# TOWN OF PALM BEACH

Planning, Zoning & Building Department

## MINUTES OF THE ARCHITECTURAL REVIEW COMMISSION
## WEDNESDAY, APRIL 24, 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
Leslie A. Shaw, Member
Lindley M.F. Hoffman, Member
Morgan Dix Wheelock, Member
William J. Strawbridge Jr., Alternate Member
Nikita Zukov, Alternate Member
Leslie C. Diver, Alternate Member
John C. Randolph, Town Attorney
Veronica Close, Assistant Director Planning, Zoning & Building
Timothy M. Frank, Planning Administrator
Gretchen Dayton, Recording Secretary

ABSENT:

Robert L. Moore, Director Planning, Zoning & Building

### III PLEDGE OF ALLEGIANCE

Chairman Schuler led the Pledge of Allegiance.

## IV. APPROVAL OF THE MINUTES FROM THE MARCH 27, 2002 MEETING.

**MOTION BY MR. WIDEMAN TO APPROVE THE MINUTES.**
**MOTION SECONDED BY MR. WHEELOCK.**
**MR. HOFFMAN ABSTAINED.**
**MOTION CARRIED 6-1.**
(Mr. Hoffman was absent from the March meeting).

## V. SWEARING IN PERSONS TESTIFYING.

Persons testifying were sworn in periodically throughout the meeting.

Chairman Schuler explained that "call buttons" were added to the dias so that the chairman would be aware of a commissioner who wishes to be recognized for comments. After discussion, it was agreed to continue with the procedure of the chairman calling on each of the members for comments.

**MOTION BY DR. ROSENBERG TO CONTINUE WITH THE FORMAT OF THE CHAIRMAN SELECTING THE SEQUENCE OF THE MEMBERS OF THE COMMISSION TO SPEAK.**
**MOTION SECONDED BY MR. SHAW.**
**MOTION CARRIED UNANIMOUSLY.**

## VI. PROJECT DEFERRALS/REMOVALS

**B91-01 New Residence**

| | |
|---|---|
| Applicant: | 447 Primavera Way, L.C. |
| Address: | 447 Primavera Avenue |
| Architect: | Phoenix Architecture, Inc. |
| Project Description: | New two-story Mediterranean style residence. |

Staff deferred this project from the December meeting. It was deferred from the January and February meetings for review by the Town Council. The architect requested deferral from the March meeting and removal from the April agenda.

**B15-02 Addition**

| | |
|---|---|
| Applicant: | Norman and Homa Bahary |
| Address: | 168 Kings Road |
| Architect: | Robert Kolany |
| 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.

The architect requests deferral to the May meeting.

**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. |

The architect requests deferral to the May meeting.

**MOTION BY MR. WIDEMAN TO REMOVE ITEM NUMBER B91-01 AND TO DEFER ITEM NUMBERS B15-02 AND B21-02 TO THE MAY MEETING.**
**MOTION SECONDED BY MR. SHAW**
**MOTION CARRIED UNANIMOUSLY.**

## VII. 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.

Mr. Zukov and Mr. Wheelock indicated that they visited the site.

Architect Joel Johnson introduced the applicant's son, William Civitella, and presented a two-story Modern/Mediterranean style residence.

Mr. Civitella stated that as a result of the development of surrounding properties, severe flooding occurred to his family's property. The house had to be demolished and now they wish to rebuild.

The Commission felt that the project was completely out of character with the neighborhood. It was stated that the house was disproportionate with the architectural design. The architect did not have landscape plans or a street scape drawing for the presentation.

**MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE MAY MEETING FOR RESTUDY.**
**MOTION SECONDED BY MR. WHEELOCK.**
**MOTION CARRIED UNANIMOUSLY.**

**B13-02 Guest House**

| | |
|---|---|
| Applicant: | Martin and Audrey Gruss |
| Address: | 1574 South Ocean Boulevard |
| Architect: | Bridges, Marsh & Carmo |
| Project Description: | One-story Mediterranean style casita, barrel tile roof, stucco finish. |

This project was deferred from the February meeting for restudy. It was deferred from the March meeting at the architect's request.

No one was present when this project was announced.

**MOTION BY MR. SHAW TO REMOVE THE PROJECT FROM THE AGENDA.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

**B2-02 New Residence**

| | |
|---|---|
| Applicant: | 251 Jungle Road, Inc./William D. Elias |
| Address: | 251 Jungle Road |
| Architect: | Smith and Moore Architects |
| Project Description: | New two-story French country style residence. |

This project was deferred from the January meeting for restudy. No action was taken at the February meeting pending Town Council approval. It was deferred from the March meeting at the architect's request.

Ms. Diver, Mr. Zukov and Mr. Hoffman stated they met with the architect and discussed the project. Mr. Adams and Mr. Wheelock stated they met with the architect and discussed the project, and visited the site.

This project was reviewed at the February meeting, but no formal action was taken until the Town Council issues were resolved.

Ms. Close stated that this project did received Town Council approval.

Chairman Schuler advised that he responded to a letter received from Mr. Alfred Slifta in reference to this project.

Developer/Building Contractor William Elias addressed the Commission.

Architect Harold Smith presented a scale model of the project.

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

Mr. Frank stated that there was a request of the commission to consider hearing item number B18-02 at the beginning of the agenda because Mrs. Floyd had a conflict with her schedule.

**MOTION BY MR. WIDEMAN TO HEAR ITEM NUMBER B18-02 AT THE BEGINNING OF THE AGENDA UNDER PROJECT REVIEW.**
**MOTION SECONDED BY MR. WHEELOCK.**
**MOTION CARRIED UNANIMOUSLY.**

**B18-02 New Residence**

| | |
|---|---|
| Applicant: | Raymond and Maria Floyd |
| Address: | 322 Plantation Road |
| Architect: | Smith and Moore Architects, Inc. |
| Project Description: | Construction of a new two-story residence. |

Demolition was approved and review of the new residence was deferred at the March meeting.

Ms. Diver and Mr. Zukov said they met with the architect and discussed the plans. Mr. Schuler and Mr. Hoffman said they spoke with the architect on the phone. Mr. Wheelock said he met with the architect and the attorney and visited the site. Mr. Adams and Mr. Wideman indicated that they met with the architect and the contractor.

Architect Harold Smith stated that the lot size is 30,369 s. f. and the house will be 13,000 s. f. having a lot coverage of 29% and a landscaped area of 51%. The style is Bermuda with white trim, yellow stucco walls, Chippendale style railings and impact resistant glass windows. After discussion Mr. Smith agreed to bury a chain link fence in a ficus hedge along the bike trail.

**MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT AS PRESENTED AND WITH THE CONDITION TO ERECT A CHAIN LINK FENCE IN A FICUS HEDGE ALONG THE BIKE TRAIL.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

**B20-02 Modifications**

| | |
|---|---|
| Applicant: | Sidney Speigel |
| Address: | 50 Cocoanut Row |
| Architect: | Harry Rothstein |
| Project Description: | Install Victorian style dryvit trim around the roof perimeter of the slat house, similar to the adjacent buildings on the premises. A curve capital is to be applied to the top of the columns. Color to match the new paint scheme. |

This project was deferred from the March meeting for restudy.

No one was present at the time this item was announced.

**MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE MAY MEETING.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

It was advised that the representative was out of the room at the time the project was called.

**MOTION BY MR. WIDEMAN TO RETURN ITEM NUMBER B20-02 TO THE AGENDA.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

This project was heard after item number B22-02.

Mr. Wheelock indicated that he visited the site.

Representative Robert Spiegel stated that 16" crown molding was added to the Slat House and that the building colors were changed.

Mr. Wideman recalled from the last meeting that the entire plaza was to be presented and not just the Slat House. Mr. Spiegel said the Slat House is a separate building from the plaza. They do not plan to paint the buildings in the plaza any further at this time.

Mr. Shaw stated that there was no similarity between the Slat House and the Royal Poinciana Plaza buildings.

Chairman Schuler read the motion from last month's meeting which stated "the commission must see the whole concept of the project, (including the proposed changes to the plaza), before they can approve making embellishments on this building and determine how they will fit in with each other."

Mr. Shaw thought that the commission wanted a confirmation whether this was just a stepping stone to further changes to the plaza or not.

Mr. Spiegel agreed that the plaza will not be changed. He presented photographs of the slat house and stated that the building was painted a terra cotta color. The raised trim area, (between the first and second floors), and the crown molding were painted a light beige color.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT, NO PROBLEM AND NO REASON TO DENY ADDING THESE ENHANCEMENTS TO THIS UNIQUE STRUCTURE, THE STAND ALONE STRUCTURE, THAT DOES NOT RELATE TO THE REGENCY CONCEPT OF THE BALANCE OF THE PROJECT.**

Under discussion, it was distinguished that the building colors were two shades of coral. The building will be the darker color, and the trim, columns, and capitals, will be the lighter shade.

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

## B. NEW BUSINESS - MAJOR PROJECTS

**B22-02 Modifications**

| | |
|---|---|
| Applicant: | Mr. and Mrs. Christopher Meigher, III |
| Address: | 226 Coral Lane |
| Architect: | Lee Kvarnberg |
| Project Description: | Add new entry, add fireplace and chimney, re-frame center portion of roof (changes ridge height and profile to allow spanning from wall to back wall), change columns, add French doors, and replace all windows with hurricane rated units. |

Mr. Zukov, Mr. Shaw, Mr. Wideman, Mr. Schuler, Mr. Hoffman, Mr. Adams, Mr. Strawbridge and Mr. Wheelock, (visited the site), stated that they met with the architect and reviewed the plans.

Architect Lee Kvarnberg presented the new entry addition and modifications to this house.

The architect was congratulated for taking a nondescript house and giving it some character.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISO TO EXPLORE EXTENDING THE WINDOW TO THE GROUND ON THE FRONT ELEVATION, AND TO EXTEND THE SHUTTERS ON THE EAST ELEVATION.**
**MOTION SECONDED BY MR. ADAMS**
**MOTION CARRIED UNANIMOUSLY.**

**B23-02 Addition**

| | |
|---|---|
| Applicant: | Marvin H. Davidson |
| Address: | 1285 North Ocean Blvd. |
| Architect: | WINDIGO Architect |
| Project Description: | One story guest bedroom suite over existing one story garage. Existing house example of ranch style built around 1955. Proposed addition exterior predominantly finished with painted stucco walls and cement tile roof matching existing house. |

Mr. Zukov stated that he visited the site.

Architects Lou Goodman and David Spence distributed project booklets to the Commission.

The Commissioner's felt that the new windows were too close to the eave line and the architects agreed to lower the windows 5". It was also agreed to remove the sections of clapboard siding.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISO TO DROP THE WINDOWS, TO USE ALL STUCCO, AND TO PAY ATTENTION TO THE LANDSCAPING, (FOR SCREENING).**
**MOTION SECONDED BY DR. ROSENBERG.**
**MOTION CARRIED UNANIMOUSLY.**

**B24-02 Renovation & Addition**

| | |
|---|---|
| Applicant: | Mr. Robert L. Rewey, Jr. |
| Address: | 810 South Ocean Boulevard |
| Architect: | SKA Architect and Planner |
| Project Description: | Renovation and addition of existing two-story Bermuda style main house. |

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

Architect Pat Seagraves stated that they plan to add to the kitchen and family room, and to add a 350 s.f. loggia. The addition will match the existing Bermuda style of architecture. The new doors will have impact glass with tinting to conform with the turtle protection program. All of the windows will be replaced with the same type of glass.

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

**B25-02 Demolition**

| | |
|---|---|
| Applicant: | Mrs. Marjorie Meek |
| Address: | 255 Ridgeview Drive |
| Architect: | Lindley M.F. Hoffman |
| Project Description: | Demolition of existing 3,300 s.f. two story single family residence and removal of existing swimming pool. |

Mr. Hoffman declared a Conflict of Interest with regard to this project and left the dais during the presentation. Mr. Wheelock said he visited the site. Mr. Strawbridge was a voting member relative to this project.

Mr. Frank read the demolition report into the record. The house was built in 1951 and the original plans were drawn by Paul E. Kohler, Engineer. The replacement house will be one-story and will meet all of the zoning codes.

Landscape Architect Daryl McCann of Sanchez and Maddox presented the landscape plan relating the property after the demolition of the building. He sated that a temporary nursery will hold some of the existing vegetation for planting after the construction is complete.

**MOTION BY DR. ROSENBERG TO APPROVE THE DEMOLITION WITH THE PROVISO TO PRESERVE THE LANDSCAPING AS PRESENTED AND TO ACCOMMODATE ENTRY INTO THE SITE FOR CONSTRUCTION VEHICLES, AND TO SOD OR SEED AND IRRIGATE THE LOT WITHIN 30 DAYS.**
**MOTION SECONDED BY MR. WHEELOCK.**
**MOTION CARRIED UNANIMOUSLY.**

**B26-02 Time Extension**

| | |
|---|---|
| Applicant: | Seminole South Corporation |
| Address: | 201 List Road |
| Architect: | Scott Granet |
| Project Description: | This is a one year extension of a previously approved demolition of an existing residence and construction of a new two story residence. |

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

Architect Scott Granet asked the commission to extend the approval of a project that had been reviewed and approved one year ago. He stated that the project was unchanged and he met with the neighbors again to review this proposal.

**MOTION BY MR. SHAW TO EXTEND THE PROJECT APPROVAL FOR ONE YEAR.**
**MOTION SECONDED BY**
**MOTION CARRIED UNANIMOUSLY.**

**B27-02 Addition**

| | |
|---|---|
| Applicant: | Roger C. Schank |
| Address: | 166 Everglade Avenue |
| Architect: | Stephen A. Yeckes |
| Project Description: | Second story library addition of a total of 198 s.f. Same height plate as existing. |

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

Architect Steven Yeckes stated, contrary to the project description, that the plate height of the addition will be higher than the existing roof line. The windows are small, slotted and placed high on the building because it will be a library with shelves on the inside walls.

The Commissioners agreed that the windows were not the most appropriate circumstance, but because it will be a library, the location of the windows would be acceptable. The possibility of making five windows instead of three with wider mullions and tinted glass was suggested. Adding false windows on the exterior of the addition was also a consideration.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT SUBJECT TO THE ARCHITECT REVIEWING WITH HIS CLIENT THE SUGGESTIONS THAT HAVE BEEN MADE RELATIVE TO THE WINDOWS, BUT NOTHING CONDITIONED TO ANY CHANGE TO THE WINDOWS.**
**MOTION SECONDED BY MR. SHAW.**
**MR. ADAMS OPPOSED.**
**MOTION CARRIED 6-1.**

**B28-02 Addition**

| | |
|---|---|
| Applicant: | Mr. and Mrs. Paul Kozloff |
| Address: | 700 South County Road |
| Architect: | Smith and Moore Architects |
| Project Description: | Single bay addition to an existing three car garage. |

Ms. Diver, Mr. Adams, Mr. Zukov stated that they met with the architect. Mr. Wheelock sated that he met with the architect and visited the site.

Architect Harold Smith said a gravel driveway will be relocated to accommodate the addition which will result in the loss of a ficus tree.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISION TO MOVE THE DRIVEWAY CUT TO BE CENTERED ON THE FOUR GARAGE DOORS.**
**MOTION SECONDED BY MR. ADAMS.**
**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. |

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

Architect Lynn McColl presented a scale model of the project. The grey tinted impact window glass will have applied muntins.

The Commission thought that there were too many different roof styles for one house.

**MOTION BY MR. WIDEMAN TO DEFER THE PROJECT TO THE MAY MEETING TO PAY PARTICULAR ATTENTION TO THE WINDOWS AND GETTING MORE UNIFORMITY AND MORE HARMONY IN THE WINDOWS, AND AT THE SAME TIME, WHILE THE MAJOR ROOF LINE, THERE IS NO ARGUMENT, BUT ALL OF THE LITTLE ANCILLARY ROOFS, THEY SHOULD LEARN TO LIVE WITHOUT A FEW OF THEM ,AND THE EYEBROWS OVER DOORS, AND GENERALLY OVERALL, TO BE MORE DISCIPLINED IN THE DESIGN OF THE HOUSE, AS IT IS A BIT LOOSE, IT NEEDS MORE DETAIL WHEN THE PROJECT COMES BACK AND A COLOR RENDERING OF AT LEAST THE FRONT FACADE.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

**B30-02 Time Extension**

| | |
|---|---|
| Applicant: | M.G. Massoumi, Trust |
| Address: | 2228 Ibis Isle Road West |
| Architect: | The Pandula Architects |
| Project Description: | Re approval of a previously approved new residence. (The one year time limit has expired.) |

There were no ex-parte communication disclosures announced regarding this project.

Architect Eugene Pandula stated that this project was approved by this commission one-year and seven months ago. He presented a colored site plan and elevation drawings.

After discussion regarding landscaping, Mr. Pandula agreed to follow up on the

preliminary perimeter landscape plan although it was not a requirement a year ago.

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

**ROLL CALL:**
**DR. ROSENBERG YES**
**MR. HOFFMAN YES**
**MR. WIDEMAN YES**
**MR. ADAMS NO**
**MR. SHAW NO**
**MR. WHEELOCK YES**
**MR. SCHULER NO**
**MOTION CARRIED 4-3.**

**B31-02 Addition**

| | |
|---|---|
| Applicant: | Mr. and Mrs. Tony Morrison |
| Address: | 255 Southland Road |
| Architect: | The Pandula Architects |
| Project Description: | Second floor addition, float finish stucco, flat cement roof tile, wood windows with clear glass, aluminum railings and shutters, wood brackets and trim. |

There were no ex-parte communications disclosed

Architect Eugene Pandula presented a site survey indicating the proposed building location on the lot and how it related to the neighboring properties.

It was commented that the columns appear too strong in relation to the front doors. (It was noted that this was an existing situation.) The two second floor bathroom windows were thought to be too short and Mr. Pandula agreed to either lengthen them six inches or add a false bottom. He also offered to document the landscape screening, which was a recent requirement for second floor additions.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE PROVISION TO MAKE THE MINOR MODIFICATIONS TO THE WINDOW DESIGN AND DIMENSIONS, AS VOICED BY THE MEMBERS OF THE COMMISSION, AND TO CONSIDER THE SUGGESTED CHANGES DEALING WITH THE *(EXISTING)* FRONT ENTRY, AND HAVE STAFF REVIEW THE CHANGES.**
**MOTION SECONDED BY MR. WIDEMAN.**
**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. |

There were no ex-parte communications disclosed

Architect Eugene Pandula presented the proposed addition to the commission. The flat roofing material will be replaced with barrel tile roofing material. The board and batten will be replaced with stucco, and the non-conforming staff quarters will be removed.

The commission's comments were: Reduce the size of the window on the front elevation and eliminate the "tassel" decorations around it, restudy the "cut up" roof lines, and possibly consider another architectural style.

**MOTION BY MR. HOFFMAN TO DEFER THE PROJECT TO THE MAY MEETING TO STUDY THE COMMENTS THAT WERE MADE BY THE COMMISSIONERS.**
**MOTION SECONDED BY MR. WIDEMAN.**
**MOTION CARRIED UNANIMOUSLY.**

**B33-02 Addition**

| | |
|---|---|
| Applicant: | Mr. Alfonso J. Fanjul |
| Address: | 359 North Lake Way |
| Architect: | Smith Architectural Group |
| Project Description: | New 3,702 s. f. addition to an existing residence. New addition materials to match existing residence. |

There were no ex-parte communications disclosed.

Architect Jeffrey Smith stated the project had received an angle-of-vision variance. They did not need a variance for additional lot coverage, as originally submitted, because the addition was made smaller.

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

**B34-02 Additions**

| | |
|---|---|
| Applicant: | Alan and Crista Ryan |
| Address: | 230 Miraflores Drive |
| Architect: | SKA Architect and Planner |
| Project Description: | Enlarge an existing garage to accommodate two cars. Extend an existing front porch and replicate all details. A small two story addition in the rear yard with a one story open porch. |

There were no ex-parte communications disclosed.

Architect Jackie Albarran stated that the two windows on the front will be replaced with a garage door. The possibility of a side loading garage was discussed. Ms. Albarran said that would require a variance, the owners did not want to ask for a variance, and an aesthetic reason would not warrant a variance. She presented a second option of two separate garage doors and a preliminary landscape plan.

The Commission preferred two garage doors rather than one large door.

**MOTION BY MR. WHEELOCK TO APPROVE THE PROJECT USING THE TWO DOOR GARAGE OPTION.**
**MOTION SECONDED BY MR. ADAMS.**
**MOTION CARRIED UNANIMOUSLY.**

**B35-02 Addition**

| | |
|---|---|
| Applicant: | Luis and Lillian Fernandez |
| Address: | 246 Eden Road |
| Architect: | SKA Architect and Planner |
| Project Description: | Extend existing second floor master bedroom over an existing one story structure. New one story guest room and pergola addition in the rear yard. Change three windows to three French doors. |

There were no ex-parte communications disclosed.

Architect Jackie Albarran said the facade of Eden Road was a hedge. A loggia will transform an exterior blank wall by adding French doors, a roof structure and columns.

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

**C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS**

**A6-02 Landscape**

| | |
|---|---|
| Applicant: | NRL Trust |
| Address: | 271 Plantation Road |
| Architect/Attorney: | James Paine |
| Project Description: | Landscape (staff report regarding the architectural situation) |

This issue was placed on the agenda by motion of the Commission at the March 27, 2002 meeting.

Ms. Diver. Mr. Zukov, Dr. Rosenberg, Mr. Wideman, Mr. Schuler and Mr. Hoffman, stated that they spoke with Mr. Paine and visited the site. Mr. Wheelock declared a previous conflict of interest and left the dais during the presentation, thereby, making Mr. Strawbridge a voting member with regard to this project.

Ms. Close gave a brief history of the project by stating that the house was first approved by the Town Council with a variance. The project was approved by ARCOM and it was noticed properly, but not received by the neighbor to the east. The house had major work done on it, which exceeded 50% of the cubic volume. The house was permitted to be rebuilt since it was made to conform to all aspects except the front set back of one and

one-half feet, for which a variance had already been granted. The house was in the same foot print and was substantially the same architectural design except for some window details and possibly some other minor details. As the house continued in construction, the neighbors to the east had a concern with that elevation in terms of privacy. The landscaping was discussed at the February 2002 meeting, the neighbor's concern was expressed, and ARCOM directed the two parties to attempt to resolve the issue. At the March 2002 ARCOM meeting, staff reported that the issue had not been resolved and ARCOM asked the applicant to come back with an architectural presentation on the changes for a formal review, and present the landscaping plan.

Mr. Randolph summarized that the issue for consideration was the east elevation relating to the landscaping, and potentially the windows.

Consulting Architect and Attorney, Jim Paine introduced Architect Dario Giacomelli, Landscape Architect Marlowe Meneley, Contractor Bret Elhilow, and his Client Linda Beaty. He added to Ms. Close's remarks and stated that in June 2001, the commission approved the project with a full two story addition. When the roof was removed from the house, the contractor discovered structural problems. Tie beams that were not properly reinforced, columns with a similar situation and essentially the one-story walls had to be taken down. That is what Mr. Moore meant when he said that it was essentially a new house. Structurally the house is new, but the design is what this commission approved. Because one side of the building was non-conforming, when it came down, it had to be conforming when it went back up. There were some interior design changes made, which evolved minor exterior changes on the north elevation. The two doors were made to match, making one of them larger. The columns were arranged slightly differently, which he believed to be an improvement. It was also noticed that two windows on the north elevation, on the second floor, were changed from the original plan. Eureka palms at twenty feet high, and travelers palms at twenty feet high, were planted as close together as they could along the eastern wall between the two properties. Mr. Paine remarked that the concerns of the neighbors were addressed with landscaping.

Mr. Shaw stated that the neighbor's issue is not with the applicant, it is with the town. Their issue was whether they received notice or not. What the applicant has done on the second floor was exactly what they said and exactly what was approved. The issue that needs to be resolved is the changes and if there is an argument as far as what the neighbor sees.

Mr. Randolph said the commission approved the elevation with the windows, the issue came back to the commission to work out with regard to the landscape screening from the neighbor. The east elevation was being presented to the commission for the purposes of the landscaping and consideration of the changes on the first floor. The windows on the

second floor have been approved, and they do not have to consider them. The applicant made changes on the first floor that they are asking for approval. The landscaping would be a separate issue.

Attorney Jacqueline Miller addressed the commission and stated that this was a completely new house approved by this commission as an addition. It should be subject to different criteria, subject to different standards, and subject to a different level of review because this is a new house. This is not a remodeled house that the commission approved in June and that her client did not get notice about. The design that was approved was an addition to something that no longer exists. For that fact, the commission should treat this as a new house and subject the entirety of the design for review.

Dr. Rosenberg recounted a situation of a house that literally fell down when the remodeling began. They did not have to come back to ARCOM for review because they rebuilt the house exactly as it was originally designed.

Ms. Miller cited the town's code, defining that before any building permit can be issued, any alterations have to be approved by the commission. What was approved by this commission and upon which the building permit was based, was the alteration. She commented that the contractor was asked in February to hold off with the second story window placement until the landscaping was installed because she thought that the window in the closet should be removed. She said that it was not the fault of the town that her clients did not receive notice of this project. Their mail was forwarded to a lawyer who went out of business.

Mr. Randolph said he thought that Ms. Miller's reasoning was that because this project was a new house, as opposed to an alteration, the commission should look at this project anew and be able to make alterations to it. He said, it seemed to him, that whether it was called an alteration before, or whether it was called a new house, the fact is, the commission had all of the plans and all of the elevations before them at that time.

Architect Dario Giacomelli presented the original first floor addition and the second floor addition plans. He said they used the existing footprint of the house.

**MOTION BY MR. WIDEMAN TO APPROVE THE MINOR CHANGES THAT WERE MADE TO THIS PLAN, WHICH WERE MADE DUE TO EXIGENCIES THAT THEY COULD NOT CONTROL, AND THEN DISCUSS THE LANDSCAPING.**
**MOTION SECONDED BY DR. ROSENBERG.**
**MR. SCHULER OPPOSED.**

**MOTION CARRIED 6-1.**

Mr. Schuler felt that too many times projects are changed without the consideration of this commission.

Mr. Paine presented several photographs of views from the second floor windows and the balcony facing east

Landscape Architect Marlowe Meneley stated that in accordinance with the requirements of the February 2002 ARCOM meeting, eureka and travelers palm were planted to screen the views of the eastern property line with seven twenty feet tall eureka palms and three twenty-five travelers palms. Which comes as close as possible to an impenetrable green wall.

Mr. Wideman visited the site and thought that no one could expect more screening than what has been put in. Mr. Adams agreed that the view was impenetrable through the trees.

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

**A10-02 Landscape and Hardscape**(B1-00)

| | |
|---|---|
| Applicant: | Palm Beach Tamarin, Inc. |
| Address: | 322 Australian Avenue |
| Landscape Architect: | Mark Henegan |
| Project Description: | Hardscape and landscape. |

This project was deferred from the February meeting for restudy and the landscape architect requested deferral from the March meeting.

Mr. Wheelock indicated that he visited the site.

Landscape Architect Mark Henegan stated they resolved some issues regarding the landscape buffer and entry gate pilasters. They extended the landscape buffer, on both sides, from the back of the property to the front of the house. The entry gate was lowered to a height of eight feet to conform to the zoning code. The width of the driveway was reduced which increased the greenspace.

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

**A13-02 Landscape, Hardscape & Lighting** (B40-00)

| | |
|---|---|
| Applicant: | William Walde |
| Address: | 326 Seabreeze Avenue |
| Architect: | Scott Mosoff |
| Project Description: | Landscape, hardscape and landscape lighting. |

This project was deferred from the March meeting for restudy.

Mr. Schuler said he received a letter from a neighbor to the west of this project. Mr. Wheelock said he met with Mr. Enyart.

Landscape Consultant Bruce Armstrong presented the landscape plan, the hardscape plan and the lighting plan.

**MOTION BY MR. WIDEMAN TO APPROVE THE PROJECT WITH THE PROVISO TO CUT THE FRONT LIGHTS DOWN TO THREE LIGHTS.**
**MOTION SECONDED BY MR. WHEELOCK.**
**MOTION CARRIED UNANIMOUSLY.**

**D. NEW BUSINESS - MINOR PROJECTS**

**A18-02 Landscape & Hardscape**

| | |
|---|---|
| Applicant: | Goodrich Florida Realty Trust II |
| Address: | 1341 South Ocean Boulevard |
| Architect: | Sanchez & Maddox |
| Project Description: | Landscape and hardscape for previously approved residence. Hardscape includes pool, spa, driveway and parking courts. |

Mr. Wheelock indicated that he visited the site.

Landscape Architect Jorge Sanchez presented a model of the entire project. River rock will be imbedded in concrete for the driveway.

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

**A19-02 Exterior Lighting**

| | |
|---|---|
| Applicant: | Diane Galdi |
| Address: | 179 East Inlet Drive |
| Architect: | Steven J. Bruh |
| Project Description: | Approval of exterior light fixtures |

Mr. Wheelock indicated that he visited the site.

Attorney Leslie Evans introduced his client Diane Galdi. He said the light fixtures she chose for the gate entrance was a 100-watt fixture, but she planned to use a 60-watt bulb.

Mr. Frank said the drawings also indicated gate posts with light fixtures. The height of the posts and wattage of light fixtures have not been reviewed for code compliance.

**MOTION BY DR. ROSENBERG TO APPROVE THE PROJECT WITH THE PROVISION TO USE 80 WATT BULBS AND THAT THE GATE POSTS MEET THE ZONING CODE.**
**MOTION SECONDED BY MR. WIDEMAN.**
**MOTION CARRIED UNANIMOUSLY.**

**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 and lighting designs. |

Mr. Wheelock indicated that he visited the site.

Landscape Architect Mario Nievera presented the landscape plan, the hardscape plan and the site lighting plan.

It was stated that they should come back with the lighting plan because what is proposed will intrude on the neighbors. It was suggested to restudy the North Lake Way side to be more conservative and more in keeping with the street.

Mr. Nievera responded to a comment made by Ms. Close, and stated that the landscaping was pulled away from the side garage.

**MOTION BY MR. WHEELOCK TO DEFER THE PROJECT TO THE JUNE MEETING TO RESTUDY THE NORTH LAKE WAY DRIVEWAY SIDE OF THE BUILDING.**
**MOTION SECONDED BY DR. ROSENBERG.**
**MOTION CARRIED UNANIMOUSLY.**

## VIII. OTHER BUSINESS

Dr. Rosenberg thought that a lighting expert or consultant should be present when an issue of lighting is presented.

**MOTION BY DR. ROSENBERG TO REQUIRE LIGHTING EXPERTS OR LIGHTING CONSULTANTS TO PRESENT LIGHTING PROJECTS.**
**MOTION SECONDED BY MR. WIDEMAN.**
**MOTION CARRIED UNANIMOUSLY.**

## IX. ADJOURNMENT

**MOTION BY MR. WIDEMAN TO ADJOURN THE MEETING AT 5:30 P.M.**
**MOTION SECONDED BY MR. SHAW.**
**MOTION CARRIED UNANIMOUSLY.**

The next meting of the Architectural Review Commission will be held at 9:00 a.m. on May 22, 2002.

Respectfully submitted,

John H. Schuler, Chairman

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

| NAME—FIRST NAME—MIDDLE NAME | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE |
|---|---|
| HOFFMAN, LINDLEY MURRAY FRANCIS | ARCOM |
| MAILING ADDRESS: 211 BERMUDA LANE | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY |
| CITY: PALM BEACH COUNTY: PALM BEACH | NAME OF POLITICAL SUBDIVISION: |
| DATE ON WHICH VOTE OCCURRED: APRIL 24, 2002 | 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.

RECEIVED
MAY 2 2002
TOWN CLERK'S OFFICE
PALM BEACH

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

**ELECTED OFFICERS:**

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

**APPOINTED OFFICERS:**

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, LINDLEY HOFFMAN, hereby disclose that on APRIL 24, 2002:

(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, _____;

X inured to the special gain or loss of MARJORIE MEEK, 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:

DEMOLITION OF EXISTING STRUCTURES ON PROPERTY OWNED BY MRS. MEEK.

April 24, 2002
Date Filed

Lindley H. Hoffman
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.

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

| NAME—FIRST NAME—MIDDLE NAME | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE |
|---|---|
| HOFFMAN, LINDLEY MURRAY FRANCIS | ARCOM |
| MAILING ADDRESS<br>211 BERMUDA LANE | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br>☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY |
| CITY: PALM BEACH COUNTY: PALM BEACH | NAME OF POLITICAL SUBDIVISION: |
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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).

* * * * * * * * * * * * * * * *

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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.

* * * * * * * * * * * * * * * *

**APPOINTED OFFICERS:**

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___ inured to the special gain or loss of my relative, _____;

X inured to the special gain or loss of MARJORIE MEEK, by whom I am retained; or

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April 24, 2002
Date Filed

Lindley H. Hoffman
Signature

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