MINUTES OF THE ARCHITECTURAL COMMISSION MEETING
WEDNESDAY, FEBRUARY 26, 1997 AT 9:00 A.M.
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: Leighton A. Rosenthal, Chairman
Laurel Baker, Vice Chairman
Ethel Kinsella, Member
Sally Gingras, Member
John H. Schuler, Member
Lowry M. Bell Jr., Member
Robert E. Deziel, Member
Floyd Wideman, Alternate Member
Marvin Rosenberg, Alternate Member
Eric Adams, Alternate Member
Timothy M. Frank, Planner/Projects Coordinator
Robert L. Moore, Director of Planning, Zoning & Building
Tracey Biagiotti, Town Attorney

III. APPROVAL OF THE MINUTES FROM THE JANUARY 22, 1997 MEETING.

MOTION BY MRS. KINSELLA TO APPROVE THE MINUTES.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

IV. PROJECT REVIEW

A. DEFERRALS AND CONTINUATIONS - MAJOR PROJECTS

B85-96 Renovation and Style Change of Building

Applicant: Frederick J. Keitel III
Address: 230 Royal Palm Way
Architects: SKA Architects
Project Description: Renovation of building and style change.

This project was deferred from the November, December and January meetings.

Mrs. Gingras, Mr. Schuler and Mr. Deziel had ex-parte communication with the architect.

Mr. Frank said the architect has not submitted the required letter requesting demolition for the single family home on the lot. Note: The application did not include a request for demolition.

Architect Pat Seagraves stated the house in the rear of the property will be demolished in order to rearrange the parking area. The roof will have clay tile and the second floor will be raised to 10-feet. All of the windows and doors will be redone. The large windows were made smaller with larger mullions. The windows will be casement with true divided lites and will look more residential in style. Mr. Seagraves said they are still researching the type of window that will be used. He said the windows maybe clad, they maybe wood. But, they will have a painted finish.
It was felt the pediments over the windows were out of proportion to the window. Mrs. Baker felt too many items were unresolved in terms of materials and that this building is a major presence in town.

Mr. Seagraves was asked to apply separately for the demolition of the single family home on the site at a later date.

MOTION BY MR. DEZIEL TO APPROVE THE PROJECT WITH THE PROVISION TO HAVE A REVEAL OF AT LEAST 8" AROUND THE WINDOWS, REDUCE THE SIZE OF THE HEADER/PEDIMENT ON THE SMALLER WINDOWS ON THE FIRST FLOOR, AND USE THE SAME QUALITY WINDOWS AS WHAT WAS PRESENTED. MOTION SECONDED BY MR. SCHULER.
MRS. BAKER OPPOSED
MOTION CARRIED 6-1.

Architect Eugene Lawrence asked to have the commission review the landscape plan for the Nations

Bank under New Business - Minor Projects.

MOTION BY MR. SCHULER TO HEAR THE PROJECT UNDER NEW BUSINESS.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

Chairman Rosenthal passed the gavel to Vice-Chairman Baker and left the meeting at this time.

B8-97 New Residence

Applicant:	Addison Development
Address:	229 Via Las Brisas
Architect:	Architectural Alliance
Project Description:	New one-story residence with a flat concrete tile roof.

This project was deferred from the January meeting.

Mr. Schuler, Mr. Bell, Mrs. Gingras and Mrs. Baker declared ex-parte communication with the designer.

Designer Glenn Santana stated the roof pitch was lowered to a 3 & 12 pitch. The entry feature was scaled down and windows were added to the front facade. Mr. Santana said the style now is a mission type architecture with a clay barrel tile roof. The front entrance will have stone bands and a parapet wall. A light textured stucco will be applied to the building with decorative tile inserts on the front facade.

The Commission felt this project was a great improvement from the last presentation. Mr. Santana was asked to come back with the landscape plan at a later date.

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

B88-96 Demolition

Applicant: Felice Forman
Address: 150 Canterbury Lane
Architect: None
Project Description: Demolition of all structures on the property.

This project was deferred from the December and January meetings.

Mr. Moore stated the applicant requested a variance which was not granted and now wishes to withdraw the ARCOM application.

MOTION BY MRS. KINSELLA TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

B1-97 New Beach House

Applicant: Ronald Schram
Address: 1420 North Ocean Blvd.
Architect: Jean Perron
Project Description: Construction of a new beach house.

This project was deferred from the January meeting.

Staff recommends deferral of this project as it does not meet the provisions in the code.

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

B3-97 New Cabana and Landscaping

Applicant: Ray and Sharon Flow

Address: 1350 North Ocean Blvd.
Architect: Kunik and Associates
Project Description: New Cabana and landscaping

This project was deferred from the January meeting.

Mr. Deziel disclosed ex-parte communications with Attorney Broberg and Attorney Royce.

Chairman Rosenthal returned to the meeting at this time and Vice-Chairman Baker passed the gavel.

Mr. Broberg addressed the Commission and stated they have been working with the neighbor to the west regarding the landscaping. They have agreed to plant five 25-foot ficus trees at the two story section of the house. They have agreed to remove some lighting and remove trees on the south west and south sections of the property. Mr. Broberg said they have worked with Mr. Roddy and allowed him to see across the property the best that can be provided. Mr. Broberg said the neighbor is trying to create a view easement across the Flow's property.

Tim Frank stated he received a telephone message from Dr. Lilja. The message stated Dr. Lilja did not receive a notice of the proposed cabana and would like the record to reflect his objection to a solid building. He asked that the cabana be open or one that can be seen through.
Note for the record: Dr. Lilja's property is beyond 200 feet of the proposed project.

Landscape Architect Howard Ostrout said coconut trees will be planted along North Ocean Boulevard. There will be three coconut trees on the north section of the cabana property and another cluster of coconut trees by the patio area. A silver buttonwood hedge will be planted along the 30-inch high wall on the ocean side of the street. Beach sunflowers will be planted in front of the hedge. A wall will be erected on the south property line and along the motor court of the main house leaving the corner open at the site triangle. On the west side of the property 25-foot ficus trees will be planted which will create a solid screen for the neighbor to the west. Green buttonwood trees, a seagrape tree and three coconut trees were removed around the motor court at the neighbors request. Mr. Ostrout said the neighbor objected to the three 14-foot green buttonwood trees along the southern garden wall. He felt the removal of these trees would take away from the design scheme.

The ficus trees along the west side of the property were discussed. It was felt they may have to be replaced at some future date as they are not extremely salt tolerant. Other types of trees were suggested to plant along that side of the property.

Attorney Ray Royce, representing Mr. Roddy the neighbor to the west of the project, addressed the Commission. Mr. Royce said they met with Mr. Broberg and Mr. Flow and felt they are in general agreement with most of the matters. Mr. Royce said they did not know that three 14-foot buttonwood trees were planned at the south property line at the time they reviewed the plans

together. He requested coconut palms to be substituted for the three green buttonwood trees as he felt they would block what little view Mr. Roddy now has. He said the grade of Mr. Flow's property is 3-feet higher than Mr. Roddy's and Mr. Flow's house looms over Mr. Roddy's property. Mr. Royce said they would like to soften the impact of the view of the Roddy house and preserve what little is left of Mr. Roddy's view of the ocean. Mr. Royce gave copies of a letter dated February 24, 1997 to the ARCOM Members. (A copy is attached to these minutes.)

Mr. Broberg stated they do not want any restriction on Mr. Flow's property. He felt they have worked to accommodate Mr. Roddy the best that they can. He asked that the landscape plan be approved subject to moving the ficus trees down five or eight feet.

Mrs. Kinsella stated that Mr. Flow may have to spent $3,000 every year to replace the ficus trees. Mr. Broberg stated they are not in agreement with Mr. Royce's letter to replant the ficus trees if they die within 45 days.

Mr. Moore asked that item number 8 in Mr. Royce's letter be deleted as it refers to a variance.

Mr. Broberg said they agree to cap the floodlights on the south west and north west side of the house. Mr. Moore said this agreement would supersede the plans. Therefore, the plans would not have to be modified.

Mr. Flow agreed to have all of the second story windows fixed on the west side of the house.

MOTION BY MR. BELL TO APPROVE THE LANDSCAPE PLANS AS PRESENTED WITH THE PROVISION THE TWO PARTIES AGREE TO THE PLANTING OF THREE GREEN BUTTONWOOD TREES OR A CLUSTER OF COCOANUT PALM TREES. MOTION SECONDED BY MRS. BAKER.

Further discussion took place regarding the green buttonwood trees and the cocoanut palm trees.

AMENDED MOTION BY MR. BELL TO APPROVE THE LANDSCAPE PLANS WITH THE SUBSTITUTION OF THE THREE GREEN BUTTONWOOD TREES FOR A CLUSTER OF COCOANUT PALM TREES.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

After further discussion, Mr. Bell was asked to amend his motion.

AMENDED MOTION BY MR. BELL TO APPROVE THE LANDSCAPE PLAN WITH THE SUBSTITUTION OF THE THREE GREEN BUTTONWOOD TREES FOR A CLUSTER OF COCOANUT PALM TREES, TO CAP-OFF THE FLOOD LIGHTS AT THE SOUTH WEST AND THE NORTH WEST CORNERS OF THE PROPERTY, ALL OF THE WINDOWS ON

THE WEST SIDE OF THE HOUSE SHALL HAVE EITHER OPAQUE OR STAINED GLASS AND THE SECOND STORY WINDOWS ON THE WEST SIDE SHALL BE INOPERABLE.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

Architect Aaron Ware presented the cabana project and said the plans are now to scale and the garage door has panels with shutters on either side.

It was suggested to use double french doors rather than a single french door on the west elevation. It was felt the garage door was an inappropriate treatment on the cabana building and it was suggested to use two pairs of french doors on the east elevation. It was felt a higher pitch roof would look better on a smaller building. It was agreed to use a 5/12 pitch roof and maintain the maximum height of the building at 12 feet. The shutters will be operable for hurricane protection.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION USE TWO PAIRS OF FRENCH DOORS ON THE EAST ELEVATION, USE ONE PAIR OF FRENCH DOORS ON THE WEST ELEVATION USE OPERABLE SHUTTERS AND CHANGE THE ROOF PITCH TO 5 & 12.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

Discussion took place regarding the project at 1100 North Ocean Blvd. The minutes of the May 1996 ARCOM meeting were read and the motion that was made for project approval stated the seagrapes would be maintained as long as possible during construction.
Tim Frank said seagrapes were removed on the first or second day of construction and the project was stopped until a green wall was erected.

Mr. Moore stated the applicants should have the opportunity to appear and discuss the matter with the commission.

MOTION BY MR. SCHULER TO PLACE THIS MATTER ON THE MARCH AGENDA.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

B4-97 WAS DEFERRED TO THE MARCH MEETING
Architectural Style Change
Applicant: Mr. and Mrs. Norman Bahary
Address: 160 Kings Road

Architect: Robert Bell
Project Description: Change in style from contemporary to Spanish and the addition of a two-car garage.

B5-97 Selective Demolition, Addition and Facade Changes

Applicant: Mr. and Mrs. Burkhead
Address: 680 Island Drive
Architect: Thomas Kirchhoff
Project Description: Remove and replace an existing two-story wing; remove and replace the pool and deck, and facade changes.

This project was deferred from the January meeting.

Mrs. Baker and Mr. Schuler met with the architect to discuss the plans.
Mr. Deziel declared a Conflict of Interest and left the meeting during the presentation.

Architect Thomas Kirchhoff said the owner would like to reduce the amount of paving and add landscaping to the property. The style of the house will change from an island style to a Georgian style. The front porch will be removed, the front elevation will be moved forward and a second floor will be added. A parapet wall will be placed in front of the roof with the center portion having an open balustrade section. There will be a broken pediment element over the front door. Mr. Kirchhoff said the stairway will go to the second floor with a domed window space on the top above the roof line. The roof on the tower feature will be a lead coated copper. Mr. Kirchhoff said he felt the tower is a true Georgian architectural feature.

It was felt the tower element would be seen from the street and skylights were suggested. Mr. Kirchhoff said there will be a skylite behind the parapet wall on the flat roof section.

MOTION BY MRS. BAKER TO APPROVE THE PROJECT AS PRESENTED.
MOTION DIED FOR THE LACK OF A SECOND.

The dome tower feature was discussed and the architect was asked to restudy it. It was felt the front door was out of proportion as it protrudes into the roof structure. The open balustrade section on the east elevation was discussed and it was suggested to make it a solid parapet wall. It was stated a true Georgian style is symmetrical and by using open balustrades in the center section along the roof line emphasizes the existing asymmetrical lines of the house.

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

B. NEW BUSINESS - MAJOR PROJECTS

B9-97 Demolition and New Addition

Applicant:	Llwyd Ecclestone
Address:	190 South Ocean Blvd.
Architect:	Bridges, Marsh & Carmo
Project Description:	Demolition of garage/staff quarters, addition of a new garage/staff quarters and enclosure of an existing courtyard

Staff recommends deferral of this project.

MOTION BY MRS. KINSELLA TO DEFER THE PROJECT TO THE MARCH MEETING.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

B10-97 Revisions to Previously Approved Project

Applicant:	Renaissance Group
Address:	Lot 7.2 Revised Plat of Island Road Development
Architect:	Sklar, Seckinger & Assoc.
Project Description:	Change the location of the garage, add a tower entrance and add a larger bay to the west elevation.

Architect Roth Seckinger presented a scale model of the previously approved project showing a detached garage. Mr. Seckinger stated the contract purchaser wanted the garage attached. The new design includes a circular driveway with more of a direct access on the corner and a new service court with a three-car garage attached to the house. The new plans had a tower in the front which did not meet the codes. Mr. Seckinger said he revised the front, pulled it forward and kept the circular stairs. (Note: the parapet wall at the front entrance does not meet code). Mr. Seckinger said the client requested a more formal portico entrance. He said the project went from approximately 8,000 square feet to 10,000 square feet.

The Commission comments are as follows:

1. It was felt the house was not completely Mediterranean Revival as the architect stated.

2. The new design does not fit in with the neighborhood.

3. The outer buildings on the original design softened the massing of the building and the original design was preferred.

4. There are too many different features and treatments on the doors and the balconies.

5. By removing the 6 or 7 feet that were added to the front facade would relieve some of the massiveness.

Mr. Deziel stated the project description was not accurate and that there has been a substantial change in the architectural style.

Mr. Moore said if the Commission felt this should be advertised as a new project they can direct the staff to do so.

MOTION BY MR. DEZIEL TO RE-ADVERTISE THIS PROJECT AS A NEW PROJECT.
MOTION SECONDED BY MR. BELL
MOTION CARRIED UNANIMOUSLY.

Andrew Akin of Renaissance Partners addressed the commission and asked to have this project removed from the agenda and move ahead with the previously approved project.

Mr. Seckinger stated the prospective buyer wanted the changes to fit his needs.

Mr. Frank said this type of application is discouraged, essentially this is a speculative application and he felt the architecture is changing on speculation.

Mr. Moore stated the code does not distinguish speculation, it is just an in-house call on the staff's part to try to distinguish between whether it's the actual owner that has title or whether it is a home being built for future purchase.

C. DEFERRALS AND CONTINUATIONS - MINOR PROJECTS

A94-96 ATM Machine, Lighting and Awning

Applicant: Suntrust Bank
Address: 300 Royal Poinciana Plaza

Architect: Lewis & Associates
Project Description: Installation of an ATM machine, light fixtures and an awning.

This project was deferred from the November, December and January meetings.

MOTION BY MRS. KINSELLA TO REMOVE THE PROJECT FROM THE AGENDA.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

A1-97 Walkway

Applicant: Stephen Norris
Address: 9 Logomar Road
Architect: George Winne
Project Description: New front walk extension with an 8' CBS wall.

This project was deferred from the January meeting as it requires a variance.

No one was present to represent the project.

MOTION BY MR. SCHULER TO DEFER THE PROJECT TO THE MARCH MEETING.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

Landscape plan

Applicant: James C. Gavigan (Nations Bank)
Address: 396 Royal Palm Way
Architect: Eugene Lawrence
Project Description: Landscape Plan

Architect Eugene Lawrence said the original landscape plan was prepared by a company in Orlando. He said he asked Jeff Blakley to review the plans and Mr. Blakley made some changes. Mr. Lawrence said palm trees will be planted by the front door and a hedge will be planted on the Cocoanut Row side to screen the parking lot. Mr. Lawrence said four-23 foot royal palm trees, six live oak trees and some black olive trees will be planted along the rear of the property.
MOTION BY MRS. GINGRAS TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

Note for the record: No ARCOM application and plans were received prior to the meeting. Therefore, the plans were reviewed after the meeting and it was found they did not meet the

provisions in the code. Mr. Lawrence agreed to meet the code requirements by not cutting into the sidewalk and by removing some trees and plantings from the easements. Staff will approve the corrected plans.

D. NEW BUSINESS - MINOR PROJECTS

A4-97 Window Mullions, Awnings and Building Color

Applicant:	Hals Associates
Address:	401 South County Road
Architect:	Nichols, Schwab - Batten Construction
Project Description:	Add window mullions, Burnt Sienna textured paint and 15' of Terra Cotta and Eggshell stripe awnings.

Architect Mindy Schwab said the project is a minor exterior change. The awnings will be replaced with terra cotta and eggshell stripe flat awnings. The building will be texture painted a burnt sienna color and applied window mullions will be added. The signage will be mahogany letters on the north and west elevations. The door on the east side will be changed from double glass doors to a single wood door with an awning above.

MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

A5-97 Roof Material Change

Applicant:	Helen DeGray
Address:	1460 North Lake Way
Contractor:	Dave T. Derby
Project Description:	Remove barrel tile roofing material and replace with "S" tile.

Contractor Franklin Derbin presented concrete "S" tile roofing material and said the existing roof is an old barrel tile "Mexican Terra Cotta." Mr. Derbin said as additions have been done over the years the tie-in's have not been done properly and the roof leaks in these areas. Mr. Derbin said Mrs. DeGray wanted "S" tiles on her roof.

it was stated the house is not a Mediterranean style and flat concrete tile was suggested. Mrs. Gingras said she did not believe that this type of "S" tile has ever approved by ARCOM. The contractor was told if the roof is replaced with the existing clay barrel tile roofing material, there would be no need for ARCOM approval.

MOTION BY MR. DEZIEL TO DENY THE REQUEST FOR CONCRETE "S" TILE

ROOFING MATERIAL.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

A6-97 Landscape

Applicant: Addison Development
Address: 217 Via Tortuga
Architect: Grant Thornbrough
Project Description: Landscape plans

Landscape Architect Grant Thornbrough presented the project. Mr. Thornbrough said there are existing trees along the property line which will be saved and a tall ficus hedge will be planted to surround the house. He said there will be a formal garden in the back yard with a fountain and royal palm trees will be the back drop for the swimming pool. Australian tree ferns and ginger will be planted for a tropical feel to the landscaping. The patio in the back yard will be marble and the driveway will be interlocking pavers stained to complement the roof color. Mr. Thornbrough stated the green space is approximately 46%.

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

A7-97 Landscape

Applicant: Mr. and Mrs. Rapaport
Address: 1557 North Ocean Blvd.
Architect: Lang Design Group
Project Description: Landscape plan

Landscape Architect John Lang presented the project. There will be approximately an eight-foot area between the two homes that will be filled with cocoanut palm trees and fishtail palms for privacy. A six-foot ficus hedge along Caribbean Road will be added. There will be small gardens off of the bedroom, den and dinning rooms.

MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. BAKER.
MOTION CARRIED UNANIMOUSLY.

A8-97 Landscape

Applicant: Jan Kemper

Address: 1500 Lake Court
Architect: Lang Design Group
Project Description: Landscape plan

Landscape Architect John Lang presented the project. Mr. Lang said the driveway was changed from a winding shape to a circular arch. Entrance gates and columns with lights were discussed and it was agreed to review the lights at a later date. The front driveway will be lined with cocoanut palm trees. Mr. Lang agreed with Mrs. Kinsella that more landscaping material should be added to the south side on the property.

MOTION BY MRS. KINSELLA TO APPROVE THE PROJECT EXCLUDING THE LIGHTS ON THE ENTRY COLUMNS.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

A9-97 Landscape

Applicant: Dr. and Mrs. Rosenberg
Address: 101 Nightingale Trail
Architect: Lang Design Group
Project Description: Landscape plan

Landscape Architect John Lang presented the project. Mr. Lang said the west side of this lot has a low grade and will be landscaped heavily with canary island date palm, foxtail palms and Hong Kong orchid trees. Along Ocean Boulevard, cocoanut palm trees, European fans and green buttonwood hedges will be planted. The north property line will be filled in with vegetation for privacy.

Mr. John Franks addressed the Commission and said he is the neighbor to the north of the Rosenberg's. Mr. Franks said Dr. Rosenberg came to see him a year ago and told him his house would be setback 15-feet and he was given a landscape plan drawn by Mr. Lang showing a 15-foot setback. He asked that the bathroom window have frosted glass and to eliminate the privacy wall.

Dr. Rosenberg stated the bay window has been approved and will stay as it is an important element in the master bathroom. A privacy wall and garden will be installed in this area. The wall will separate the properties and give privacy for the neighbor. Dr. Rosenberg said the one story portion of the home was always 10-feet from the north property line. Dr. Rosenberg proposed moving the 7-foot privacy wall in a few feet and plant a hedge on the north side of the wall.

Mr. Franks said he felt that less sunlight would come into his master bedroom with a 7-foot wall and hedge that close to his house.

Mr. Moore stated that Dr. Rosenberg is offering to move the privacy wall into his property 2-feet and

plant a hedge on the north side so that the Franks' do not have to look at a blank wall, and that Dr. Rosenberg is not obligated to do so. After discussion, it was determined that the privacy wall would be 15-feet from the Franks' house.

MOTION BY MR. BELL TO APPROVE THE PROJECT WITH THE PROVISION THE PRIVACY WALL ON THE NORTH PROPERTY LINE BE MOVED 2 FEET INTO THE PROPERTY AND THE LANDSCAPING IN FRONT OF THE BAY WINDOW BE SUFFICIENT ENOUGH TO HIDE THE WINDOW.
MOTION SECONDED BY MR. SCHULER.
MOTION CARRIED UNANIMOUSLY.

Mr. Bell asked to have swale areas shown on all landscape drawings in the future.

A10-97 Roof Material Change

Applicant:	Paulette Fowler
Address:	215 Coral Lane
Contractor:	Preston Enterprises
Project Description:	Reroof existing flat white cement tile roof with white 3-tab fiberglass shingles.

Contractor Ben Preston of Preston Enterprises Roofing presented the project. Mr. Preston said the owner wanted to reroof the existing flat white cement tile with a flat white shingle roofing material. Mr. Preston said the cement tiles cost approximately $5,000 more than shingles. Mr. Preston presented photographs of the house with the existing roof and brochures of the proposed shingles.

It was felt that this home warrants a white flat tile roof.

MOTION BY MR. DEZIEL TO DENY THE PROJECT.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

A11-97 Revisions to Previously Approved Plan

Applicant:	Malasky Homes, Inc.
Address:	286 Jamaica Lane
Architect:	RBT Architect
Project Description:	Revisions to previously approved plan

Mrs. Baker had ex-parte communication with the Architect. Mr. Bell had ex-parte communication with Mr. Malasky.

Mr. Donald Malasky addressed the commission. Mr. Malasky said the project was approved last June and the property was owned by Sid Eibel Investment Trust at that time. Mr. Malasky said the dimensions have not been changed. But, the entire interior of the home was reworked and the locations of windows and doors were changes.

Architect Steven Bruh presented the project. Mr. Bruh said other than a stair tower being reworked, the footprint is the same as the previously approved plan. The stair tower was changed to an element that projects 12 inches. The garage doors were rearranged thereby using less hardscape and creating more green space. The gable roof on the rear elevation was changed to a hip roof. Mr. Bruh said the CCR is slightly less the original plan.

Mrs. Baker stated when she reviewed the new plans she noticed a discrepancy in the numbers from the previously approved plans.

Mr. Frank stated the original plans had incorrect numbers on them. The original approval was based on the set of criteria that was presented to the commission that was incorrect. The approved plans did not proceed to the construction phase and they did not receive a secondary level of review. If they had, the discrepancy and would have been revealed and the plans would have been returned at that time.

Mr. Bruh said the numbers on the new plans are correct showing the square footage at 7,016. He said the FAR was .37 on the approved plans and the FAR is .41 on the revised plans.
Mr. Frank said that ARCOM approved a project with a FAR of .37 when it was actually close to the maximum. ARCOM was under the assumption there was less volume and mass to this building.

After discussion, it was determined the FAR was incorrect by approximately 800 square feet and that the CCR was correct on the previously approved plans.

The design was discussed and some of the Commission Members felt the original design was more pleasing. It was stated that there were too many different styles of windows on the front and rear elevations. Mr. Bell felt the new design was an improvement. Mr. Moore said if the decision was made upon representation of facts by a prior architect and prior owner as to how this house will fit into the neighborhood, and if the square footage or FAR is indeed an increase from 3.7 to 4.1, even though it's within the code, ARCOM has a right to look at that change and how it might effect the neighborhood.

Mr. Bruh stated what the CCR numbers were of the surrounding homes.

MOTION BY MRS. BAKER TO DEFER THE PROJECT TO THE MARCH MEETING.
MOTION SECONDED BY MR. SCHULER.
MR. BELL OPPOSED.

MOTION CARRIED 6-1.

A12-97 Replace Railing

Applicant:	The President of Palm Beach Condominium
Address:	2505 South Ocean Blvd.
Engineer:	Timothy Marshall
Project Description:	Replace existing concrete balusters and railings and replace with ornate white aluminum railing.

Mr. Moore said he felt this project should be reviewed by ARCOM as a minor project.

Structural Engineer Tim Marshall presented the project. Mr. Marshall said the perimeter of the front walkways have a precast concrete railing which has sustained a significant amount of deterioration. He said the condominium board reviewed several options for repair and/or replacement and a majority vote of the unit owners was to replace the concrete with aluminum railing. He said the existing railings do not meet the current life safety code guidelines and that they tried to match the design of the existing concrete balustrades.

MOTION BY MRS. BAKER TO APPROVE THE PROJECT AS PRESENTED. MOTION SECONDED BY MRS. GINGRAS.

Condominium Board Member Sid Rothberg addressed the Commission. He said the condition of the existing railing is very dangerous. He was concerned that a small child could fall through the openings in the railings. The building is approximately 32 years old and pieces of concrete have fallen off of the balconies.

Condominium Board Member Fred Shackter addressed the Commission. He said he objects to the aluminum railing and would prefer concrete railing. He said there is an existing six story concrete panel on the front of the building and he felt the aluminum would not match this panel. He said the west side of the building will be done at a later time.

It was stated that the areas of concrete railing that have to be replaced will look different as they must meet the current code requirements.

The Commission wanted to see an architectural drawing showing the proposed railing on the building.

Mrs. Baker withdrew her motion and Mrs. Gingras withdrew her second.

MOTION BY MRS. BAKER TO DEFER THE PROJECT TO THE MARCH MEETING AND HAVE THE ENGINEER PRESENT AN ARCHITECTURAL RENDERING SHOWING

THE PROPOSED RAILING, AN EXPLANATION OF WHAT NEEDS TO BE DONE AND A TIME SCHEDULE FOR COMPLETION OF THE RAILING REPLACEMENT.
MOTION SECONDED BY MRS. KINSELLA.
MOTION CARRIED UNANIMOUSLY.

Mr. Derbin asked for reconsideration of project #A5-97.

MOTION BY MRS. BAKER TO RECONSIDER PROJECT #A5-97.
MOTION SECONDED BY MR. BELL.
MOTION CARRIED UNANIMOUSLY.

Mr. Derbin presented a sample of the existing roof tile and a sample of the "S" tile Mrs. DeGray would like on her house.

Again it was stated that ARCOM has never approved the type of tile "S" tile that was presented. Mr. Derbin was reminded that Mrs. DeGray does not need ARCOM approval to replace the roofing material if it is the same as the existing.

Note for the record: The barrel tile presented and was stated that had come off of the house was concrete and not clay as Mr. Derbin previously stated.

V. OTHER BUSINESS

There was no other business to be heard.

VI. ADJOURNMENT

The meeting was adjourned at 2:20 p.m.

The next meeting of the Architectural Commission will be held on March 26, 1997 at 9:00 a.m. in the Town Hall, Town Council Chambers, 360 South County Road, Palm Beach.

Respectfully submitted,

Leighton A. Rosenthal,
Chairman

B5-97

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
DEZIEL ROBERT E.	Architectural
MAILING ADDRESS 239 S. County Road	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY TOWN
CITY / COUNTY Palm Beach / Palm Beach	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED Feb 26, 1997	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

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, ROBERT E. DEZIEL, hereby disclose that on FEB 26, 1997, 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, _____;

__X__ inured to the special gain or loss of GARY BURKHEAD, 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:

MR. AND MRS. GARY BURKHEAD ARE LAW CLIENTS OF MY FIRM - ROBERT E. DEZIEL, P.A.

2-26-97
Date Filed

Robert E. Deziel
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.

✓ B5-97

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

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
DEZIEL ROBERT E.	Architectural
MAILING ADDRESS: 239 S. County Road	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY (TOWN)
CITY: Palm Beach COUNTY: Palm Beach	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED: Feb 26, 1997	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.

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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).

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

ELECTED OFFICERS:

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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:

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

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

X inured to the special gain or loss of GARY BURKHEAD, 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.

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