

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL COMMISSION

MAY 23, 2007

TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. CALL TO ORDER

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

II.

ROLL CALL:

Morgan Dix Wheelock, Chairman

Nikita Zukov, Vice-Chairman

William P. Feldkamp, Member

William J. Strawbridge, Jr., Member

Thomas M. Youchak, Member (arrived at 9:03 a.m.)

Jeffery Smith, Member

Kenn Karakul, Alternate Member

Samuel Boykin, Alternate Member

Mark Bennett, Alternate Member

Stirling Halversen, Town Attorney

Veronica B. Close, Director Planning, Zoning & Building

Timothy M. Frank, Planning Administrator

Gretchen Dayton, Recording Secretary

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Wheelock.

IV. APPROVAL OF THE MINUTES FROM THE MARCH 28, 2007 MEETING AND THE APRIL 25, 2007 MEETING.

Chairman Wheelock deferred approval of these minutes to the June meeting.

V. SWEARING IN PERSONS TESTIFYING.

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



VI. PROJECT DEFERRALS/REMOVAL

B40-07 New Residence

Address: 115 Gulfstream Road
Applicant: Mr. and Mrs. Jeffry Giangrande
Architect: SKA Architect + Planner
Project Description: New two-story Mediterranean style house to be approximately 4, 275 square feet.

Staff recommends deferral as this project requires a Site Plan Review before the ARCOM review.

B23-07 V10-07 New Residence

Address: 615 North County Road
Applicant: Mr. Lewis Sanders
Architect: Smith Architectural Group
Project Description: "New residence in a French style; limestone facade and a slate roof."

This project was deferred from the March meeting so that a full commission could be present for the presentation. It was deferred from the April meeting to the June meeting at the architect's request.

MOTION BY MR. ZUKOV TO DEFER THE PROJECTS B40-07 AND B23-07 TO THE JUNE MEETING.

MOTION SECONDED BY

MOTION CARRIED UNANIMOUSLY.

VII. PROJECT REVIEW

A. TOWN COUNCIL PROJECTS - VARIANCE REQUESTS DEFERRALS

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

B2-07/SPR 3-07 (New Residence) Landscape

Address: 324 Cherry Lane
Applicant: Michael and Cheryl Minikes
Architect: Mike Johnson
Project Description: "New residence"

This project was deferred from the January meeting and the variance requests were recommended with the exception to raise the elevation of the property. This project was approved at the February meeting with the provision to bring back a landscape plan and location of the generator and cooling towers. The review of the landscape and equipment location was deferred from the March meeting for restudy. It was deferred from the April meeting at the attorney's request.

Mr. Karakul and Mr. Wheelock said they met the attorney representing the property owners. Ms. Diver, Mr. Zukov and Mr. Feldkamp said they met with the architect and the lawyer. Mr. Youchak said he met the architect. Mr. Smith declared a Conflict of Interest because he has a client next door to this project. He left the dias during the presentation.

Architect Michael Johnson introduced Landscape Architect Ashley Christopher.

Ms. Christopher mentioned that they are requesting a variance to build a 12' tall retaining wall along the driveway ramp. She explained that the house was reduced in width to accommodate a 4' planting area along the north property line. The generator and the cooling tower will be located in the southeastern part of the site.

Attorney Frank Chopin, representing Henry Kravis, noted that different sets of plans were presented to the Town Council than what ARCOM had reviewed. He did not recommend planting a ficus hedge along the property line due to maintenance issues. He requested that an engineer review and sign the final structural plans.

The Commission agreed that the ficus hedge was unacceptable for screening and for maintenance reasons.

MOTION BY MR. ZUKOV THAT THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY AND THE RETAINING WALL WILL REQUIRE APPROVAL FROM A STRUCTURAL ENGINEER.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. ZUKOV TO DEFER (TO COME BACK) THE LANDSCAPE PLAN FOR A FINAL PRESENTATION OF LANDSCAPING OF THE ENTIRE PROPERTY.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

B25-07SP8-07 New Residence

Address: 122 Ocean View

Applicant: Mr. John Tatooles & Mr. Victor Moore

Architect: Ames Bennett

Project Description: "Demolition of an existing residence. Construction of a new two-story single family residence."

The demolition was approved and the Site Plan Review was recommended to Town Council at the April meeting. The new residence was deferred for restudy.

Mr. Bennett declared a previous Conflict of Interest and left the dias during the discussion. Mr. Karakul, Mr. Youchak, Ms. Diver Mr. Zukov, Mr. Feldkamp said they met with the architect/designer and discussed the plans.

Architect Ames Bennett introduced Designer Michael Perry and Landscape Architect Mario Nievera. Mr. Perry addressed the design issues that were discussed last month. He pointed out that the roof massing was lowered by deleting the gable end pediment over the front entry. The roof pitch was lowered to 5/12 pitch. The balustrade wall at the tower was eliminated and the tower was reduced in size. He noted that the same variances are being requested.

Landscape Architect Mario Nievera explained that the motor court was revised to be a rectangular design and the existing ficus hedge on the east side will be supplemented with cocoanut palm trees.

It was commented that the tower did not enhance the house and if it were eliminated, it would eliminate a variance request. Also, a house such as this should not have clad windows and the correct roof pitch would be a 4/12 pitch.

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

**SUBSTITUTE MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE
PROVISION TO DELETE THE TOWER AND LINE UP THE FRENCH DOORS AND
WINDOWS ON THE WEST END OF THE SOUTH ELEVATION.**

MOTION SECONDED BY MS DIVER.

ROLL CALL:

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

THE SUBSTITUTE MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT

**THE IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE
NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MR. ZUKOV.**

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

Formal action may be taken relative to these projects pending town council approval.

B32-07 / V14-07 Demolition & New Residence

Address: 101 El Bravo Way
Applicant: 101 El Bravo Way (Dan Swanson, Manager)
Architect: Phoenix Architecture
Project Description: "Demolition of existing single family residence, accessory structures, hardscape and interior landscaping. New two-story Mediterranean home."
(The variance request is for a point of measurement of 20.39 feet NGVD in lieu of 17.4 feet maximum allowed.)

This project was deferred from the April meeting for an opinion from the Landmark's Commission.

Mr. Karakul, Mr. Youchak, Ms. Diver and Mr. Zukov said they met with the architect. Mr. Smith said he spoke with Mr. Swanson on the telephone. Mr. Feldkamp said he met with the architect and visited the site. Mr. Wheelock said he met with the architect and the owner. Mr. Bennett said he visited the site.

Architect Alfred A. Cilcius turned the presentation over to Designer Lynn McColl. Ms. McColl read the demolition report which stated that there currently exists a 9,860 s.f. home on the subject property. The residence was built in 1991 by R.S. Black, Inc. and designed by Smith Architectural Group. She stated that the new residence will have 16,970 s.f. of interior space.

Landscape Architect Carol Perez indicated that the schefflera trees will remain on the west side of the property. The gumbo limbo trees and four of the seagrape trees will be relocated.

Chairman Wheelock reported that the Landmarks Commission took no action on the existing house.

Ms. McColl stated that they would like to maintain the 20.3 finished floor elevation of the existing house. She presented building materials which included hand made clay barrel tile roofing and cast stone decorative elements. Cast stone will also be used around the windows, quoins and outriggers.

Attorney Peter Broberg, representing neighbors to this project, stated that they object to the point of measurement variance and the height of this building.

Mr. Feldkamp stated that he was not very happy with the proposed project. The plan is sophomoric

having a double loaded corridor ending in a French door that goes nowhere. There is not enough variation in the roof. The windows are poorly designed by trying to look like double-hung windows but are not. The elevations have no coherence and there is no focus to the elevations. The house is overblown in scale, but has no grand gestures. The house is inferior to its neighbors. Also, with the privilege of designing on a site as prominent as this, comes the responsibility to design something really special.

Planning Administrator Tim Frank noted for the record that he spoke with Town Attorney Randolph. Mr. Randolph advised, by the Landmarks Commission taking no action, was an action. Essentially, the message is that they do not believe the house should be landmarked at this time.

Town Staff Preservation Consultant Jane Day presented photographs of other homes in the immediate neighborhood.

Mr. Strawbridge recognized that the floor plan is a problem with the existing house. He asked Mr. Swanson if the floor plan could be change to make the house marketable.

Mr. Swanson said, in his opinion, the existing house is not marketable. Not only the floor plan cannot be changed, but there is no back yard. He understood the house was designed for particular owners to accommodate their lifestyle.

It was the consensus of the Commission that this project needs to be redesigned to be the same quality as the neighboring houses.

MOTION BY MR. FELDKAMP TO DENY THE PROJECT IN ACCORDANCE WITH THE CRITERIA SET FORTH IN ARTICLE III. ARCHITECTURAL REVIEW AND PROCEDURE, SECTION 18-205 CRITERIA. (1) THE PLAN FOR THE PROPOSED BUILDING OR STRUCTURE IS NOT IN CONFORMITY WITH GOOD TASTE AND DESIGN AND IN GENERAL DOES NOT CONTRIBUTE TO THE IMAGE OF THE TOWN AS A PLACE OF BEAUTY, SPACIOUSNESS, BALANCE, TASTE, FITNESS, CHARM AND HIGH QUALITY.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

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

MOTION CARRIED 4-3.

Note: Due to project denial, for one year the applicant cannot submit the same plan. However, they can submit a completely different plan before the one-year time period.

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

MOTION SECONDED BY MS. DIVER.

ROLL CALL:

MR. ZUKOV YES

MS. DIVER YES

MR. FELDKAMP NO

MR. STRAWBRIDGE NO

MR. YOUCHAK NO

MR. SMITH YES

MR. WHEELOCK YES

MOTION CARRIED 4-3.

B35-07 /SE8-07 A/C & Utility Tower

Address: 760 North Ocean Blvd.

Applicant: Palm Beach Country Club

Architect: Peacock & Lewis

Project Description: New concrete vault for generator and fuel tank. The addition of air conditioners and a utility tower on the existing flat roof.

(The variance requests are to allow placement of a 7.6' tower and a 5.8' air-conditioning unit on a non-conforming structure with a height of 36' in lieu of 35' maximum allowed).

There were no ex parte communications disclosed regarding this project.

Attorney Frank Chopin, on behalf of the Palm Beach Country Club, explained that a special exception with a site plan review are requested to build a concrete vault to house the generator below grade. Secondly, they request a variance to place air-conditioning units on a flat roof having a height of 5.8' in lieu of 4'. The request for having a tower on the roof was withdrawn.

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

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

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

**MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B36-07 /V16-07 Demolition & New Residence

Address: 439 Worth Avenue
Applicant: David W. & Suzanne Frisbie
Architect: Dailey Janssen Architects
Project Description: Demolition of a two-story residence, pool and hardscape. Construction of a new three-story residence, pool, hardscape and landscape.
(Variances: 1. Lot area 6,648 sq. ft in lieu of 10,000 sq. ft. 2. Building height of 35' in lieu of 25'. 3. An overall building height of 39' in lieu of 35'. 4. Street rear setback of 19' in lieu of 25' 5. Three-story, single-family residence in lieu of a two-story. 6. 50' wide lot in lieu of 75').

Mr. Zukov, Mr. Wheelock and Mr. Feldkamp said they met with the architect and visited the site.

Architect Roger Janssen stated that the property is surrounded by condominiums. He presented photographs of the neighborhood and the existing house. The vegetation on the sides of the property will remain on the site. The architecture will be a Venetian style with an off-white stucco building, cast stone quoins and cast stone trefoils with a brick inlay over mahogany windows. The cornice and frieze will be heavy cast stone and the outlookers will be made of cypress wood.

Landscape Architect John Lang presented the preliminary landscaping plan. The plan will be tropical with gumbo limbo and cocoanut trees. Water features, lilly ponds and fountains will be added throughout the site.

This project was looked upon favorably by most of the Commission Members and it was thought the project warranted the variance request. On the other hand, it was stated that the architecture should be modern to fit-in with the surrounding condominiums.

Mr. Wheelock asked Mr. Lang to "lighten-up" on the landscaping because this building is worth seeing. He thought the variance request should be for the front yard setback rather than the rear yard giving room at the two-story garage for cars to turn around.

Mr. Frank read a letter from Nole D. Mason, 389 South Lake Drive, objecting to the variances requested for this project.

John Ripley, with the Preservation Foundation, stated that the existing house was examined for possible landmarking. They did not see anything architecturally worth saving. He said he came to the meeting today suspicious of the third-story. However, after looking at the project he felt that it does fit in with the neighborhood and they have no objection to the project.

**MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MR. ZUKOV.
OPPOSED BY MR. SMITH.
MOTION CARRIED 6-1.**

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

**MOTION BY MR. FELDKAMP TO RECOMMEND TO THE TOWN COUNCIL THAT THE
IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE
ARCHITECTURAL IMPACTS TO THE SUBJECT PROPERTY.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

B46-07 /V17-06 New Residence

Address: 601 Island Drive
Applicant: Premier Holding Group, LLC
Architect: The Lawrence Group
Project Description: Modifications to a previously approved Bermuda style house.
(The variance request is for a point of measurement, for height, of 9.0 feet in lieu of 7.5 feet required)

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

Attorney Tim Hanlon, representing the property owner, explained that the variance being requested is for a point of measurement. The hardship that runs with this property is the existing seawall and the existing swimming pool which they plan to keep. The seawall and swimming pool are about one foot higher than the 7.5 elevation that is required by the code. This point of measurement variance would allow a natural drainage flow of water toward the lake.

Architect Eugene Lawrence explained that project had been previously approved by ARCOM. The owners wanted to make major changes to the architecture. As a result, the project is being presented again with proposed changes.

The Commission's comments were as follows:

The fenestration changes made to the house look more massive than it did before.
Since this is a new house proposed for this lot, there is no hardship and it should meet the code.

The photographs that were presented helped to visualize the style of architecture, although the previous presentation was more interesting.

The windows on the front elevation are too close to the front door.

The horizontal transom above the entry was not appropriate for this house.

The original design was broken-up and looked less massive.

The architecture does not work with the balcony over the entrance, the shallowness of the entrance doors and the lack of relief along the front elevation.

The new presentation is very cold and the playfulness of the original proposal is lost.

The house is simple and elegant and if the wrought iron railing were removed from the top of the parapet wall, it would be even more tasteful.

If the owners want to keep the seawall and swimming pool, these are building obstacles that warrant variances.

The revised project is less interesting, but it is a good design.

MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE JUNE MEETING TO RESTUDY THE ARCHITECTURE.

MOTION SECONDED BY MR. FELDKAMP.

ROLL CALL:

MR. STRAWBRIDGE YES

MR. FELDKAMP YES

MR. ZUKOV NO

MS. DIVER YES

MR. YOUCHAK NO

MR. SMITH YES

MR. WHELOCK YES

MOTION CARRIED 5-2.

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

MOTION SECONDED BY MR. ZUKOV.

MR. SMITH OPPOSED.

MOTION CARRIED 6-1.

B47-07 /V15-07 Addition

Address: 239 Sanford Avenue
Applicant: Mr. James Palmer
Architect: Smith and Moore
Project Description: A 442 square foot second floor addition above an existing one story garage. (The variance request is to construct a second-story addition over an existing non-conforming garage with a side yard setback of 5.93 feet in lieu of the required 15 feet).

Mr. Youchak, Mr. Wheelock, Ms. Diver and Mr. Feldkamp said they met with the architect. Mr. Smith said he spoke to Mr. Palmer. He declared a Conflict of Interest because he lives next door to this project. He returned to the dias after review of this project.

Architect Harold Smith proposed a 442 s.f. master bathroom and closet addition above an existing one-story garage. He indicated that a side yard setback variance will be necessary to build this project. Ficus hedging and several tall trees exist on the lot that are sufficient for screening of the second floor addition.

It was stated that there are other solutions to add living space without adding to an existing non-conforming condition. It was also stated that after review of the plans this was the best location for the addition.

Architect Smith said they reviewed other options to locate the addition. He noted that at the proposed location, the addition would not impact the landscape/open space and lot coverage. But, if the addition were built anywhere else on the property, other variances would arise.

Attorney Maura Ziska, representing the applicant, explained that if the addition were set back to meet the zoning code, they would lose a garage bay to reinforce the second floor.

MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE JUNE MEETING FOR RESTUDY.

MOTION SECONDED BY MR. STRAWBRIDGE.

ROLL CALL:

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

MOTION CARRIED 5-2.

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

C. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B97-06 New Residence

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

This project was deferred from the November meeting as no one was present to represent the project. It was deferred from the December, January, February and March meetings for restudy. It was deferred from the April meeting as no revised plans were received prior to the meeting.

Mr. Frank stated that staff recommends deferral as the revised plans were not received by the deadline date for deferred projects.

**MOTION BY MR. FELDKAMP TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.**

B15-07 Landscape & Hardscape

Address: 252 Cherry Lane
Applicant: Bob and Sandy Brady
Landscape Architect: Jeff Houghtaling, JBD Design, Inc.
Project Description: Final planting plan for 252 Cherry Lane. (Hardscape layout and preliminary planting plan have been previously approved by ARCOM).

This project was deferred from the February and the April meetings at the landscape architect's request. This project was deferred from the March meeting for restudy.

Mr. Wheelock said he met with the landscape architect and the property owner, visited the site and spoke with the neighbor.

Landscape Architect Jeff Houghtaling presented the project.

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

B30-07 New Residence

Address: 248 Sandpiper Drive
Applicant: Double U.S., Inc.
Architect: Charles Toner Architect
Project Description: "Demolition of single family home and construction of a new replacement home. The new home shall be Bermuda/classical style with grey flat tile roof, stucco body and trim, light earth colors, Icynene whole house insulation and all exterior doors and windows shall be impact rated."

Demolition was approved at the April meeting and the review of the new residence was deferred for restudy.

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

Architect Charles Toner presented a contemporary style of architecture proposed for the new residence project.

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

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

D. NEW BUSINESS - MAJOR PROJECTS

B37-07 Renovation

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

Mr. Wheelock said he visited the site and spoke with the property owner.

Architect Richard Lija presented the project.

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

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

MOTION SECONDED BY MR. ZUKOV.

ROLL CALL:

MS. DIVER YES

MR. ZUKOV YES

MR. FELDKAMP	NO
MR. STRAWBRIDGE	NO
MR. YOUCHAK	NO
MR. SMITH	NO
MR. WHELOCK	YES

MOTION FAILED 4-3.

**MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. FELDKAMP.**

ROLL CALL:

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

MOTION CARRIED 5-2.

B38-07 Landscape

Address: 212 South Ocean Blvd.
Applicant: Wayne & Pamela Garrison
Landscape Architect: Sanchez & Maddux
Project Description: Final Landscape

Mr. Wheelock said he visited the site and spoke with the building architect.

Landscape Architect Jorge Sanchez presented the project.

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

B39-07 Storefront

Address: 225 Worth Avenue
Applicant: LCI Holdings, Inc. /Juicy Couture
Architect: Joseph Pilowski
Project Description: New fabric over existing awnings, storefront glazing change and company name signage.

Architect Joseph Pilowski presented the project.

**MOTION BY MR. ZUKOV TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. STRAWBRIDGE.**

SUBSTITUTE MOTION BY MR. SMITH TO APPROVE THE PROJECT WITH THE PROVISION TO ELIMINATE THE RIVETS (ON THE FRAME WORK), WITH THE “DRAGONS BREATH” AWNING COLOR, ELIMINATE ONE LOGO AND WITH NO SCALLOPS ON THE AWNING.

MOTION SECONDED BY MR. YOUCHAK.

ROLL CALL:

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

MOTION CARRIED UNANIMOUSLY.

MOTION CARRIED 6-1.

B41-07 Landscape

Address: 230 Atlantic Ave.
Applicant: Lot 23-25 Orange Grove Park, LLC
Landscape Architect: Louis Vlahos
Project Description: Landscape

Mr. Wheelock said he visited the site.

Landscape Architect Louis Vlahos and Building Contractor Bud Palmari presented the project.

**MOTION BY MR. STRAWBRIDGE TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

B42-07 Landscape

Address: 159 Sunset Ave.
Applicant: 159 Sunset Avenue, LLC
Landscape Architect: Louis Vlahos
Project Description: Landscape

Mr. Wheelock said he visited the site.

Landscape Architect Louis Vlahos and Building Contractor Bud Palmari presented the project.

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

B43-07 Demolition & New Residence

Address: 569 Island Drive
Applicant: Sarah P. and Frederic B. Asche, Jr.
Architect: Smith and Moore
Project Description: Demolition of existing one-story residence. Construction of a new, two-story Mediterranean residence with clay barrel tile roof.

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

Architect Jon Moore and Ted Saung presented the project.

**MOTION BY MS. DIVER TO APPROVE THE PROJECT WITH THE PROVISIONS TO CHANGE THE OVERHANG ON THE ONE-STORY FEATURE AND THE GUEST ROOM FEATURES, REMOVE THE FENCE ACROSS THE FRONT, ADD WROUGHT IRON OVER THE FIRST FLOOR POWDER ROOM WINDOW, REDUCE THE HEIGHT OF THE PIERS TO FOUR-FEET HIGH AND TO USE A MUTED WINDOW FRAME COLOR.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

B44-07 Demolition & New Residence

Address: 115 Nightingale Trail
Applicant: David Khoury and Aubrey Henderson
Architect: Smith and Moore
Project Description: Demolition of an existing residence and construction of a new two-story Georgian/Colonial style home.

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

Architect Harold Smith presented the project.

MOTION BY MR. FELDKAMP TO APPROVE THE PROJECT WITH THE PROVISIONS TO MOVE THE GARAGE FOUR FEET TO THE EAST, RESTUDY THE ENTRY PEDIMENT, (POSSIBLY ADD A TRANSOM LITE), CHANGE THE ROOF AND BUILDING COLOR ON THE ACCESSORY BUILDING TO MATCH THE MAIN HOUSE AND ELIMINATE THE GARAGE DOOR.

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED UNANIMOUSLY.

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

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

B45-07 Addition

Address: 2255 Ibis Isle Road West
Applicant: Bruce and Tamara Watkins
Architect: Blue Minges
Project Description: New master bed & bath to match existing Ranch architecture.

Architect Blue Minges presented the project.

MOTION BY MR. ZUKOV TO APPROVE THE PROJECT AS PRESENTED WITH THE PROVISION TO TOTALLY SCREEN THE ADDITION FROM THE ROAD.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

E. DEFERRALS AND CONTINUATIONS MINOR PROJECTS

A3-07 Decorative Elements

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

This project was deferred from the April meeting.

Chairman Wheelock announced that staff recommends deferral of this project.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

F. NEW BUSINESS - MINOR PROJECTS

A5-07 Cabana

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

Mr. Wheelock said he was contacted by a neighbor to this project.

Mr. Frank said that staff's recommendation is to change this to a major project so that it could be advertised to the neighbors.

**MOTION BY MR. SMITH TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

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

Chairman Wheelock stated, at the Town Council's request, that ARCOM have a discussion on the question of "S" roofing tile vs. barrel tile.

Mr. Smith was asked by the Town Council, why has "S" tile roofing material been approved in the past? He responded that as long as his tenure on ARCOM, "S" tile has never been approved. He thought that it may be due to hurricane damage and the owner's could not wait for barrel tile roofing to be delivered. Another possibility, developers may be replacing the roofing material in the field.

MOTION BY MR. SMITH TO HAVE A WRITTEN POLICY TO USE ONLY REAL CLAY BARREL TILE ROOFING MATERIAL, NOT CONCRETE AND NOT "S" TILE AND IF THOSE ARE PROPOSED IT NEEDS TO BE BROUGHT TO ARCOM'S ATTENTION AT THE MEETING AND THAT IF STAFF SEES ANY BUILDING GOING UP WITH EITHER CONCRETE "S" OR CONCRETE BARREL, OR "S" TILE AT ALL, THAT THE PROJECT SHOULD BE RED-TAGGED IMMEDIATELY AND BROUGHT BACK TO ARCOM.

Discussion: It was commented that the Town Council was put in an awkward position when the L'Ermitage Condominium appealed ARCOM's decision to deny "S" tile roofing material. It was agreed that ARCOM should be consistent when approving roofing material.

Mr. Frank noted the current policy is to approve existing roofing material. If the building has "S" tile, and it needs to be replaced, "S" tile would be approved of similar or higher quality. It was stated that if an application to replace existing "S" tile comes before staff for approval, they either upgrade to a barrel tile or they come to ARCOM for approval of the "S" tile.

**MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

IX. ADJOURNMENT

**MOTION BY MR. STRAWBRIDGE TO ADJOURN THE MEETING AT 5:01 P.M.
MOTION SECONDED BY MR. ZUKOV.
MOTION CARRIED UNANIMOUSLY.**

The next meeting of the Architectural Commission will be held on June 27, 2007 at 9:00 a.m.

Respectfully submitted,



Morgan Dix Wheelock, Chairman

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

LAST NAME—FIRST NAME—MIDDLE NAME SMITH JEFFERY W		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM
MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY PALM BEACH	COUNTY FL	☒ 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.

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, Jeffery W. Smith, hereby disclose that on May 23, 2007, 19

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

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

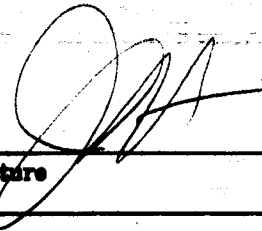
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I LIVE AT 241 SANFORD AVE. MY NEIGHBOR TO THE EAST AT 239 SANFORD WANTED A VARIANCE TO BUILD INTO THE TOWN SET BACK ADJOINING MY PROPERTY. THE SETBACK IS 15' AND HIS REQUEST WAS TO BUILD 5' FROM MY PROPERTY. IF GRANTED THIS WOULD BE A LOSS OF MY PROPERTY VALUE.

Date Filed

10/23/07

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

Depd Simon B47-01 241 Sanford

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

ST NAME—FIRST NAME—MIDDLE NAME SMITH JEFFERY W		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ARCOM	
MAILING ADDRESS 241 SANFORD AVENUE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH	COUNTY FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 5/23/07		NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

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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.

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

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(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
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Date Filed

[Signature]
Signature

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