

TOWN OF PALM BEACH

Planning, Zoning & Building Department

**MINUTES OF THE ARCHITECTURAL COMMISSION WORKSHOP MEETING
WEDNESDAY, JUNE 26, 1996 AT 8:00 A.M.
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I. CALL TO ORDER

The meeting was called to order at 8:05 a.m.

II. ROLL CALL

PRESENT: Laurel Baker, Vice Chairman
Bruce Helander, Member
Sally Gingras, Member
John H. Schuler, Member
Lowry M. Bell Jr., Member
Robert E. Deziel, Alternate Member
Floyd Wideman, Alternate Member
Marvin Rosenberg, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Leighton A. Rosenthal, Chairman
Ethel Kinsella, Member

RECORDING SECRETARY: Gretchen Dayton
TRANSCRIBED BY: Tammy Fairchild

Vice Chair Laurel Baker reported that Leighton Rosenthal will not be able to attend the meeting as he is in New York consulting a doctor as a follow-up to his recent surgery.

Let the record show Mr. Deziel and Mr. Wideman were voting members at this meeting.

III. DISCUSSION

Mrs. Baker stated she sent comments to Mr. Frank regarding the ARCOM application forms.

The color schemes used by the Town of Gulf Stream for Mediterranean, Regency and Bermuda style homes were discussed. It was suggested to put the approved colors on a board for easy reference.

MOTION BY MR. BELL TO ADOPT THE TOWN OF GULF STREAM'S COLOR GUIDELINES FOR BERMUDA, REGENCY AND MEDITERRANEAN STYLE HOMES, ANY OTHER COLORS WOULD HAVE TO BE APPROVED BY ARCOM. MOTION SECONDED BY MR. WIDEMAN. MOTION CARRIED UNANIMOUSLY.

Discussion took place regarding ARCOM approval for the repainting of buildings in town. Mr. Moore stated that this type of action would require an ordinance change and the permitting and inspections of the painting of buildings in Town. Mr. Moore stated this would be a major change and it would have a budgetary impact. Previous town Council's have dealt with this issue in the past and they have elected not to review the repainting of existing buildings for several different reasons.

Discussion took place regarding 1/4 inch scale drawings versus 1/8 inch scale drawings.

MOTION BY MR. BELL TO HAVE THE DRAWINGS FOR ARCOM PRESENTATION DRAWN IN 1/4 INCH SCALE. MOTION SECONDED BY MR. WIDEMAN.

It was discussed that a specific date should be attached to the motion because there were projects in progress that were not done in 1/4 inch scale.

AMENDED MOTION BY MR. BELL TO HAVE ELEVATION DRAWINGS FOR ARCOM PRESENTATION DRAWN IN 1/4 INCH SCALE AS OF SEPTEMBER 1, 1996. MOTION SECONDED BY MR. WIDEMAN. MRS. GINGRAS VOTED NEGATIVELY. MOTION CARRIED 6-1.

It was suggested that the Commission wait to see how the 1/4 inch scale elevation drawings work before making a decision to require models for presentations. It was further suggested that the models be encouraged but not required at this time.

MOTION BY MR. DEZIEL TO CHANGE THE WORDING IN THE ARCOM GUIDELINES REGARDING THREE-DIMENSIONAL MODELS TO READ "OPTIONAL" RATHER THAN "SUGGESTED" AND CHANGE 10,000 SQUARE FEET TO 15,000 SQUARE FEET. MOTION SECONDED BY MR. BELL. MOTION CARRIED UNANIMOUSLY.

It was suggested to place on the agenda the statement that new projects will not be heard before 11:00 a.m.

Discussion took place regarding the notice of variance applications and ARCOM applications being separate as of June 25, 1996. Mr. Moore stated the architects were not able to meet the deadline for ARCOM applications, and they are unable to have plans ready within one week. The purpose of this notice was to ensure that the cost of the mailings was being picked up.

Paul Castro, Zoning Administrator, addressed the Commission and stated at the time an application for variance or special exception is filed, the applicant has not concurrently submitted an ARCOM application with the necessary plans. The item is placed on the ARCOM agenda and generally the project is deferred four months before plans are submitted for review. Staff also felt it was better for the applicant to submit the application when they were ready to go before ARCOM because now staff is reviewing the plans for zoning.

Mr. Frank agreed and stated the problem has been that many of the applicants do not have ARCOM sufficient drawings by the first of the month for staff to review for code compliance. He understands the applicant wants to save money and wait until there is a variance approval before getting into the design stages, but the applicant will still have to wait until the next month.

Mr. Moore stated that ARCOM has set up the standards that they want to see the drawings a week before the meeting. Therefore, there is only a window of about one week for those drawings to be modified or updated. This is causing an internal problem for zoning review.

It was stated that the procedure used to be the variance application came with the ARCOM application and ARCOM recommended approval or denial of variances.

Mr. Moore stated there have been problems in the past when ARCOM would recommend an approval of a variance and then the Council did not feel it was appropriate under the terms of how zoning is looked at as far as hardships are concerned. Mr. Moore pointed out that it has been within the last six months that the Council has reasserted that variances were not to go to ARCOM first.

Dr. Rosenberg stated that he has submitted some suggestions for discussion by ARCOM that he felt are vitally important from a procedural and legal standpoint. (The copy of the memorandum from Dr. Rosenberg is attached to the minutes).

It was decided that Dr. Rosenberg's suggested procedural changes would be discussed at the end of the regular meeting. It was further decided that this would be an agenda item for the next meeting.

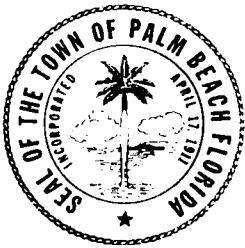
Mrs. Baker stated a letter from Addison Development was received on June 21, 1996 requesting discussion regarding front loading garages. This request will also be an agenda item for the next meeting.

IV. ADJOURNMENT

MOTION BY MR. BELL TO ADJOURN THE WORKSHOP MEETING AT 9:04 A.M.

MOTION SECONDED BY MR. HELANDER.

MOTION CARRIED UNANIMOUSLY.



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION REGULAR MEETING JUNE 26, 1996

I. CALL TO ORDER

The regular meeting of the Town of Palm Beach Architectural Commission of June 26, 1996, was called to order at 9:10 a.m.

II. APPROVAL OF THE MINUTES FROM THE MAY 22, 1996 WORKSHOP MEETING, AND THE MAY 22, 1996 REGULAR MEETING.

Mr. Bell asked that on Page 15 of the minutes, his comment regarding rustification should state, rustification should only be on buildings higher than two stories. Mr. Bell said that on page 18 of the minutes it is stated that Mr. Bell and Mr. Helander left the meeting. He would like the minutes to reflect that Mr. Bell and Mr. Helander were not absent from the meeting. Mrs. Baker said the minutes do not reflect that she voted against project #B 31-96, on page 9 of the minutes.

**MOTION BY MR. BELL TO APPROVE THE MEETING MINUTES AS AMENDED.
MOTION SECONDED BY MR. HELANDER
MOTION CARRIED UNANIMOUSLY.**

Mrs. Baker announced for the audience that ARCOM would be asking for elevation drawings to be in 1/4 inch scale. This will ensure consistency in evaluating projects for size and volume. This new requirement would begin in September 1996.

III. PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B25-96 Additions:

Applicant: Thomas and Silvia Hirschmann
Address: 102 Flagler Drive
Architect: Mark Ferguson
Project Description: One and two story additions

This project was deferred from the March and April meetings and no action was taken at the May meeting. Mr. Deziel has a Conflict of Interest form on file regarding this project and left the meeting during the presentation.

Attorney Peter Broberg addressed the Commission and gave a brief background of this project. Originally the project was designed to have a garage on the east side and an addition on the west which required a number of variances. The Town Council decided more study was needed, that the variances would not be granted at that time, and the project was deferred. Mr. Broberg stated that Mr. Oatley, the neighbor to the south, expressed concern that his view of the Breakers golf course will be blocked if this project is approved. Mr. Broberg stated the Hirschmann's are sensitive to the blocking of any view. Therefore, they reduced the mass of the garage.

Architect Mark Ferguson presented the project and stated that the property is "L" shaped with 75 feet on Flagler Drive and 100 feet on Via Bethesda. He stated he did a CCR study of the adjacent properties which shows this proposed project with the additions is smaller than the other houses in the area. A non-conforming basement apartment was abandoned, and they have now relocated it to a second story garage addition. The roof framing on the south elevation was simplified and approximately 30 square feet were added to the second floor. The profile of the roof at the garage was reduced an additional 3 feet and four garage doors were added. On the north elevation there will be a dining room and an outdoor loggia. On the second level there will be a porch which will connect the bedrooms. Rather than presenting a conventional facade and front door, this house will have a side entrance cloister that would serve as an outdoor entry vestibule. Mr. Ferguson presented photographs of the views from the adjacent property which showed property walls and vegetation separating the two properties.

It was suggested that a hedge or wall be required to screen the garage from the street.

Mr. Clive Oatley, the southern neighbor to this property, addressed the Commission and stated that he had written four letters to the Town Council and ARCOM. He then presented another

letter, dated June 24, 1996, to the Commission. Mr. Oatley stated that at the last meeting it was suggested that the garage be turned 90 degrees and made into a single story addition. He felt the reduction shown in the total square footage has been arrived at by juggling the numbers with regard to the basement and subbasement. Mr. Oatley appealed to the commission to reconsider and deny this project. (Mr. Oatley's letters are attached to the minutes).

Mrs. Baker read a letter from Mr. Thomas Hirschmann addressed to the members of the Architectural Commission, stating they have considered Mr. and Mrs. Oatley's concerns and have modified the plans so that no variances are needed. Mr. Hirschmann stated in the letter that due to the tall trees there is a minimal view to the north from the Oatley's kitchen and there is no view of the golf course. (Mr. Hirschmann's letter is attached to the minutes).

Mrs. Baker, Mr. Helander, Mr. Schuler, Mr. Bell, Mr. Deziel, Dr. Rosenberg and Mr. Wideman reported ex-parte communications regarding this project.

**MOTION BY MR. HELANDER TO APPROVE THE PROJECT WITH A WALL OR HEDGE ADDED TO SCREEN THE GARAGE DOORS FROM THE STREET.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.**

B33-96 New Residence

Applicant: Lucy Berkstorm
Address: 151 Atlantic Avenue
Architect: Randall Stofft
Project Description: New two story residence

This project was deferred from the April and May meetings.

Architect Randall Stofft presented the project and stated the garage was redesigned with a side entry. The street is primarily made up of two story residences with a few single story houses. Mr. Stofft stated the CCR of this proposed home is in the middle range of the neighboring properties. Mr. Stofft stated he did not have a street scape of the houses on Atlantic Avenue.

The Commission felt that this presentation was an improvement over what was presented at last month's meeting.

It was commented that the surrounds on the windows on the rear elevation appear to be heavy which made the half rounds above the french doors look out of scale.

Mr. Stofft agreed to make the suggested changes to the plans. He stated that three panel, fixed metal shutters will be used for window protection. He said the colors for the clay barrel tile roof

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have not been selected, but agreed to come back to the Commission with color samples and landscaping.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION THAT COLOR SAMPLES AND LANDSCAPING WILL COME BACK FOR REVIEW AND THAT THE REAR WINDOW SURROUNDS AND HALF ROUNDS WILL BE RESTUDIED.

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B35-96 New Residence

Applicant: Mr. and Mrs. John Rakolta, Jr.
Address: 537 Island Drive
Architect: Bridges, Marsh & Carmo
Project Description: New, two-story, Mediterranean revival residence.

This project was deferred from the April and May meetings.

Architects Jim Carmo and Richard Lucente presented the project. The footprint and the CCR have been reduced. The stone rustification around the house was removed and the shutters replaced the stonework around the windows. Mr. Lucente presented drawings of all elevations and a CCR study which reflected the project to be in the middle range of neighboring properties. The house will have a clay barrel tile roof and a stone rotunda portico. The stone on the rotunda will be on the inside.

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

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

B36-96 Entry Gate

Applicant: Nasser Kazeminy
Address: 760 Island Drive
Architect: Architectural Forum, Inc.
Project Description: Entry gate system

This project was deferred from the April and May meetings. No one was present to present this project.

Mr. Deziel stated that Mr. Kazeminy is one of his clients and suggested removal of the project from the agenda.

**MOTION BY MR. HELANDER TO REMOVE THIS ITEM FROM THE AGENDA.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

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 and May meetings.

Mrs. Gingras declared a Conflict of Interest regarding this project and left the diaz at this time.

Mr. Schuler and Mr. Deziel reported ex parte communication regarding this project.

Architect Steven Bruh addressed the Commission and stated that the project has been reduced by 17% in square footage since the last presentation, and the square footage is now 4,362.

Nancy Elliott who resides at 160 Reef Road addressed the Commission and spoke against this project.

Commission felt there would be no project approval at this meeting and their comments are as follows:

1. The two stairwell windows need to be reduced in size by half.
2. Bring back detail drawings of the cornice and soffit area.
3. Bring back the landscape plan showing heavy landscaping along the driveway and pool area.
4. Re-study the front doorway, making it either recessed or protruding.
5. The windows need to be consistent and the bay window needs to be re-studied.
6. Have accurate figures on the plans for the next presentation.

**MOTION BY MR. DEZIEL TO DEFER THE PROJECT TO THE JULY MEETING
FOR RE-STUDY.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

The architect was asked to meet with the neighbors and discuss the proposed project.

B40-96 New Two Story Commercial Building

Applicant: James C. Gavigan
Address: 396 Royal Palm Way
Architect: The Lawrence Group Architects
Project Description: New two story commercial bank building.

This project was deferred from the May meeting.

Mr. Schuler, Dr. Rosenberg, Mrs. Gingras, Mrs. Baker and Mr. Deziel reported ex-parte communication with regard to this project.

Attorney James Wearn, representing Nations Bank, addressed the Commission and stated this project has been before the Town Council for site plan approval.

Architect Eugene Lawrence stated that the building is a simple 45 x 85 foot rectangle and is a setback about 7-1/2 feet from the sidewalk. The front elevation has a two-story pilaster and a freeze band connecting the french doors on the first floor and the windows on the second floor. This project is a small traditional building. The site plan approval consisted of a dumpster relocation and the paving of two parking spaces to connect two parking areas. Mr. Lawrence asked for approval of the demolition of two buildings on the site.

Mr. Helander felt that the existing buildings were not distinguished and that this plan was an improvement for a very important corner in this community.

Mr. Schuler felt the round windows and the amount of french doors on the front facade made the project look like a government building.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION THE ROUND WINDOWS BE REDUCED TO FOUR FEET IN SIZE AND APPROVE THE DEMOLITION OF THE TWO STRUCTURES ON THE SITE WITH THE USUAL CONDITIONS.

MOTION SECONDED BY MR. HELANDER.

MR. SCHULER OPPOSED.

MOTION CARRIES 6-1.

Mrs. Baker read a letter from Attorney Wade R. Byrd, the attorney for Edward W. Cook who owns property at 350 Royal Palm Way. Mr. Cook objected to the demolition and rebuilding unless the Town requires insurance for loss or damage to the adjoining properties.

Mr. Moore stated that regarding the letter read into the record he felt he should advise the

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Commission that there is a dispute between Mr. Cook and Mr. Gavigan about an encroachment in which Mr. Cook's building encroaches onto Mr. Gavigan's property.

B44-96 Entry Addition

Applicant: Mr. and Mrs. Koontz
Address: 232 La Puerta Way
Architect: H. Gilbert & Associates
Project Description: Entry addition.

This project was deferred from the May meeting.

Mr. Gilbert stated the entrance addition will be approximately 165 square feet and changes will be made to the roof line for more of an architectural appeal.

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

B46-96 New Residence

Applicant: Mrs. Arnold Miller
Address: 1415 South Ocean Boulevard
Architect: John Gosman
Project Description: new single family residence

This project was deferred from the May meeting.

Mr. Frank stated the drawings were returned to the architect because the project needed a variance. Mr. Frank recommended that this item be removed from the agenda.

MOTION BY MR. SCHULER TO REMOVE THIS ITEM FROM THE AGENDA.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.

B42-96 New Two Story Residence

Applicant: Addison Development
Address: 217 Via Tortuga
Architect: Carlos Martin
Project Description: New two story residence

This project was deferred from the May meeting.

Mr. Carlos Martin representing Addison Development addressed the Commission and stated the house is a French style architecture with a side loading garage. Mr. Martin presented a sample of the buff color flat cement roof tile. The front entry has been redesigned and is now recessed by three feet. The ironwork balcony railings were changed to a flat picket rather than a ballooned picket. Storm panels will be used for hurricane protection.

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

B. NEW BUSINESS - MAJOR PROJECT

B55-96 New Residence

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

Mr. Frank stated that yesterday staff received drawings that had modifications and staff did not have time to review for code compliance. Therefore, deferral to the July meeting was recommended.

Mr. Martin stated that the changes include the addition of a 17-foot parapet wall and a chimney.

After much discussion the Commission decided to hear the presentation.

Mr. Martin stated the proposed project is a one story Spanish Mission style with an "S" clay tile roof. The front entry will have beveled cut stone with iron gates. There will be detailed ironwork in the loggia with classical french doors and transoms. A chimney was added to the side elevation, and a parapet wall replaced a hip roof on the front elevation.

It was felt that the chimney and the tower were overdone, and that the carved stone on the front facade was too ornate. It was stated a clay barrel tile roof does not belong on a one-story house. There was a concern that the drawings were not clear for an ARCOM presentation and that detailed drawings should have been presented. A gable roof at the entrance was preferred as shown on the previous drawings. The Commission made it clear they did not want to see a red barrel or "S" tile on this project.

Mr. Martin argued that some of the elements that the Commission has commented on could be changed, however, the massing of the project has met the guidelines.

The Commission decided to review the revised drawings next month as there are too many changes to this project.

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

B47-96 Demolition and New Residence

Applicant:	Dr. and Mrs. Marvin Rosenberg
Address:	1204 North Ocean Boulevard
Architect:	Quincy, Johnson, Barretta, Inc.
Project Description:	Demolition of existing residence and construction of new single family home.

Dr. Rosenberg has a Conflict of Interest form on file regarding this item and left the diaz during the presentation.

Mr. Helander, Mr. Wideman and Mrs. Baker reported ex-parte communication regarding this project.

Mrs. Baker complimented Dr. Rosenberg for writing to the neighbors expressing his concerns regarding their comments.

Mr. Frank stated that the 1204 North Ocean Boulevard will not be the address of record. The address will be Nightingale Trail, with a number to be determined at a later date.

Architects Kevin Culhan and Ron Wiendel presented the project. Mr. Culhan stated the CCR of the proposed home is 3.77 which is very close to surrounding homes. The second story was reduced in size by approximately 1,000 square feet from the original plans.

The Commission felt the house was brought down to the proper proportions and it now fits in with the neighborhood.

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

Mrs. Farry who resides at 110 Mockingbird Trail addressed the Commission, and objected to the project. She felt the house was still too large and the pool was very close to her property.

Mr. Culhan said the pool will be elevated and it will have a retaining wall. There is an existing 30 foot tree on the rear property line and it will be fully landscaped for privacy and security. Mr. Culhan said the existing pool was located just as close as the proposed pool.

Mr. Culhan stated the house is a classical island style with a flat cement tile roof. The house will be a light pastel yellow with white stucco details.

Mrs. Baker read letters from Doris Edwards of 220 Nightingale Trail and from Marsha Neuman Cole of 1190 North Ocean Blvd. into the record.

Wolfgang Von Folkenberg, a neighbor to this project, addressed the Commission and stated that he was concerned that the garage and driveway would be visible from the road.

**AMENDED MOTION BY MR. SCHULER TO APPROVE THE PROJECT WITH THE
PROVISO THAT THE GARAGE DOORS BE SCREENED FROM THE STREET AND
THE LANDSCAPE PLANS COME BACK TO THE COMMISSION FOR REVIEW.
MOTION SECONDED BY MR. HELANDER.
MOTION CARRIED UNANIMOUSLY.**

The meeting was reconvened at 1:30 p.m. after a lunch break.

Mr. Helander called to say he was ill and would not be able to return to the meeting. Therefore, Dr. Rosenberg was a voting member for the duration of the meeting.

B48-96 Demolition and New Residence

Applicant: John Atkinson
Address: 250 Clarke Avenue
Architect: Sally Gingras
Project Description: Demolition of existing one story CBS structure and construction of new two story residence and pool.

Mrs. Gingras has a Conflict of Interest form on file regarding this project.

Architect Sally Gingras presented the project. There is an existing 1950's Bermuda ranch style residence on the property that would be demolished and replaced with a house that has a two-story section at the street and steps back to a one-story section toward the rear of the property. The garages will be located on the rear of the property accessed from the alleyway. Mrs. Gingras presented a photo board showing the houses in the neighborhood. Most of the homes are large two-story, and stately looking on this street. The proposed house is a traditional style with symmetrical wings. The house will have a white flat cement tile roof with stucco trim and aluminum railings on the balconies. The house will have functional shutters and the windows without shutters will have either impact glass or applied panels.

Mrs. Baker read a letter from Mr. and Mrs. Leslie Corley, 260 Clarke Avenue, stating their objection to a two-story home on the site next to them.

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

B49-96 Facade Renovation

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

Architect Raphael Saladrigas presented the project and stated Malo of Italy will be moving into 228 Worth Avenue where Doubleday Bookstore is currently located. He presented drawings of the proposed storefront and a photograph of the Malo of Italy store in Chicago which is currently under construction. He stated this is the company's corporate standard storefront.

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The Commission preferred a storefront with warmth and charm rather than the chrome and glass which was presented. It was recommended that the architect pick up a copy of the Worth Avenue Plan as the proposed storefront is getting away from the feeling of what Worth Avenue is all about.

**MOTION BY MR. DEZIEL TO DEFER THIS PROJECT TO THE JULY MEETING.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

B50-96 Addition

Applicant: Mr. and Mrs. Diesel
Address: 271 El Dorado Lane
Architect: Brower Architectural Associates
Project Description: Addition and renovation to interior and exterior

Architect Raphael Saladrigas presented a photograph of the existing property. The one car garage will be expanded to a two-car garage. The addition will enlarge the kitchen and add an entry portico. An existing bay window will be removed to make room for the addition.

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

Discussion took place at this time and it was decided to have a workshop meeting in August to discuss zoning related issues as well as front loading garages.

**MOTION BY DR. ROSENBERG TO ADD TO THE ARCOM GUIDELINES THAT THE COMMISSION WILL ADVISE THE APPLICANT, AFTER THE FIRST PROJECT DEFERRAL, THAT THEY ARE ALLOWED TWO PROJECT DEFERRALS AND AT THE THIRD PRESENTATION THE COMMISSION WILL; APPROVE THE PROJECT, APPROVE THE PROJECT WITH CONDITIONS OR DENY THE PROJECT.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

(NOTE: Section 5-387 of the zoning code has been attached to the ARCOM applications.)

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

Architect Mitch Kunik presented the project. The proposed house is a two-story, contemporary style with an art deco influence. The house will have a barrel tile roof and a mixture of window styles. All of the openings on the exterior will be surrounded by cast stone with a simple design. The front doors will include iron grill work.

The Commission comments are as follows:

The two-story glass is not acceptable.
The architect needs to look at the context of the neighborhood as this project does not relate.
There are too many roof lines and glass in this project.
The design is massive and busy looking.
There are too many different types of elements, columns, window surrounds, etc.
The house needs to be more simple, and it needs to be in keeping with the neighborhood.

The survey presented was questioned, as it shows a mean high water line and then indicates property ownership up to the seawall. Mr. Kunik said the property owner claimed the property up to the seawall. Mr. Frank stated that the mean high water line usually means the State of Florida owns from this line to the seawall.

Laurie Simmons of Simmons Building Corporation stated that the surveyor assured the owner that he owned the property up to the seawall. Ms. Simmons stated that she will verify ownership of this land.

MOTION BY MR. BELL TO DEFER THE PROJECT TO THE JULY MEETING.
MOTION SECONDED BY DR. ROSENBERG.
MOTION CARRIED UNANIMOUSLY.

B52-96 Addition

Applicant: Ira Harris
Address: 310 Wells Road
Architect: Robert Henry
Project Description: Partial second floor addition.

Architect Robert Henry presented the project and stated that the proposal is for a partial second floor addition on the south side of the house. The cubic content with the new addition will be 2.46. The floor area ratio will be 2.2. Mr. Henry stated the owners have a partial two story house and presented photographs of the existing structure. Mr. Henry presented photographs taken from the roof of the neighbor's house to show that the neighbor's privacy would not be affected.

Joanne Paul, neighbor to the property, addressed the Commission and asked to have vegetation planted on the property line as the existing trees are dieing.

**MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISIO THAT AN 8 FOOT FICUS HEDGE WILL BE PLANTED ON MR. HARRIS' PROPERTY.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

B53-96 Facade and Roof Renovations

Applicant: Robert Fessler
Address: 151 Via Bellaria
Architect: Smith and Moore Architects
Project Description: Facade renovations, revision of existing roof, new pool and pool cabana.

Mr. Schuler and Ms. Baker reported ex parte communication regarding this project.

Architects John Moore and Harold Smith made the presentation and presented Photographs of the existing home. The main focus of this project is to bring it back to the original design of the Mediterranean style. Mr. Moore stated the flat roof will be replaced with a clay barrel tile roof. There will be an enclosed courtyard, creating a cloister at the main entrance. There will be an addition of a loggia, pool and cabana on the east side. The aluminum glass sliding doors will be replaced with wood french doors with transoms. The exterior will have cast stone trim and cast stone columns. Mr. Moore presented photographs of the surrounding houses in the area and stated that 80% of them are Mediterranean style.

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

B54-96 Enclosure Loggia

Applicant: Mr. & Mrs. Davie
Address: #2 Windsor Court
Contractor: Beems Construction
Project Description: Enclosure Loggia

Mr. Beems presented a photograph of the existing house. The addition will be on the rear of the house. The glass sliding glass doors will be changed to a set of french doors and three fixed windows.

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

C14-96 Two New Duplexes

Applicant: Little Island Corporation
Address: 232, 242/242 Everglade Avenue
Architect:
Project Description: Two new duplexes

No ARCOM application has been received regarding this project and no one was present to represent the project.

**MOTION BY MR. SCHULER TO REMOVE THIS ITEM FROM THE AGENDA.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.**

C19-96 Addition

Applicant: Catalina & Thomas Miller
Address: 1440 North Lake Way
Architect:
Project Description: One story addition.

No ARCOM application has been received regarding this project and no one was present to represent this project.

**MOTION BY MR. SCHULER TO REMOVE THIS ITEM FROM THE AGENDA.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.**

C. NEW BUSINESS - MINOR PROJECTS

A54-96 Front Gate

Applicant: Mr. & Mrs. Flaherty
Address: 315 Chapel Hill Road
Architect: Morgan Wheelock
Project Description: New front gate

Mr. Frank stated this minor project is on the agenda because it required a variance.

Architect Chris Regan made the presentation to the Commission and stated the existing 18-foot gate would be replaced with a six-foot gate.

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

A55-96 Landscape

Applicant: Paul Whittmann/Whittman Building Corporation
Address: 200 El Vedado Way
Architect: Lang Design Group
Project Description: Landscaping

Architect John Lang stated coconut palm trees will be planted at the front of the house and around the pool area.

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

A56-96 Landscape/Hardscape

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

Landscape Architect John Lang stated there will be a formal Italian garden with a fountain. The plans for the pavilion and gazebo will come back to ARCOM at a later date. The driveway is straight with a circular motor court that drops down to the garage area in the back. The walls and gates are set back from the street. A 10-foot hedge of green buttonwood down the entire length of the property on both sides will be planted. The existing banyan trees by the water will remain, and a very large seagrape will be relocated closer to the water.

**MOTION BY MR. BELL TO APPROVE THE LANDSCAPE PLAN AS PRESENTED.
MOTION SECONDED BY MR. SCHULER.**

After further discussion it was decided the architect should come back with a presentation of the hardscape and landscape.

Mr. Lang asked for approval to plant the buttonwood hedge along both property lines and relocate the seagrape tree.

**AMENDED MOTION BY MR. BELL TO ALLOW THE PLANTING OF THE TEN
FOOT BUTTONWOOD HEDGE ALONG THE PROPERTY LINES AND RELOCATE
THE SEAGRAPE TREE.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.**

IV. OTHER BUSINESS

The workshop meeting continued at this time. Lengthy discussion took place regarding Section 5-387 of the zoning code and the relationship of new projects to existing home within 200 feet.

NOTE: Article IX, Architectural Review and Procedure, Section 5-387 (Criteria), has been attached to the ARCOM application.

V. ADJOURNMENT

THE MEETING WAS ADJOURNED AT 4:50 P.M.

TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (19 96)

MEMBERS	1/ 24	2/ 28	3/27	4/ 24	5/ 22	6/ 26	7/ 24	8/ 28	9/ 25	10/23	Fri 11/22	Tue 12/ 12
LEIGHTON A. ROSENTHAL												
LAUREL BAKER												
LINDLEY HOFFMAN			/	/	/	/	/	/	/	/	/	/
BRUCE HELANDER												
ETHEL												
SALLY GINGRAS						2V						
JOHN SCHULER					V							
LOWRY BELL			V	V2								
ALTERNATES	1/24	2/ 28	3/ 27	4/24	5/22	6/26	7/24	8/28	9/25	10/23	11/22	12/12
LOWRY BELL	V	VPD	/	/	/	/	/	/	/	/	/	/
ROBERT DEZIEL		* V	V3	VPD	VPD/V	VPD						
MARVIN ROSENBERG	/	/	V	VPD	VPD	VPD						
FLOYD WIDEMAN	/	/										

* No Conflict was necessary at this time.

LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting
 And so on...

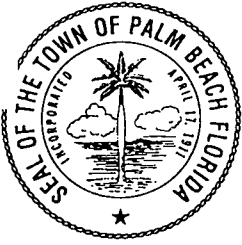
VPD = Voting Conflict Previously Declared
 (This category to be used when a conflict has been declared at a previous meeting, and the changes being reviewed are part of an ongoing renovation project. ONLY COUNT ORIGINAL DECLARED CONFLICT FOR ONGOING PROJECTS PER JOHN C. RANDOLPH, TOWN ATTORNEY)

TOWN OF PALM BEACH

ATTENDANCE RECORD (19 96)

											Fri	Tue
MEMBERS	1/ 24	2/ 28	3/ 27	4/ 24	5/ 22	6/ 26	7/ 24	8/28	9/25	10/23	11/22	12/12
LEIGHTON ROSENTHAL	P	P	P	P	E	E						
LAUREL BAKER	P	P	P	P	P	P						
LINDLEY HOFFMAN	P	P	/	/	/	/	/	/	/	/	/	/
BRUCE HELANDER	P	P	P	P	P	P						
ETHEL KINSELLA	P	P	P	P	P	U						
SALLY GINGRAS	P	P	P	P	A	P						
JOHN SCHULER	P	P	P	P	P	P						
LOWRY BELL	/	/	P	P	P	P						
ALTERNATES	1/ 24	2/ 28	3/ 27	4/ 24	5/ 22	6/ 26	7/ 24	8/ 28	9/25	10/23	11/22	12/12
LOWRY BELL	P	P	/	/	/	/	/	/	/	/	/	/
ROBERT DEZIEL	E	P	P	P	P	P						
MARVIN ROSENBERG	/	/	P	P	P	P						
FLOYD WIDEMAN	/	/	P	P	P	P						

LEGEND: P = Present
 E = Excused Absence
 U = Unexcused Absence
 A = Absence Pending Classification as "Excused" or "Unexcused"



TOWN OF PALM BEACH

MEMORANDUM

TO: Robert J. Doney, Town Manager

FROM: Gretchen Dayton, ARCOM Secretary

SUBJECT: Absence of ARCOM Chairman from the June Meeting

DATE: June 24, 1996

Leighton Rosenthal called from New York to say he has to consult a doctor relating to his recent surgery. He regrets that he will not be able to attend the June ARCOM meeting.

cc: RLM
TF

*Excused 6/26/96
RST*

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

LAST NAME—FIRST NAME—MIDDLE NAME GINGRAS, SALLY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 153 REEF RD.		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: 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.

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, SALLY GINGERS, hereby disclose that on 26 JUNE, 1996:

(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 JOHN ATKINSON, 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:

I AM RETAINED BY MR. ATKINSON (THE NEIGHBOR TO THE NORTH OF THE PROPOSED HOUSE AT 167 DOLPIN) TO DESIGN A STRUCTURE ELSEWHERE IN PAUL PEARL

Date Filed

6.26.96

Signature

Sally Gingers

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 GINGRAS, SALLY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 153 REEF RD.		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 6.26.96		NAME OF POLITICAL SUBDIVISION: PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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 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, SALLY GINGRAS, hereby disclose that on JUNE 26, 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 JOHN ATKINSON, 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:

I AM THE ARCHITECT OF RECORD
FOR THIS PROJECT AT 250 CLARKE AVE.

Date Filed

6.26.96

Signature

Sally Gingras

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.

DATE: 6-21-96

RE: MAJOR PROJECT NO. B-13-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 1204 N. OCEAN BLVD.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6-26-96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: RON WIENDL - QUINCY JOHNSON BARRETTA

2. Name of person or group whom the individual represents:
DR. MARVIN ROSENBERG

3. Content of communication: DISCUSSION RELATIVE TO THE
REDESIGN OF THE RESIDENCE FOR DR. ROSENBERG.

4. Circle one: , Commission Member contacted individual
☒ Individual contacted Commission Member
5. Site visit conducted on: N/A

6. Other disclosure information: NONE

NAME: JOHN H. SCHULER

TITLE: COMMISSION MEMBER

DATE: June 26, 1996

RE: MAJOR PROJECT NO. B25-96
or MINOR PROJECT NO. _____

STREET ADDRESS: _____

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: _____

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a

Commission Member: BRUCE HELANDER

2. Name of person or group whom the individual represents:

Peter Brotergs
Mark Ferguson

3. Content of communication: REVIEW OF BLUEPRINTS

4. Circle one: Commission Member contacted individual

Individual contacted Commission Member

5. Site visit conducted on: 221 Ocean Terrace

Commissioners Home

6. Other disclosure information: none

NAME: Bruce HELANDER
TITLE: Commissioner ARCOM

DATE: 6/26/96

RE: MAJOR PROJECT NO. B25-96
or MINOR PROJECT NO.

STREET ADDRESS: 102 Flagler Drive

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Marvin Rosenberg
Mark Ferguson

2. Name of person or group whom the individual represents:
Mrs Hirschmann

3. Content of communication: _____

4. Circle one: Commission Member contacted individual
Individual contacted Commission Member

5. Site visit conducted on: _____

6. Other disclosure information: _____

NAME: _____

TITLE: _____

DATE: 6-25-96

RE: MAJOR PROJECT NO. B-25-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 102 FLAGLER DRIVE

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6-26-96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: MARK FERGUSON ARCH. MRS HIRSCHMANN,
PETER BROBERG, ATTY.
2. Name of person or group whom the individual represents:
MR. & MRS HIRSCHMANN
3. Content of communication: DISCUSSION OF REDESIGN
4. Circle one: , Commission Member contacted individual
Individual contacted Commission Member ☒ X
5. Site visit conducted on: N/A
6. Other disclosure information: NONE

NAME: JOHN H. SCHULER
TITLE: COMMISSION MEMBER

DATE: 6/13/96

RE: MAJOR PROJECT NO. B 25-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 102 Eagles Dr.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: MARK FERGUSON, SILVIA
HIRSCHMAN
2. Name of person or group whom the individual represents:
M/M HIRSCHMAN
3. Content of communication: Reviewed changes
in plans in attempt to conform
with ARCOM comments.
4. Circle one: Commission Member contacted individual
Individual contacted Commission Member
5. Site visit conducted on: _____
6. Other disclosure information: _____

NAME: F.L. WIDEMAN, JR.
TITLE: ARCOM Alternate

DATE: 26~~th~~ June 96

RE: MAJOR PROJECT NO. B25-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 102 FLORIDA

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: _____

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: MARK FERGUSON, SILVIA HIRSCHMAN

2. Name of person or group whom the individual represents:
THOMAS & SILVIA HIRSCHMAN

3. Content of communication: Review Plan

4. Circle one: Commission Member contacted individual

Individual contacted Commission Member
5. ~~Site~~ visit conducted on: 25th June 96

6. Other disclosure information: _____

NAME: Louise
TITLE: Area member

DATE: 6/12/96 3pm

RE: MAJOR PROJECT NO. B25 96
or MINOR PROJECT NO. _____

STREET ADDRESS: 102 Ogden Drive

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/12/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a

Commission Member: Mark Johnson, Arch.
Mrs Herschner. Peter Broberg

2. Name of person or group whom the individual represents:

Mr Herschner

3. Content of communication: Plan for massing
house w open garden -

4. Circle one: Commission Member contacted individual

☒ Individual contacted Commission Member

5. Site visit conducted on: _____

6. Other disclosure information: Communication w
neighbors regarding vacancies. & trespasser
over while Mr. Herschner was not accommodating

NAME: Laurel Bork

TITLE: _____

DATE: 6-20-96

RE: MAJOR PROJECT NO. B-38-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 167 DOLPHIN RD.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6-26-96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

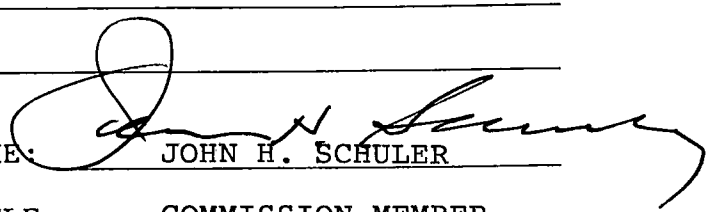
1. Name of individual who has communicated with a
Commission Member: JOHN MOORE

2. Name of person or group whom the individual represents:
NORTHWOOD UNIV.

3. Content of communication: DISCUSSION OF REDESIGNED
HOUSE TO BE PRESENTED AT NEXT MEETING

4. Circle one: Commission Member contacted individual
☒ Individual contacted Commission Member
5. Site visit conducted on: N/A

6. Other disclosure information: NONE

NAME:  JOHN H. SCHULER

TITLE: COMMISSION MEMBER

DATE: 6-21-96

RE: MAJOR PROJECT NO. 390-94
or MINOR PROJECT NO. _____

STREET ADDRESS: 396 ROYAL PALM WAY

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6-26-96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: EUGENE LAWRENCE, ARCH. AND JAMES
McC. WEARN - ATTY.
2. Name of person or group whom the individual represents:
NATIONS BANK
3. Content of communication: DISCUSSION OF NEW BLDG. FOR
THE ABOVE ADDRESS
4. Circle one: Commission Member contacted individual
Individual contacted Commission Member ☒ X
5. Site visit conducted on: N/A
6. Other disclosure information: NONE

NAME: JOHN H. SCHULER

TITLE: COMMISSION MEMBER

DATE: 6/26/96

RE: MAJOR PROJECT NO. B40-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 396 Royal Palm Way

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: _____

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Gene Lawrence

2. Name of person or group whom the individual represents:

3. Content of communication: meetings

4. Circle one: Commission Member contacted individual

Individual contacted Commission Member

5. Site visit conducted on: _____

6. Other disclosure information: _____

NAME: Marvin Pashley
TITLE: _____

DATE: 6.26.96

RE: MAJOR PROJECT NO. B40-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 396 ROYAL PALM WAY.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6.26.96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: GENE LAWRENCE 4
JIM WEARN.
2. Name of person or group whom the individual represents:
JAMES GAVIGAN / NATIONS BANK.
3. Content of communication: MRS LAWRENCE & MR. WEARN
MET W/ ME TO DESCRIBE THE PROJECT TO
BE PRESENTED.
4. Circle one: Commission Member contacted individual
(Individual contacted Commission Member)
5. Site visit conducted on: N/A
6. Other disclosure information: _____

NAME: Sally Gingras
TITLE: MEMBER, ARCOM

6/25/96

DATE: B40-96

RE: MAJOR PROJECT NO. B40-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 396 Royal Palm Way

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: _____

2. Name of person or group whom the individual represents:

Jan Wean } Garage
John Lawrence } Handbook

3. Content of communication: _____

4. Circle one: Commission Member contacted individual

✓ Individual contacted Commission Member

5. Site visit conducted on: _____

6. Other disclosure information: question down

architectural & windows

NAME: Laurel Bate ✓

TITLE: _____

DATE: 6/26/96

RE: MAJOR PROJECT NO. B42-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 217 Via Tortuga

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: _____

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Dan Swenson

2. Name of person or group whom the individual represents:

3. Content of communication: meeting

4. Circle one: Commission Member contacted individual

Individual contacted Commission Member

5. Site visit conducted on: Afternoon

6. Other disclosure information: _____

NAME:

Marcia Rosen

TITLE:

DATE: June 25/96

RE: MAJOR PROJECT NO. B42-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 217 VIA TORTUGA

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: June 25

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a

Commission Member: Dan Swanson

2. Name of person or group whom the individual represents:

Addision Development

3. Content of communication: review of blueprints

4. Circle one: Commission Member contacted individual

Individual contacted Commission Member

5. Site visit conducted on: Phynis Estates

6. Other disclosure information: none

NAME: Bruce Helander
TITLE: Comm. Atty Gen

JS

DATE: 6-20-96

RE: MAJOR PROJECT NO. B-42-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 217 VIA TORTUGA

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6-26-96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: MR. DAN SWANSON
2. Name of person or group whom the individual represents:
ADDISON DEVELOPMENT
3. Content of communication: DISCUSSION OF ADDISON'S
CURRENT PROJECT AND THE EFFECT OF SIDE ENTRY GARAGE
LOADING.
4. Circle one: Commission Member contacted individual
☒ Individual contacted Commission Member
5. Site visit conducted on: 6-21-96
6. Other disclosure information: NONE

John H. Schuler

NAME: JOHN H. SCHULER

TITLE: COMMISSION MEMBER

DATE: 5/31/96

RE: MAJOR PROJECT NO. B4296
or MINOR PROJECT NO. _____

STREET ADDRESS: Platts Estate

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Dan Swanson

2. Name of person or group whom the individual represents:
Addison Development

3. Content of communication: front entry garage
- discussed wall to further obscure
- side load would be more conspicuous
- issue of lot size / minimum dollar development

4. Circle one: Commission Member contacted individual
☒ Individual contacted Commission Member

5. Site visit conducted on: - done by

6. Other disclosure information: _____

original plan preferable - benefits to
know w/ one story sitting to south -
front setback at 65'
problems of 2 door NAME: Gene Stal -
stage opening TITLE: _____

DATE: _____

RE: MAJOR PROJECT NO. B-47-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 1204 North Ocean Blvd.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: June 25/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: G.F. Brennan & Associate

2. Name of person or group whom the individual represents:
Dr. Marvin Rosenberg

3. Content of communication: review of blueprints

4. Circle one: Commission Member contacted individual
Individual contacted Commission Member
5. Site visit conducted on: 221 Ocean Terrace

6. Other disclosure information: none

NAME: Bruce Helander
TITLE: ARCOM Commissioner

DATE: 6/21/96

RE: MAJOR PROJECT NO. B47-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 1204 N. Ocean Blvd.

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Ron Weindl

2. Name of person or group whom the individual represents:
Dr. Marvin Rosenberg

3. Content of communication: Reviewed new plans
for home

4. Circle one: Commission Member contacted individual
Individual contacted Commission Member

5. Site visit conducted on: _____

6. Other disclosure information: _____

NAME: F.L. WIDEMAN, JR.
TITLE: ARCOM Alternate

DATE: 6/13/96 5pm
Cancelled

RE: MAJOR PROJECT NO. B47-96
or MINOR PROJECT NO. _____

STREET ADDRESS: 101 Nightingale Drive

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/26/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: Kenn Cullen

2. Name of person or group whom the individual represents:

Dr. Ned Rosenberg

3. Content of communication: review new plans for site
4/24 phone 6/25 met

4. Circle one: Commission Member contacted individual

☒ Individual contacted Commission Member

5. ~~Site visit conducted on:~~ What is Oyle; detail
brackets; taken up balcons; no way
entry

6. Other disclosure information: asked to be provided
w/ spec. info (see form) on neighbouring
lots + houses in addition to cur. form
5

NAME: 997-1610
Amel Boul 6/24

TITLE: _____

DATE: 6/12/96 1pm

RE: MAJOR PROJECT NO. B5396
or MINOR PROJECT NO. _____

STREET ADDRESS: 151 Via Bellaria

ITEM FOR ARCHITECTURAL COMMISSION MEETING ON: 6/12/96

NOTE: This form is to record disclosures of the following information regarding authorized ex-parte communications in quasi-judicial matters relating to Town of Palm Beach Council, its Commissions and Boards, pursuant to Town Resolution No. 21-95, which was adopted by Town Council at its July 11, 1995 meeting:

1. Name of individual who has communicated with a
Commission Member: John Nune
2. Name of person or group whom the individual represents:

3. Content of communication: review plans to
restore house to Nat. riv.
4. Circle one: Commission Member contacted individual
☒ Individual contacted Commission Member
5. Site visit conducted on: Y/N
6. Other disclosure information: _____

NAME: Laurel Bul

TITLE: _____

THOMAS M. HIRSCHMANN

Ms.
Laurel Baker
127 Seaspray Avenue
Palm Beach, FL 33480

TMH/id
Palm Beach Gardens, June 25, 1996

Re: 102 Flagler Drive, letters from Mr. & Mrs. Oatley

Dear Ms. Baker,

we feel it is necessary to express our concerns regarding the misconceptions that have resulted from the series of letters sent to you by Mr. & Mrs. Oatley.

At this point the overriding misconception is that our present plans require any variance. To the contrary. Due to the fact that the Oatley's have been vehemently opposed to any construction requiring a variance, we have considered their position and have modified our plans so that no variances are needed. At this point the Oatley's are attempting to misuse the Architectural Commission to control the development of this property in any manner. We want to be sure that you understand that we no longer are requesting any variances and we have attempted to satisfy everyone's concerns.

Further points we would like to make are as follows:

1. In their letter of April 22, 1996 they allege that our extension of the house on the west side **"would completely remove the present views from the kitchen"**. As you can see from the enclosed photograph, they do not have (and for that matter never had) a view from their kitchen because of the wall and vegetation running along our common property line. They also state the construction would curtail light to their kitchen and family dining room. This is also hard to believe for the same reason.



2. The Oatley's allegations that the construction will impair existing views are overstated at best. Due to the tall trees there is a minimal view to the north and no view to the golf course. Our architect will show that those views are not unobstructed at this time. The fact that the Oatley's have been

fortunate over the years not to have any construction past our new property should not now restrict our being allowed to build on our property. Construction can still occur between our property and the ocean which could have the same result for the Oatley's with respect to their "view".

3. The two-story addition to the east side of the property has been modified to one and one-half story in an effort to accommodate the Oatley's.
4. While it is true that the view to the north-east, from the second floor of their house on the east side (and only on the east side), could change, we would like to point out that this is only due to the fact that the Oatley's refused to cooperate on our first plans. In those plans we had proposed to build a one story garage building. We had two meetings and during one of those meetings Mr. Oatley clearly stated "**my wife and I object to any construction that would require a variance in the setbacks**". He stated that he would not and could not object as long as our plans "**comply with the property setbacks and building codes**". We relied on those statements and it is now entirely unfair that they retract those statements and object even when we no longer require any variances. We took them at their word and went to a considerable expense to redesign the project without the need for a variance.

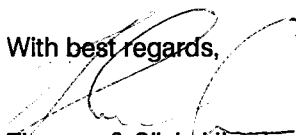
We do not feel any development on this property will please the Oatley's. This is born out by the fact that each time we change our plans to satisfy their concerns they have a new list of concerns. Furthermore, they have now resorted to describing our plans as constituting "**excessive and unnecessary building**". Their comment that they "**sincerely believe that the Hirschmann's and their architects can work within these suggestions without endeavoring to turn a fine existing house into a "MONSTER"**" are insulting at best. And, who are they to judge? The volume of development that we are proposing is less than that of the surrounding properties. We understand we must comply with building codes, the rules of the Town Council and the guidelines of the Architectural Committee but we do not believe that a neighbor has a right to subjectively dictate to us how we develop our property. Quite frankly, the main "view" the Oatley's will lose is the present "view" into our garden which infringes on our privacy.

The comments by the Oatley's that the "**Unity of Title Agreement is being used in this case to "legalize" an "abnormal" situation**" is missing the point entirely. First of all these two lots have historically been under a single ownership and secondly, we feel that the only abnormal thing in this whole debacle is the behavior of the Oatley's. We have spent a lot of time and money to assess, in every detail possible, the feasibility regarding reconstruction and new construction and the affect of the construction on not only the Oatley's but also on the rest of our neighbors and the area in general. We feel that we have a plan that fits in well with the existing development and our other neighbors have not expressed any concerns about our plans. On the other hand it is clear that the Oatley's only concerns revolve around their subjective feelings that our project will adversely affect "**the fundamental enjoyment and the value of our (their) property**".

As you are aware the Oatley's have had their property on the market for some time. We feel their tactics may be for the purpose of further delaying our construction in order to give them more time to sell their property. We purchased this house because our four children are attending Palm Beach Day School and it was our expectation we would be able to move into our new home before school resumed in September. Obviously, those plans now have to be changed and our children will have to commute to school for several more months.

We are hoping that this matter can be resolved at the meeting on June 26, 1996. We are hoping that the commission can see that we have done everything possible to accommodate the needs of all concerned and that we have made changes that should mitigate all of the concerns of Mr. & Mrs. Oatley. We thank you for taking the time to read our side of the story.

With best regards,


Thomas & Silvia Hirschmann

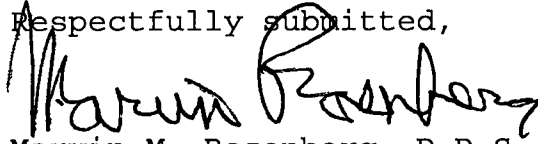
Memo To: Timothy M. Frank
From: Marvin Rosenberg, D.D.S.
Date: June 11, 1996

RE: Suggested procedural changes for ARCOM for RB district
north of Wells Road.

Dear Tim:

I would like to request that the following suggested
procedural changes be reviewed by the ARCOM at a forthcoming
workshop meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Rosenberg", written over the typed name.

Marvin M. Rosenberg, D.D.S.

RECEIVED

JUN 11 1996

TOWN OF PALM BEACH
BUILDING & ZONING

copy: Robert Moore

exib #2

SUGGESTED PROCEDURAL CHARGES FOR ARCOM

- 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 must list in writing those features, issues, criteria, etc. that require changes. Other ARCOM members can add to written list. (Staff could create check list.)
- 3) Include air conditioned space in statistics to distinguish between habital and non-habital space.

For RB District North of Wells Road

- 1) Section 5-387 (e) and (f) should be modified to distinguish between water-front and inside properties. Water-front properties should be compared to other water-front properties facing upon the same public way in respect to:
 - a) CCR
 - b) FAR
 - c) Height
 - d) Other design features

RECEIVED

JUN 11 1996

TOWN OF PALM BEACH
BUILDING & ZONING

- 2) Inside properties should be compared to other inside properties within 200 feet of proposed site, in respect to :
 - a) CCR
 - b) FAR
 - c) Height
 - d) Other design features
- 3) CCR and FAR should be approximately 85% of allowable if properties within 200 feet of proposed site have an average CCR and FAR below this minimum requirement.

B40-96

LAW OFFICES

McCALL & BYRD

340 ROYAL PALM WAY
PALM BEACH, FLORIDA 33480

TELEPHONE (407) 659 2411

TELEFAX (407) 655 - 7339

WALLACE B. McCALL, P.A.

WADE R. BYRD, P.A.

MICHEL BYRD ELLIS *

* MEMBER OF NEW YORK AND FLORIDA BAR

HARRY W. STEWART, JR.

(1907 - 1988)

May 21, 1996

Town of Palm Beach
Architectural Commission
Town Hall, Council Chambers
360 South County Road, Second Floor
Palm Beach, FL 33480

Re: Proposed structures or major
alterations of structures on property
located at 396 Royal Palm Way, Palm
Beach, Florida - James C. Gavigan,
Applicant

Dear Commission Members:

We are attorneys for Edward W. Cook, Trustee responding to the Notice received under Section 5-386 of the Town Architectural Review Ordinance. Our client owns the office building and appurtenances located at 350 Royal Palm Way, Palm Beach, Florida.

Any demolition and/or rebuilding of the structure at 396 Royal Palm Way, Palm Beach, Florida must meticulously take into account the effect the same may have on adjoining property. Accordingly, our client must necessarily object to such demolition and/or rebuilding unless the Town authorities make it incumbent upon the Applicant to ensure that such demolition and/or rebuilding is at all times geared toward the protection of adjoining property. Likewise, in the event the adjoining property is not fully protected, adequate insurance to protect adjoining property owners against damage to such adjoining property and/or loss of use of such adjoining property should be provided.

Very truly yours,


WADE R. BYRD

WRB:fw

cc: Town Manager
Edward W. Cook, Trustee
James C. Gavigan, Esquire

Run Lega for
833 9853