



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

AUGUST 22, 2007

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

CALL TO ORDER

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

II. PRESENT:

Morgan Dix Wheelock, Chairman
William P. Feldkamp, Vice-Chairman
Nikita Zukov, Member
William J. Strawbridge, Jr., Member
Leslie C. Diver, Member
Thomas M. Youchak, Member
Jeffery Smith, Member
Kenn Karakul, Alternate Member
Samuel M. Boykin, Alternate Member
John C. Randolph, Town Attorney
Veronica B. Close, Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Mark Bennett, Alternate Member, excused absence

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE JULY 25, 2007 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/REMOVAL

B65-07 Addition

Address: 125 Dolphin Road
Applicant: Mr. and Mrs. Guy Henderson
Architect: SKA Architect + Planner
Project Description: "One and two-story addition to existing home. The new home will be a shingle style and approximately 4,700 square feet."

The architect requests deferral to the September meeting.

MOTION BY STRAWBRIDGE TO DEFER PROJECT NUMBER B65-07 TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B76-07 Additions & Demolition of Pool House

Address: 3 La Costa Way
Applicant: William Hamm 1987 Trust
Architect: Smith Architectural Group
Project Description: "Demolition of existing pool loggia, pool, pool deck and pool house. Small additions at east and west sides of residence. Replace pool loggia with a smaller version. Convert existing attic over garage to staff quarters."

The architect requests deferral to the September meeting.

MOTION BY MR. FELDKAMP TO DEFER PROJECT NUMBER B76-07 TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

VII. PROJECT REVIEW

A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS DEFERRALS

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

B49-07/SE9-07 New Residence

Address: 216 Colonial Lane

Applicant: Andrew N. Adler

Architect: Kermit C. White

Project Description: New two-story residence.

(The variance request is for front and rear yard setbacks)

This project was deferred from the June meeting for restudy and no motion was made relative to the variance request. It was deferred from the July meeting at the attorney's request.

Chairman Wheelock announced that the applicant has requested deferral to the September meeting.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B56-07 / SPR13-07 Exterior Renovations

Address: 2842 South Ocean Blvd.

Applicant: City National Bank

Architect: Beilinson Gomez Architects

Project Description: Exterior renovations to all elevations, glass railings on balconies, new port cochere, 8' sliders, landscape and paving.
(Site Plan Review and Variance)

This project was approved at the June meeting with the provision to come back with revisions to the west facade. This project was again approved at the July meeting with the agreement to come back to the August meeting for review of the landscaping.

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

Project Manager Marilla Carlson requested this project be moved further on the agenda as the landscape architect was not in attendance at this time.

ARCOM Minutes 8/22/07

Chairman Wheelock moved the project to the end of this section of the agenda.

This project was brought to the table after project number B71-07.

Mr. Wheelock said he had met periodically with the architect and the owner and he has visited the site.

Adam Schlesinger, president of CSCP Beach, LTD, introduced Jose Gomez.

Architect Jose Gomez explained that a 48" high masonry site wall with a gate will be added to the property. The existing cabana will have a water wall feature at the end of the swimming pool.

Landscape Architect Orlando Comes proposed 24 x 24 concrete pavers with a coquina finish. The existing 5' high wall will be retained along the front of the property and a double hedge, 3' and 5' high, will be planted in the front with a band of annuals.

Mr. Frank advised that the signage information was not submitted with their ARCOM application. Thereby, the sign project will come back to the Commission for review.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Mr. Comes proposed low path lights with bug lamps because of the turtle protection ordinance. The lighting in the front will be low landscape lighting. All of the cocoanut and medjool trees will have up lighting. Some moonlighting will be used in the cocoanut palm trees planted in the parking islands.

Mr. Comes was asked to come back with a lighting proposal that measures the amount of foot-candles for each area to be lit. Mr. Schlesinger added, that the marque will be lit as well.

MOTION BY MS. DIVER TO DEFER THE LIGHTING PROPOSAL TO BE BROUGHT BACK WITH THE SIGNAGE PROJECT.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B58-07 / V22-07 Demolition & New Residence

Address: 400 Seabreeze Avenue
Applicant: Mr. and Mrs. Morton Lowe
Architect: SKA Architect + Planner
Project Description: "New two-story Mediterranean style home with a guest house." (Variance request is for side and rear setbacks, CCR, second floor for an accessory structure and swimming pool side yard setback).

This project was deferred from the June meeting for restudy and staff recommended deferral to the August meeting. The Demolition of the existing house was advertised to be heard at the August meeting.

Ms. Diver, Mr. Zukov and Mr. Feldkamp said they met with the architect. Mr. Wheelock said he met with the architect, visited the site and met with the neighbor to the east.

Architect Pat Segraves proposed demolition of the house that was built in 1940. He said the architect of record may have been Gustav Maas. The house is in fair condition, but is at an NGVD elevation of 4.5. He stated that the number of variance requests were reduced. They no longer ask for a cubic content variance and the garage will be one-story rather than the two-story that was proposed. The variances they are requesting are for a side yard set back from Cocoanut Row and a rear-yard variance. The house was moved to the east which places the house 19' from the neighbor. A loggia and a breezeway will connect the main house to the garage.

Mr. Frank reported the Public Works Department's comments which were; there should be no obstruction OF division over 30" high in the site triangle and no trees, ficus hedge, etc. in the easement. He read letters from Ann and John Blades, 402 Seabreeze Avenue, Daniel A. Hanley, 417 Seabreeze Avenue and Chancy and Debra Crandall, 428 Seabreeze Avenue all of whom objected to the construction of this project and the requested variances.

Mr. Feldkamp thought that the architect was going in the right direction, despite the neighbor's comments. He suggested moving the house back to the 15' west side set back to gain a little more space on the Cocoanut Row side.

Ms. Diver noticed that there were other homes placed close to Cocoanut Row. Therefore, she thought that this proposal would not be out of place in this neighborhood.

Mr. Smith commented that the replacement house is much larger than the existing house and the cubic content ratio is being maximized. Also, it would be a mistake to place the house 5' from Cocoanut Row, by doing so would cause a negative impact to the neighborhood.

Mr. Strawbridge thought that because this area is a focal point of the old Palm Beach, this house

at this location would change the vernacular of the neighborhood.

Mr. Zukov did not have a problem with the size of the house, but felt that it could be moved farther to the west, away from Coconut Row.

Mr. Youchak agreed with previous comments that the windows on the east elevation should be restudied.

**MOTION BY MR. FELDKAMP TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. ZUKOV.
MR. YOUCHAK OPPOSED.
MOTION CARRIED 6-1.**

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY OF THE ARCHITECTURE WITH THE UNDERSTANDING THAT THE HOUSE WILL BE MOVED WEST FIFTEEN FEET FROM THE PROPERTY LINE AND THAT THE GARAGE WILL REMAIN AT THE PROPOSED LOCATION.

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. FELDKAMP	YES
MR. ZUKOV	YES
MR. STRAWBRIDGE	NO
MS. DIVER	YES
MR. YOUCHAK	NO
MR. SMITH	NO
MR. WHELOCK	NO

MOTION FAILED 4-3.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY IN ALL ASPECTS; STYLE, MASSING, SITE PLAN.
MOTION SECONDED BY MR. STRAWBRIDGE.**

ROLL CALL:

MR. SMITH	YES
MR. STRAWBRIDGE	YES
MR. FELDKAMP	NO
MR. ZUKOV	NO
MS. DIVER	NO
MR. YOUCHAK	YES
MR. WHELOCK	YES

MOTION CARRIED 4-3.

Mr. Segraves stated that they will defer the variance requests scheduled to be heard at the next Town Council meeting.

B59-07 / SP14-07 (Generator) Enclosure

Address: 425 Worth Avenue
Applicant: The Villas, Inc.
Architect: Robert Bell
Project Description: "One-story CBS enclosure with smooth stucco finish and concrete tile roof." (The variance request is to eliminate two off-street parking spaces. To provide two supplemental off-street parking spaces located on a property 75' west of the subject property. And a rear yard setback variance of 5.4 inches in lieu of 30 feet minimum).

This project was deferred from the July meeting for restudy.

Ms. Diver said she spoke with the lawyer and with Ms. Daniel. Mr. Zukov said he met with the attorney and spoke to "Leo." Mr. Feldkamp said he met with the attorney and a number of the neighbors, and visited the site. Mr. Wheelock said he visited the site.

Tim Frank noted that staff did not receive revised plans of this project and recommended deferral.

Attorney Frank Lynch said the revised drawings were sent by courier to the town within the last couple of days.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MS. DIVER.

Mr. Zukov said he discussed this project with the attorney and reviewed the new plans which he thought were acceptable.

ROLL CALL:

MR. FELDKAMP	YES
MS. DIVER	YES
MR. ZUKOV	NO
MR. STRAWBRIDGE	YES
MR. YOUCHAK	YES
MR. SMITH	YES
MR. WHEELOCK	YES
MOTION CARRIED 6-1.	

B60-07 / SP15-07 Generator Enclosure

Address: 230 Everglade Avenue
Applicant: Villa D'Este Condominium Association
Architect: Morgan Wheelock, Inc.
Project Description: "Construct a three-sided wing wall to enclose 100 kilowatt generator. The existing ficus hedge will completely screen the wing wall." (The applicant seeks a side yard setback of 3.58 in lieu of 20 feet minimum, a front yard setback of 4.58 feet in lieu of 25 feet and a variance to construct a wing wall at a height of 9.72 in lieu of 6 feet maximum allowed).

This project was deferred from the July meeting for restudy.

Note: Mr. Wheelock had declared a Conflict of Interest at the July meeting relative to this project.

Mr. Frank noted that no revised drawings were submitted prior to the meeting for this project.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

B71-07/V14-07 New Residence

Address: 101El Bravo Way
Applicant: 101 El Bravo, LLC
Architect: Phoenix Architecture
Project Description: "New two-story residence." (The applicant requests a point of measurement variance of 20.39 feet NGVD in lieu of 17.4 feet NGVD and a variance to allow an overall height of 33 feet in lieu of 30 feet maximum allowed).

This project was deferred from the July meeting for restudy.

Mr. Karakul said he met with the architect. Ms. Diver said she spoke with the attorney on the telephone. Mr. Feldkamp said he met with the architect.

Design Architect Roger Janssen informed the Commission that the Town Council approved the finished floor elevation of the home at 20', instead of the 20.39 that was requested. The entry was redesigned having decorative iron and the parapet was removed from the rear stair tower.

Attorney Maura Ziska, representing the property owner, stated that they went to the Town Council and they were granted the point of measurement variance at 20' and they agreed to lower the overall height by 1'.

Chairman Wheelock summarized the issues that the Commissioner's thought could be improved upon as follows:

1. Remove two windows on the front facade.
2. Eliminate the medallions on the ocean facade.
3. Reduce the width of the garage windows
4. Restudy the uniformity of the tie beam (break it up)
5. Restudy the pairs of columns on the west corners (possibly adding a third column turning the corner)
6. Restudy the width and proportions of the South Ocean Blvd. and the El Bravo Way entry massing of the gables (the widths of the gable entrance features are too wide).
7. Restudy the details under the windows.
8. Restudy the quoins on the ends of the building.

MOTION BY MR. FELDKAMP TO DEFER PROJECT NUMBER B71-07 TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

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

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

None

COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)

There were no citizens in the audience wishing to address the Commission.

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

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.

This project was deferred from the November meeting as no one was present to represent the project. It was deferred from the April, May and July meetings as revised plans were not received prior to the meeting. It was deferred from the December, January, February, March and June meetings for restudy.

There were no ex parte communications regarding this project.

Project Designer Pablo Solis presented the revised project and said the roof over the side entry was eliminated and the railing was moved forward. The roof hangs were squared off and the windows at the stairs were made smaller. The landscape plans and the drainage plans have been coordinated.

It was suggested to make the first floor windows taller than the second floor windows, remove the imposts and the surrounds on the windows on the front elevation, square off the first floor windows and reduce the size of the porte cochere.

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

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MR. STRAWBRIDGE	YES
MR. ZUKOV	YES
MR. FELDKAMP	NO
MS. DIVER	YES
MR. YOUCHAK	YES
MR. SMITH	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

B37-07 Renovation

Address: 250 Royal Palm Way
Applicant: NHM Reality, LLC
Architect: The Lawrence Group
Project Description: Exterior Renovations

This project was deferred from the May meeting for restudy and deferred from the July meeting at the architect's request.

The property owner faxed the town staff a request to defer the project to the September meeting.

As Architect Lawrence was in the audience, Chairman Wheelock advised him that if they are not ready to present the project next month, the project will be removed from the agenda.

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

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B64-07 New Residence

Address: 1348 North Lake Way
Applicant: Taja Realty Trust
Architect: Smith & Moore Architects
Project Description: "Construction of a new two-story residence."

This project was deferred from the July meeting for redesign of the building.

Ms. Diver, Mr. Zukov, Mr. Wheelock, Mr. Feldkamp and Mr. Youchak said they met with the architect and discussed the plans.

Architect Harold Smith introduced Associate Architect Carlos Bonilla and Landscape Designer Keith Williams. Architect Smith addressed the changes that the Commission suggested at the last meeting. The amount of stone detailing was reduced, but they decided to keep the stone water table all around the building. Decorative aluminum railing will be incorporated in the design as well.

It was remarked that the reorientation of the driveway helped a great deal to screen the house with landscaping. The architectural style was quite different from the neighborhood, but if one bay in each of the garages were eliminated, it would bring the building in on the sides and would fit in the neighborhood a little better. The garage doors would look less commercial if some

articulation were added.

Responding to Mr. Feldkamp, Mr. Smith pointed out that if the number of steps leading to the front door were reduced and the extra steps added to the foyer area, it may change the point of measurement and require a variance.

Mr. Frank reported the Town Engineer's comments that the seawall will be required to be rebuilt or rehabilitated.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO A
RESTDY OF THE GARAGE DOORS AND LOWERING OF THE FRONT
ENTRANCE DOOR SUBJECT TO MEETING THE ZONING CODE.**

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. FELDKAMP	YES
MS. DIVER	YES
MR. ZUKOV	YES
MR. STRAWBRIDGE	YES
MR. YOUCHAK	NO
MR. SMITH	NO
MR. WHELOCK	YES

MOTION CARRIED 5-2.

B66-07 (A5-07) Cabana

Address:	319 Chilean Avenue
Applicant:	Marvin Slomowitz
Architect:	Stephan A. Yeckes
Project Description:	Addition to existing carriage house in the form of a cabana. Addition of a swimming pool, pergola, various site walls and landscaping.

This project was deferred from the May meeting to be advertised to the neighbors as a major project. This project was deferred from the July meeting for restudy.

Mr. Zukov said he met with the builder. Mr. Wheelock said he met with a neighbor. Mr. Feldkamp said he met with a neighbor and the attorney and went to the site. Mr. Strawbridge said he met with the attorney.

Architect Stephan Yeckes stated that the owner purchased this property in order to relocate the swimming pool and to build a garden behind his house.

Responding to Mr. Wheelock's comment that the landscaping was skimpy on the Chilean Street

facade, Mr. Yeckes indicated that he was not presenting a landscape plan today, but agreed to come back with one.

Chairman Wheelock recognized Mr. Haft in the audience who is the neighbor to this project. Mr. Haft stated that he met with Mr. Koeppel, the applicant's attorney.

Mr. Frank read a letter from Stuart and Allison Haft, stating that they have no objection to the improvements to the property as long as they do not renovate the guest house that shares a common wall with their guest house.

Mr. Feldkamp thought that the cabana building should be demolished, but understood the legal issues. The Commissioners agreed that the site plan should be centered and that the trellis area will separate the pool from the house.

Attorney Joel Koppel, representing the owner, said the building contractor could not guarantee that there would be no damage to the adjoining cabana house that was built in the 1920's. His client is leaving his half of the building alone to satisfy the adjoining neighbor.

Mr. Wheelock suggested having a landscape architect look at the plan.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B67-07 Addition

Address:	248 Southland Road
Applicant:	Patrick and Lucille Guarini
Architect:	George R. Winne
Project Description:	"An addition of a media room and roofed exterior patio. All materials, finished and colors to match existing residence."

This project was deferred from the July meeting for restudy.

Mr. Smith said he spoke to the architect on the telephone. Mr. Feldkamp and Mr. Strawbridge said they spoke with the attorney.

Attorney Joel Koppel, representing the property owners, stated that the house has different styles of columns. They have addressed this issue and made them all Ionic Order.

Architect John Vaughn said the property owner thanked the Commission for their

recommendation last month to change the columns.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B68-07 Demolition and New Residence

Address: 671 Island Drive
Applicant: Alfred J. and Barbara Fisher, III
Architect: Thomas Kirchhoff
Project Description: "Demolition of an existing one-story house. New two-story Colonial residence, pool hardscape and landscape."

This project was approved at the August meeting with the provision to restudy some minor elements.

Architect Kirchhoff presented revised elevations of the rear facade, staircase railings, and hip roof.

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

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

The meeting was reconvened at 1:45 p.m. after a lunch break.

B69-07 Demolition and New Residence

Address: 640 Crest Road
Applicant: Diane De La Begassiere
Architect: SKA Architect + Planner/Jacqueline Albarran
Project Description: "Demolition of the existing one-story residence. New two-story West Indies style

At the July meeting, demolition was approved and the new construction was deferred for restudy.

Ms. Diver and Mr. Youchak said they spoke with the architect on the telephone. Mr. Zukov and Mr. Feldkamp said they met with the architect. Mr. Wheelock said he met with the architect and visited the site.

Architect Jackie Albarran presented three different options of the front elevation. Option one showed a copula with a window, the projected parapet above the roof removed and continued

with a smaller window flush with the facade. Option two showed a parapet and a (clerestory) window added with the cupola removed. And, option three showed the laundry room door removed and the addition of two windows (one clerestory and one placed in the parapet).

Mr. Feldkamp recalled that the neighbors had issues with on site parking for service vehicles at last month's meeting. Ms. Albarran assured the Commission that the neighbors are comfortable with the parking plan.

Mr. Frank read a letter from Mary Cleckner requesting the retention of two mango trees on the property. He also read a letter from Patrick Henry, 630 Crest Road, requesting construction vehicles park on the property and not on the street.

Ms. Albarran indicated that the mango trees will be maintained according to the demolition landscape plan. She offered to make it clear to the landscape architect to incorporate the mango trees in the final landscape plan.

Mr. Strawbridge was not in favor of the cupola on this type of house.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS SHOWN ON OPTION NUMBER ONE.

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. ZUKOV	YES
MS. DIVER	YES
MR. FELDKAMP	YES
MR. STRAWBRIDGE	NO
MR. YOUCHAK	YES
MR. SMITH	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

B73-07 New Residence

Address: 108 El Mirasol (Lots 7 & 8).
Applicant: Anand and Neeta Khubani
Architect: SGA Architecture
Project Description: "Construct a new two-story, single family, Mediterranean style residence."

This project was deferred to the August meeting at the architect's request.

Mr. Wheelock declared a Conflict of Interest and passed the gavel to Vice Chairman Feldkamp.

Ms. Diver, Mr. Zukov and Mr. Feldkamp said they met with the architect and discussed the

plans. Mr. Youchak said he met with the architect and the owner's attorney.

Project Manager with SGA Architecture Daniel Martinez presented the two-story Mediterranean style project to the Commission. He said the total square footage will be approximately 19,000 including breezeways and a porte cochere.

Landscape Architect Don Skowron referred to the model of the project for a three-dimensional presentation. Seagrape hedges are proposed along the perimeter of the property for strong wind protection.

Mr. Frank referred to the Public Works Department's report which required a retention wall along the north property line.

Harvey Poppel, 110 El Mirasol, voiced his concerns regarding this project; he requested relocating the proposed cooling tower from the east property line, which faces his master bedroom; he objected to the roof height on the freestanding carport, and he requested the elimination of the three west windows in the staff quarters or have them glazed to protect his privacy.

Attorney Maura Ziska, on behalf of Mr. and Mrs. Khubani, addressed Mr. Poppel's requests by saying, Mr. Castro has reviewed the plans and it meets the zoning code, the cooling tower meets the decibel levels required by the town and the proposed landscaping includes a 10' to 12' tall ficus hedge which will screen the two properties.

Mr. Poppel responded that the hedge will screen his first floor, but not the second floor.

After review of this project, the Commissioner's commented that the carport did not enhance the property. The oval windows on the east elevation are not consistent with the architecture. Because the massing is broken down so much, it looks like a multi-family structure. The arches, windows, doors and columns were inconsistent. The cooling tower location and size was inconsiderate to the neighbors.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Chairman Wheelock announced a special review request for PVC vinyl fencing material.

Mr. Frank stated that he invited the fencing contractor to present this material today to see if the Commission would like to accept this material for use in town.

Tom Swargen, Firtz Massy Fence Company, introduced Jessica Burton with Poly Vinyl Creations. Ms. Burton passed around a sample of the vinyl fencing.

It was the consensus of the Commission that the material has come a long way, but it is not ready for Palm Beach.

MOTION BY MR. SMITH THAT ARCHITECTURALLY THE PVC/VINYL FENCING MATERIAL IS NOT APPROPRIATE FOR PALM BEACH.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MAJOR PROJECTS

B74-07 Demolition & New Residence

Address: 264 Country Club Drive
Applicant: Real Property Intellectuals, LLC
Architect: The Lawrence Group Architects
Project Description: "Application for an extension of the previously approved work (approved 4/27/05) to include the demolition of a one-story, single family, brick residence and construction of a two-story concrete block and stucco with a clay barrel tile roof, four bedroom, house with a two-car garage."

Mr. Smith said he received information in the mail. Ms. Diver said she spoke with the architect, but did not receive any information in the mail. Mr. Zukov and Mr. Youchak said he spoke with the architect and received information in the mail. Mr. Wheelock, Mr. Boykin and Mr. Feldkamp said they received a letter and a rendering in the mail.

Architect Eugene Lawrence requested demolition of an existing one-story house. The house was designed by Harold and Emily Obst in 1950.

MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Architect Eugene Lawrence proposed a one and two-story house with a courtyard entry. He described the house as a contemporary style with traditional building materials of stucco walls and clay barrel tile roofing.

The architect was asked to rethink the window above the front door, the two garage windows, and add details to the soffit.

Mr. Frank read the Public Works report which stated that the package did not have a drainage plan. The driveway must meet the side line set back. All obstructions must be removed from the utility easement. And, site drainage walls need to be added to the south, east and west property lines.

Responding to comments that the original project required variances, Mr. Lawrence stated that they will design the house so that no variances will be required.

Patrick Desalvo stated that he is the proposed purchaser of the property and assured the Commission that he will demolish the existing house and build a beautiful home in that neighborhood.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

B75-07 Demolition & New Residence

Address:	240 Sanford Avenue
Applicant:	Amos Dare and Maria Marchetti
Architect:	Smith and Moore Architects
Project Description:	“Demolition of existing one-story residence, and construction of a new two-story residence.”

Mr. Zukov, Mr. Feldkamp and Mr. Youchak said they met with the architect and discussed the plans.

Architect Dan Kahan read the demolition report in the record. The house was originally designed by Howard Chilton in 1950. They will retain the royal palm trees along the front of the property, (with the relocation of one of them), and the ficus hedge around the site will remain during construction. Architect Smith said they will put the retention wall inside the perimeter hedge.

Mr. Smith mentioned that the royal palm trees planted along the street were planted in pairs in the 1920's as part of the original alley of the Sanford Estate Development.

Mr. Kahan presented a Georgian style home with a projected portico and stucco water table, sills and cornice piece. The building color will be white with white impact clad wood windows, black operable aluminum shutters and light grey tile roofing.

Landscape Architect John Lang described the landscaping as symmetrical and layered. Mr. Lang agreed to remove some of the hedging on the west property line if it turns out there will not be

enough room to plant cocoanut palm trees.

Don Kino, 205 Sanford Avenue, felt the project lacked detail and that the quality of the materials could be improved.

Mr. Frank read a letter from Dr. and Mrs. Lober, 211 Emerald Lane, thanking the Commission for the notice regarding this project and that they had confidence the Commission will do what is best for the town and the property owners.

Responding to Mr. Strawbridge's questions, Mr. Kahan stated that the front door surround will be wood, the columns will be cast stone and the detailing above the entry will be stucco.

**MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED WITH WOODEN DETAILING, WOODEN COLUMNS, WOODEN DETAILS AROUND THE ENTRANCE AND HURRICANE PROOF CLAD WINDOWS.
MOTION DIED FOR A LACK OF A SECOND**

**MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT WITH WOOD WINDOWS, WOOD DETAILS AND WOOD DOORS.
MOTION SECONDED BY MS. DIVER.
MR. ZUKOV OPPOSED.
MOTION CARRIED 6-1.**

This project was called back to the table after item number B83-07 for approval of the demolition portion.

Mr. Frank read a letter from Jerome R. Klein, 225 Emerald Lane, objecting to the location of the generator and pool equipment.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B77-07 New Guest House

Address: 1300 South Ocean Boulevard
Applicant: Mr. and Mrs. Dwight Schar
Architect: Smith and Moore Architects
Project Description: "Two-story guest house."

Mr. Wheelock declared a Conflict of Interest and left the room during the discussion. Ms. Diver, Mr. Zukov, Mr. Feldkamp and Mr. Youchak said they met with the architect and discussed the plans.

Architects Harold Smith introduced Associate Architect Carlos Bonilla and Landscape Architect Don Skowron. Mr. Smith noted that four buildings were approved for demolition on lot 4 at the last ARCOM meeting. The new building will be a "Spanish/Colonial" style guest home which will match the main house across the street with many of the same details.

Mr. Bonilla stated that the materials include black iron railings, cypress wood garage doors, cast stone for all of the decorative elements, aluminum clad windows and terra cotta roofing material.

Landscape Architect Don Skowron noted that the character of the property starts at the road with the walls of ficus hedging and heavy landscaping. The entrance driveway will be lined with ficus and palm trees.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED WITH WOOD DETAILS AND WOOD DOORS.

MOTION SECONDED BY MS. DIVER WITH THE PROVISION TO INCLUDE WOOD WINDOWS.

MR. ZUKOV OPPOSED (TO WOOD WINDOWS).

AS THE VOTE WAS 6-1, THE MOTION CARRIED.

B78-07 Addition

Address: 156 Clarke Avenue
Applicant: Mr. and Mrs. Shakir Wissa
Architect: SKA Architect + Planner
Project Description: "Renovation of existing two-story Mediterranean style home and an addition to be approximately 1,575 square feet."

There were no ex parte communications disclosed regarding this project.

Architect Pat Segraves presented an addition to the rear of the existing house. All of the windows will be changed out to mahogany impact windows. He noted that this is the original

Clarke house that was built in 1919.

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

B79-07 Demolition

Address: 308 Cocoanut Row
Applicant: Mr. and Mrs. Richard and Carol Wolfe
Architect: SKA Architect + Planner
Project Description: "Demolition of existing two-story, multi-family home."

There were no ex parte communications disclosed regarding this project.

Architect Pat Segraves proposed demolition of a multi-family home. Mr. Wheelock informed him that only a single-family home will be allowed on this site.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

B80-07 Demolition

Address: 320 Dunbar Road
Applicant: Three Twenty Dunbar, LLC (Ed Cury, Manager)
Attorney: Ronald K. Kolins
Project Description: "Request to demolish existing one-story single-family."

There were no ex parte communications disclosed regarding this project.

This project was heard after Item Number B71-07 to accommodate the representing attorney.

Attorney Ron Kolins said the demolition of this residence had been previously approved, but that approval has expired. He stated that the perimeter hedging will be retained for screening.

**MOTION BY MR. SMITH TO APPROVE THE DEMOLITION PRIOR TO DECEMBER
FIRST.
MOTION DIED FOR A LACK OF A SECOND.**

MOTION BY MS. DIVER TO APPROVE THE DEMOLITION WITH THE PROVISION

TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS AND TO RETAIN ALL THE LANDSCAPING ON THE PROPERTY UNTIL A PLAN FOR ANOTHER HOME WILL BE PROPOSED.

MOTION SECONDED BY FELDKAMP.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

B81-07 New Accessory Structure

Address: 215 Coral Lane
Applicant: William & Katherine Rayner
Architect: Peter Marino Architect
Project Description: "Pool house and swimming pool. Materials include stucco at building walls, limestone columns and building trim, lead coated copper roof Mediterranean style."

There were no ex parte communications disclosed regarding this project.

Architect George Restrepo said this project was previously approved, but the client decided to make it smaller.

Landscape Architect John Lang presented a tropical landscape theme.

MOTION BY MS. DIVER TO APPROVE THE PROJECT AS PRESENTED WITH THE PROVISION TO RAISE THE FINISHED FLOOR LEVEL TO 7.5'.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B82-07 Addition

Address: 300 Clarke Avenue
Applicant: Desmond J. & Dorothy Ann Heathwood
Architect: Bridges, Marsh & Associates
Project Description: "One and two story additions and alterations to an existing two story main house and garage."

No ex parte communications were disclosed.

Architect Mark Marsh proposed an addition to a 1950's John Volk house.

Landscape Architect Rayworth Wall presented the landscaping for this project.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO COMING BACK WITH DETAILS AND ARCHITECT VOLK'S ORIGINAL DRAWINGS OF THE ENTRANCE AND COLOR SAMPLES OF THE NEW BUILDING COLORS.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B83-07 Demolition & New Residence

Address: 203 La Puerta Way
Applicant: Suzuki Hirotaki (owner) Gita & Mark Costa (contract purchasers)
Architect: Harrison Design Associates
Project Description: "Demolition of an existing one-story residence and construction of a new two-story single family Bermuda style home."

Chairman Wheelock moved this project to be reviewed after item number B77-07 on the agenda at the architect's request.

Mr. Zukov, Mr. Feldkamp and Ms. Diver said they spoke with the architect.

Architect William Harrison proposed demolition of a home designed by Architect Babcock in 1947.

Landscape Architect Keith Williams stated that the existing ficus hedge will remain throughout construction.

MOTION BY MR. SMITH TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

Architect Harrison presented a Bermuda Style home to the Commission. He pointed out that the building materials include a sand finished stucco building; cast concrete columns, cornice and banding; wood doors, aluminum clad windows and flat concrete roofing.

Keith Williams proposed fox tail palms to flank the front entry and bougainvillea vines covering the walls at the garage bays.

The architect was asked to restudy the garages, the blank wall on the side elevation, the round windows on the second floor and the lites at each side of the entry.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT SUBJECT TO USING WOOD WINDOWS, OMIT THE CIRCULAR WINDOWS AT THE SECOND FLOOR, ADD SHUTTERS TO THE CENTER WINDOW (FRONT ELEVATION), SWITCH THE SECOND FLOOR WINDOW (IN HER CLOSET) TO THE SOUTH SIDE SO THAT IT WILL BE VISIBLE FROM THE STREET, BRING THE ENTRY SIDE LITES TO FLOOR LEVEL AND CHANGE THE GARAGE ROOF TO FLAT ROOFS WITH PARAPETS.

MOTION SECONDED BY MR. SMITH WITH THE PROVISION TO COME BACK TO PRESENT THE GARAGE ROOF AND THE SIDE LITES.

**SUBSTITUTE MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY.
MOTION DIED FOR A LACK OF A SECOND.**

ROLL CALL: (FIRST MOTION)

MR. FELDKAMP	YES
MR. SMITH	YES
MR. ZUKOV	YES
MR. STRAWBRIDGE	NO
MS. DIVER	YES
MR. YOUCHAK	YES
MR. WHELOCK	YES

MOTION CARRIED 6-1.

B84-07 Demolition & New Residence

Address: 231 Nightingale Trail
Applicant: Mr. and Mrs. Bruce Failing
Architect: Ames Bennett
Project Description: "Demolition of existing residence and new two-story residence."

There were no ex parte communications relative to this project.

Designer Michael Perry requested demolition of a house that was designed by Architects Harrison and Votaw in 1947. He asked that the review of the new residence be deferred to the September meeting.

**MOTION BY MR. ZUKOV TO APPROVE THE DEMOLITION WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 15 DAYS.
MOTION SECONDED BY MR. SMITH.
MOTION CARRIED UNANIMOUSLY.**

Note: No motion was made relative to the new residence, therefore this project will remain on the September agenda.

B85-07 New Residence

Address: 1071 North Ocean Blvd.
Applicant: Janina Radtke
Architect: Randall Stofft Architects
Project Description: "New two-story CBS Residence."

Note: There is an existing house on the lot and the applicant wishes having the final review of the landscaping presented at the September meeting. Therefore, a new notice to the neighbors will be mailed reflecting these changes.

There were no ex parte communications disclosed regarding this project.

Architect Randall Stofft proposed a two-story Mediterranean style home with one-story wings. He noted that the soffit details will be a combination of stone corbel and pecky cypress wood.

Landscape Architect Krent Wieland presented a formal landscape plan.

Mr. Wheelock's observation of the building and the landscape was heavy handed and over blown.

Mr. Smith agreed the building had too much ornamentation. He did not see the need for a tower feature and he thought that a rotunda feature should be reserved for an important room and not used in a bedroom.

Mr. Feldkamp commented on the grandness of the stairs leading to the entry. He disliked the roof tile color and the single casement windows. Also, the windows above the entry appear to run into the surround.

Mr. Zukov agreed that there is too much ornamentation on the building and that the entry is too large and too tall.

Mr. Strawbridge observed an attempt to recognize hierarchy of details, but said that it has gone too far. He remarked that there should be less ornamentation on the front facade and more details on the sides.

Mr. Frank read three letters supporting the project from Paul Wittman, 1075 North Ocean Blvd., Allen Crouse, 1070 North Ocean Blvd. and George Abouzeid, 1072 North Ocean Blvd.

MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B86-07 Modifications

Address: 174 East Inlet Drive
Applicant: Spots, Inc.
Architect: REG Architects
Project Description: "Window and door changes, and roof deck."

Ms. Diver said she met with the architect and discussed the plans. Mr. Feldkamp said he met with the architect and the owner. Mr. Youchak said he was given a rendering of the proposed house.

The following transcript is verbatim per Veronica Close, Director of Planning Zoning and Building.

Tim Frank read a letter from Stanley I. Cook, 107 East Inlet Drive, Palm Beach, FL. Dear Mr. Frank my name is Stanley Cook and I own a home at 107 East Inlet Drive in Palm Beach. Over the weekend a neighbor phoned me at my home in San Francisco, where I am spending the summer, to inform me that my new neighbor, Mr. Mark Rowan at 174 East Inlet Drive, is about to seek ARCOM approval for architectural changes to a single story home. One of these changes is for the addition of a widow's walk type observation deck to be accessed by an outside spiral staircase. I'm quite concerned about this aspect of the proposed modifications and this is a feature obviously designed for a party type guest occasion and therefore has quite negative implication for the privacy for myself and my family. Normally I believe a person should be able to do what he wishes to do with his own property, but in this situation an observation deck looking directly down on my back yard and pool area seems more than a little intrusive. Our lot lines are directly adjacent with my back yard and pool directly behind his house and yard. As the lots are relatively modest size, even by Palm Beach standards, the houses are in quite close proximity to one another with only a six-foot hedge separating the two back yards. It should be noted that the telephone lines are strung across the back of the properties virtually eliminating the possibility of installing a high stand of trees that may be proposed as a privacy feature. I thank the Commission for attention to this matter and certainly hope you can find a way to shield us for this unfortunate, but obvious invasion of our privacy.

Architect Rick Gonzalez: I first want to commend you for sitting here all day and hearing over, I think twenty-five cases, it's very rare to see that durability and consistency in approach and in

doing a good job for the Town of Palm Beach. Recently, I've been working in Delray Beach trying to develop design guidelines for five historic neighborhoods and I've been using Palm Beach as an example, because things are difficult down there too. So, I commend you on the work that you are doing. I would like to start my case. I passed along a photo showing where Mr. Rowan's house is situated at the north end of the inlet. It's a one-story cottage from the 50's, typical of the period. He has decided not to tear it down and replace it with a large two-story house, but try to incorporate and reuse the majority of the house. He is in a position where he is surrounded with many large houses, two-story houses in a very close proximity. He is also in a position where we access the roof top where he has a view of Peanut Island, of the historic Coast Guard house and excellent views of the intercostal and the inlet. He is a bachelor, he lives by himself and he has a small house. He has a very weathered house and he wants to spruce it up with French doors, and the reconstruction of the garage doors, from one large garage door to two single garage doors, reconstruction of the front elevation and then the addition of a small spiral staircase enclosed in landscaping with vines leading to a small observation deck on the rear of the house, approximately ten-feet wide by thirty-feet wide. This is not a widow's walk, this is an observation deck. As I met with Mr. Feldkamp and some of the people that were available to me, this is similar to what is done in beautiful places like Seaside, small cottages. Besides the facade elevation, the access to the roof top allows him to enjoy some of the spectacular views that we have on the north end of the island. Another thing that I would like to point out that there is heavy mature landscaping along the east, south and west property line, over ten-feet in height. The side elevation is not visible, is not visible from anywhere. I will show you pictures of that side elevation so that you can see that the rear of the building is very unobtrusive. This is a photograph of the existing conditions of the property. The roof is weathered too and the walls and the windows. This is the other side where you would have access in the rear. It is gated and fenced, but way behind there would be the access to the spiral staircase to go to the viewing deck. This is a view of the courtyard space which is now covered by a large tree. The windows that you see currently were installed in the 1980's. They are aluminum, inexpensive aluminum type windows. One of our proposals is going to replace the windows with wood windows and shutters. This next board shows the current design, conditions of the house and this is the proposed improvements to the house. Besides the wood French doors and the shutters, reorienting the front door with a new front doorway with historically appropriate windows with muntins and with Colonial shutters. Also, taking the roof top off and removing the white cement tiles and replacing it with terra cotta flat tiles and then engaging the center of the building with the observation deck and a wood lap siding on the top and the mid section. And then, using authentic and historically correct detailing for the handrail, pickets, bottom rail and skirt along the top and bottom of the building. These are the neighboring properties. He's just a few feet away from the dock. House number one is a two-story Colonial type house. Number two is his property. Number three is the adjacent residence, another one-story. And then, number four and five are larger Mediterranean Revival type structures that have been recently built. You also approved a house that Raphael Portuando designed which is under construction right over here. Number three, which is under construction, number four which is one-story and then again number one and number two which are concealed by large hedges. So with that we are here to

ask for your approval and consideration of this project. Thank you.

Mr. Smith: First of all I would like to say I like the changing of the French doors and the windows and the garage doors are very nice. The front door, I think still looks a little bit Home Depot. I do not think the observation deck is any enchantment to the house. I also don't think anyone up there observing would be attractive. I don't think people should be able to enjoy rights viewing over other people's property especially invading their privacy. I understand there are nice views there, but if you really want a lakefront view, I think you should buy on the lake.

Ms. Diver: I agree, I like the front of the house, the changes you made to the garage, the front of the house, but I disagree, I do like the observation deck. Since you decided not to put on a second floor, which would have people looking higher into other people's property. I think this is quaint, I think you tried to pick up the historic details, so I happen to like it.

Mr. Wheelock: I agree with Mr. Smith about the door, it's a little antique thing from somewhere. I like the rest of the treatment around the house, the shutters and the new windows. I'm absolutely horrified by the widow's walk, so I don't think it belongs there.

Mr. Strawbridge: Does this house have beach rights anywhere?

Mr. Rowen: Yes. There's deeded beach rights at the south east corner of Inlet Drive that goes out to the beach.

Mr. Strawbridge: I'm in agreement with the previous comments on this. Just one other observation on the observation/widow's walk, whatever, this is an accouterment that is normally on the beach front communities like Fire Island, etc., in a less sophisticated area. I don't think it belongs architecturally here and even more important, if there is such a thing in this Commission, I think if we approve one, we've opened a box we don't even want to think about. So I think this is fine, I like the improvements architecturally with the French door, but the widow's walk/observation deck I think it's a real problem.

Mr. Youchak: I'm in agreement with what everyone else has been saying. I think the French doors are a little too busy, too many muntins there, I'm not sure that's what you intended. I'm not in agreement with the widow's walk and the spiral staircase particularly on the outside.

Mr. Zukov: Are you redoing the windows on all four doors?

Mr. Gonzalez: Yes. All sides. Wood construction. As Jeff mentioned, recently doing the historic old County Courthouse, the price of doing wood windows has significantly come down, and you can paint them, and you can work with them and install them.

Mr. Zukov: What about the south elevation?

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Mr. Gonzalez: Yes. We will do it there too.

Mr. Zukov: Aren't there any French doors there, or aren't you going to do something there?

Mr. Gonzalez: He has a small kitchen in the rear, and there is one door in the rear. He's got one door over here, so that would be a French door, and then, he's got the windows in the kitchen existing.

Mr. Boykin: I don't like the widow's walk. It's terrible and also it is not in keeping with the whole town, and it's just not right for this town, this community.

MOTION BY MR. STRAWBRIDGE TO APPROVE THE PROJECT WITHOUT THE WIDOWS WALK, AND SUBJECT TO CHANGE THE FRONT DOOR TO A SIMPLE COLONIAL STYLE,

Mr. Gonzalez: And less muntins on the French doors too? I think that's correct. The draftsman added too many.

AND WITH A SUGGESTION TO USE FEWER MUNTINS IN THE FRENCH DOORS.

Ms. Close: I would just recommend that you give your reasons for not approving the widow's walk/observation deck.

Mr. Strawbridge: The implementation of this proposed design would have negative impacts on the subject neighborhood and is not in keeping with the existing architecture in the area.

MOTION SECONDED BY MR. SMITH.

Mr. Gonzalez: May I ask a question? If this is approved as you are proposing, does that stop us from coming back, say with a second floor addition at a later date?

Mr. Wheelock: Not at all. If you come back with a second story, you have to re-advertise and do the whole thing.

MOTION CARRIED UNANIMOUSLY.

Mr. Frank: I think it's safe to say that because the criteria were read into the record, you can't come back with the same design for another year for the observation deck. You just can't do that because it's a form of a denial.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A3-07 Decorative Elements

Address: 240 Park Avenue
Applicant: 240 Park Avenue LLC
Architect: Principle Design & Development
Project Description: "Installation/application of decorative window surrounds, cornice and quoins. Replacement of two balconies and relocation of front entry."

This project was deferred from the April, May, June and July meetings.

Mr. Wheelock said he visited the site.

Bill Hughes and Kermit White with Principal Design and Development presented the project.

The Commission comments are as follows: The quoins are the wrong scale for the building being too small; eliminate the proposed balconies next the existing crests, but keep the one above the front door; the existing balconies work better on the building and look more historic, and the front door is too wide and does not match the old world Mediterranean style of the building.

MOTION BY MS. DIVER TO DEFER THE PROJECT TO THE SEPTEMBER MEETING FOR RESTUDY AND TO BRING BACK A LANDSCAPE PLAN FOR THE FRONT OF THE BUILDING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

F. NEW BUSINESS - MINOR PROJECTS

None

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

Storm Shutter Regulations, ARCOM Demolition Ordinance and Fees for Landscape Projects.

Given the time of day, Mr. Wheelock suggested deferring the above items to the September meeting.

MOTION BY MS. DIVER TO DEFER DISCUSSION ITEMS TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

IX. ADJOURNMENT

MOTION BY DIVER TO ADJOURN THE MEETING AT 6:25 P.M.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Architectural Commission will be held on September 26, 2007 at 9:00 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Morgan Dix Wheelock', with a long horizontal flourish extending to the right.

Morgan Dix Wheelock, Chairman

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

ST NAME—FIRST NAME—MIDDLE NAME WHEELLOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 Australian Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION: TOWN OF Palm Beach	
DATE ON WHICH VOTE OCCURRED August 2007		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

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.

YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE
TE 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, _____, hereby disclose that on _____, 19 _____:

(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:

BT3 108 El Mirador Kubani

I am the landscape Architect for the project

Date Filed

August 2007

Signature

M. K. K. K.

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME WHEELLOCK MORGAN DIX		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 301 Australian Ave		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 2007		NAME OF POLITICAL SUBDIVISION: TOWN OF 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

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, _____, hereby disclose that on _____, 19 _____:

(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:

BT3 108 El Mirador Kubani

I am the Landscape Architect for the project

Date Filed

August 2007

Signature

M. K. K. K.

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.