



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

WEDNESDAY, JULY 24, 1996

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: Laurel Baker, Vice Chairman
Bruce Helander, Member
Ethel Kinsella, Member
John H. Schuler, Member (arrived at 9:06 a.m.)
Lowry M. Bell Jr., Member
Robert E. Deziel, Alternate Member (arrived at 9:03 a.m.)
Floyd Wideman, Alternate Member
Marvin Rosenberg, Alternate Member (arrived at 9:07 a.m.)
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Leighton A. Rosenthal, Chairman
Sally Gingras, Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building

Let the record show Mr. Wideman was a voting member for this meeting.

Vice Chair Laurel Baker reported that Leighton Rosenthal will not be able to attend the meeting as he is recovering from surgery, and he plans to be in attendance for next month's meeting.

III. APPROVAL OF THE MINUTES FROM THE JUNE 26, 1996 WORKSHOP MEETING, AND THE JUNE 26, 1996 REGULAR MEETING.

MOTION BY MR. BELL TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. WIDEMAN

MOTION CARRIED UNANIMOUSLY

ANNOUNCEMENT REGARDING EX-PARTE COMMUNICATION

Commission Members no longer have to complete ex-parte communication forms. Therefore, it was decided to list ex-parte communications on the agenda after each item to remind the chairman to make an announcement.

IV. PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B38-96 New Residence

Applicant:	Northwood University
Address:	167 Dolphin Road
Architect:	Steven J. Bruh
Project Description:	New two story single family residence.

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

Architect Steven Bruh introduced Donald Malasky of Malasky Homes and stated he is the contract purchaser of this property. Mr. Malasky said he felt the design of the house should be acceptable to ARCOM as the changes requested have been made. A portico was added at the front entrance and the front door was changed. The stairwell windows were reduced in size by half. Heavy landscaping will be planted around the driveway and pool area. Mr. Malasky stated the bay windows that are in the overhang are not an issue. There are two sizes of windows on the front elevation rather than having all of the windows the same size as requested. He apologized for not having the correct calculations for last month's presentation.

Attorney Doug Willis addressed the Commission and said he is representing two of the neighbors to this project. Mr. Willis said his clients were concerned with the second story balcony on the rear elevation overlooking their properties and that they are opposed to the garage facing the street.

Nancy Elliott addressed the Commission and stated her objections to the project.

Mrs. Baker asked the architect if he has spoken to the neighbors regarding this project.

Mr. Malasky stated that he chose not to speak to the neighbors as he felt he has invested a lot of money in this project and he has hired professionals.

MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION THE PROJECT MEETS THE ZONING REQUIREMENTS, A RESTRICTIVE COVENANT IS PLACED ON THE PROPERTY TO MAINTAIN THE LANDSCAPING ELEMENT THAT SCREENS THE GARAGE FROM THE STREET AND THE APPLICANT RETURN WITH A FINAL LANDSCAPING PLAN FOR ARCOM APPROVAL.

MOTION SECONDED BY MR. DEZIEL.

MOTION CARRIED 5-2.

MRS. BAKER AND MR. BELL OPPOSED.

The applicant was asked to meet with the neighbors to discuss the landscape plan.

The architect asked for demolition approval of the existing building at this time.

MOTION BY MR. WIDEMAN TO APPROVE DEMOLITION OF THE EXISTING STRUCTURE WITH THE PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 90 DAYS.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

For the record the application did not reflect a request for demolition of an existing structure.

B49-96 Facade Renovation

Applicant:	Burt Handelsman
Address:	228 Worth Avenue
Architect:	Brower Architectural Associates
Project Description:	Facade renovation and new interiors.

This project was deferred from the June meeting.

Mrs. Baker, Mr. Helander, Mrs. Kinsella, Mr. Schuler, Mr. Bell, Mr. Deziel, Mr. Wideman and Dr. Rosenberg declared ex-parte communications.

Architect Raphael Saladrigas presented photographs of the existing store front and an elevation drawing of the proposed store front. Mr. Saladrigas said the only changes to the building will be the removal of the muntins in the french doors, the wood will be painted white and the planters will be removed.

MOTION BY MR. HELANDER TO APPROVE THE NEW STORE FRONT, AWNINGS AND SIGNAGE AS PRESENTED.

MOTION SECONDED BY MRS. KINSELLA.

MR. BELL OPPOSED.

MOTION CARRIED 6-1.

B51-96 New Residence

Applicant:	Jan Kemper
Address:	Lot B, Boca Ratone Company's Inlet Sub Division
Architect:	Kunik & Associates
Project Description:	New single family residence

This project was deferred from the June meeting.

Architect Mitch Kunik stated the roof was simplified and the windows have been reduced in size. The arches and window fenestrations are more consistent since last month's presentation. The fascia and trim have been reworked and the windows will have true divided lites.

Mr. Kunik stated the plans presented have been modified from the plans in the file and apologized for not having the second floor square footage on any of the plans.

Mr. Kunik stated the style of the house is a contemporary "feel." The 10-foot front doors will be glass with a simple ironwork grill detail. The roof will be a concrete barrel tile.

The Commission comments are as follows:

The balconies appear to run from room to room and the balustrades on the balconies look large.

The windows are out of scale and need to be reduced in size and/or reduced in number.

There are too many different styles of windows.

The layout of the driveway needs to be re-studied.

The 2-story living room seems to be part of the problem with the proportion and scale of the project.

The architect needs to pick a style of architecture and be consistent.

The barrel roof does not compliment a contemporary style and the style presented is not a classic Mediterranean style home.

Laurie Simmons of Simmons Building Corporation stated there are other homes on the intracoastal waterway which have a large amount of glass.

MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE AUGUST MEETING.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

B55-96 New Residence

Applicant: Addison Development
Address: 215 Via Tortuga
Architect: Carlos Martin
Project Description: New one story residence

This project was deferred from the June meeting.

Mr. Bell disclosed ex-parte communication regarding this project.

Architect Carlos Martin stated the roof was changed to a flat concrete tile which will be white with an antique finish. The stonework and details were simplified on the house.

**MOTION BY MR. BELL TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

Informal Review

Applicant: Allied Dunbar Properties
Address: 237 A Worth Avenue
Architect: The Lawrence Group Architects
Project Description: Change to the facade

Architect Eugene Lawrence stated a jewelry store will be moving to 237 Worth Avenue. Mr. Lawrence presented elevation drawings and the Commission made comments they felt would enhance the project.

Mr. Frank read a letter from Dr. Rosenberg to Mr. Moore requesting a workshop meeting on July 24, 1996. Mr. Frank said due to the fact that no public notice was given at the last meeting and the agenda had been mailed to the commission members, it was not possible to have a workshop meeting. It was decided to move Other Business to this portion of the agenda to discuss Dr. Rosenberg's letter.

OTHER BUSINESS

Dr. Rosenberg stated he felt that if a project is on a major public roadway, all of the homes on that road and the homes within 200 feet should be used as comparisons when considering a proposed project.

MOTION BY MR. BELL TO ADD TO THE ARCOM GUIDELINES THAT APPLICANTS MAY BRING TO THE ARCOM MEETINGS INFORMATION FOR HOMES BEYOND 200 FEET OF A PROPOSED PROJECT IF THE PROJECT IS ON A MAJOR PUBLIC ROAD. MR. SCHULER SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECT

B56-96 Demolition of Single Family Residence

Applicant:	Mr. Bertram French
Address:	150 Dunbar Road
Architect:	The Lawrence Group Architects, Inc.
Project Description:	Demolition of a single family residence

Architect Eugene Lawrence requested demolition of the existing single family residence at 150 Dunbar Road. A two-story residence is planned for the lot at a later date.

**MOTION BY MR. DEZIEL TO APPROVE DEMOLITION OF THE SINGLE FAMILY RESIDENCE.
MOTION DIED FOR THE LACK OF A SECOND.**

Mr. Lawrence did not have photographs of the existing structure and agreed to return to the meeting with the photographs. The demolition report has been submitted and is in the file.

**MOTION BY MR. BELL TO DEFER THE PROJECT UNTIL MR. LAWRENCE RETURNS WITH PHOTOGRAPHS OF THE EXISTING RESIDENCE.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

This item was recalled after item #B58-96.

Mr. Lawrence presented photographs of the existing residence and gave an overview of the proposed project.

**MOTION BY MR. BELL TO APPROVE DEMOLITION WITH THE PROVISION TO SEED OR SOD AND IRRIGATE THE LOT WITHIN 90 DAYS.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B57-96 New Two-Story Duplex

Applicant: Euro-Homes, Inc.
Address: 242/246 Everglade Ave.
Architect: Randall Stofft
Project Description: New two-story duplex

Architect Randall Stofft said his client received a variance for this project, and one of the conditions was to have a side loading garage for one of the units. Each unit will be approximately 4,000 square feet. Mr. Stofft said due to the width of the lot it would be impossible to have two side loading garages. He further stated the entire street has front loading garages.

The Commission felt there are too many front loading garages on this street and that there has to be a change.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

The architect was asked to come back with a new project that does not look the same as his last duplex project. He was also asked not to present a "pseudo" Mediterranean style.

B58-96 New Two-Story Duplex

Applicant: William D. Elias
Address: 232 Brazilian Ave.
Architect: Randall Stofft
Project Description: New two-story villas

Mrs. Baker, Mr. Helander and Mr. Schuler disclosed ex-parte communications. Mr. Deziel declared a conflict of interest and left the meeting during the presentation.

Contract Purchaser William Elias presented the project. Both units will have side loading garages. The project will have a lot of movement and interest with different views. The style of the building will be Mediterranean with stone details and stone entrance ways. Mr. Elias presented landscape plans. Note; there are no landscape plans in the file.

Mr. Schuler complimented Mr. Elias on the project, but felt there are too many Mediterranean style buildings on Brazilian Avenue.

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Mr. Helander felt this plan is well designed and will remain well designed, and that the project does not look like a duplex.

Mr. Bell felt that rustication did not belong on this building, but a straight water table would be acceptable.

Mrs. Baker read a letter from Villa del Sur Association regarding this project.

Robert Chaffee, President of the Board of Directors of Villa del Sur addressed the Commission and stated he was satisfied with the landscaping plans presented.

The applicant was asked to continue to communicate with the neighbors regarding the landscape plans.

**MOTION BY MR. HELANDER TO APPROVE THE PROJECT WITH THE ELIMINATION OF THE RUSTICATION.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

B59-96 New Store Front

Applicant:	Palm V. Associates
Address:	230/232 Worth Avenue
Architect:	George Y. Sawicki
Project Description:	New store front

Mr. Frank stated this project needs a special exception as the proposed store exceeds 2,000 square feet for commercial space.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

Grand Opening 10/11/96

B60-96 New Single Family Residence

Applicant: Mrs. Arnold Miller
Address: 1415 South Ocean Blvd.
Architect: John B. Gosman
Project Description: New two-story single family residence

Mr. Frank stated this project did not meet the variance conditions outlined by the Town Council.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

B61-96 Facade Renovation

Applicant: Mr. Arij Gasiunasen
Address: 415 Hibiscus Ave.
Architect: Ralph Cantin
Project Description: Facade renovation

Architect Ralph Cantin presented the project. The facade will change to have two equal windows and a recessed doorway with columns. Simple molding will be added to match the existing molding and new keystone molding will be added to frame the fenestration. The building will be painted a light yellow with hunter green columns and window trim.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION
TO ELIMINATE THE KEYSTONE AND USE AN ACID WASH CONCRETE FINISH.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BY MR. SCHULER TO APPROVE THE SIGNAGE.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.**

C. NEW BUSINESS - MINOR PROJECTS

A56-96 Landscape/Hardscape

Applicant: Mr. & Mrs. Gruss
Address: 1574 South Ocean Blvd.
Architect: Lang Design Group
Project Description: Landscape, pool, patio and driveway

Landscape Architect John Lang presented landscape and hardscape plans. Coconut palms will be planted along the driveway. On the rear elevation there will be two sets of stairs leading from the patio around a fountain to a formal garden area with a fountain in the center. The water from the fountains will deposit into the pool which is at a lower level. Two more set of stairs will lead from the pool patio to a large green area at the water.

**MOTION BY MR. BELL TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

Director of the Preservation Foundation Polly Earl addressed the Commission. She commented on multi dwelling projects in town.

The meeting reconvened at 1:10 p.m. after a lunch break.

A57-96 New Exterior Fixtures

Applicant: Stephen Myers
Address: 460 Worth Avenue
Project Description: New exterior fixtures

No one was present to represent the project.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

A representative of this project was in attendance after the motion for deferral was made.

**MOTION BY MRS. KINSELLA TO HEAR ITEM #A57-96.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

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Contractor Scott Birdsong presented a light fixture which will be one of twenty placed on the exterior of the house. Mr. Birdsong had no pictures or elevation drawings of the house for the presentation.

Mr. Frank stated Mr. Moore saw the light fixtures being installed and felt they should be approved by ARCOM.

MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE AUGUST MEETING.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A58-96 Re-roof

Applicant:	Albert E. Darlington
Address:	225 Park Avenue
Contractor:	Turner Roofing Co.
Project Description:	Replace a concrete tile roof with fiberglass shingles

Mike Lewis with Turner roofing Company stated the existing flat concrete tile roof is in disrepair. The roof cannot be seen from the street level as the house is two ½ stories high. The proposed replacement roof is white shingle with a 25-year warranty.

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

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

A59-96 Landscape

Applicant:	Janina Radtke
Address:	254 Atlantic Ave.
Architect:	Roy-Fisher Associates
Project Description:	Landscape

No one was present to represent the project.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE AUGUST MEETING

MOTION SECONDED BY MRS. KINSELLA.

MOTION CARRIED UNANIMOUSLY.

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Landscape Architect Connie Fisher was in attendance at this time. It was decided to reopen this item for discussion.

Ms. Fisher stated there will be a formal courtyard and a small patio area with citrus trees in the front. The driveway will lead straight into the front loading garage.

It was suggested to make the driveway one car wide and then spread it out once into the property, or add a planting strip down the middle of the driveway. It was also felt there is too much hardscape in this project. More green space east of the front walkway from the street to the front door was preferred. It was suggested to add trees to provide a canopy at the front entrance of the garages. It was also suggested moving the fruit trees from the front and putting them in planters with casters on the rear patio area.

**MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

Discussion took place regarding 180 Atlantic Avenue in which working drawings have been submitted for permitting. Mr. Frank stated he felt the plans submitted are different from what ARCOM approved as there are no stamped approved plans available. After several deferrals the architect presented drawings on paper 11 x 14 inches with different schematics and staff never received a full set of plans. Mr. Frank presented the working drawings to the Commission for review.

**MOTION BY MR. SCHULER TO BRING ITEM #B43-95, 180 ATLANTIC AVENUE,
BACK FOR ARCOM APPROVAL.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

A60-96 Revisions to Previously Approved Plans

Applicant:	Bartlett Burnap
Address:	740 Hi-Mount Road
Architect:	Mark Ferguson
Project Description:	Revisions to previously approved plans

No one was present to represent this project.

Mr. Frank said an additional garage door and a skylight were added, both of which can be seen from the street.

MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE END OF THE MEETING.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

This item was heard after item #A62-96.

Mr. Deziel has a Conflict of Interest form on file regarding this project and he left the meeting during the presentation.

Architect Mark Ferguson stated the changes to the previously approved plans are as follows:

The metal railing on the second floor terrace was changed to a masonry stucco railing/parapet wall with panels.

The three garage doors were changed to four garage doors.

Two small skylights were added in the master bath area.

Miscellaneous windows were changed in size and the locations were shifted.

Mr. Ferguson stated the driveway entrance is in the corner of the lot with a square service court.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION A RESTRICTIVE COVENANT IS PLACED ON THE PROPERTY TO ENSURE THAT A HEDGE REMAINS ON THE PROPERTY TO SCREEN THE GARAGE DOORS FROM THE STREET.

MOTION SECONDED BY MR. SCHULER.

MOTION CARRIED UNANIMOUSLY.

A61-96 Pergola

Applicant:	Mr. and Mrs. James Cleary
Address:	369 South Lake Drive
Architect:	Sanchez and Maddux
Project Description:	Replace awnings with a pergola

No one was present to represent this project.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE END OF THE MEETING.

MOTION SECONDED BY MRS. KINSELLA.

MOTION CARRIED UNANIMOUSLY.

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This item was called again after item #A65-96 and no one was present.

**MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.**

A62-96 Solar Pool Heater

Applicant: Judith Bea
Address: 1436 North Ocean Way
Contractor: David Burrows
Project Description: A solar pool heater mounted on the south side of the building.

Mr. Frank stated staff could not approve this project as the solar panels are very visible from the street.

Contractor David Burrows presented a photograph of the house. There will be eight 4 x 12 feet, black panels mounted on the white roof.

It was suggested moving the panels to another location on the roof not seen from the right-of-way. The Commission wanted to see working drawings and photographs of the houses within 200 feet of the subject property.

**MOTION BY MR. BELL TO DEFER THE PROJECT TO THE AUGUST MEETING.
MOTION SECONDED BY MR. DEZIEL.
MOTION CARRIED UNANIMOUSLY.**

Mr. Frank asked the contractor to be careful to conceal the solar panels from public view.

Dr. Rosenberg stated he felt that if this project is put back on the agenda it would be a waste of time as this project will not be approved, and asked that the motion be reconsidered.

**MR. BELL WITHDREW HIS PREVIOUS MOTION.
MR. DEZIEL WITHDREW HIS SECOND TO THE MOTION.**

MOTION BY MR. DEZIEL TO DENY THE PROJECT BASED ON SECTION 5-387, A. THE PLAN FOR THE PROPOSED BUILDING OR STRUCTURE IS NOT IN CONFORMITY WITH GOOD TASTE, GOOD DESIGN, AND IN GENERAL, DOES NOT CONTRIBUTE TO THE IMAGE OF PALM BEACH AS A PLACE OF BEAUTY, SPACIOUSNESS, BALANCE, TASTE, FITNESS, CHARM AND HIGH QUALITY, AND C. THE PROPOSED BUILDING OR STRUCTURE IS, IN ITS EXTERIOR DESIGN AND APPEARANCE, INFERIOR IN QUALITY SUCH AS TO CAUSE THE NATURE OF THE LOCAL ENVIRONMENT TO MATERIALLY DEPRECIATE IN APPEARANCE AND VALUE.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY.

A63-96 Landscape

Applicant:	Mike Burrows
Address:	Lot #6 Palma Estates
Architect:	Brett Armstrong
Project Description:	Landscape

This item was heard after item #A60-96.

Landscape Architect Brett Armstrong presented the project. There will be vast screening in the rear of the property. There is an existing 10 foot ficus hedge along the front of the property. Wedelia will be planted in an area that has erosion problems.

The architect was asked to use a "key" for plant identification and description on his drawings for easy reference. Comments were made regarding the plans presented at the meeting were different from what was in the file.

MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT AS PRESENTED.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. BELL TO REQUIRE ALL LANDSCAPE PLANS HAVE A KEY TO THE LANDSCAPING MATERIAL, SHOW THE PERCENTAGE OF GREEN SPACE AND COLOR DRAWINGS SHOULD BE PROVIDED FOR ARCOM PRESENTATIONS.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.

A64-96 Front Entrance

Applicant: Addison Development
Address: 228 Via Las Brisas
Architect: Architectural Alliance
Project Description: Front Entrance

Glen Santayana representing Addison Development presented the project. Mr. Santayana stated the house was approved in January and the Commission felt they would like to see the detail of the front entry door. The recessed double doors will have curved glass panels and curved side lites.

Some Commission members felt the doors are commercial looking and did not balance with the house.

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

ROLL CALL VOTE:

MR. SCHULER	YES
MR. WIDEMAN	YES
MR. HELANDER	YES
MRS. KINSELLA	NO
MR. BELL	NO
MR. DEZIEL	NO
MRS. BAKER	YES

MOTION CARRIES 4-3.

A65-96 Landscape

Applicant: Addison Development
Address: 208 Via Tortuga
Architect: Veronica Boswell Butler
Project Description: Landscape

Landscape Architect Veronica Boswell Butler stated that some of the plants will be from Madagascar such as screwpines and fan palms. An arch will be created with a ficus hedge to conceal the garage from the street. A royal poinciana tree, also from Madagascar, will be planted to eventually hang over the street. Red hot poker plants will be used as ground cover in the front of the house.

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It was felt that the screw pines would be very messy. Ms. Butler stated there will be a maintenance crew to maintain these trees.

**MOTION BY MR. HELANDER TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.**

A66-96 Roof Tile

Applicant: Harry and Theresa Welch
Address: Lot 18 of Mockingbird Trail Tract
Architect: Kunik & Associates
Project Description: Roof tile for a previously approved project

This project was heard after item #A57-96.

Architect Mitch Kunik stated the project is under construction and staff did not want to approve the roof tile. Mr. Kunik said the house will be yellow with a white flat concrete tile roof.

It was stated that at the original presentation, the roof would have tiles in three different shades of pink on a pink building. It was made part of the motion that the architect would come back for approval of the roof tile.

**MOTION BY MR. BELL TO APPROVE THE ROOF AS PRESENTED.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

Some of the Commission felt the yellow color sample presented was too bright. Mr. Frank stated he felt that the yellow would fade in time.

15 58-1K

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

NAME—FIRST NAME—MIDDLE NAME DEZIEL, ROBERT EDWARD		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCHITECTURAL COMMISSION	
MAILING ADDRESS P.O. Box 936		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY PALM BEACH	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED		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, ROBERT DEZIEL, hereby disclose that on JULY 25, 19 96.

(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 WILLIAM ELIAS, 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:

Date Filed

JULY 25 1996

Signature

Robert Deziel

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.

DENIAL

CERTIFICATION OF ACTION BY ARCHITECTURAL COMMISSION

The Architectural Commission has denied the following request in accordance with the criteria set forth in Article IX, ARCHITECTURAL REVIEW AND PROCEDURE, Section 5-387 (Criteria)

Application Number and Title: A62-96

Applicant: Judith Bea

Address: 1436 North Ocean Way

Contractor: David Burrows
~~Architect:~~

Project Description: ~~Solar pool heater mounted on the south side of the building~~

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

- X a. The plan for the proposed building or structure is not in conformity with good taste, good design, and in general, does not contribute to the image of Palm Beach as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- b. The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors which may tend to make the environment more desirable.
- X c. The proposed building or structure is, in its exterior design and appearance, inferior in quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
- d. The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the Comprehensive Plan for Palm Beach, or with any precise plans adopted pursuant to the Comprehensive Plan.

- e. The proposed building or structure is excessively similar to other structures existing or for which a permit has been issued or to other structures included in the same permit application, facing upon the same or intersecting public or private way (alleys not included) and within two hundred (200) feet of the proposed site in respect to one or more of the following features of exterior design and appearance:

 - (1) Apparently visibly identical front or side elevations.
 - (2) Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement, or
 - (3) Other significant identical features of design such as but not limited to, material, roof line and height or other design elements.
- f. The proposed building or structure is visibly excessively dissimilar in relation to any other structures existing or for which a permit has been issued or to any other structures included in the same permit application, facing upon the same or intersecting public or private way (alleys not included) and within two hundred (200) feet of the proposed site in respect to one or more of the following features:

 - (1) Cubical contents,
 - (2) Gross floor area,
 - (3) Height of building or height of roof,
 - (4) Other significant design features such as materials or quality of architectural design.
- g. The proposed building or structure is not appropriate in its relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- h. The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as to the location and appearance of the building and structures which are involved.
- i. The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article IX, Section 5-388 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Commission at their meeting on July 24, 1996.
(date)

TOWN OF PALM BEACH



Vice Chairman, Architectural Commission

MEMORANDUM

TO: Mr. Robert Moore

FROM: Marvin M. Rosenberg, D.D.S.

DATE: July 2, 1996

RE: Workshop

Dear Mr. Moore,

I would like to respectfully request that the workshop meeting dealing with zoning issues, and the work and direction of the Commission, be changed to Wednesday, July 24th at 8:00AM. I will be out of town for for August meeting and I do wish to participate in these discussions. An alternative solution would be to hold the workshop on both dates which would provide greater participation from more members of the Commission.

At the workshop meeting held on June 20th the following guidelines were discussed and approved by the Architectual Commission:

- 1) Maximum of 2 deferrals for each project. At the 3rd ARCOM presentation ARCOM must either:
 - a) Approve
 - b) Approve with conditions, or
 - c) Deny
- 2) Maker of a motion to defer should state in the motion those features, issues, criteria, etc. that require changes.

Section 5-387 (e) and (f) presently requires that ARCOM consider a proposed building or structure not be excessively similar, nor visibly excessively dissimilar, in relation to other structures facing upon the same public way, and to other structures within two hundred feet of the proposed site in respect to one or more of the following features:

- 1) Cubical contents
- 2) Gross floor area
- 3) Height of building or height of roof
- 4) Other significant design features such as materials or quality of architectural design.

Based upon what presently exists in the code, an applicant should provide photographs and a street scape of structures which face upon the same public way, in addition to those structures within two hundred feet of the proposed site.

Sincerely,

A handwritten signature in cursive script that reads "Marvin Rosenberg". The signature is written in dark ink and is positioned below the word "Sincerely,".

Marvin M. Rosenberg, D.D.S.

copy: Timothy Frank