



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION WEDNESDAY, MAY 22, 2002 TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I CALL TO ORDER

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

II ROLL CALL

PRESENT:

John H. Schuler, Chairman
Floyd L. Wideman, Jr., Vice Chairman
Eric Adams, Member
Marvin Rosenberg, Member
Lindley M.F. Hoffman, Member
Morgan Dix Wheelock, Member
William J. Strawbridge Jr., Alternate Member
Nikita Zukov, Alternate Member (* arrived at 12:00 p.m)
Leslie C. Diver, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director Planning, Zoning & Building
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

*Note: Mr. Zukov's attendance was counted as a full meeting attendance due to transportation difficulties).

ABSENT:

Leslie A. Shaw, Member (Unexcused)

III PLEDGE OF ALLEGIANCE

Chairman Schuler led the Pledge of Allegiance

IV. SWEARING IN PERSONS TESTIFYING.

Persons testifying were sworn in periodically throughout the meeting.

V APPROVAL OF THE MINUTES FROM THE APRIL 24, 2002 MEETING

MOTION BY MR. WIDEMAN TO APPROVE THE MINUTES.

MOTION SECONDED BY MR. WHEELLOCK.

MOTION CARRIED UNANIMOUSLY.

VI STAFF COMMENTS

The Town Attorney discussed Sec. 18-166. Membership; appointment; “registered architects.”

Mr. Randolph commented that after review of the language of the code referencing section 18-146, Division 2. (a), he concluded that “registered architects” did not include landscape architects with regard to the state statutes. Mr. Moore stated that staff will review the current membership situation and propose a solution to the Town Council.

VII PROJECT DEFERRALS

B21-02 Addition

Applicant:	Robert and Elaine Postal
Address:	20 Sloan’s Curve Drive
Architect:	Giacomelli Architecture, Inc.
Project Description:	Partial second floor addition over existing garage and dining addition in the first floor.

This project was deferred from the May meeting at the architect’s request. The architect requested deferral of the project to the June meeting.

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

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

VIII PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS MAJOR PROJECTS

B84-01 New Residence

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

This project was deferred from the October and December meetings by staff, deferred from the November meeting for lack of representation, deferred from January, February and March meetings at the architect's request and deferred from the April meeting for restudy.

Dr. Rosenberg and Mr. Hoffman said they met with the applicant and visited the site. Mr. Wideman said he met with the owners. Mr. Wheelock said he met with the owner's son and visited the site.

Architect Joel Johnson described the revised project as simplified with a lower entry feature and a lower roof pitch.

Landscape Architect Bart Cook presented the preliminary landscape design.

The Commission commented that the project was an improvement, but additional design changes could be made for further improvement. The windows over the front door at the two-story entry, the windows protruding above the eave line, and the long roof slope on the west elevation were elements that were thought may require further design study. It was pointed out that the drawings were not detailed enough to indicate of the use of building materials or what the final appearance will be. It was stated that the neighborhood is in transition and the positive changes were appreciated, but if some of these suggested design changes will be incorporated, the owner will be very proud and happy with the final project.

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

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

Michael Civitella addressed the Commission and spoke in support of this presentation.

B15-02 Addition

Applicant: Norman and Homa Bahary
Address: 168 Kings Road
Architect: Robert Kolony
Project Description: Existing one story "Regency" residence. Proposed: To add partial second story and change architectural style to Mediterranean. Increase front yard green space.

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

Mr. Wheelock said he drove by the site.

Architect Robert Kolony and Design Assistant Tim Dart presented the project.

The Commission felt that the project had done a turn around in terms of embellishment. The presentation last month had less ornamentation on the building, and instead of taking away cast stone decoration and busy details, more were added.

**MOTION BY MR. HOFFMAN TO DEFER THE PROJECT TO THE JUNE MEETING.
MOTION SECONDED BY MR. WHEELOCK.
MOTION CARRIED UNANIMOUSLY.**

B29-02 New Residence

Applicant: D.L.K.K., L.L.C.
Address: 589 North County Road
Architect: Phoenix Architecture
Project Description: New residence with a detached carriage garage.

This project was deferred from the April meeting for restudy.

Ms. Diver, Mr. Wideman, Mr. Schuler, Mr. Hoffman and Mr. Adams said they met with the architect. Mr. Wheelock said he visited the site two months ago.

Architect Lynn McColl presented a scale model and indicated the changes that had been made to the project.

It was asked that the architect remove the stone decoration above the door on the west elevation.

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

B32-02 Additions and Renovations

Applicant: Mr. and Mrs. Jim Grau
Address: 121 Woodbridge Road
Architect: The Pandula Architects
Project Description: Additions and renovations to a two-story residence and facade revisions.

This project was deferred from the April meeting for restudy.

Mr. Wideman said he met with the architect and discussed the plans.

Architect Eugene Pandula stated the fenestration was reformatted on this house. The Commission agreed that the project was cleaned up, simplified, and quite acceptable.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT AS PRESENTED WITH
A REQUEST TO BRING BACK A LANDSCAPE PLAN.**

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B. NEW BUSINESS - MAJOR PROJECTS

B37-02 Demolition & New Residence

Applicant: Peter W. Henderson, Jr.
Address: 238 Plantation Road
Architect: Smith & Moore Architects
Project Description: Demolition of existing residence and construction of a new two-story West Indies style residence.

Ms. Diver said she visited the site. Mr. Hoffman and Mr. Adams said they met with the architects. Mr. Wheelock said he met with a neighbor, met with the architects, and visited the site.

Architect Harold Smith stated that the house was designed by Architect Agnes Ballard in 1954. The structure shows signs of settlement.

**MOTION BY MR. ADAMS TO APPROVE THE DEMOLITION WITH THE
PROVISION TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 90 DAYS.**

MOTION SECONDED BY MR. WIDEMAN.

MOTION CARRIED UNANIMOUSLY.

Architect Harold Smith and Project Manager Ted Saung presented the project.

Mr. Frank read a letter from Mrs. Maximilian A. Crispin, 241 Plantation Road, objecting to a two-story home across the street from her residence.

It was thought that the centered two-story section, with one-story wings, was designed with consideration to the neighbors.

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

B38-02 Demolition & New Residence

Applicant: Three Development Company
Address: 232 Garden Road
Architect: Smith & Moore Architects
Project Description: Demolition of existing residence and construction of a new two-story Georgian style residence with a two-car garage and pool.

Ms. Diver said she visited the site. Mr. Hoffman, Mr. Wideman, and Mr. Adams said they met with the architect. Mr. Wheelock said he met with the architect and visited the site.

Architect Jon Moore explained that the house was built in 1951 for Mr. Frederick Geier. The architect of record was Agnes Ballard. The house has no historical significance.

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

Architect Jon Moore presented the Georgian style residence to the Commission. The alley to the rear of the property will be used to access the two car garage. A circular driveway will be located at the front of the property. The total square footage of the house will be 6,100, with a lot coverage of 26.5%. The color scheme of the building will be beige walls, blue shutters and a Mahogany front door.

It was thought that the windows were not proportionately typical of the Georgian style. It was commented that the hardscape materials including the fountains and paths were overly ornate and formal for the size of the house.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT SUBJECT TO
MODIFYING THE WINDOW DESIGN AS DISCUSSED, (WIDEN THE WINDOWS TO
BE MORE IN PROPORTION), THE MEDALLION WINDOW FEATURE, ABOVE THE
FRONT DOOR, TO BE REVISED SUBJECT TO STAFF REVIEW, HEAVY UP THE**

**COLUMNS, AND REVISE THE CHIMNEY TO HAVE A FLAT TOP.
MOTION SECONDED BY MR. WIDEMAN
MR. ADAMS OPPOSED.
MOTION CARRIED 6-1.**

B39-02 Demolition

Applicant: Mr. and Mrs. Christopher Larmoyuex
Address: 217 Tangier Avenue
Architect: Smith & Moore Architects
Project Description: Demolition of existing residence.

Ex-parte communications were not announced, but Mr. Wideman indicated on his Ex-parte Communication form that he met with the architect. Ms. Diver and Mr. Wheelock indicated on their forms that they visited the site.

Architect Jon Moore described the existing home as a one-story ranch style that was designed by Byron Simonson in 1953.

Mr. Schuler read a letter from Elizabeth F. Green, 225 Tangier Avenue, concerning the flooding on Tangier Avenue which she thought may worsen with new construction.

Mr. Frank read a letter from Bob Moore to Ms. Green, stating that new construction will retain the first two inches of water on the property.

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

B40-02 Demolition

Applicant: Teresa Gilder
Address: 313 Dunbar Road
Architect: Smith & Moore Architects
Project Description: Demolition of existing residence and pool.

Ms. Diver and Mr. Wheelock indicated that they visited the site. Mr. Wideman said he met with the architect.

Architect Harold Smith presented photographs of the existing 3,369 square foot home. He said the home was designed by Architect John Stetson in 1956. The house is in poor condition and exhibits no historical significance.

Ms. Joann Paull, 309 Dunbar Road, addressed the Commission and voiced her objection to a very large replacement house. She hoped that, because the lot has an irregular shape, the Commission and the Council will be very strict about approving any variance requests.

MOTION BY MR. ADAMS TO APPROVE DEMOLITION WITH THE PROVISION TO KEEP THE HEDGES ON THE NORTH AND THE NORTH EAST SIDES OF THE PROPERTY, REMOVE THE HEDGE ON THE WEST SIDE, AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 30 DAYS.

MOTION SECONDED BY MR. WHEELLOCK.

MOTION CARRIED UNANIMOUSLY.

Note: Mr. Zukov was in attendance at this time. Mr. Schuler announced, that in accordance with Mr. Randolph's comments earlier in the meeting, Mr. Zukov will be a voting member for the remainder of the meeting. Because he is a registered architect, this would complete the ordinance requirement of having two registered architects voting members.

B41-02 Addition

Applicant: Leo & Edie Balestrieri
Address: 271 La Puerta Way
Architect: Shane Ames
Project Description: Add 200 sf on first floor consisting of foyer, bathroom and laundry room.
Add 432 sf on second floor consisting of living space, bedroom, bathroom, and walk in closet. Relocation of garage on the first floor.

Ms. Diver stated that she visited the site.

Architect Shane Ames presented the project. The existing house is brick that has been painted white. The additions will match the existing architecture.

Dr. Jess Rhodes, 1178 North Lake Way, addressed the Commission. He was concerned that the addition with a second floor window may be very close to his property because he had a set-back variance granted several years ago.

MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE PROVISION TO ADD A WINDOW IN THE GARAGE.

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

B42-02 Demolition & New Residence

Applicant: Mr. Malcolm McCluskey
Address: 220 Mockingbird Trail
Architect: SKA Architect & Planner
Project Description: Demolition of existing single story house. New single story residence to be approximately 5,000 square feet.

Ms. Diver, Mr. Wideman, Mr. Hoffman and Mr. Adams said they met with the architect. Mr. Wheelock said he met with the architect and visited the site. Mr. Schuler spoke with the architect on the telephone.

Architect Pat Seagraves presented photographs of the existing residence and said it was built in 1940 for Antoinette Johnson. The architect of record was George S. Brockway and the contractor was E.V. Roddy and Sons. Landscape Architect Steven Dauber presented a preliminary perimeter landscape plan

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

Architect Pat Seagraves presented the project of a new single-story, Bermuda style residence.

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

B43-02 New Residence

Applicant: Troy and Deborah Maschmeyer
Address: 180 Canterbury Lane
Architect: SKA Architect & Planner
Project Description: New two-story Mediterranean single family residence.

Mr. Wheelock said he visited the site.

Architect Jackie Albarran stated that this project was reviewed and approved by ARCOM last year. A few minor changes were made from the previous presentation.

It was asked that the property owner take the opportunity to pave the entry section of Canterbury Lane and treat it as part of the hardscape plan.

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

B44-02 Addition

Applicant: Kane and Mary Baker
Address: 1246 North Lake Way
Architect: SKA Architect & Planner
Project Description: Two-story addition to an existing two-story residence.

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

Architect Jackie Albarran said this project was presented a year ago. The front elevation will be exactly the same, but the footprint was moved forward on the lot.

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

B45-02 Additions & Site Revisions

Applicant: Carol Simmons Rathborne
Address: 201 Banyan Road
Architect: Dailey & Partners Architects
Project Description: New one-story loggia and two-story bedroom additions; new pool, decks, driveway, curb cuts, and landscaping; new front door entry; remove existing pool and decks.

Mr. Wheelock said he visited the site. Mr. Schuler said he met with the architect.

Architect Rodger Janssen said the site will be redone including the removal of the swimming pool.

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

B46-02 Addition

Applicant: Stefan B. Richter & Nancy R. Richter
Address: 159 Dunbar Road
Architect: Samuels Richter Architects
Project Description: Two-story addition at rear of home.

Ex-parte communications were not announced regarding this project and there were none indicated on the Ex-parte Communication forms.

Mr. Frank stated the plans were not dimensioned and not complete enough to determine if they met the zoning code, but they do meet all of the set-back requirements. Mr. Frank withdrew his recommendation to defer this project to the June meeting as he was confident they would comply with all of the zoning codes.

Property Owner Stefan Richter stated that his architect, who is also his sister-in-law, was unable to attend the meeting and he wanted to go ahead with the project.

**MOTION BY DR. ROSENBERG TO HEAR THE PRESENTATION FROM THE OWNER AND IF THERE APPEARS TO BE SOME TECHNICAL ISSUES THAT REQUIRES AN ARCHITECTURAL RESPONSE, THEN IT WILL BE DEFERRED.
MOTION SECONDED BY WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

Mr. Richter presented the elevation drawings. He said the addition will be located at the rear of the property. There are ficus trees which will obscure the view of the westerly neighbor. It was felt that the window sizes and shutters needed to be restudied. It was stated that if shutters cannot be placed on both sides of the windows, then the shutters should be eliminated. Mr. Richter agreed to add shutters to windows that only had one shutter. He also agreed to remove one of the small windows in the second floor bathroom.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE PROVISION TO DELETE THE SHUTTERS AND MAKE THE WINDOW SIZES CONSISTENT WITH THE OTHER ELEVATIONS TO BE REVIEWED BY MR. FRANK.
MOTION DIED FOR LACK OF A SECOND.**

**MOTION BY MR. ADAMS TO DEFER THE PROJECT TO THE JUNE MEETING FOR RESTUDY.
MOTION SECONDED BY MR. HOFFMAN.
DR. ROSENBERG OPPOSED.
MOTION CARRIED 6-1.**

B47-02 Demolition

Applicant: Windsor Homes, Ltd.
Address: 253 Ridgeview Drive
Architect: Dailey & Partners Architects
Project Description: Demolition of existing building

Mr. Wheelock said he visited the site.

Attorney Peter Broberg presented photographs of the existing home and stated that it was designed by Paul Kohler in 1951.

MOTION BY MR. ADAMS TO APPROVE THE DEMOLITION WITH THE PROVISION TO RETAIN THE PARAMETER LANDSCAPING AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 30 DAYS.

MOTION SECONDED BY MR. ZUKOV.

MOTION CARRIED UNANIMOUSLY.

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A20-02 Landscape, Hardscape and Lighting

Applicant: Mr. and Mrs. Dan Lerner
Address: 1157 North Lake Way
Architect: Mario Nievera Design
Project Description: Proposed hardscape, landscape.

This project was deferred from the April meeting for restudy. The architect withdrew the landscape lighting portion of the project.

Mr. Wideman said he met with the architect. Mr. Wheelock said he visited the site.

Landscape Architect Mario Nievera presented elevation drawings of the revised hedge along the front of the property.

MOTION BY MR. ADAMS TO APPROVE THE ORIGINAL PLANS AS PRESENTED LAST MONTH.

MOTION SECONDED BY MR. WIDEMAN.

MR. WHEELOCK OPPOSED.

MOTION CARRIED 6-1.

D. NEW BUSINESS - MINOR PROJECTS

A21-02 Landscape & Hardscape

Applicant: Richard True
Address: 230 El Pueblo Way
Contractor: Armstrong Landscape & Design Group
Project Description: New landscape and hardscape

Mr. Wheelock said he visited the site.

Landscape Designer Bruce Armstrong presented the project.

The Commission asked Mr. Armstrong to change two majool trees to cocoanut palm trees at the street. They also requested that, if they desire to retain the amount of hardscape that is proposed, to add interceptor drains across the driveway and possibly add a receiver/exfiltration system underneath the driveway.

**MOTION BY MR. ADAMS TO APPROVE THE PROJECT WITH THE
REQUIREMENT OF THE ADDITIONAL RETENTION AND DRAINAGE SYSTEM,
AND TO USE COCOANUT PALM TREES IN THE FRONT OF THE PROPERTY.
MOTION SECONDED BY MR. WIDEMAN.
MOTION CARRIED UNANIMOUSLY.**

A22-02 Window and Railings Revisions

Applicant: Redpath Investment Corp.
Address: 437 Chilian Avenue
Architect: SKA Architects
Project Description: Change a window in rear of building. Change railings on house balconies.

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

Architect Pat Seagraves said that the house is under construction. A window and a balcony railing were not built according to the plans. Mr. Frank was asked to approve the window at the staff level, but suggested that it come to the Commission for approval. He stated that the window is at the rear of the house and cannot be seen by any of the neighbors. His client wanted the two story space in the living room to have a larger window at the second floor level.

It was the consensus of the Commission that when changes are made in the field without any type of ARCOM approval, they should not be allowed to go ahead with the project, and they should be stopped one way or another.

Realtor Heidi Cole, representing the applicant, commented that she thought the changes were not done intentionally. It was her understanding that there were two sets of drawings. One set of drawings were on the job site, and another set, indicating the window and balcony revisions, were in the builder's office. She said the builder was not aware that the set he had in his office was not the same as what was in the field and they were all working off of the office copy. They want to sell the house, but cannot without a Certificate of Occupancy. She indicated that it would be a great hardship to replace the window at this time.

Mr. Frank said the drawings that are to be used have the town's stamp of approval, and these plans were changed in the field. This developer has made changes in the field with past projects such as substituting full clay barrel tile roofing material with clay "S" tile roofing material.

Mr. Seagraves said he was asked to change the window in the back sometime after the plans were approved by ARCOM. He was not sure how the engineering was changed relative to the window. He intended to get the change approved administratively, but Mr. Frank did not feel comfortable approving the window.

After discussion relative to the time frame when the architect was asked to revise the drawings, it was discovered the drawings were dated a month ago. Therefore, it was thought that the window was built before the revised plans were drawn.

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

MOTION SECONDED BY MR. ADAMS.

MOTION CARRIED UNANIMOUSLY.

A23-02 Landscape & Hardscape

Applicant: Harry Brown
Address: 130 Peruvian Avenue
Contractor: Royal Landscaping
Project Description: Landscape and hardscape

Mr. Wheelock said he visited the site.

Landscape Architect Gerald Turner presented the project. He reviewed the site plan which indicated that a twenty-foot privacy wall will be constructed. The driveway paver material will be old Chicago brick and the pool patio area will have coquina stone pavers.