



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, DECEMBER 16, 1992

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I. Call to Order: The meeting was called to order at 9:06 a.m. by Chairman Lillian Jane Volk.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Elise P. Mackintosh, Vice Chairman
Sally Gingras, Secretary
Jacqueline Albarran de Mendoza, Member
Anne G. Metzger, Member (arrived at 9:32 a.m.)
Arthur Silverman, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: William S. Gubelmann, Member
Leslie Divoll, Member
Wilmer J. Thomas Jr., Alternate Member
Jane R. Grace, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Additional Amendments to the October 21, 1992 Minutes: Mrs. Volk read a revised portion of page 7 of the October Minutes, as proposed by Mrs. Divoll. (corrected page 7 attached.)

MOTION BY MR. SILVERMAN TO APPROVE THE AMENDMENT TO THE OCTOBER MINUTES.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

Approval of the Minutes of the November 18, 1992 Meeting: Mrs. Volk read a correction to Page 3 of the November Minutes. (corrected page 3 attached.)

MOTION BY MR. SILVERMAN TO APPROVE THE NOVEMBER MINUTES AS AMENDED.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

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IV. Public Hearings:

Let the record show that no one had arrived to present Item A. The Commission moved it to later in the agenda.

B. Application for Certificate of Appropriateness No. 67-92, Trellis panels

Owner/Applicant: Mr. and Mrs. John Grubman

Address: 1102 North Ocean Boulevard

Architect: John B. Gosman

Project Description: Request approval of addition of trellis panels to the walls of the service court

Mr. John B. Gosman, Architect, presented this project. The trellis walls being referenced are in the rear service court off Queens Lane. In this area, some pines, which are in poor condition, will be removed and a treillage wall with vines will be erected to block off the air conditioning equipment and garbage area, in an effort to clean up the area.

Though not advertised, the applicant is requesting to replace the loose gravel driveway in the front of the house with impressed concrete in 2' square sections. A similar surface, in 1' square sections, already exists in the rear driveway. At the motorcourt area, 5.5' to 6' trellis work will be placed up against the existing block wall with additional planting.

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

C. Application for Certificate of Appropriateness No. 68-92, Fountain

Owner/Applicant: Mr. and Mrs. Gerald Tsai

Address: 702 North County Road

Architect: John B. Gosman

Project Description: Request approval of a three tiered caisson fountain in white marble and black granite to be placed in the front yard, between the house and tennis court

Architect John Gosman referred to this fountain as a "kaleidoscope", as it appears different from all sides. Basically, this 10.65 ft. fountain consists of three white marble caissons or boxes positioned on a black granite pylon. The water flows from the top and cascades down through the caissons to the bottom bowl, and then re-circulates. Four lights will be placed in each caisson...one amber, one red, one aqua, and one clear light. The Tsais will vary the color combinations at will. Low level plantings will occur around the pool basin.

Mrs. Volk commented that the addition of tasteful water features is usually a good improvement, even though the feature may not have been there historically, as long as the feature is done in the right architectural style and

proportion.

MOTION BY MRS. MACKINTOSH TO APPROVE THE FOUNTAIN AS SUBMITTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 69-92, Awnings

Owner/Applicant: St. Edward's Catholic Church

Address: 142 North County Road

Contractor: Awnings by Jay

Project Description: Request approval to install two small straight pitched door awnings (approx. 4'x2'6"x2') at the rectory over the kitchen door, facing north, and the door to the side of the living room, facing west.

Mr. Steve Wagner presented this awning request as stated above. The awning color will be tan with eggshell trim, to match the exterior building color.

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE AWNINGS AS SUBMITTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 70-92, Miscellaneous changes

Owner/Applicant: Mr. Arthur Seelbinder, Ms. Kathy Hammer

Address: 25 Middle Road

Architect: SKA, Inc., Mrs. Albarran de Mendoza

Project Description: Request approval for the following:

1. Modify front garden landscape by transplanting existing material and introducing new planting.
2. Expand existing driveway into a drive-court.
3. Add a new low-wall to match existing site walls.
4. Add and replace existing walk with new paving material similar in texture and color to existing paving.
5. Replace existing small window by larger bedroom window to match all other existing windows in facade.
6. Color change for house and front wall.
7. Replace existing window with new french doors recreating original opening.

Mrs. Albarran de Mendoza declared her conflict with respect to this matter as she is currently retained by this applicant. (Voting Conflict form on file.)

Mr. Tim Lee from Morgan Wheelock gave the presentation. The property, as it exists, is heavily wooded. The objective of

the changes is to bring back the original look of the site, maintaining or relocating the existing vegetation. Also, there is one major functional problem on site, that being the parking and driveway area. The only available existing parking is a small area at the garage. This proposal includes a gravel motorcourt with coquina border, and a path to re-orient persons to the front door. A large banyan tree in the motorcourt area will be retained, while a specimen palm tree there will be relocated to the rear of the property. On the site, there is a very deteriorated "secret garden". The owner has chosen to sacrifice it to re-use the stone elsewhere on the site. Also the four Chinese porcelain ornaments in the wall will be removed and donated to the Society of the Four Arts. The proposal also includes the addition of a small low site wall with barrel tile, stucco columns and concrete cap, at the motorcourt area which will help to formalize the area.

MOTION BY MRS. MACKINTOSH TO APPROVE THE LANDSCAPE AND PAVING AS PRESENTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY. (MRS. METZGER HAD NOT YET ARRIVED.)

On the front facade, the proposal is to enlarge the bedroom window to better balance with other windows on the facade, and to offer interior advantages. On the ground floor, a small casement window will be changed to new french doors to match the existing entry by lowering the sill and adding cast stone steps.

MOTION BY MRS. MACKINTOSH TO APPROVE THE WINDOW CHANGES AS PRESENTED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

Let the record show that the request for color change was abandoned.

A. Application for Certificate of Appropriateness No. 66-92, Awnings

Owner/Applicant: Mrs. Cathleen McFarlane

Address: 456 Worth Avenue

Contractor: American Awning Company

Project Description: Request approval of three dark green straight pitched awnings with cream trim at the following locations: 2nd floor door southeast, 2nd floor door west, and first floor patio west.

Mr. Joe Mattei presented this request for awnings, as stated above, which will offer protection from the elements.

MOTION BY MRS. GINGRAS TO APPROVE THE AWNINGS AS PRESENTED.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

V. Designation Hearings:

(Please note that the following transcriptions of the Designation Hearings are recorded partially verbatim and partially in paraphrase. Those portions which are verbatim are identified by the speaker's name at the left margin.)

ITEM 1: 260 VIA BELLARIA

OWNER: MR. FREDERICK M. SUPPER

(Deferred from the April 15, 1992 and November 18, 1992 meetings.)

Mr. Frank verified that proof of publication had been secured, and proper legal service had been made. Let the record show that Mrs. Delp administered the oath to Mr. Frank, Mr. Moore, and Mrs. Jane Day.

MR. FRANK: Thank you Madame Chairman. The staff report is in front of you. This is for 260 Via Bellaria. I'm not sure if we've introduced, but there are people in the audience who don't know, Mrs. Jane Day from Research Atlantica, and Jane will be working with us this year on the Designation Reports. As usual, I will read the criteria, and Mrs. Day will continue with the presentation. Staff has found that the subject property, 260 Via Bellaria, meets the following criteria for designation:

(a) It exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town;

(c) It embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship;

(d) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

In this case, the architects are Maurice Fatio and John L. Volk, and Mrs. Day, would you continue with the presentation.

MRS. JANE DAY: Good morning, Madame Chairman, Members of the Commission. As Tim just said, this house was designed in 1931 for Mr. and Mrs. Charles Chadwick of Chicago. The original designer was the firm of Treanor and Fatio, with Maurice Fatio designing the house, and in 1939-1940, an addition was added by John L. Volk. The house is a wood frame construction, two stories tall. It has a basement area that is used as a cabana for the pool and as staff quarters, and that is on the east side of the property. The original section of the house is this section, which is the north section. This faces Via Bellaria, and as you can see, there are Mediterranean Revival style details on the original Fatio design. There is a low hip barrel roof, and this tower which punctuates the north facade. There

are two chimneys on the property. They do not match. This is the original one, but here, this gives you a better view of the original barrel tile roof. Windows on the house are casement or fixed, except for the bay window on the west facade, which I'll show you in a minute. They are incised into the facade and you can also see quite plainly the belt course that separates the first and second floor. This particular casement window which goes down to the floor, goes out to a little rose garden that's off the north facade. And there are fixed transom windows above those casement windows. This is also a good photograph of the railings that surround the house, and they are all punctuated with this lovely starfish design. This is a bay window, 32 panes, that faces Lake Worth on the west facade of the house, and the balcony above that, again, with the railing. And the loggia, which is the main design feature on the southwest facade. This is open to Lake Worth. It is punctuated by Roman arches. As you are seeing, so far, we have a Mediterranean Revival style roof; we have a Classical loggia with Roman arches. This is what that loggia faces...is the pool, and again, looks out at the lake. It's really quite a lovely setting. Then in 1939, John Volk was commissioned. Mr. Chadwick had died. Mrs. Chadwick remarried LeRay Berdeau, and John Volk was commissioned to design a gate for the property, and also to add a second story bedroom addition to the south facade. (Referring to the slide)-These didn't turn out quite as nicely as we had hoped, but Mrs. Volk very nicely let me photograph one of John's drawings. Here is his design for the gate, looking up to the front door on the west facade. And here is the actual gate, as it stands now. As you can see, it's intact. The two statues on the top were provided by the owner. They are not part of John's design. He just provided the overall setting for them. You go up the steps, then, to the main entrance of the house. Oh, here, again, is the loggia, and the other part of John's design is that second story bedroom. As you can see, what Volk did is, he took a very eclectic design, some Mediterranean Revival features, some modern features, and he made a much more Art Moderne addition to it. This is a flat roofed addition, but he still retained the original style of windows, and he took the engaged fluted pilasters that were on the first floor of the loggia, and repeated those on the second story addition. Up to the front door, that wonderful starfish over top of the door, and these doors are original. Mrs. Chadwick was quite an art collector. She was from Chicago. She was friendly with Mary Cassette, and she was very taken with Art Deco and Art Moderne. She supervised the interior design of the house herself, and many of those design features are also still intact. Mrs. Frederick Supper was very kind to give me a tour of the property. Probably the most remarkable design features on the interior, that are left, are two panels from the S.S. Normandie. Ocean liner Art Deco had become very popular in the 1930's. These are signed by the artist, and they say, "to Madame Chadwick," and then signed by the artist, and dated 1932, and they say on them that they are from the S.S. Normandie. They are gold leaf and lacquer. John Dunand is the artist. He was a master lacquerer from France. It has been noted that the panels from the Normandie are some of the best pieces still available of ocean liner Deco that are still around. These two panels are here in

Palm Beach. All of the panels from the dining room, which was larger than the Hall of Mirrors in Versailles, are in New York, and are presently not being displayed, but have been recently written up. Here again is the whole design of the house, and as you can see, it is very worthy of designation.

MOTION BY MRS. GINGRAS THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

MRS. METZGER: Is this a voluntary designation?

MRS. VOLK: Mrs. Supper was happy to cooperate.

MRS. DAY: She was wonderful. She wanted a few things cleared up, but she was very excited about it. Her home up North is also designated as a historic structure. She invited me in and very generously allowed me to take pictures of the panels.

MOTION BY MRS. GINGRAS THAT THE PROPERTY AT 260 VIA BELLARIA BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

ITEM 2: 120 NORTH COUNTY ROAD

OWNER: ROBERT E. LIST TR

(Referred back to the LPC from the Town Council's April 14, 1992 meeting.)

Mr. Frank verified that proof of publication had been secured and proper legal service had been made. Mrs. Delp administered the oath to Mr. Peter Broberg, Esq. (Mrs. Day, Mr. Moore, and Mr. Frank had been previously sworn.)

MR. FRANK: Thank you, Madame Chairman. First of all, I'll read into the record the criteria for designation. Staff has found that:

(d) It is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

In this case, the architect is Bruce Kitchell, and the biography has been attached in the Designation Report. Now, to bring us up on this...this particular property was recommended for designation by the Landmark Commission and sent to the Town Council in the last season. At that time, the entire property was listed as being in the description or the designation, and when the Town Council questioned this, there were some objections or at least there was discussion from the owners, and as I recall at that time, they did not see the value of

designating the parking area in the rear where the deliveries were, and where certain vehicles were parked at that time. The Town Council felt that it would be best to send it back to the Landmarks Preservation Commission for additional discussions, and I believe, without trying to determine because there was no outcome, I believe that they wanted to discuss a partial, and they wanted you to evaluate a partial designation, that being the street facades, and excluding the parking areas. I believe Mr. Broberg is here. Perhaps he can shed some light on the situation, but before that, Mrs. Day should continue with the presentation just to bring you up to speed because this project was presented over a year ago.

MRS. DAY: Unfortunately, I don't have as many slides of this building, but this building is a good example of Romanesque commercial architecture built in Palm Beach in the 1920's. It was built in 1929. It is at 120 North County Road. It is Romanesque with Italian and Mediterranean influence. Perhaps the most remarkable design feature is underneath the awning that you see on the front. These cast stone details with pointed Gothic arches and a scalloped tracery design that is very reminiscent of Moorish architecture in Southern Spain is really a very important design feature and punctuates both the south and the west facade of the building. The building is asymmetrical. There are six of these bays on the south side and there are five on the north. Originally, the plans seem to indicate that there were doors in the middle of the south and the west facade. At the present time, the entrance is at the corner of the two streets. It is punctuated by this tower massing, and as you can see, the detailing of Classical and Romanesque details, dentils at the cornice line. You can also see the barrel tile roof and although it's hipped around most of the building, there's a gable end at the tower to further punctuate the importance of this particular design feature. Once again, this is how it looks from the street. As you can see, that awning does hide the arches, but I think it's for protection from the sun flooding into the workspace. That's all I have on this building. It is worthy of designation for its architectural features and because it was designed by Bruce Kitchell, who held professional certification #137 in the State of Florida and relocated his office from Newark, NJ in 1919.

MOTION BY MRS. METZGER THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

ATTORNEY PETER BROBERG: Good morning, Madame Chairman and the Commission. I'm here on behalf of the owner of this property at 120 North County Road. I'm here to ask this Commission not to designate this building at all. (The Commission asked Mr. Broberg to speak louder.) We're here to ask you not to designate this building as a landmark in the Town of Palm Beach, and I'd like to make a few comments on that behalf. Old doesn't mean it's good. Not every painting that's pretty means it's done by a master. Not every good looking building, I think, is

worthy of designation. Now the code gives you a requirement to follow to designate a building. This report is very short, very sketchy because there is nothing important to talk about. There are four criteria to follow. One is "the building exemplifies and reflects the broad cultural, political, economic or social history". Well, that wasn't chosen. "Is identified with historic personages"...that wasn't chosen. (C), which was chosen, "embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable to the study of a period." This is just another building with a barrel tile roof, and keyite siding that's supposed to look like coquina. Look at the report please. It says that this is a Grade B building and "an essay of Italian Gothic". I'm sorry. I don't know what that means. It says over here it's a Romanesque structure and stone ornamentation was probably manufactured at Mizner Industries. Well, if it was, we've got plenty of Mizner buildings that have been landmarked to continue the study of Mizner traditions. Bruce Kitchell...it doesn't say anything about him being an important architect. He may have been a good architect. I'm not disputing his abilities, but is he worthy of landmarking. Now, he had another building in West Palm that was razed. Maybe it shouldn't have been razed, but it was razed. Just because he held certificate #137, doesn't make it worthy of landmarking. Again, old doesn't mean good. I mean it's a nice building...it really is, but is it that good to be landmarked. I mean we have barrel tile buildings in commercial districts with coquina siding or keyite siding and/or columns that have been preserved. The code says "a specimen inherently valuable to the study of a period, style." I think we have plenty of specimens of that period style. That's what was chosen as the reason for designating this building, (c), #16-38. Now, (d), which wasn't chosen is the fourth choice, "which represents a master builder," which I don't believe Mr. Kitchell was. Again, he was probably a very good builder. I'd like to point out that if this report is what you're basing your recommendations on, it needs to be something that's factually correct. It also needs to have enough facts in it for you to base your determination today. I'm looking at an article that I got out of the Palm Beach Post April 26, 1929, and it says, "a new building is to be added to the business district along Palm Beach Avenue. Bruce Kitchell is the architect, and it is to be designed as an example of Spanish architecture." But this whole report said that it is Romanesque. Spain and Italy are close, but I don't know...an essay in Italian Gothic, Romanesque, and then in the article here it says Spanish. Someone's got to get the Designation Report right.

Mrs. Volk and Mrs. Mackintosh commented that the newspapers are often wrong.

MR. BROBERG: However, they were there at the time when the plans were submitted, and we weren't, and sometimes I only know what I read. Nevertheless, in front of you is a report which I feel is not sufficient for you to base a designation on. I feel the property is a good looking property, but I don't feel that it is of the quality that needs to be preserved under the Landmarks Ordinance. I don't think anybody's ever going to tear it down. The fact is that we need to preserve the buildings in

① accordance with our Ordinance. The Ordinance requires, at least the Designation Report says, it needs to be preserved under (c) here, "a specimen inherently valuable for the study of a period, style," and my comment to that is that there are plenty of buildings inherent to this period and style in the Town of Palm Beach that are landmarked, and this is just another example of that, and I don't think it needs to be preserved in the fascia or any other part. That's the owner's position.

MRS. VOLK: You have been stating your opinions. Have you made a study of Mr. Kitchell's life?

MR. BROBERG: I have not, but I am aware that he has done some other buildings. One is in North Carolina that has often been attributed to Mizner, but he did it, and I understand that he did a couple of homes in the Town of Palm Beach, and I believe there was one other shop. So, I think there are maybe four structures in the Town of Palm Beach. Other than that, I don't know much about him. He did the Farmer's Bank in West Palm Beach. Other than that, I don't know much more about him.

MRS. VOLK: He died in 1948. I think it's generally accepted that he was an important early Palm Beach architect. That's what the experts told me. And what about the worthiness of the building? Are you an architectural expert?

MR. BROBERG: No, Ma'am, I'm not.

① MRS. VOLK: Well, then, it's just your opinion that it isn't worthy of designation.

MR. BROBERG: Well, that is correct. But I'm also a lawyer, and I can read the code, and I can tell what the code says, and how it's supposed to be followed.

MRS. VOLK: Well, that I would absolutely agree with, but we're asking for some expert information about this building, and the names that the architecture is called by change from year to year, from Mediterranean Revival to Spanish and so forth. So, I don't think...you know, a rose is a rose. The building is there. Whatever you call it, it still exists as it is with its beautiful Gothic arches and so forth.

Mrs. Mackintosh commented that just because we have already landmarked buildings of a particular style, does not mean that another of that style should not be landmarked as well.

Mr. Broberg stated, "The building is not being preserved because it's a Kitchell. It's being preserved because of its style." Mrs. Metzger, however, corrected Mr. Broberg, stating that both criterion (c) and (d) were cited in the Designation Report.

① MRS. ALBARRAN DE MENDOZA: What I see is your comment about it not being unique. I think the sad thing is that everybody keeps seeing this building with this awning in front of it. I worked right next to it, and walked under that awning during the day, and it is absolutely magnificent. If that awning were not on it, I think you, yourself, probably would not say what you're

saying.

MR. BROBERG: Well, as a layman, not as an architect, I would say that the building is an attractive building, but again, it is my opinion...

MRS. ALBARRAN DE MENDOZA: Those arches...there is not another building in Town that has two facades with such magnificent arches. It's just that you can't see them there. To me, it's just so unique.

MRS. DAY: I would just like to say something to clear things up. First of all, Romanesque and Gothic are time periods. Mediterranean is a geographical area. You could have a Mediterranean building from a Romanesque and Gothic period, and that could still both be correct. That's the case with this building. And when we say Mediterranean, we mean the whole shore of the Mediterranean. Those arches are very reminiscent of Moorish architecture as well. It's very eclectic in its design detail, but it picks up things from Italy, and from Spain, and from the rest of the Mediterranean region. Now the comment that he quoted was from the Master Site File that it was "an essay in Italian architecture" in 1988. That is not part of this report. It was just submitted so that the Commission could see what was done in 1988 on this building, and like Mr. Frank and the Commission are trying to do, we're trying to clean up all of the discrepancies in these reports right now.

MRS. VOLK: I think we all agreed the last time that this was under discussion that the street facades were worthy of designation, but the rear is a very big jumble, and could be left out of the recommendation that we make.

MRS. ALBARRAN DE MENDOZA: If somehow it could be preserved, let's say, to the ridge of the barrel tile.

Mr. Broberg asked whether the awning would be part of the designation. The reply was that the awning could continue to exist, but if changes were to be made to the awning, that change would need to come before the Landmarks Preservation Commission for review. The awning could, however, be removed without approval.

MOTION BY MRS. MACKINTOSH THAT THE PROPERTY AT 120 NORTH COUNTY ROAD, SPECIFICALLY THE EAST AND SOUTH FACADES UP TO THE RIDGE OF THE ROOF, BE RECOMMENDED TO THE TOWN COUNCIL AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA AS PRESENTED BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

ITEM 3: 1560 SOUTH OCEAN BOULEVARD
OWNER: PRIMAVERA LTD.

Mr. Frank verified that proof of publication had been secured and proper legal service had been made. He stated that this

owner lives in Germany most of the year, but now, is in Palm Beach and available. They have invited Staff to the property to take photographs and continue research at the site. In order to accommodate this research, the owner is requesting deferral to the January meeting. Mr. Frank verified that the Tigges, the owners, have waived their rights requiring the Commission to act within 30 days.

MOTION BY MR. SILVERMAN TO DEFER THIS MATTER TO THE JANUARY MEETING WITH THE PROVISIO THAT THE OWNERS RECOGNIZE THEY ARE WAIVING THEIR RIGHT REQUIRING THE COMMISSION TO ACT WITHIN 30 DAYS.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

VI. Other Business

A. Informal review - Signage: Ridge Fine Art, 256 Worth Avenue

A representative for Ms. Mona Ridge gave the presentation for this identification signage. The sign to read "Ridge Fine Art" will occur above the entrance door on the building facade. The bronze letters will be 9" and 6", and the sign will cover just 8 square feet. Let the record show that the Commission gave conceptual approval of the signage, but the item will be formally advertised for January.

B. Update of Comprehensive Landmarks Preservation Plan with a presentation of the Archaeological Plan report by Mr. Robert Carr of the Archaeological Conservancy of Miami

Staff had previously provided a draft copy of the Comprehensive Landmarks Preservation Plan to the Commission for review, and subsequent discussion at this meeting. A section within that Plan will refer to Archaeology.

Mr. Robert Carr stated they have done a field survey of the Town and have located eleven archaeological sites within the Town which have survived development. They propose that these eleven be part of eight (8) zones of archaeological sensitivity. He stated that the Town of Palm Beach has such a long tradition of architecture, but the archaeology has been basically overlooked. Scientific studies have been done in the past in the Town, but only on a very minimal basis, in comparison to other Florida areas. The Town is a prime location for prehistoric settlement due to its close proximity to the sea. There may be, in fact, more than eleven sites in the Town, but some may have been either destroyed or obscured by development. In their research, they have discovered that there were at least three settlers in the Town dating back to the 1840's, and their house sites may possibly still exist.

The practical application of the identification of such sites follows: An owner or developer would have to apply to the Town to obtain a certificate to dig. Before such a

certificate could be issued, the applicant would need to submit an accompanying archaeological survey report by a professional archeologist that would indicate that the area of impact had been assessed in terms of what might be there. Then, based on that study, a consultant archaeologist working with the Town, would review it and make recommendations before any digging occurred.

This process is not intended to prohibit an owner from using his land. It just provides a "safety net" so that if development must occur and the site is ultimately destroyed by the development, an archaeological study is done first. The study, which might take days or months, would generate scientific records bearing data of what was on site. It would be preferable, of course, to adjust construction lines around the site, if at all possible.

Mr. Frank stated that the Town is in the formulative stages of this archaeological plan. Little to nothing has been done toward archaeological review to date. Mr. Frank felt it would be very important for builders and developers to have input into the process. The intent of this program is to identify the sites or zones, make this knowledge available, and preserve these sites if at all possible. So, Mr. Carr's involvement is to help the Town establish its policy and to gather information.

Mrs. Albarran de Mendoza stressed that if such sites are to be identified, and certificates for digging are required, that the owner is made aware of the site being on his property prior to application for a building permit, as that is already too late. A more appropriate time would be when the survey is done.

Mr. Moore stated that what is being discussed is as per a mandate of the State, the Growth Management Act of 1985. The Town must fulfill this requirement as obliged in its Comprehensive Plan. The ramifications of these studies will involve ARCOM as well as the LPC. He stated the Town must develop a user friendly system for property owners while still meeting the requirements of the Comprehensive Plan. Mr. Moore suggested that the sites will be identified, be recorded on a map in the Planning, Zoning & Building Dept. and become available to the public. Then contractors, developers, and/or architects will be able to check whether archaeological sites occur on particular properties in Town, before development or re-development occurs.

This matter is being discussed today for purely informational purposes, and to acquire LPC input. The same opportunity will be offered to ARCOM and the Town Council before any policy is set. This matter will possibly be heard by the Zoning Commission next year, so there is ample time for discussion.

Mrs. Volk commented that although it is important to preserve these sites, the Town must also consider the impact of such a plan on the property owners.

- ① C. Update regarding Draft Ordinance relative to Hardship Provisions for the Landmarks Preservation Ordinance.

Mr. Randolph reported that the Draft Hardship Provisions were considered by the Zoning Commission with the LPC's recommendations. The Zoning Commission recommended the Hardship Provisions for approval at the January 5, 1993 meeting.

Mr. Randolph clarified, in response to a question, that the LPC would relinquish jurisdiction over a property if the structure is demolished, and the landmarking of that site had been based on the worthiness of that structure. ARCOM would then take over the jurisdiction of the site.

VII. Adjournment

MOTION BY MRS. METZGER TO ADJOURN THE MEETING AT 10:46 A.M.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, JANUARY 20, 1993 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

① Respectfully submitted,



Sally Gingras, Secretary

cmd

trellis, with stone columns, occurring in the northeast quadrant of the terrace.

Mrs. Divoll asked about the anticipated changes to the second floor terrace flooring and some existing wooden doors, which may become necessary during construction. Mr. Henckels stated they will save the flooring, a patterned terracotta, if it is possible, but he was not prepared to fully address the flooring issue at this time. (A fountain and huge tree had occurred in this area, and removal of same would surely require patching.) As to the changes to the wooden doors, Mr. Henckels broadly stated that all the doors and windows in the apartment will need to be repaired or replaced in kind (in kind window/door changes could be accomplished by Staff approval).

Also, as part of this project, an existing blue awning on the Worth Avenue facade will be removed, as well as the "penitentiary style railing", as Mr. Henckels called it.

Mrs. Gingras questioned whether the third floor trellis was really necessary. Mr. Henckels replied that it was necessary to provide some shelter from the sun and the wind.

Mrs. Divoll commented that today's review of all of these changes comes as a result of the additional space for a new living room allowed by a variance granted by Town Council.

Mr. Henckels replied that the owner does, indeed, want a smaller living room, and a larger bedroom, and wants to leave the ballroom exactly as it is. The applicant has been trying to define good usage of the ballroom, but has not found any solution as yet. The space is not air conditioned currently, and it would be very costly to effect that update in a sensitive manner.

Mrs. Divoll stated that Mr. Henckels had done good work in adapting the historic features in new situations, especially in repeating the wooden sliding doors between the columns. In addition, the sunroom has been kept recessed, which is very important to the facade.

Mrs. Divoll brought up the subject of the beautiful railing on the second floor. Mr. Henckels stated, for the record, that they intend to re-produce the existing deteriorated railing to match, or be slightly modified, if necessary, to meet current Building Code requirements. Mr. Moore stated that the current Code changes may require modification to the design of the pickets, primarily, to prevent small children from being able to slide through the pickets. He stated, however, that there is a provision in the Code which grants some relief to historic structures. The clear intent of the Code is to protect childrens' lives. Therefore, if a liability issue is involved here, Mr. Randolph will need to intervene. Mr. Moore stated that Staff will work with the applicant to satisfy the Code and the LPC. The Commission felt that as long as the shape, proportions and character of

(2nd line).

MOTION BY MRS. DIVOLL TO APPROVE SIGNAGE AS PRESENTED.
MOTION SECONDED BY MRS. GINGRAS.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 62-92, Roofing

Owner/Applicant: Ms. Gay Cinque
Address: 236 Phipps Plaza
Contractor: J. Roberts Construction Inc.
Project Description: Request approval to change roof material from clay barrel tile to clay S tile

As the contractor had not yet arrived...

MOTION BY MR. GUBELMANN TO DEFER TO LATER IN THE AGENDA.
MOTION SECONDED BY MRS. DIVOLL.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 63-92, Window/door changes

Owner/Applicant: Ms. Jeanne Marks
Address: 264 S. County Road
Architect: Jeff Ornstein
Contractor: David Palmer
Project Description: Request approval to add means of egress by replacing existing single hung aluminum window on south elevation with a french door; also change front entrance door to french door.

Mr. David Palmer, General Contractor, presented these changes for "264 The Grill", a restaurant. Upon inspection by the Fire Marshal, it was determined that another means of egress was required for the restaurant. This prompted the change of the existing aluminum window, on the south elevation near the kitchen, to a new french door. The existing wooden Spanish front door will also be changed to a single ten lite french door. Currently above the front door, there was a glass transom which was boarded up and painted over. This plan calls for removal of those boards and restoration of the glass transom, as well as removal of the surrounding conduit. French doors were chosen so that more light would enter the restaurant. The contractor stated that every attempt will be made to clean up the outside areas. This would include removal of old restaurant equipment, and removal of an old roof structure in the rear of the restaurant.

MOTION BY MRS. GINGRAS FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. GUBELMANN.
MOTION CARRIED UNANIMOUSLY.

minutes

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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN DE LA MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 204 PHIPPS PLAZA P.B.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY ☐ TOWN	
CITY PALM BEACH		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
COUNTY FL. 33480		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	
DATE ON WHICH VOTE OCCURRED 12/16/92			

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. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

You should 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 should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 12/16, 19 92:
de MENDOZA

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

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

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

I AM THE ARCHITECT FOR THE
PRESENTED PROJECT

Date Filed

12/16/92

Signature

J. Albarran

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.