



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, DECEMBER 15, 1993

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

I. Call to Order: The meeting was called to order at 9:00 a.m. by Chairman Lillian Jane Volk.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Elise P. Mackintosh, Vice Chairman
Sally Gingras, Secretary
Anne G. Metzger, Member (arrived 9:02 a.m.)
Jacqueline Albarran de Mendoza, Member (9:02 a.m.)
Leslie Divoll, Member
Arthur Silverman, Alternate Member
Jane R. Grace, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
Jane Day, Staff Preservation Consultant

ABSENT: William S. Gubelmann, Member
(Please note that Mr. Gubelmann is absent, having previously advised that he has a conflict due to family reasons.)

RECORDING SECRETARY: Cynthia M. Delp

III. Approval of the Minutes of the October 20, 1993 Meeting:

Mrs. Volk read the change to the October Minutes as proposed by Ms. Divoll. This change is reflected in the November minutes. A motion for approval was necessary today, as at the November meeting, there was a motion for approval and a second, but no vote.

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

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

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TOWN OF PALM BEACH
BUILDING & ZONING

Approval of the Minutes of the November 17, 1993 Meeting:

Mr. Silverman noted a correction on page 19:

"MOTION SECONDED BY MRS. SILVERMAN" should read "MOTION SECONDED BY MR. SILVERMAN."

MOTION BY MS. DIVOLL TO APPROVE THE NOVEMBER MINUTES AS AMENDED.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 51-93, Trash receptacles

Owner: Town of Palm Beach

Applicant: Town of Palm Beach

South County Road Association

Address: Town Hall Square Historic District

Project Description: Request approval of trash receptacles to be placed along South County Road, and other associated changes as presented.

(Please note that this item was discussed at the November meeting under "Other Business". Although a motion was made at that meeting relative to this item, it is brought back today for formal action.)

MOTION BY MRS. MACKINTOSH THAT THE TWO EXISTING TRASH RECEPTACLES BE REMOVED FROM THE MEMORIAL FOUNTAIN AREA, AND THAT ONE OF THE NEW TRASH RECEPTACLES BE PLACED ON EACH SIDE OF SOUTH COUNTY ROAD IN THE IMMEDIATE VICINITY OF THE NEWSRACKS. (It shall be noted that the motion approves a total of two trash receptacles, rather than three as was originally requested. The omitted receptacle would have been placed at the Palm Beach Historic Inn. It shall also be noted that the trash receptacles are separate units, and are not joined to the newsracks.)

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 62-93, Identification signage

Owner: Mr. Franklin Frank

Applicant: Barbara's

Address: 363-B South County Road

Contractor: Phil Rowe Signs

Project Description: Request approval of identification signage to read "Barbara's" in 4" gold letters with black outline, and other associated changes as presented

(Please note that this item was presented informally at the November meeting.)

Mr. Frank stated that this signage was reviewed informally last month, and based upon the comments of the Commission, was erected prior to today's hearing. As the Commission had requested last month, the signage reading "Barbara's" was placed straight on the window rather than on an angle. Unless any members of the public expressed any objection to the signage today, the signage could be approved.

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE SIGNAGE AS PRESENTED.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness No. 63-93, Identification signage

Owner/Applicant: Mr. Robert Chaffee

Address: 361 South County Road

Contractor: Phil Rowe Signs

Project Description: Request approval of identification signage for the building to read "Via Rosa", and other associated changes as presented.

Mr. Chaffee presented this request for building identification signage to read "Via Rosa", with 8" capital letters and 5" lower case letters. The letters will be black matte metal, and will be placed just under the peak of the roof.

MOTION BY MRS. METZGER TO APPROVE THE SIGNAGE AS REQUESTED.

MOTION SECONDED BY MS. DIVOLL.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 64-93, Continuing renovation

Owner/Applicant: Paramount Partners Inc.

Address: 139 North County Road

Architect: David Miller & Associates

Project Description: Request approval of the following:

1. Cast stone treatments - main entry
2. Door replacement - main entry
3. Roof deck railing
4. Roof deck pavers
5. Roof deck planter replacement
6. Paramount sign refurbishment
7. Site furnishings
8. Other associated changes as presented

(Please note that the applicant has requested deferral of this matter to the January meeting.)

MOTION BY MR. SILVERMAN FOR DEFERRAL TO THE JANUARY MEETING.

MOTION SECONDED BY MS. DIVOLL.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 65-93,
Gates & Handrail

Owner/Applicant: Mr. and Ms. Alberto Vitale

Address: 135 Grace Trail

Architect: Smith Architectural Group

Project Description: Request approval of new entrance gates, change of stair handrail, and other associated changes as presented.

Mr. Jeffery W. Smith addressed the Commission regarding this property, which spans between Grace Trail and Root Trail.

1. Entrance gates: Electrically operated heat painted solid aluminum gate; located off Grace Trail and abiding by the 15' setback; to be lined up with new porte cochere.

2. Service gates: Manually operated cypress pedestrian and vehicle gate; located off Root Trail.

3. New wrought iron railing (to match railing found at site) at stair to staff quarters of new garage addition; originally shown as stucco rail on plans.

4. More definition to patio areas, to include new quatrefoil fountain in one patio.

5. Driveway material defined to be 3'x 3' stone colored pavers with grass between.

MOTION BY MS. DIVOLL FOR APPROVAL OF COA #65-93 AS PRESENTED.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

V. DESIGNATION HEARINGS:

Please note that the following Designation Hearings are partially verbatim. Verbatim portions are noted with the speaker's name at the left margin.

Item 1: 990 Adam Road

Owner: Ms. Marie Draddy

Mr. Frank verified that we had proof of publication and proper legal service relative to this item. Mrs. Delp administered the oath to Mr. Moore, Mr. Frank, and Mrs. Day.

Mr. Frank gave the Staff recommendation that the property qualifies for designation under the following criteria:

(c) 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.

MRS. JANE DAY: Good morning. 990 Adam Road is a Neo-Classical structure built in Palm Beach in 1939, and was designed by John Volk. Neo-Classical architecture was one of the most prominent types of architecture found in the United States during the first half of the 20th century. This is a very good example of that type of design. If you look at the floor plans or the footprints of this house, it's a U-shaped plan with the bottom part of the U being the street facade. That's what you see in front of you. (referring to the slides) Also, as you can see, the predominant features of the Neo-Classical design are a symmetrical fenestration, and a very prominent front porch or structure that is supported by some kind of classical device... in this case, Ionic columns on the front portico that comes out from the front door of the home. Here is another picture from another angle. In this picture, it clearly shows you that there is a hip roof that's covered with white cement tiles. Again, the front porch area. And another, with that front porch that is so prominent in the design. This house was house #5 in the Garden of Eden subdivision that Volk helped design, or he designed this, but helped E.V. Roddy and Sons develop this subdivision. It was originally built as a spec home which were many of the homes in the 1930's. And the only alterations I found on the house in looking through the plans was there was a bedroom added and some screening added. Some of the other features that make this house Neo-Classical that you can look at is the Georgian dentil work that is over at the roof line at the top of the structure, up here, and that symmetrical fenestration is also accented by the shutters that are on the property. As Mr. Frank said, the house clearly fulfills two of the criteria for designation, (c) that it is the work of a prominent architect and (d) that it a good representation of an important architectural style and worthy for study, in this case, the Neo-Classical style. Any questions or comments?

MOTION BY MR. SILVERMAN THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

Mrs. Grace noted that this home was previously owned by Dolly O'Brien, who was one of the most distinguished hostesses of that time.

MOTION BY MS. DIVOLL TO AMEND THE DESIGNATION REPORT TO INCLUDE THE INFORMATION REGARDING DOLLY O'BRIEN.

MOTION SECONDED BY MRS. GINGRAS.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MRS. MACKINTOSH THAT THE PROPERTY AT 990 ADAM ROAD 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 MS. DIVOLL.

MOTION CARRIED UNANIMOUSLY.

It was noted that Staff has received no correspondence from the property owner relative to this designation, and it is therefore assumed that she has no objection to same.

Item 2: 300 Queens Lane

Owner: Mr. William W. Atterbury III

Mr. Frank verified that we had proof of publication and proper legal service regarding this matter. Remembering that Staff had already been sworn, no additional persons stood to be sworn. Mr. Moore stated that the property owner, although not present at this time, fully intended to attend this hearing. To accommodate the owner's wish, the Commission deferred this matter to later in the agenda.

Item 3: 162 Peruvian Avenue

Owner: Hals Realty Associates Ltd. Partnership

Mr. Frank verified that we had proof of publication and proper legal service regarding this matter. Mrs. Delp administered the oath to Mr. Peter Broberg, attorney for the applicant.

Mr. Frank stated that this property meets the following criteria for designation:

(c) 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.

MRS. JANE DAY: Based on the industrial designs that were popular after World War I, Art Moderne structures were built in the United States from about 1920 to about 1940. This style developed after a design competition that was had for the Chicago Tribune building, and although the winner of that competition was not an Art Moderne design, the second place submission in that competition was, so that the design was widely popularized with architects throughout the United States. It is really more prevalent in commercial structures and apartment buildings and small hotels than it is in domestic architecture, but here is a good example of that design built in Palm Beach in 1937, and designed by Belford Shoumate as the uncommon type of domestic architecture. Like many of the Art Moderne structures, 162 Peruvian is asymmetrical in design and primarily horizontal in its emphasis. You can see how that is

emphasized by the architect by the bands above the garage, by the eyebrow as we call it, which is the piece which is extending over the front door, and by the railings that top the roof. Most of the original design details, at least from the street facade, are still intact in this house. The windows are fixed glass jalousie, and in some casement windows. Here you see what is very typical of this style with the center of the bay window being fixed and jalousies being on either side of it. The front door is surrounded by its original tile work, which is turquoise blue and black, and very typical of this style, and one of the things I like about this house is that the architect carried this design forward, and as you see in the front walk, the tile work is at the bottom of the front entrance and extends down the concrete walkway to the sidewalk of the home. Another thing that changes in Art Moderne architecture is that the garage takes on a more prominent place in the house. In the 1920's, most of the homes had the garage tucked away toward the rear of the property or somehow out of site. When Americans fell in love with the automobile, they went full blast with it, and garages moved forward, as it is in this design, in a more prominent place on the facade of the structure. We dealt with a lot of architects in the last two years since I've been working here, but Belford Shoumate is one who has not been mentioned perhaps as much as he ought to be. Other works by Mr. Shoumate are present in Palm Beach, and already designated. He died in 1991, born in 1903, had a very long career, was active in preservation, and he's primarily known for these Art Deco, Art Moderne ocean liner Deco designs, although he worked on over 1,000 structures within his career. For the first four years of his architecture career after graduating from the University of Pennsylvania, he worked with Joseph Urban. He worked for a short time in Miami, and then moved to Palm Beach, where he built a home in Phipps Plaza. I think it's important to save what pieces of architecture we have left by this man because there are not a lot. He won a design award in 1939 at the New York World's Fair, and is a very important architect who is listed in Who's Who of American Architecture. So, I would like to present to you that this house is worthy not only for its architectural design, but also because of the work of Mr. Belford Shoumate. Any questions?

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

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

Mrs. Day stated, in response to a question from Mr. Silverman, that there is a Shoumate design on North Lake Way which is already designated. She also stated there is another fine example of his Art Deco work on Flagler Drive in West Palm Beach.

MR. PETER BROBERG, ESQUIRE: Good morning. Thank you. For the record, my name is Peter Broberg. I am here on behalf of the owner of this property, and I commend you all for the speed that you run this meeting. I wish all meetings ran this quickly. I

am sorry to be the fly in the ointment this morning. The owner wants to go on record as objecting to this designation.

MRS. GRACE: Who is the owner?

MR. PETER BROBERG, ESQUIRE: Hals Realty. The building is very small. It would not be approved architecturally in the Town today because of the garage, I'm sure. It's made out of concrete block. It's in a sorry state of disrepair on the inside, and I understand that's not your concern. The roof needs to be replaced. There are many of the rooms that need to be completely replaced. The eyebrow, as it's called, looks to me just like a ledge, but I'm not an architect. The owner of the property offers a compromise. If the Town of Palm Beach would like to preserve this building, he would donate it to the Town of Palm Beach to move it if they would like to put it someplace. They are welcome to have it and welcome to preserve it. They can put it in the Preservation Park if they want to. It wouldn't even have to be moved very far. Or, they could take that on the side of the garage, the circular design, which is somewhat unique, and the front door. You're welcome to have it. Other than that, the owner of the property objects to the designation.

Mr. Silverman inquired as to whether the property is currently up for sale. Mr. Broberg did not think it was.

Mrs. Delp administered the oath to Mrs. Polly Earl of the Preservation Foundation.

MRS. POLLY EARL: Madame Chairman, Members of the Commission. I apologize for not being here when you started these consideration of designation procedures because really I wanted to make a general remark about the philosophical path that the Landmarks Commission is pursuing, and that is one that the Preservation Foundation of Palm Beach wishes to endorse heartily. We believe that it is very important for the landmarking program in our Town to reflect the totality of the history of our Town, and we believe it is very important for some of the more typical residences throughout our Town to be landmarked along with the magnificent homes that were built primarily along the waterfront on both sides of the Town. We believe that the criteria for landmarking fully support the effort to preserve the totality of our history, and I think we have to remember that we, today, know that these more typical homes are part of our history, but if all of them are to disappear and be redeveloped, as is a very common practice in the central portion of our Town, how will our children and our grandchildren know that these kinds of homes were very much a part of the history and the heritage and the life of this Town. So, the Preservation Foundation would like to commend you for undertaking this approach and this educational effort as far as what landmarks really means to the Town of Palm Beach. Further, I would like to say that I am not familiar with this particular owner's situation, but I would like to say that a home of this style, which you are considering now, is somewhat unusual and is a style that is very much prized in South Florida because it is very typical of the Art Deco, Art Moderne period throughout

South Florida, and the little touches such as the portholes are reminiscent of what in Miami Beach is called "nautical deco" and is a very highly prized variation on Deco designs. Further, I would like to say that you may be aware that the Preservation Foundation of Palm Beach is in the process of cataloging and making available to the public the Belford Shoumate papers. We were very pleased to have this donation, ...an architect's papers who spans a great number of years in Palm Beach, and spans a number of styles. And Shoumate was particularly known for some of his very fine designs were in this Art Moderne Art Deco style, and I think there are a couple of others around that haven't been mentioned in particular. I know of one on Seaview Avenue, that while it's rather Mediterranean Revival on the outside, from the inside it's Art Deco. So, I just would urge your serious consideration of this particular proposal for designation. Thank you.

MRS. JANE VOLK: Thank you, Mrs. Earl. We are very happy to know that you support us in our efforts, and we do share with you the feeling that the smaller houses in the Town bear as much relevance to our history. One has only to go to Portugal, having been there 30 years ago, to see what part of the country looks like without the old small houses, which have been almost torn down on mass. It's very shocking. Has anyone any comments on the Shoumate house on Peruvian Avenue? I can tell you that a very well known man lived in it at one time, Al Busiel, who owned Lady Esther and Ponds. He was sort of the male Estee Lauder of his time. That was his home for many seasons. Are there any comments?

Mrs. Gingras stated that from the location map, it appears that the house is on a 75 feet wide lot, and questioned whether there would be any advantage to someone having the house removed. Mr. Randolph responded that if the house were removed, a variance would be required before any re-building could occur.

MS. LESLIE DIVOLL: When we consider potential landmarks, we also think in terms of would it potentially be National Register eligible on its own. While that's not a strict requirement of the Town, that's an informal standard that I understand we use often in screening these. The National Register would not find a relocated building, this relocated building, acceptable. They decline to accept buildings that have been moved to new sites except in the rarest of conditions. Usually, that involves...one of those rare conditions is when moving a structure is part of its history. It's moved, and moved and moved, and it becomes seen as a relocated and relocatable building. The other criterion is, and this is the very rare situation, is when the building is of such extreme value architecturally, and there are absolutely no other choices, i.e., Interstate 95 is coming through. Those conditions...I don't see that they apply, and even considering relocating the building as part of a compromise would definitely lower our standard for review.

MRS. JANE VOLK: I think in this area...I absolutely agree with its relevance to the area. It shows the Town as it once was. It is a significant little house, and it's been there, as we

know, a long, long time. I can't imagine it being moved somewhere else.

MS. DIVOLL: It's also, as well pointed out, among a minority of types, but a very important type in the mainstream of American architecture of that period. To deny it would be to cut out one of very few examples in the Town of Palm Beach.

MRS. JANE VOLK: The Art Deco area in Miami Beach is one of the great success stories of preservation in the state of Florida, and Art Deco and Art Moderne are something of the same era and the same style, and I do think that we must look closely at those that we have in this Town, and think before we allow anything to happen to them.

MRS. ALBARRAN DE MENDOZA: Also, I think, the importance of the architect being so much a part of Phipps Plaza. Of course, you know I have everything surrounding me, but what I have always loved about his architecture is that I feel it's very Florida. It's very vacation oriented. It's just very much what one feels when you come here in the Art Deco because of the Miami district and in all his other styles. So, to me, being a Shoumate house...

MRS. MACKINTOSH: Well, there will never be any others like it, so I think we have to protect it.

MOTION BY MRS. GINGRAS THAT THE PROPERTY AT 162 PERUVIAN AVENUE 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: 300 Queens Lane (Continued)
Owner: William W. Atterbury III

Mrs. Delp administered the oath to Mr. Atterbury, who was now present. Mr. Frank gave the Staff recommendations, that this property meets the following criteria for designation:

(c) 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.

MRS. JANE DAY: The house at 300 Queens Lane was designed in 1938 by prominent architect John Volk. It was built by Arnold Construction Company for Palm Beach Modern Homes. Here again, as we've been discussing all season, this is what architects who worked on big ocean front mansions in the 20's did during the leaner years of the 1930's. And again, we have a Monterey style

house. This house was built as frame construction and is covered with white painted brick. Like the other Monterey houses we've seen, its most prominent design feature is the second floor porch that is cantilevered over the front facade. But this time, instead of having a very plain, Spanish style railing on the porch, we have a more lacy cast iron detailing that is more reminiscent of the Louisiana Creole and French Creole aspect of this design style nationwide. You can see that detailing here and again, the beams that are on the underside of the porch that add to the design detail as you approach the front door. The house, although primarily regular in its floor plan, has an extension to the west side of the property that is the garage and service area. We were not able to see the rear of the property. Here, again, is that west facade, which is also street facade because this house sits on a corner. And the other prominent design detail that this house had that the other Monterey houses that we've seen did not, is that the shutters that flank either side of the windows, which are double hung sash, primarily six over six, are that they go from the top of the window to the floor. This, again, is very reminiscent of this French Louisiana Creole style of architecture, an adaptation to this style. There is a chimney that is on the eastern facade and the roof is a low pitched hip. As I've also said, the house was designed by John Volk, and although we've seen another John Volk structure this morning, since I said a little bit about Belford Shoumate, I would like to remind you that Mr. Volk is also a widely regarded honored architect who did over 1,000 properties, not only here, but internationally. And I think it is important to see his work on a smaller scale and how he adapted popular design styles from throughout the United States into these homes in Palm Beach during the depression years of the 1930's. Are there any questions?

MOTION BY MR. SILVERMAN THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

MOTION SECONDED BY MRS. METZGER.

MOTION CARRIED UNANIMOUSLY.

Mrs. Metzger stated, for the record, that Mr. Atterbury not only serves as her attorney, but is also a personal friend. Mr. Randolph, however, does not regard this as a conflict.

MR. WILLIAM W. ATTERBURY III: Madame Chair, Members of the Commission, my name is Bill Atterbury. I am the owner of the house at 300 Queens Lane. I bought the house several years ago, essentially as a project. For one reason or another, it has taken me longer to do some of the things I'd like to do. So, when I received the notice from the Town that it was under consideration for designation, I was somewhat stunned, while on the other hand, I was flattered that it was under consideration. I would like to preserve my ability to make further renovations to the house that I consider necessary, and would support the designation by the Town, the south and, excuse me, the north and west elevations of the house only, leaving the east and the south elevations undesignated and not designating any of the yard and driveway areas. Mrs. Day, I understand, was not able

to see the rear of the house, but I have a couple of photographs that I would be happy to share with you if you'd like to see what that looks like. I have a suggested list of conditions that I might share with you. (He distributed same to the Commission.) I have two photographs of the rear and one photograph of the front driveway area.

The Commission asked Mr. Atterbury what his future plans are for the house. He replied that he may want to re-do the driveway, place a pool in the rear of the property, and replace the porch in the rear, which is not original to the structure.

Ms. Divoll submitted to Mr. Atterbury that the Commission routinely reviews such changes, and approves same "without much fuss". Further, if the changes represent pure restoration, they do not require Commission approval. Ms. Divoll questioned whether the changes contemplated would be of such a dramatic nature, that excepting substantial areas of the site from designation would be warranted.

MR. ATTERBURY: I can't say at this point that I am. All that I'm trying to do now is avoid designating portions of the house and property that I don't consider architecturally significant.

MS. DIVOLL: I wanted to also open the question if part of the structure is landmarked and part of the structure isn't landmarked, and you decide to do a project that involves all of the structure, are you ending up with the same building code provisions that allow leniency in the, and Building Official judgement in the preservation portion, and strict accordance with the current codes in the non-landmarked portions of the house. Can you explain to me, Bob, how that would be handled in the Town?

MR. MOORE: That would have to be looked at on an individual basis as to what the type changes were contemplated, what code provisions might or might not have to be addressed. There are other avenues, such as the Building Board of Adjustments and Appeals. There are some leniencies, at my discretion, regarding landmarked structures and code requirements generally that would not effect direct health, welfare and safety items, but I couldn't give you any concrete or definitive answer without knowing exactly what the proposal would be. So, I'm afraid I can't answer it directly.

Mrs. Gingras inquired as to whether the owner would have to go before the LPC and ARCOM, if, for example, he chose to put on an addition that could be seen from the road, and wanted to make some changes to a designated facade. Mr. Frank responded that the LPC would retain jurisdiction, and Mr. Moore stated that the owner would not be required to go before both Commissions.

MRS. POLLY EARL: Because this happened just yesterday, I suspect that Mr. Atterbury and perhaps some of the other people involved, and maybe I should have said this while Mr. Broberg was still here, are not aware that some minimal benefits to homeowners of landmarked houses are available now through the

Town's passage of a landmark tax exemption ordinance, and perhaps some day there will be some additional benefit at the county level, but I expect that this will lead to a rather confused situation if different facades were involved, and certainly would diminish the amount of tax exemption available.

Mr. Atterbury stated he was not really concerned about the tax benefits that might be due him.

Mrs. Albarran de Mendoza felt that the elevation of the property may play a factor in future changes to the site. For example, if the elevation of the property was less than 7.5 feet and the property is not landmarked, substantial additions and/or renovations will necessitate raising the finished floor to at least 7.5 feet. If the property was landmarked, an application for a variance may be filed for exemption from this portion of the code. Mr. Atterbury stated that his house, however, is up on a ridge. So, elevation is not a problem in this case.

Mrs. Volk stated that when considering future additions, and future sale of the property, it might be well to have the entire house designated, excepting the yard and driveways.

MR. ATTERBURY: All I can add is what I have said, and what you can observe from the pictures, that I don't believe there is anything architecturally significant in the rear of the house and I would fully support a designation of the streetscape facades.

Ms. Divoll stated that additions are typical items for review by the LPC, and those that cannot be seen from the right-of-way, those that are in private areas, are reviewed with more latitude than those seen from the street. Mrs. Albarran de Mendoza stated that there is really no problem with making changes to landmarked properties, and she could not foresee an addition that would not be approved, as long as it was in keeping with the architectural style of the house.

MR. ATTERBURY: My hope, of course, would be that I would not have to come before the Commission for something I otherwise would not have to take to ARCOM.

Mrs. Metzger felt that Mr. Atterbury's reluctance to have the entire house or site designated was perhaps due to lack of experience with the landmark review process, which he, like other members of the general public, may view as restrictive.

MS. DIVOLL: I cannot let pass the idea that because something may not appear to be architecturally significant in the rear, that it should be exempted. A building, as a whole, has got four walls and a roof, more than four walls and roof, and it is a package. When on occasion, we've excepted a portion under duress, almost always, it's lead to considerable discomfort about how to deal with a property's integrity. It starts to become fragmented. And we need to remember that a hallmark of these depression era smaller houses is that they put the pizzazz in the front and reserved the simplest parts for the unseen, and then people freely added to and amended those rear portions.

That is a part of tradition which is very much a part of what is Monterey style here in this building, and that, in itself, is characteristic of the property and characteristic of the site and characteristic of the era in which it was built. To exempt it doesn't follow, in my mind. I am less reluctant to not consider the yard and driveway under the circumstances, while that again reduces the integrity of the property. I'm not so worried about it.

MRS. VOLK: That driveway wasn't there to begin with.

MR. DIVOLL: Yes, exactly.

MRS. JANE DAY: I would like to make a couple of comments. First of all, in the building permits, Mr. Atterbury is correct. The screened porch was added. There has been a new air conditioner and the roof was repaired and once replaced, so that there have only been about four structural things that have happened to the property since it was built in 1938. I also would like to remind you of what the west facade looks like here, which is the other street facade that he's voluntarily wanting to landmark, and that it does not have the predominant design features of the Monterey style. If you looked at just this side of the house, you might not know what style it is, so that it is just the front. This, and I couldn't see the back at all, and we're pretty good about trying to look at every piece of public access, and in this particular property, you absolutely cannot see what he showed you in the pictures. Whereas, here on the front, on the north facade, are the predominant design features that I believe we need to preserve. I also agree with you that this board is very good about working with and educating homeowners, and that primarily I would think that if you wanted to rule on an addition, it would be that it was compatible with the house, you wouldn't want to put an Art Moderne addition to this home, but otherwise, if it went with the architecture, that would be approved. I can see both sides of this question, but in this case, you really cannot see those other facades from the street.

Ms. Divoll noted that the map included in the Designation Report is in error. Mrs. Day stated that she is aware of the error, and it has already been corrected.

MR. FRANK: Another alternative, I'd just like to throw in another alternative, but it sounds consistent with what Mr. Atterbury is suggesting. Perhaps he might consider some sort of landmark designation that would be consistent with the Architectural Commission review. This would cover both the street facades and it would cover the chimney portion of the east facade that you can see from the right of way. I don't know what Mr. Atterbury thinks.

MR. ATTERBURY: I would support that.

MRS. VOLK: We're always hopeful to work with people when they come forward and say yes they want to cooperate with the Town, and although the ideal is to landmark the entire building, that's always the best and probably the best for you. We like

to work with you and I think that the Commission will have to give it a little thought as to how you would like to pass this along as a recommended designation or if you don't want to. So, I'd like to hear from you. We'd like to move along. May I have a motion that this property be recommended to the Town Council for designation as a landmark with the exception as stated by Mr. Frank, or as presented by our historian?

MS. DIVOLL: I WOULD MOVE THAT 300 QUEENS LANE BE RECOMMENDED TO 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, (WE'VE ALREADY DONE THAT), AND THAT THE YARD, PATIO, AND LANDSCAPED AREAS AND DRIVEWAYS BE EXCEPTED, EXEMPTED, OR EXCEPTED FROM THE LANDMARK DESIGNATION.

MRS. MACKINTOSH: I'LL SECOND IT.

ROLL CALL VOTE: MS. DIVOLL: AYE.
MRS. MACKINTOSH: YES.
MRS. GINGRAS: YES.
MRS. METZGER. NO.
MRS. ALBARRAN DE MENDOZA: YES.
MR. SILVERMAN: YES.
MRS. VOLK: YES.

MOTION CARRIED 6-1-0.

Later in the meeting, Mrs. Metzger gave her reasons for voting as such.

MRS. METZGER: I think if somebody voluntarily designates, it's so much nicer, it's so much more supportive, and I think we should try to work with the person so that they are comfortable with the process rather than to establish ill-will or antagonism. I think we win the battle, but maybe it affects the whole war. I like to try to work with the owners, and the fact that house is...I mean, as Commission members, it's probably easier for him if the whole thing is landmarked, but if the average person doesn't understand that, then it makes them upset and feel like people are trying to tell him what to do with his property. That's my concern in this particular case.

VI. Other Business:

A. January Designation Hearings

Mrs. Volk stated, for the record, that she has nothing to do with the John Volk designations that have been and will come forth. Mr. Volk worked on a large number of buildings in the Town, and it is inevitable that his work will be reviewed for designation. Mrs. Day quickly clarified that when she composed the list of properties to be placed "under consideration" for designation, she did so based on the merit of the structure itself, without regard to the architect for each of them.

Mrs. Day stated that two Maurice Fatio properties will be heard at the January meeting for designation. These

properties are 220 Orange Grove Road and 221 Monterey Road.

B. Discussion relative to "under consideration" status of
1197 North Lake Way

Mr. Frank stated that the Town had received a letter from the property owners, Irving and Margaret Luntz, wherein they state seven alterations made to the house in the last fifty years. The owners have not stated that they are pro or con regarding the designation, but instead state, "I would be willing to talk to members of the Landmarks Commission or its professional staff regarding this matter."

Mrs. Day noted that when she selected this property for study regarding designation, she was unable to see those items listed in the letter. Staff feels that this matter warrants more study, but Mrs. Day felt, in advance of further study, that this property will ultimately not qualify for designation. Staff and the Commission expressed their appreciation of correspondence such as this, from an owner, which provides so much useful information when designation is being considered.

C. Informal Review: Bethesda by the Sea - Site lighting
141 S. County Road

Mr. Hap Lewis appeared before the Commission representing Bethesda by the Sea Church, and their request for additional site lighting to illuminate the walkway in the evenings. Currently, there are two lights on site, and two more are being requested...one at the south end of the building, and one in the middle of the site. The requested lights consist of Chicago Series 12' cast aluminum poles with a 4" diameter shaft, and a T30, T Series Luminaire fixture. This item was brought to the Commission informally today because of the lengthy lead time required from date of order to date of delivery.

The Commission offered no negative feedback relative to this item, which will be heard formally at the January meeting.

D. Status Report: Mar-a-Lago Crest Restoration

Mr. Frank updated the Commission relative to the crest restoration at Mar-a-Lago. It has been determined that two types of crests exist at the site. One of the crests, the Post family crest, appears predominantly on the interior, with only two of this type on the exterior, in areas not visible from the right-of-way. The other type of crest, associated with another of Mrs. Post's husbands, is found on the tower. Mr. Frank showed colored renderings of each type of crest, and explained that the crests will be restored as such. In fact, the son of one of the gentlemen who was in the original paint crew for Mar-a-Lago, will be performing the crest restoration.

The metallurgy issue with the statues has yet to be resolved, and will come back to the Commission for review in

the future.

- E. Revision to window signage previously approved CoA # 41-93, dated 9/15/93, for Gianfranco Ferre, 256 Worth Avenue

Previous approval: Window signage for three windows.
Size: 8" height, 24" length. Material: Light grey painted letters

Revision requested: Signage for all windows and doors - total of 9 signs. Size: 4.6" height, 13.8" length.

It should be noted that the original approval was also for two building signs reading, "Gianfranco Ferre", and there is no change to these. The original signage approval, building plus window signs, used the maximum allowable square footage, 20 square feet. So, in revising the signage for the windows and doors, each was made significantly smaller to still abide by the 20 square foot limit.

Mr. Frank did not feel that advertisement was required for approval of this change, as the signage had been previously approved, and this change just represented a re-distribution of the square footage.

MOTION BY MS. DIVOLL TO ACCEPT THE CHANGE IN SIGNS FOR THE SAME TOTAL SQUARE FOOTAGE, SMALLER INDIVIDUAL SIGNS, ONE PLACED ON EACH OF THE WINDOWS AND A PAIR ON THE DOORS AS PRESENTED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

- F. Discussion relative to tax abatement for landmarked properties & Certified Local Government Status

Mr. Moore reported that at yesterday's Town Council meeting an ordinance did pass second reading allowing landmark property owners to participate in a tax abatement program involving Town taxes, not County taxes as yet.

During the course of that discussion, a matter was brought before the Town Council in response to a memorandum from Commissioner Divoll to Staff regarding the Town's Certified Local Government Status (CLG) and the importance of having Landmark Commission members of the right background, education and expertise on the Landmark Commission to retain such status. Also, she states, "Without the CLG status, the tax exemption review is not available within Town government, as I understand it. As a separate issue, I would imagine that landmark designations made by a Commission that does not meet the CLG requirements might also be open to challenge." Ms. Divoll, in the memo, urged Staff to look into this matter. The Town Council, in hearing of this, authorized Mr. Randolph to look into the matter. Landmark Commissioners were asked to submit updated resumes to the Town to substantiate their qualifications for

serving on the Commission.

Mr. Frank stated that he had processed the application to the State to be a CLG, and at that time resumes of Commission members were forwarded to the State for review. Mr. Frank reported that nationally, the Town exceeds the standards for a CLG, and he believed that the Town exceeds the State standards for a CLG as well. Mrs. Day stated that in her frequent discussions with the State, State personnel have stated that they were very pleased with the Town and commended Town staff for their work in this regard.

Mrs. Polly Earl stated that she sees no problem whatsoever with the current members of the Landmark Preservation Commission. She did add, however, that the State has recently revised its criteria for CLG's, and in fact encourages communities to look within themselves for members to serve on their respective landmark commissions. This philosophy is in keeping with the Town's recent requirement that all Commission members be residents of the Town. She also stated that the new State requirements "suggest strongly that in making appointments to landmarks commissioners that communities look within themselves for people with real professional background in quite a long list of preservation oriented professional areas."

Mrs. Volk stated that it is not only important for a commissioner to have degrees in preservation related fields, but a prospective commissioner should also be well versed in knowledge of the Town. Likewise, she upheld the current Commission for its excellent qualifications, and frankly, questioned why this matter was being investigated.

Ms. Divoll responded that at a past meeting, when the Commission was asked to suggest names of potential commissioners to fill the alternate seat vacated by Mr. Thomas, she had asked what qualifications were required. The response, at that time, was that there are no specific qualifications other than a residency requirement. Ms. Divoll stated that she became concerned about this, as she had been witness to the pains taken by Palm Beach County to select individuals with particular qualifications, as the County sought to create a landmark review board of its own. She questioned whether the Town is not obliged to have similar criteria for selection of future commissioners.

Mrs. Albarran de Mendoza thought it would be beneficial to have criteria established for commission member selection. She was pleased that the matter is being investigated.

Mr. Frank stated, for the benefit of Commissioners who may not realize this, that the Town has a very close association with the State, in that the State receives copies of all of our agendas, minutes, Designation Reports, and some correspondence. To date, Mr. Frank has never heard any complaints from the State regarding either the Commission, its members or the Town's landmark program. Mr. Moore stated that he is likewise unaware of any deficiencies in

the Landmarks Commission, past or present, but thanked Ms. Divoll for calling the matter to Staff's attention.

Ms. Divoll reiterated that she had no question related to the past or current commissioners, but was concerned that the Town's CLG status could be challenged if the seats on the Landmark Commission were filled with persons who do not have any professional or technical preservation experience.

VII. Adjournment

THE MEETING ADJOURNED AT 10:45 A.M. UPON A MOTION BY MRS. METZGER.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, JANUARY 19, 1994 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,


Sally Gingras, Secretary

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