



TOWN OF PALM BEACH

**TENTATIVE AGENDA:
SUBJECT TO REVISION**

**ARCHITECTURAL COMMISSION
360 SOUTH COUNTY ROAD
2ND FLOOR, TOWN COUNCIL CHAMBERS**

**January 23, 2019
9:00 A.M.**

The progress of this meeting maybe monitored by visiting townofpalmbeach.com and click on "Meeting Audio" in the left hand column. If you have any questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 12 hours after the conclusion of the meeting under "Agendas, Minutes, and Audio."

- I. **CALL TO ORDER**
- II. **ROLL CALL**
Robert J. Vila, Chairman
Michael B. Small, Vice Chairman
Robert N. Garrison, Member
Alexander C. Ives, Member
Maisie Grace, Member
John David Corey, Member
Nikita Zukov, Member
Betsy Shiverick, Alternate Member
Katherine Catlin, Alternate Member
Dan Floersheimer, Alternate Member
- III. **PLEDGE OF ALLEGIANCE**
- IV. **APPROVAL OF THE MINUTES FROM THE DECEMBER 14, 2018 MEETING**
- V. **APPROVAL OF THE AGENDA**
- VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

VII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS
(3 MINUTE LIMIT PLEASE)**

VIII. **INFORMAL REVIEW**

1. Town of Palm Beach Docks – Public Works

IX. **PROJECT REVIEW**

A. DEMOLITIONS AND TIME EXTENSIONS

NONE

B. MAJOR PROJECTS – OLD BUSINESS

B-046-2017 Modifications

Address: 1236 S. Ocean Blvd.

Applicant: John L. and Margaret B. Thornton

Professional: Dustin Mizell/Environment Design Group

Project Description: Addition of two tennis courts. One court will be a hard court and the other a grass court. The courts will be surrounded by a fence approximately 10' tall and various landscaping at or above the height of the fence. Additional landscaping will be provided to buffer courts accordingly. Separate staff parking area is also included.

A motion carried at the June 2017 meeting to approve the project as presented. This project has been brought back for reconsideration because of a court ruling (see attached).

Call for disclosure of ex parte communication.

B-003-2018 Demolition/New Construction

Address: 2291 Ibis Isle Rd. E.

Applicant: Lynne Eriksen

Professional: Roger Hansrote/ACI

Project Description: Demolition of an existing one story, CBS, 2547 s.f. ranch style single-family residence and swimming pool constructed in 1961.

Construction of a new 3576 s.f. AC area one story single family residence with a 523 s.f. garage, swimming pool and associated landscaping and hardscape.

Project History:

April 2018 – Deferred to May 2018 at the request of architect.

May 2018 – Deferred to October 2019 at the request of architect.

October 2018 – Approved demolition. Deferred project for restudy to November 2018

November 2018 – Deferred project to January 2019 with the request to restudy the front entrance, window mullions and roof plan.

Call for disclosure of ex parte communication.

B-120-2018 New Construction

Address: 726 Hi-Mount Rd.

Applicant: Irimar Ocean Properties LLC

Professional: Richard Sammons/Fairfax, Sammons & Partners, LLC

Project Description: New two-story residence with basement and pool cabana. New swimming pool, landscape and hardscape improvements. Existing perimeter site walls & gates to remain.

A motion carried at the November meeting to approve the project as presented and to defer the landscape presentation to the January 23, 2019 meeting.

Call for disclosure of ex parte communication.

B-122-2018 Additions/Modifications

Address: 209 Wells Rd.

Applicant: Olive McCarthy

Professional: Dustin Mizell/Environment Design Group

Project Description: Addition of a vehicular gate on Wells Road. The motor court entry on Crescent Drive will be removed and the existing hardscape & landscape will be modified accordingly. A new garden pergola is also being proposed.

A motion carried at the December meeting to approve the project as presented with the caveat that the design for the pergola would be presented at the January 23, 2019 meeting.

Call for disclosure of ex parte communication.

B-124-2018 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 171 Dunbar Rd.

Applicant: Palm Beach Dunbar LLC

Professional: Affiniti Architects

Project Description: Alteration of an existing home to create a two-car garage in place of the existing one car garage at the rear of property. There will be no landscape or hardscape alterations. From the public ways, there will be no visible exterior changes.

A motion carried at the December meeting to defer the project for restudy in accordance with the Commissioners' comments, to leave more room for the Banyan tree, stepping back the garage bay and an accurate L-1 plan to return to the January 23, 2019 meeting.

VARIANCE(S) INFORMATION: The Applicant is requesting a variance to add a 388 square foot addition for an additional garage bay to have a two-car garage in lieu of the one-car garage

existing. This will result in an angle of vision of 123 degrees in lieu of the 114 degrees existing and 108 degrees maximum allowed in the R-B Zoning District.

Call for disclosure of ex parte communication.

B-127-2018 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW

Address: 1404 N. Lake Way

Applicant: 1404NorthLakeLLC

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Construction of a new two-story residence with pool. Final hardscape and landscape.

A motion carried at the December meeting to defer the project in accordance with the Commission's comments to the January 23, 2019 meeting.

SITE PLAN REVIEW INFORMATION: Special Exception with Site Plan Review to allow the construction of a 9,263 square foot two-story, single family residence on a non-conforming lot that is 110 feet in width in lieu of the 125 foot minimum required and 19,563 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District.

Call for disclosure of ex parte communication.

C. MAJOR PROJECTS – NEW BUSINESS

B-001-2019 Demolition/New Construction

Address: 200 Merrain Rd.

Applicant: Thomas Vredevelt

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of existing one story residence, landscape, hardscape and pool. Construction of a new two story residence, hardscape, landscape and pool.

Please note: The architect for the project has requested to withdraw the project from the agenda.

B-002-2019 Modifications

Address: 750 S. County Rd.

Applicant: 750 South County Road Realty Trust & Kurt F. Somerville, Trustee

Professional: Stephen Roy/Roy & Posey

Project Description: Exterior improvements to include a new motor court with relocated curb cut, new landscape & hardscape design, modifications to an existing porte cochère and a new cabana with garage.

Call for disclosure of ex parte communication.

B-003-2019 Demolition/New Construction

Address: 226 Merrain Rd.

Applicant: Cynthia Anderson
Professional: Daniel Kahan/Smith and Moore Architects, Inc.
Project Description: Demolition of an existing one-story residence. Proposed new primarily one-story residence with final landscape and pool.

Call for disclosure of ex parte communication.

B-005-2019 Demolition/New Construction

Address: 244 Fairview Rd.
Applicant: 244 Fairview LLC
Professional: LeBerge & Ménard
Project Description: Demolition of existing one-story home, new two story, 4,857 sq. ft. home, painted white with gray standing seam roof, blue shutters.

Call for disclosure of ex parte communication.

D. MINOR PROJECTS – OLD BUSINESS

A-044-2018 Modifications

Address: 1040 N. Lake Way
Applicant: Edward and Brooke Garden
Professional: Patrick O'Connell/Patrick Ryan O'Connell Architect
Project Description: Replace existing wood front door, sidelites and transom with new wood and glass double door.

A motion carried at the October meeting to defer the project for restudy to the November 28, 2018 meeting. A motion carried at the November meeting to defer the project to the January 23, 2019 meeting at the request of the architect.

Call for disclosure of ex parte communication.

E. MINOR PROJECTS – NEW BUSINESS

A-003-2019 Modifications

Address: 245 Pendleton Ave.
Applicant: 245 Pendleton LLC
Professional: Jacqueline Albarran/SKA Architect + Planner
Project Description: New railing on south (front) balcony similar to other Monterey railings on the street. Three new windows and shutters on the second floor of west (side) façade to match existing. Existing black shutters to be painted celadon green.

Call for disclosure of ex parte communication.

A-004-2019 Modifications

Address: 535 N. County Rd.
Applicant: 535 North County Road LLC
Professional: Steve West/Parker Yannette Design Group

Project Description: Modification to previously approved planting design.
Changes only occur in the center island of the motor court.

Call for disclosure of ex parte communication.

A-006-2019 Modifications

Address: 2300 Ibis Isle Rd W

Applicant: Rob Bushman

Professional: Nievera Williams Design Group

Project Description: Revision of vehicular entry gate.

Call for disclosure of ex parte communication.

X. **OTHER BUSINESS**

XI. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

XII. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

XIII. **ADJOURNMENT**

Note 1: If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Note 2: Disabled persons who need an accommodation in order to participate in this Commission Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least five (5) working days before this meeting.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

APPELLATE DIVISION (CIVIL): AY
CASE NO.: 502017CA010274XXXXMB

100 EMERALD BEACH WAY,
Petitioner,
v.

THE PALM BEACH TOWN COUNCIL
AND MARGARET B. THORNTON,
Respondents.

Opinion filed: AUG 30 2018

Petition for Writ of Certiorari from the Town of Palm Beach Town Council.

For Petitioner: Robert Jeffrey Hauser
415 South Olive Avenue
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For Respondents: Karl Sanders
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Santo DiGangi
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PER CURIAM.

Upon review of the Petition for Writ of Certiorari, we find that the Town Council failed to rely on competent, substantial evidence when it denied Petitioner's appeal from the Town Architectural Committee. The Town Architectural Committee did not make findings sufficient to ensure that Respondent Thornton's "proposed development [would be] in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of

the buildings and structures are involved.” *See* Resp. App. at 7. Specifically, there was no finding by the Town Architectural Committee or Town Council, or evidence in the record, to suggest that Respondent Thornton’s proposed development would comply with section 134-1759. *See* Resp. App. at 16. Because the Town Council’s failure to rely on competent, substantial evidence is sufficient cause to grant the Petition, we issue no opinion regarding the remaining arguments on appeal. We **GRANT** the Petition for Writ of Certiorari and **QUASH** the decision of the Town Council.

SASSER, GOODMAN, CURLEY JJ. concur.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

APPELLATE DIVISION (CIVIL): AY
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100 EMERALD BEACH WAY,
Petitioner,

Opinion/Decision filed: AUG 30 2018

v.

Petition for Writ of Certiorari from the
Town of Palm Beach Town Council

THE PALM BEACH TOWN COUNCIL
AND MARGARET B. THORNTON,
Respondents.

Date of Appeal: September 15, 2017

_____/

DATE OF PANEL: AUGUST 20, 2018

PANEL JUDGES: SASSER, GOODMAN, CURLEY

AFFIRMED/REVERSED/OTHER: GRANT PETITION

PER CURIAM OPINION/DECISION BY: PER CURIAM

9/28/18

CONCURRING:	)	DISSENTING:	)	CONCURRING SPECIALLY:	)
	)	With/Without Opinion	)	With/Without Opinion	)
	)		)		)
DATE: _____	J.)	_____	J.)	_____	J.)
	)		)		)
DATE: _____	J.)	_____	J.)	_____	J.)
	)		)		)
DATE: _____	J.)	_____	J.)	_____	J.)