WITH A MODIFIED PLAN.
MOTION SECONDED BY D.R ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

A62-01 Landscape & Hardscape

Applicant: Baltic Estates, Inc.
Address: 160 Kings Road
Architect: Lang Design Group
Project Description: Hardscape and landscape design

Mr. Wheelock said he visited the site.

Landscape Architect John Lang said there was a privacy wall on the south side that had been removed. The patio material was changed from brick to precast pavers with sod. Landscaping was added in certain areas for additional screening.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WHELOCK.
MOTION CARRIED UNANIMOUSLY.**

A63-01 Sign & Site Lighting

Applicant: CSC Palm Beach, LTD
Address: 190 Bradley Place
Architect: Environment Design Group
Project Description: Sign and parking lighting

There were no ex-parte communications regarding this project.

Landscape Architect Frank Meroney presented the project.

Mr. Frank agreed to check the landscaping plan to see if it was staff approved. If not, the commission would like the landscaping presented to them.

**MOTION BY MR. ADAMS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. WHELOCK.
MOTION CARRIED UNANIMOUSLY.**

A64-01 Roofing Material Change

Applicant: Fran Sherwood
Address: 251 Atlantic Avenue
Architect: M & L Roofing
Project Description: Change roof material from steel to clay barrel.

Dennis Debuc, 251 Atlantic Avenue, said the house was built in 1917 and the roof is the original.

It was stated that the architecture of the house does not set very well with clay barrel tile roofing.

**MOTION BY MR. HOFFMAN TO APPROVE EITHER A WHITE FLAT CEMENT TILE ROOF OR A RED FLAT TILE ROOF.
MOTION SECONDED BY MR. ADAMS.
MOTION CARRIED UNANIMOUSLY.**

A52-01 Landscape/Hardscape

Applicant: Richard True
Address: 351 Crescent Drive
Architect: Scott C. Mosolf (Landscape: Brett Armstrong)
Project Description: Landscape/Hardscape

This project was deferred from the September meeting for restudy.

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

Landscape Consultant Brett Armstrong said the problems from last month's discussion were addressed with a ficus hedge. Twelve to fourteen feet high eureka palms will be planted from the site wall at the middle of the property to the rear corner.

Chairman Schuler read a letter from Juliette de Marcellus into the record.

**MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.**

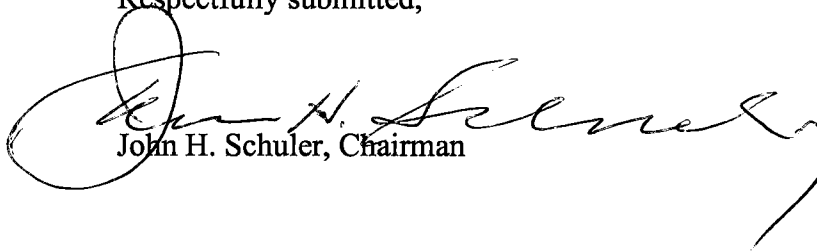
VIII OTHER BUSINESS

IX ADJOURNMENT

**MOTION BY MR. WHELOCK TO ADJOURN THE MEETING AT 6:30 P.M.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Architectural Review Commission will be held at 9:00 a.m. on November 16, 2001.

Respectfully submitted,



John H. Schuler, Chairman

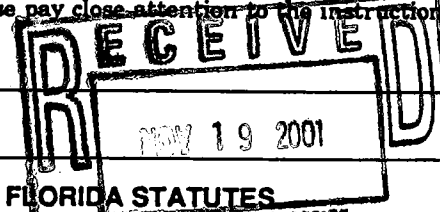
FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

NAME—FIRST NAME—MIDDLE NAME WHEELER, MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 280 BAHAMA LANE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PB	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 9.26 and 10.24		NAME OF POLITICAL SUBDIVISION: PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

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 the reverse side 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 inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate 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 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:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, 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.

- 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, MORGAN WHEELER, hereby disclose that on 9-26, 19 01:

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

- ☐ 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 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:

9-26-01
Date Filed

M. Wheeler
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.